



CITY OF MORGAN HILL

Regular Meeting Agenda

Planning Commission

Liam Downey - Chairman

Yvonne Martinez Beltran - Vice Chair

Mohammad Habib - Planning Commissioner

Juan Miguel Munoz Morris - Planning Commissioner

Joseph Mueller - Planning Commissioner

Wayne Tanda - Planning Commissioner

John McKay - Planning Commissioner

Tuesday, July 24, 2018 7:00 pm

Council Chamber

17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Pursuant to Government Code Section 54954.2

PLEDGE OF ALLEGIANCE

OPEN PUBLIC COMMENT PERIOD

Members of the public are entitled to address the Planning Commission concerning any item within the Morgan Hill Planning Commission's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the Planning Commission is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ORDERS OF THE DAY

MINUTES APPROVAL

1. OCTOBER 13, 2015 MINUTES

Recommendation:

1. Approve Minutes.

2. OCTOBER 27, 2015 MINUTES

Recommendation:

1. Approve Minutes.

3. APPROVE THE MAY 22, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

4. APPROVE THE JUNE 12, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

WORKSHOP

5. DISCUSSION ON DOWNTOWN HOUSING AND RETAIL CAPACITY, TRENDS AND OPPORTUNITIES

Recommendation:

1. Review, discuss and provide feedback.

PUBLIC HEARINGS

6. DA2017-0008, SD2017-0002, EA2017-0016: LLAGAS - STROLATA - DEVELOPMENT AGREEMENT, SUBDIVISION MAP, AND ENVIRONMENTAL ASSESSMENT FOR PROPERTY IDENTIFIED BY ASSESSOR PARCEL NUMBER 773-32-013 LOCATED AT 1110 LLAGAS AVENUE AT THE NORTHEAST END OF SABINI COURT.

Recommendation:

1. Open/close the public hearing and continue to the September 11, 2018 Planning Commission meeting.

7. AAE2017-0034 & AAE2017-0035: COCHRANE-SOUTH BAY: AMENDMENTS TO TENTATIVE SUBDIVISION MAP AND PLANNED DEVELOPMENT MASTER PLAN FOR A PROPOSED COMMERCIAL AND RETAIL CENTER. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS 726-25-035 AND 726-32-021, ARE LOCATED ON THE EASTERLY SIDE OF BUTTERFIELD BOULEVARD BETWEEN COCHRANE ROAD AND JARVIS DRIVE (COCHRANE ROAD INVESTORS, LLC, OWNERS).

Recommendation:

1. Adopt a Resolution recommending the City Council approve an amendment to a commercial Planned Development Master Plan and an addendum to the Mitigated Negative Declaration adopted on June 24, 2014;
2. Adopt a Resolution recommending the City Council approve an amended Tentative Subdivision Map.

OTHER BUSINESS

8. SIGNING OF ETHICS POLICY

DIRECTOR'S REPORT/ANNOUNCEMENTS

ADJOURNMENT

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the legislative body less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the legislative body. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Commission concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Commission Chambers, and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the Commission on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the Commission.

Persons interested in proposing an item for the Commission agenda should contact a member of the Commission who may plan an item on the agenda for a future Commission meeting. Should your comments require Commission action, your request may be placed on the next appropriate agenda. Commission discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the Commission, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of Commission Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email michelle.wilson@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email michelle.wilson@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 24, 2018

PREPARED BY: Jenna Luna, Municipal Services Assistant

APPROVED BY: Jennifer Carman, Community Development Director

OCTOBER 13, 2015 MINUTES

RECOMMENDATION(S)

1. Approve Minutes.

The attached minutes are part of the archival record. During the transition between clerking staff and agenda systems, these minutes missed their official adoption by the Planning Commission.

LINKS/ATTACHMENTS:

1. October 13, 2015 Minutes

DRAFT



Meeting Minutes Planning Commission

<i>Joseph Mueller</i>	-	<i>Chairman</i>
<i>Rene Spring</i>	-	<i>Planning Commissioner</i>
<i>John McKay</i>	-	<i>Planning Commissioner</i>
<i>Michael Orosco</i>	-	<i>Planning Commissioner</i>
<i>Pat Toombs</i>	-	<i>Planning Commissioner</i>
<i>Liam Downey</i>	-	<i>Planning Commissioner</i>
<i>Wayne Tanda</i>	-	<i>Planning Commissioner</i>

Tuesday, October 13, 2015

**Council Chamber
17555 Peak Avenue, Morgan Hill, CA
95037**

STUDY SESSION

1. Morgan Hill 2035: Zoning Code Update Study Session.

WORKSHOP

2. Morgan Hill 2035: New General Plan Policies.

CALL TO ORDER

Chair Mueller called the meeting to order at 6:00 p.m.

Attachment: October 13, 2015 Minutes (1879 : OCTOBER 13, 2015 MINUTES)

ROLL CALL ATTENDANCE

Attendee Name	Title	Status	Arrived
Joseph Mueller	Chairman	Present	
Rene Spring	Planning Commissioner	Present	
John McKay	Planning Commissioner	Present	
Michael Orosco	Planning Commissioner	Present	
Pat Toombs	Planning Commissioner	Present	
Liam Downey	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Present	

DECLARATION OF POSTING AGENDA

PLEDGE OF ALLEGIANCE

Planning Commissioner McKay led the Pledge of Allegiance.

OPEN PUBLIC COMMENT PERIOD

Chair Mueller opened the public comment period. Hearing no requests to speak, the comment period was closed.

ORDERS OF THE DAY

No changes made.

MINUTES APPROVAL

3. APPROVE THE JUNE 23, 2015 MEETING MINUTES

Recommendation:

Approve Minutes.

RESULT:	APPROVED [5 to 0]
MOVER:	Spring, Planning Commissioner
SECONDER:	Tanda, Planning Commissioner
AYES:	Mueller, Spring, McKay, Orosco, Tanda
ABSTAIN:	Toombs, Downey

PUBLIC HEARINGS

4. **SUBDIVISION, SD-14-05 / DEVELOPMENT AGREEMENT, DA-14-04: DUNNE-LEUNG: REQUEST FOR A TENTATIVE SUBDIVISION MAP AND DEVELOPMENT AGREEMENT TO ALLOW A SIX LOT SUBDIVISION OF A 2.112 ACRE PARCEL IN THE R-1 7,000 SINGLE FAMILY MEDIUM DENSITY DISTRICT. THE PROPERTY, IDENTIFIED BY ASSESSOR PARCEL NUMBER 728-11-026 IS LOCATED AT THE NORTHEASTERLY CORNER OF EAST DUNNE AVENUE (TOAN TRAN & SILVIA LEUNG, OWNERS). CEQA: CATEGORICALLY EXEMPT PURSUANT TO SECTION 15332 (IN-FULL DEVELOPMENT PROJECTS).**

Recommendation:

1. Application DA-14-04: Recommended City Council approval of a Development Agreement for the project
2. Application SD-14-05: Adopt a resolution approving the tentative map, subject to the findings and conditions of the attached Resolution.

Community Development Director, Andrew Crabtree, presented the staff report.

Chair Mueller opened the public hearing.

Bill McClintock was called to speak.

Hearing no further requests to speak, the public hearing was closed.

MOTION:

Motion to approve the Development Agreement with the amendment to extend the Exhibit B schedule on building permits to July 31, 2016 and commence construction deadline to September 30, 2016 with a correction on the mention of the Fiscal Year 15/16.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John McKay, Planning Commissioner
SECONDER:	Michael Orosco, Planning Commissioner
AYES:	Mueller, Spring, McKay, Orosco, Toombs, Downey, Tanda

MOTION:

Motion to approve the Tentative Map with the condition that the vacation of the public right of way for Old Hill Road prior to/simultaneous of the recordation of the final map.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John McKay, Planning Commissioner
SECONDER:	Michael Orosco, Planning Commissioner
AYES:	Mueller, Spring, McKay, Orosco, Toombs, Downey, Tanda

5. USE PERMIT, UP-15-06: JARVIS – MORGAN HILL SELF STORAGE

Recommendation:

1. Approve Conditional Use Permit, UP-15-06: Jarvis – Morgan Hill Self Storage

Community Development Director, Andrew Crabtree, presented the staff report.

Chair Mueller opened the public hearing.

Gary Coats was called to speak.

Ron Tate was called to speak.

Glen Ritter was called to speak.

Hearing no further requests to speak, the public hearing was closed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rene Spring, Planning Commissioner
SECONDER:	John McKay, Planning Commissioner
AYES:	Mueller, Spring, McKay, Orosco, Toombs, Downey, Tanda

ANNOUNCEMENTS

The Planning Commission workshop will be held on October 27, 2015 at 8:00 a.m. in the West Conference Room to discuss the RDCS with regular meeting to follow at 7:00 p.m.

ADJOURNMENT

There being no further business, Chair Mueller adjourned the meeting at 10:17 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

Attachment: October 13, 2015 Minutes (1879 : OCTOBER 13, 2015 MINUTES)



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 24, 2018

PREPARED BY: Jenna Luna, Municipal Services Assistant

APPROVED BY: Jennifer Carman, Community Development Director

OCTOBER 27, 2015 PC MINUTES

RECOMMENDATION(S)

1. Approve Minutes.

The attached minutes are part of the archival record. During the transition between clerking staff and agenda systems, these minutes missed their official adoption by the Planning Commission.

LINKS/ATTACHMENTS:

1. Minutes 10-27-15[1]
2. Attachment 1
3. Attachment 2

DRAFT

PLANNING COMMISSION MEETING MINUTES

SPECIAL & REGULAR MEETINGS (1:00 PM with break at 6:00; resume at 7:00 PM)

OCTOBER 27, 2015

PRESENT: Mueller, McKay, Tanda, Spring, Orosco, Downey, Toombs

STAFF: Community Development Director (CDD) Crabtree, Senior Planner (SP) Paolini, Environmental Services Coordinator (ESC) Eulo, Housing Manager (HM) Garcia, Senior Civil Engineer (SEC) Creer, Assistant Engineer (AE) Ha, and Minutes Clerk (MC) Johnson

Chair Mueller called the meeting to order at 1:09 p.m., with Commissioner Orosco leading the pledge of allegiance.

SPECIAL MEETING/ REGULAR MEETING

DECLARATION OF POSTING OF AGENDA (Government Code Section 54954.2) as requisite

OPPORTUNITY FOR PUBLIC COMMENT (provided at 1:00 PM and 7:00 PM. No persons addressed the Commissioners.

ORDERS OF THE DAY

Chair Mueller announced a request to move 2 items to the top of this agenda, following consideration of the minutes:

- j. MC-15-17: San Pedro-Presidio
- k. MC-15-18: San Pedro-Presidio

The Chair asked if there were other requests for agenda adjustments [no]. By consensus, the Commissioners agreed to the request for the two items to be heard out of sequence.

Staffs from the departments of Housing, Public Works, and Environmental Services were present to address questions the listed items of Attachment 1. Planning staff was directed to carefully review all decisions made for points adjustment at this meeting and report at the next regularly scheduled meeting.

MINUTES:

- 1.) **JULY 14, 2015** COMMISSIONERS MCKAY/TANDA MOTIONED TO APPROVE THE JULY 14, 2015 MINUTES WITH THE FOLLOWING REVISIONS:

Page 5, paragraph 4: Kevin ~~Pfiel~~ Phyle Mr. ~~Pfiel~~ Phyle showed
 Page 7, paragraph 2: Chair ~~Mueller~~ Mueller

Page 12: COMMISSIONERS TANDA/McKAY MOTIONED TO APPROVE ZONING AMENDMENT, ZA-14-13: PEAK-AMAS:
 THE MOTION PASSED (6-0-5-1-0-0) WITH THE FOLLOWING VOTE:
 AYES: ~~MUELLER~~, TANDA, KOMARCZYK, OROSCO, McKAY,
 SPRING
 NOES: MUELLER
 ABSTAIN: NONE
 ABSENT: NONE

THE MOTION PASSED (5-0-2-0) WITH THE FOLLOWING VOTE:
 AYES: MUELLER, MCKAY, TANDA, SPRING, OROSCO
 NOES: NONE
 ABSTAIN: DOWNEY, TOOMBS
 ABSENT: NONE

- 2.) MINUTES: JULY 28, 2015 Commissioners discussion ensued culminating with the Chair asking that the minutes be returned to a future meeting with the **listing of the amendments (motion: page 8) clarified.**

PUBLIC HEARINGS:

- 1.) **PUBLIC HEARINGS FOR THE 2015-2016 RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) COMPETITION: APPLICANTS FOR THE FOLLOWING PROPOSED RESIDENTIAL DEVELOPMENTS HAVE REQUESTED BUILDING ALLOTMENTS PURSUANT TO THE CITY'S RDCS IN ACCORDANCE WITH CHAPTER 18.78 OF THE CITY OF MORGAN HILL MUNICIPAL CODE:**

SP Paolini was the staff presenter for the items being considered at this meeting. She noted that letters had been received from a number of the projects, requesting additional points and providing the justifications submitted by the applicants. The materials were presented on overheads in the meeting room. It was noted that the 'safe walking distance to schools' had been controversial on several applications [differences in requirements for elementary and high schools was questioned]; the school representative was said to be ill and not in attendance at the meeting. SP Paolini provided information regarding rescoring following receipt of information from the applicants on being questioned and asked for clarification of points of the application categories.

Announcement: the Commissioner's discretionary point will be awarded at the November 10, 2015 meeting.

Note: for each of the following applications, Chair Mueller opened the public hearing time for speakers. Speakers to each of the items are so noted (Attachment 1).

If any Commissioner indicated a wish to add / delete points in the various categories,

Chair Mueller polled the Commission to ascertain whether or not a quorum agreed. Any point adjustment by the Commissioners is so noted in Attachment 2. As appropriate, staff was asked to explain/justify the points not/given by that specific department.

Questions were raised by Commissioners regarding (global issues):

- Parks and Pathways: ex: reference to MOUs; data not included in report
- safe waking distance to schools: difference between elementary and high schools
- points connected to R3 rental zoning
- market rate {bedrooms within proposed units}
- housing types (b)
- Housing types (condos) section 270 b1a: all units got full points - doesn't seem they meet criteria
- Commitment made in applications must be acknowledged and completed
- one of biggest challenges here: RCDS competition allotment of units is no way approval of project

j. **MC-15-17: San Pedro-Presidio**

k. **MC-15-18: San Pedro-Presidio:**

The regular order of the agenda was resumed

- a. **MC-15-05: Cochrane-Borello**
- b. **MC-15-06: Laurel-DeRose**
- c. **MC-15-10: Walnut Grove-Newland**
- d. **MC-15-11: San Pedro-Presidio Mana**
- e. **MC-15-12: Jarvis-Mwest**
- f. **MC-15-13: Lantana-Standard Pacific**
- g. **MC-15-14: Monterey-UHC**
- h. **MC-15-15: Butterfield-MH Butterfield**
- i. **MC-15-16: E. Dunne-Mana**

ANNOUNCEMENTS: Next meeting: recap of any adjustments to the scoring. Receive full staff review of RCDS scoring adjustments, if any.

ADJOURNMENT: Noting that there was no further business for the Planning Commission at this meeting, Chair Mueller adjourned the meeting at 10:02 p.m.

MINUTES RECORDED AND TRANSCRIBED BY:

JUDI H. JOHNSON, Minutes Clerk

Attachment 1

Legend:

CE 1) Circulation Efficiency B.1.a
CE 2) Circulation Efficiency B.1.c
CE 3) Circulation Efficiency B.1.d
CE 4) Circulation Efficiency B.2.c

HN 1) Housing Needs B.1
HN 2) Housing Needs B.5
HT 1) Housing Types B.3.b

LS/C 1) Landscaping, Screening, and Color B.2.c

Livable Communities points will be considered by the Commissioners November 10, 2015

LL/O 1) Lot Layout and Orientation B.1.a
LL/O 2) Lot Layout and Orientation B.1.b
LL/O 3) Lot Layout and Orientation B.1.e
LL/O 4) Lot Layout and Orientation B.1.f
LL/O 5) Lot Layout and Orientation B.1.g
LL/O 6) Lot Layout and Orientation B.2.b
LL/O 7) Lot Layout and Orientation B.3.a
LL/O 8) Lot Layout and Orientation B.3.b
LL/O 9) Lot Layout and Orientation B.3.c
LL/O 10) Lot Layout and Orientation B.3.d
LL/O 11) Lot Layout and Orientation 3.e
LL/O 12) Lot Layout and Orientation B.5

N&E 1) Natural and Environmental B.1
N&E 2) Natural and Environmental B.2

O/C 1) Orderly & Contagious B.2
O/C 2) Orderly & Contagious B.3
O/C 3) Orderly & Contagious B.4
O/C 4) Orderly & Contagious B.5

OS 2) Open Space A.1.e
OS 1) Open Space B.1.f

P&P 1) Parks & Paths B.2
P&P 2) Parks & Paths B.3
P&P 3) Parks & Paths B.5

S&S 1) Safety and Security

S 1) Schools B.3.a
S 2) Schools B.3.b
S 3) Schools B.3.d

Attachment 2: Scoring matrix of points request listed below:

Project #	Project Name	Self Score	Staff Score	Points adjustment/ category requested by applicant	Speakers	Points adjusted by Commissioners (voting for)
MC-15-05	Cochrane-Borello	175.5	165.0	S 1-1; S2-1; O/C1-4.5; P&P 2-1; LL/O1-1; LL/O 2-1; LL/O 7-1; LL/O 8-1; CE 1-2	Chris Borello	
MC-15-06	Laurel-DeRose	176.0	174.0	CE 4-2	Alec Tappin	
MC-15-10	Walnut Grove- Newland	179.5	161.5	S 3-2; O/C 3-1; O/C 4-2; HN 2-2; LL/O 5-2; LL/O6-2; CE 3-1; L/S 1-1; OS 2-2	Bill McClintock Rob Meserve	
MC-15-11	San Pedro-Presidio Mana	186.5	176.5	S/S B.4 <i>Points given in staff report</i>	Vince Burgos	
MC-15-12	Jarvis-MWest	165.5	140.5	P&P 2; N&E 2-6; OS 1-1; O/C 2-5; O/C 4-1; P&P 1-8; HN 2-2; LL/O 3-1; LL/O 3-2; LL/O 6-2; LL/O 7-1; LL/O 8-1; LL/O 10-2; LL/O 11-2; LL/O 12 -1; C 1-2; C 2-2; N&E 1-1	Kerry Williams Paul Anderson Alma DuSolier George Marinakis	washer /dryer connections for tenants points given in error; 3 points removed
MC-15-13	Lantana-Standard Pacific	175.0	171.0	P&P 1-4; LL/O 6-2; LL/O 9-1	Ross Doyle	
MC-15-14	Monterey-UHC	176.0	162.0		Vince Burgos	
MC-15-15	Butterfield MH Butterfield	194.5	177	P&P 1-4; LL/O 1-1; LL/O 2-1; LL/O 2-1; C 1-2; C 3-1	Dick Oliver	
MC-15-16	E. Dunne-Mana	187.5	175.5	P&P 1-7	Bill McClintock	
MC-15-17	San Pedro-Presidio	184.0	179.0	P&P 1-4; HT 1 3; P&P 3-4;	Vince Burgos	
MC-15-18	San Pedro-Presidio	181.5	173.5		Vince Burgos Margaret Sielert	

Note: Planning staff will reevaluate all scores of all applications and present the totals at the November 11, 2015 Planning Commission meeting. Points of any disputed categories will be checked against other applications; any corrected points will be applied across applications. Also at that meeting, the discretionary points of Livable Communities can be awarded by the Commissioners.

DRAFT



Meeting Minutes Planning Commission

John McKay - *Chairman*
Liam Downey - *Vice Chairman*
Joseph Mueller - *Planning Commissioner*
Wayne Tanda - *Planning Commissioner*
Yvonne Martinez Beltran - *Planning Commissioner*
Mohammad Habib - *Planning Commissioner*
Juan Miguel Munoz Morris - *Planning Commissioner*

Tuesday, May 22, 2018 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair McKay called the meeting to order.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the attendance.

Attendee Name	Title	Status	Arrived
John McKay	Chairman	Present	
Liam Downey	Vice Chairman	Late	7:04 PM
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Absent	
Yvonne Martinez Beltran	Planning Commissioner	Present	
Mohammad Habib	Planning Commissioner	Absent	
Juan Miguel Munoz Morris	Planning Commissioner	Present	

PLEDGE OF ALLEGIANCE

Commissioner Martinez-Beltran led the Pledge of Allegiance.

Minutes Acceptance: Minutes of May 22, 2018 7:00 PM (MINUTES APPROVAL)

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna declared the posting of the Agenda.

OPEN PUBLIC COMMENT PERIOD

Chair McKay opened the Public Comment period.

Robert Tesh was called to speak.

Mr. Christopher was called to speak.

Hearing no further requests to speak, the comment period was closed.

ORDERS OF THE DAY

No changes made.

PUBLIC HEARINGS

1. **UP2018-0005: COCHRANE-ANYTIME FITNESS: CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL RECREATIONAL FITNESS CENTER OVER 3,000 SQUARE FEET ON PROPERTY IDENTIFIED BY ASSESSOR PARCEL NUMBER 726-33-030 LOCATED NORTH OF COCHRANE ROAD, APPROXIMATELY 200 FEET EAST THE SUTTER BOULEVARD INTERSECTION.**

Recommendation:

1. Open/close public hearing; and,
2. Adopt a Resolution approving a Conditional Use Permit for a commercial recreational fitness center.

Associate Planner Joey Dinh presented the Staff Report.

Chair McKay opened the Public Hearing at 7:20 p.m.

Russ Allen was called to speak.

Hearing no further requests to speak, the Public Hearing was closed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Yvonne Martinez Beltran, Planning Commissioner
AYES:	McKay, Downey, Mueller, Martinez Beltran, Munoz Morris
ABSENT:	Tanda, Habib

2. **2017 RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) COMPETITION: PUBLIC HEARING FOR DEVELOPMENT PROJECTS REQUESTING RESIDENTIAL DEVELOPMENT ALLOTMENTS PURSUANT TO THE CITY'S RDCE IN ACCORDANCE WITH CHAPTER 18.78 OF THE CITY OF MORGAN HILL MUNICIPAL CODE**

Recommendation:

1. Adopt a Resolution awarding RDCE building allotments to qualifying projects.

Interim Principle Planner Gina Paolini presented the Staff Report.

Chair McKay opened the Public Hearing at 8:33 p.m.

Scott Murray was called to speak.
 Dick Oliver was called to speak.
 Rocke Garcia was called to speak.
 John Telfer was called to speak.
 Kerry Williams was to called speak.
 Brian Barry was called to speak.

Hearing no further request to speak, the Public Hearing was closed.

Chair McKay re-opened the Public Hearing at 9:35 p.m.

Scott Murray was called to speak.

Hearing no further requests to speak, the Public Hearing was closed.

MOTION

Motion to award and distribute building allocations according to Staff's recommendation with no multi-year awards.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Juan Miguel Munoz Morris, Planning Commissioner
AYES:	McKay, Downey, Mueller, Martinez Beltran, Munoz Morris
ABSENT:	Tanda, Habib

The following are the 2017 RDCS competition applications:

RDCS2017-0012: E. DUNNE - YOUNG ETAL: Request for 46 residential building allotments. This is a multi-year request. The proposal includes 46 multi-family owner occupied units at full build-out. The property, identified by Assessor Parcel Number 726-02-007, is located on the north side of E. Dunne Avenue, behind the Morgan Hill Kindercare Learning Center (Tsai Young H and So M et al, Owner).

RDCS2017-0013: COCHRANE - MWEST PROP CO.: Request for 379 residential building allotments. This is a multi-year request. The proposal includes 389 multi-family rental units at full build-out. The properties, identified by Assessor Parcel Number(s) 726-25-078, 726-25-079, 726-25066 and 726-25-067, are located at the northeast corner of Jarvis Drive and Monterey Road (M West Propco XXIII LLC, Owner).

RDCS2017-0014: MONTEREY/CENTRAL - ECA: Request for 12 residential building allotments. The proposal includes 8 single-family detached units and 4 single-family attached units at full build-out. The property, identified by Assessor Parcel Number 726-23-020, is located along Monterey Road at E. Central Avenue (ECA Partners LLC, Owner).

RDCS2017-0015: DIANA - HANAIEI: Request for 23 residential building allotments. The proposal includes 24 single family detached units at full build-out. The property/properties, identified by Assessor Parcel Number(s) 726-09-001 and 726-09-002, is located at the north east corner of Diana Avenue and Lotus Way (Grossweiler Donald Trustee & et al, Owner).

RDCS2017-0017: HILL – MORGAN HILL DEVCO: Request for 22 residential building allotments. The proposal includes 22 single family detached units at full build-out. The property,

identified by Assessor Parcel Number 817-20-031, is located at Hill Road and Barrett Avenue (Lewis Morgan Hill LLC, Owner).

ANNOUNCEMENTS

The next scheduled meeting of the Planning Commission will be a workshop on June 5, 2018 at 6:00 p.m. to discuss the RDCS Manual. On the Planning Commission meeting of June 12, 2018 staff will bring forth the Bylaws and the selection of our new Chair. Commissioner Mueller would like to know if the Wall discussion will be agendized in the future as the public come to speak about their concerns on two different occasions. Staff is working with the requester and members from the neighborhood responding to e-mails. Staff is researching the history of this project where the original EIR was adopted some time ago. The Community Development Director will assemble a report of their findings and will report back to the Commission.

ADJOURNMENT

There being no further business, Chair McKay adjourned the meeting at 9:47 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

Minutes Acceptance: Minutes of May 22, 2018 7:00 PM (MINUTES APPROVAL)

DRAFT



Meeting Minutes Planning Commission

John McKay - *Chairman*
Liam Downey - *Vice Chairman*
Joseph Mueller - *Planning Commissioner*
Wayne Tanda - *Planning Commissioner*
Yvonne Martinez Beltran - *Planning Commissioner*
Mohammad Habib - *Planning Commissioner*
Juan Miguel Munoz Morris - *Planning Commissioner*

Tuesday, June 12, 2018 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair McKay called the meeting to order.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the roll.

Attendee Name	Title	Status	Arrived
John McKay	Chairman	Present	
Liam Downey	Vice Chairman	Present	
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Present	
Yvonne Martinez Beltran	Planning Commissioner	Present	
Mohammad Habib	Planning Commissioner	Present	
Juan Miguel Munoz Morris	Planning Commissioner	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna declared the posting of the Agenda.

Minutes Acceptance: Minutes of Jun 12, 2018 7:00 PM (MINUTES APPROVAL)

PLEDGE OF ALLEGIANCE

Commissioner Martinez - Beltran led the Pledge of Allegiance.

OPEN PUBLIC COMMENT PERIOD

Chair McKay opened the public comment period. Hearing no requests to speak, the comment period was closed.

ORDERS OF THE DAY

No changes made.

CONSENT AGENDA

These are items of a routine or generally uncontested nature. Any member of the Planning Commission or member of the public may request to have an item pulled from the Consent Calendar and acted on individually by the Planning Commission. Items pulled will be discussed after action is taken on the balance of the Consent Calendar and before moving on to the public hearings.

1. APPROVE THE APRIL 24, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Mohammad Habib, Planning Commissioner
AYES:	McKay, Downey, Mueller, Tanda, Martinez Beltran, Habib, Munoz Morris

2. APPROVE THE MAY 8, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

RESULT:	PULLED
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ITEMS PULLED FOR DISSUSSION

APPROVE THE MAY 8, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

Chair McKay and Commissioner Tanda both had an excused absence for this meeting and abstained from this item.

Minutes Acceptance: Minutes of Jun 12, 2018 7:00 PM (MINUTES APPROVAL)

RESULT: APPROVED [5 TO 0]
MOVER: Wayne Tanda, Planning Commissioner
SECONDER: Juan Miguel Munoz Morris, Planning Commissioner
AYES: Downey, Mueller, Martinez Beltran, Habib, Munoz Morris
ABSTAIN: McKay, Tanda

OTHER BUSINESS

3. SELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR

Recommendation:

Select members to serve as Chair and Vice-Chair of the Planning Commission for a one-year term.

Commissioner Downey was voted as Chair and Commissioner Martinez-Beltran was voted as Vice Chair.

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Joseph Mueller, Planning Commissioner
SECONDER: Wayne Tanda, Planning Commissioner
AYES: McKay, Downey, Mueller, Tanda, Martinez Beltran, Habib, Munoz Morris

4. RULES FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS

Recommendation:

1. Consider and discuss Rules for the Conduct of Planning Commission Meetings
2. Recommend approval by the City Council

MOTION: PASSED [7-0]

Section 2.3: Special Meetings: Change the amount of Commissioners needed to call for a special meeting from 3 to 4 which would be the majority in addition to the Community Development Director.

Ayes: Unanimous

Nays: None

MOTION: FAILED [2 to 5]

Motion to include in section 9.1 a request for a joint meeting with City Council

Ayes: Martinez-Beltran, Habib

Nays: Downey, McKay, Mueller, Munoz-Morris, Tanda

MOTION: PASSED [7 to 0]

Add a section Under Meetings titled "Attendance" - Any Commissioner who will be missing a meeting will notify the Chair as well as the Director.

Ayes: Unanimous

Nays: None

MOTION: PASSED [7 to 0]

In Section 5.1 D: Delete the time listed for the workshop and keep "As deemed appropriate".

Ayes: Unanimous

Nays: None

MOTION: FAILED [0 to 7]

Section 5.1 F: Replace the word "future" with "designated".

Ayes: None
Nays: Unanimous

MOTION: PASSED [7 to 0]

Motion to add on to section 5.1 after section J: "Director's Report" - These are communication items from the Director, including future agenda items. Director will take input from Commissioners on items of interest.

Ayes: Unanimous
Nays: None

MOTION: PASSED [7-0]

Motion to add a new section to section 5 after letter F that states "The Chair may entertain by majority requests of Commissioners present to take matters listed on the Agenda out of the prescribed order.

Ayes: Unanimous
Nays: None

MOTION: PASSED [6-1]

In section 7.1: Appointment of Officers - Retain the rotation of the Chair but the Commission may extended the term of the Chair for one complete year.

Ayes: McKay, Downey, Mueller, Tanda, Habib, Munoz-Morris
Nays: Martinez-Beltran

MOTION: PASSED [7-0]

Motion to broaden section 8.5 D: to include "City staff, or any member of the public" to the following statement: It is never permissible to attack the motives, Character, or personality of the Commissioners directly or by innuendo or implication.

Ayes: Unanimous
Nays: None

MOTION: PASSED [7 to 0]

Motion to combine 9.1 and 9.2 and expand the last sentence to state "The memo should be succinct, describe the issue, and the proposed referral, and include any background materials or information relating to the matter.

Ayes: Unanimous
Nays: None

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Juan Miguel Munoz Morris, Planning Commissioner
SECONDER:	Mohammad Habib, Planning Commissioner
AYES:	McKay, Downey, Mueller, Tanda, Martinez Beltran, Habib, Munoz Morris

5. HOLIDAY SCHEDULE

Recommendation:

Consider the cancellation of meetings.

Motion to cancel both meetings in the month of August.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Juan Miguel Munoz Morris, Planning Commissioner
SECONDER:	Mohammad Habib, Planning Commissioner
AYES:	McKay, Downey, Mueller, Tanda, Martinez Beltran, Habib, Munoz Morris

ANNOUNCEMENTS

The Planning Commission has a workshop next Tuesday, June 19, 2018 to discuss the RDCS Manual. Finalizing the RDCS Manual changes will take place on June 26, 2018

ADJOURNMENT

There being no further business, Chair McKay adjourned the meeting at 9:45 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

Minutes Acceptance: Minutes of Jun 12, 2018 7:00 PM (MINUTES APPROVAL)



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 24, 2018

PREPARED BY: Edith Ramirez, Economic Development Director

APPROVED BY: Jennifer Carman, Community Development Director

DISCUSSION ON DOWNTOWN HOUSING AND RETAIL CAPACITY, TRENDS AND OPPORTUNITIES

RECOMMENDATION(S)

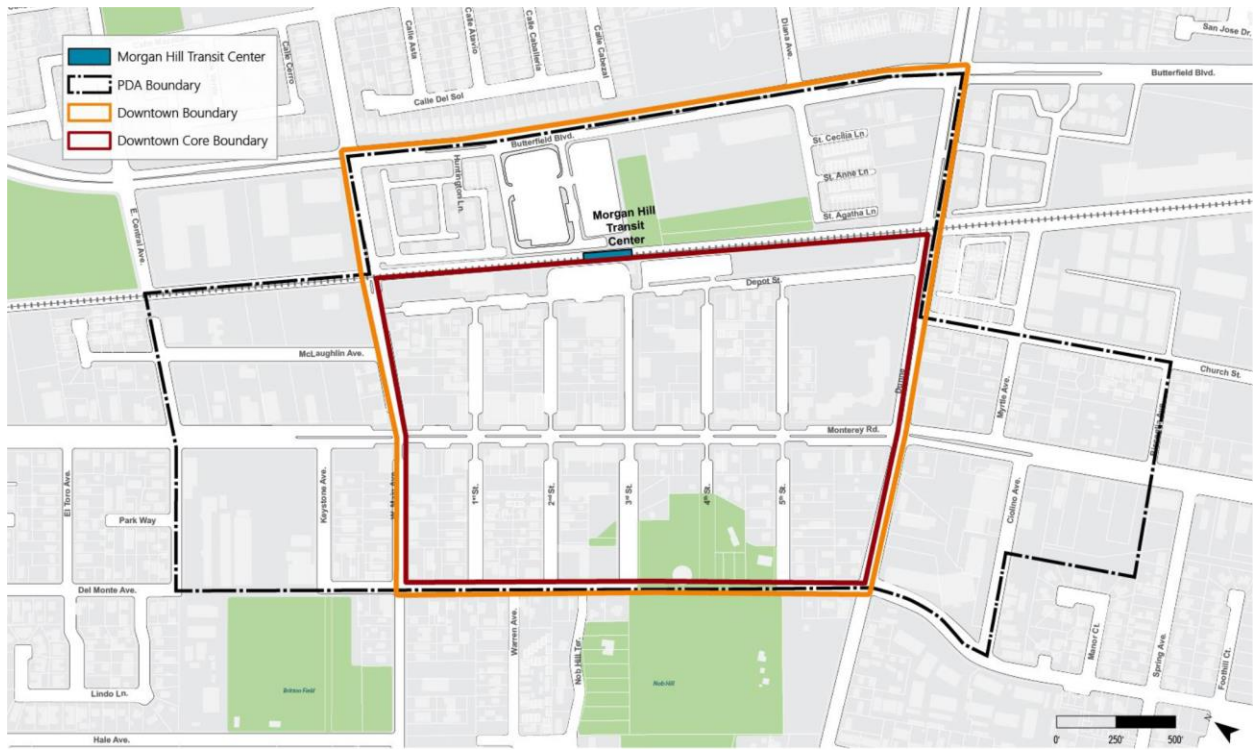
1. Review, discuss and provide feedback.

BACKGROUND:

The Downtown Specific Plan, adopted by the City Council in 2009, continues to provide direction regarding the overall vision and specific goals for the development of the Morgan Hill Downtown.

PROJECT SUMMARY:

The Downtown Specific Plan boundaries covers 18 blocks and approximately 110 acres. Downtown is centered on Monterey Road and is bound by Main Avenue, Butterfield Boulevard, Dunne Avenue, and Del Monte Avenue. The presentation will discuss the housing and retail capacity expectations within the Downtown Specific Plan, current trends, and opportunities within the City's Downtown.





PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 24, 2018

PREPARED BY: Tiffany Brown, Associate Planner

APPROVED BY: Jennifer Carman, Community Development Director

DA2017-0008, SD2017-0002, EA2017-0016: LLAGAS - STROLATA - DEVELOPMENT AGREEMENT, SUBDIVISION MAP, AND ENVIRONMENTAL ASSESSMENT FOR PROPERTY IDENTIFIED BY ASSESSOR PARCEL NUMBER 773-32-013 LOCATED AT 1110 LLAGAS AVENUE AT THE NORTHEAST END OF SABINI COURT.

RECOMMENDATION(S)

1. Open/close the public hearing and continue to the September 11, 2018 Planning Commission meeting.

PROJECT SUMMARY

The City has requested that this project be continued to allow staff and the environmental consultant to complete the necessary documentation for the project.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 24, 2018

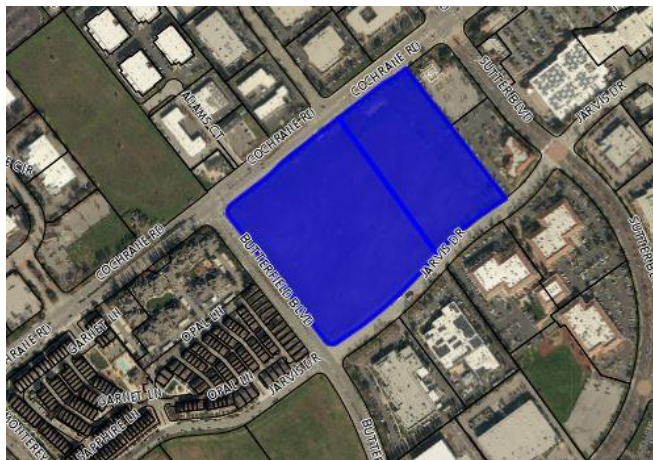
PREPARED BY: Richard Smeaton,
APPROVED BY: Jennifer Carman, Community Development Director

AAE2017-0034 & AAE2017-0035: COCHRANE-SOUTH BAY: AMENDMENTS TO TENTATIVE SUBDIVISION MAP AND PLANNED DEVELOPMENT MASTER PLAN FOR A PROPOSED COMMERCIAL AND RETAIL CENTER. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS 726-25-035 AND 726-32-021, ARE LOCATED ON THE EASTERLY SIDE OF BUTTERFIELD BOULEVARD BETWEEN COCHRANE ROAD AND JARVIS DRIVE (COCHRANE ROAD INVESTORS, LLC, OWNERS).

RECOMMENDATION(S)

1. Adopt a Resolution recommending the City Council approve an amendment to a commercial Planned Development Master Plan and an addendum to the Mitigated Negative Declaration adopted on June 24, 2014;
2. Adopt a Resolution recommending the City Council approve an amended Tentative Subdivision Map.

LOCATION MAP



PROJECT SUMMARY

1. Location: Southeast corner of Butterfield Boulevard and Cochrane Road (APN's 726-25-035 and 726-32-021)
2. Site Area: 20.43 Acres

3. General Plan: Commercial
4. Zoning: PD-General Commercial

BACKGROUND

The project site is located within the Morgan Hill Ranch Planned Unit Development (PUD) (now referred to as a Planned Development or PD). On June 24, 2014, the Planning Commission approved a Tentative Subdivision Map for the site (SD-13-14), which proposed to subdivide the property into eight parcels.

The City Council adopted Ordinance No. 2109, N.S. on August 8, 2014, amending the PD to include a Precise Development Plan (now referred to as a Master Plan) (The Village) for the 20.25-acre site (Attachment 3). The Master Plan included site development standards and a list of permitted and conditional uses for the site.

On April 10, 2018, the Planning Commission conducted a Preliminary Review for the proposed project (Attachment 4). The Planning Commission requested the applicant relocate the gas station within the site, reposition the tire store so that the repair bays were facing away from the adjoining residences, and reconfigure the retail and office uses so that they were more pedestrian friendly.

Project Description

Evergreen Devco, Inc. has submitted applications to amend the previously approved Tentative Subdivision Map and PD Master Plan for the 20-acre commercial site. The site is located at the easterly side of Butterfield Boulevard, between Cochrane Road and Jarvis Drive. Residential uses are located to the west across Butterfield Boulevard, office/industrial uses to the north and the south, and restaurant and office uses to the east. The applicant is planning to subdivide the property into 12 parcels, install the off-site and on-site infrastructure improvements and landscaping, and sell the individual parcels to end users who would then develop the individual parcels.

The proposal includes:

- 1) 4-story, 110 to 120 room hotel;
- 2) Convenience store, fuel center, and car wash;
- 3) Tire store;
- 4) 2-story medical office;
- 5) Two fast food pads;
- 6) Three retail buildings;
- 7) One, 14,000 square foot office building;
- 8) One grocery store;
- 9) One, 85-bed memory care-senior living residential care facility;
- 10) Three drive-thru locations (two fast-food and one car wash); and
- 11) Changes to the approved uses for the site.

A project description detailing the amendments to the PD Master Plan (Attachment 5), the amended Tentative Subdivision Map (Attachment 6), and detailed landscape plans (Attachment 7) have been provided.

ANALYSIS:

The proposed project was analyzed with respect to consistency with the: 1) General Plan; 2) Zoning Ordinance and “The Village” PD Development Standards; 3) Parcel Development 4) Morgan Hill Architectural Handbook; 5) 2017 Morgan Hill Economic Blueprint; 6) Findings; and 6) California Environmental Quality Act.

1. General Plan

The site has a Commercial designation in the Morgan Hill 2035 General Plan. This designation is intended to allow a wide range of retail businesses, administrative and executive office uses, and professional services, either in stand-alone buildings or as part of shopping centers, where retail stores are emphasized. The Commercial designation allows a maximum 0.6 floor area ratio (FAR). The project proposes building FAR’s that would comply with this provision.

Figure CNF-4 (Industrial Subareas) within the General Plan identifies the property to be located within Industrial Sub Area 3. This area is considered a Core Employment Area, which includes many of the City’s largest employers and will continue to be the strongest location for future employment growth with an emphasis on Research and Development, light manufacturing, office, and supporting uses.

General Plan Policies that would apply to this project include:

Policy CNF-8.2 – Design Features. Encourage design features and amenities in new development and redevelopment, including, but not limited to:

- Highly connected street layouts, supporting multiple paths of travel for all modes
- Cluster buildings to create useable open space
- Abundant landscaping
- Attractive transitions between uses
- Comfortable pedestrian facilities that promote a high level of pedestrian activity
- Distinctiveness and variety in architectural design

Policy CNF-8.7 Design Sensitivity. Ensure that new development is sensitive to the character of adjacent structures and the immediate neighborhood.

Policy CNF-8.11 Pedestrian Spaces. Encourage the design of attractive outdoor pedestrian spaces that encourage impromptu public gathering places with features such as plazas, interior walkways and paseos, ornamental gates, trellises, lighting, trees and landscaping, seating and fountains.

Policy CNF-17.2 – Industrial Land Use Conflicts. Ensure proposed new uses adjacent to industrial uses do not introduce land use conflicts that would adversely impact industrial activities.

Policy CNF-17.3 – Buffer between Industrial and Incompatible Uses. Ensure that all industrial uses are well sited and buffered from incompatible uses; buffers may include offices adjacent to sensitive uses, landscaping, berms, etc.

Consistency

The proposed uses have been reviewed to ensure compatibility with adjacent uses.

2. **Zoning Ordinance / “The Village” Planned Unit Development**

The site has a PD designation with an underlying zoning designation of General Commercial. The existing PD Master Plan allows for limited research and development uses.

Permitted and Conditional Uses

The project includes an amendment to the “The Village” PD Master Plan allowed uses. The applicant is requesting to limit the number of uses that would require a Conditional Use Permit within the shopping center by requesting to allow uses by-right that traditionally require additional review due to the more intense nature of the use, possible impacts on surrounding properties and/or compatibility of sensitive uses. The intent of this change is to provide more flexibility for potential users and would contribute to the overall development of the center.

While the applicant is requesting many uses to be allowed by-right, staff suggests that the by-right nature of the more intensive uses listed below be limited to specific parcels within the development. This would provide the Planning Commission the opportunity to review uses on specific parcels to ensure compatibility with surrounding uses.

- Nursing Homes and Long-Term Care
- Residential Care Facilities
- Day Care Centers (including Nursery Schools and Adult Day Care)
- Minor Vehicle Repair facilities and Service Stations

Table 1 provides details regarding the change in uses within the PD. Uses that are proposed to be changed are indicated in **bold**. Please note that the names of proposed uses have been updated to reflect the language used in the new Zoning Code and will not directly correspond to those names listed in Attachment 5.

Table 1
Approved and Proposed Uses for the Cochrane- Evergreen Project

Use	Existing Planned Development Uses	Proposed Amendment	Staff Recommendation
Business Support Services	P	P	P
Commercial Services	P	P	P
Commercial Recreation Use <3,000 sq. ft.	P	P	P
Commercial Recreational Use >3,000 sq. ft.	C	P	P
Drive-Thru Restaurant (max 2)	P	P	P
Drive-Thru Restaurant (max 3)	C	P	P
Drive-Thru Restaurant (4+)	C	C	C
Financial Services	P	P	P
Grocery Store	-	P	P
Home Improvement Center	P	P	P
Hotel/Motel	P	P	P
Mini-Storage Facility	-	P	NP
Office, Medical/Dental	P	P	P
Office Administrative	P	P	P
Office Professional	P	P	P
Personal Services	P	P	P
Research & Development	P	P	P
Restaurant, sit-down & fast food	P	P	P
General Retail	P	P	P
Convenience Markets, Grocery , & Specialty Markets	C	P	P
Service Station (24-hour operation)	C	P	P for parcel 5, C for additional parcels
Minor Vehicle Repair	C	P	P for parcel 7, C for additional parcels
Nursing Homes and Long-Term Care	C	P South half of site no more than 10 acres	P for parcel 12 C for additional parcels
Residential Care Facilities	C	P South half of site no more than 10 acres	P for parcel 12 C for additional parcels
Day Care Centers	C	P	C Adult Day Care P if ancillary to Elderly/Assisted

Use	Existing Planned Development Uses	Proposed Amendment	Staff Recommendation
			Living Use, C if not ancillary
Kennel	C	C	C

P = Permitted Use

C = Conditional Use

NP = Not Permitted

Staff agrees with most of the proposed changes, with the following suggested modifications:

- a. Mini-Storage – Mini-Storage was not initially permitted on the site and is not believed to be a suitable use for this location. The applicant has agreed to withdraw the request.
- b. Service Station – The applicant has requested that a service station use be permitted by-right to allow for flexibility in marketing the project. Staff would recommend that the use be permitted on Parcel No. 5 and that a Conditional Use Permit be required for other locations on the site.
- c. Minor Vehicle Repair – Minor Vehicle Repair is being requested as a by-right use. Vehicle storage, noise and storage/disposal of vehicle parts is a primary concern with this type of use and requires additional review. Staff would recommend that the use be permitted on Parcel No. 7 and that a Conditional Use Permit be required for other locations on the site.
- d. Nursing Homes & Long-Term Care/Residential Care Facilities– The applicant proposes to reserve the south 10 acres of the site for by-right assisted living uses. Parcel No. 12 has been identified for a memory care user. Staff is concerned with permitting additional Nursing Homes & Long-Term Care/Residential Care Facilities development without further review by the Planning Commission. It is recommended that the memory care use be limited to Parcel No. 12 and that a Conditional Use Permit be required for other senior housing development on the site.
- e. Day Care Center, Nursery Schools and Adult Day Care – Staff has raised concerns with the traffic that can be generated with a day care and nursery school uses. Based on this review, the applicant has agreed that a Conditional Use Permit would be required for the use. For adult day care, staff believes that allowing this use as a by-right ancillary use to an approved Nursing Homes & Long-Term Care/Residential Care Facilities would be appropriate and would have minimal impact on the site. However, if the use were to be a stand-alone use, a Conditional Use Permit is recommended to be required.

Drive-Thru Uses

The existing PD limits the use of drive-thrus to restaurant uses only. The applicant is requesting to expand the use on the site to allow for three drive-thrus by-right. Additional drive-thrus would require a Conditional Use Permit. Drive-thrus would not be limited to restaurant use only.

Maximum Building Height

Site development standards within the existing PD limits the maximum building height to fifty (50) feet. The applicant is seeking to increase the maximum height for the hotel only to sixty (60) feet. This height would include all mechanical and architectural embellishments and reflect the recent changes in hotel height standards in the Zoning Code. Increasing the height limitation within the PD would allow for greater development potential for the hotel, without significant impact to adjacent businesses or residents.

Parking Reduction

The applicant is requesting that the motor vehicle repair use be allowed to reduce the parking ratio from 1 parking space per 200 square feet (1/200) to 1 parking space per 250 square feet (1/250) with repair bays counting towards the parking requirement. The applicant has a specific user for the site that does not believe the required parking specified by the zoning ordinance is necessary. Reducing the parking for this user may cause parking issues if the site is redeveloped or a new user takes over the same building; therefore, a parking reduction is not recommended.

3. Parcel Development

With the previous application, a Tentative Subdivision Map was approved to subdivide the site into eight parcels. The current proposal would subdivide the site into twelve parcels, which would require an amendment to the approved Tentative Subdivision Map. The proposed site plan includes:

Parcel Number	Parcel Size	Building Size	Proposed Use
1	39,914 square feet	6,000 square feet	Retail
2	52,266 square feet	6,000 square feet	Retail
3	33,228 square feet	3,500 square feet	Quick service restaurant and drive-thru
4	49,972 square feet	4,500 square feet	Quick service restaurant and drive-thru
5	58,145 square feet	4,500 square feet	Convenience store, fueling station and touch-free drive-thru car wash
6	96,225 square feet	44,000 square feet	Hotel
7	52,190 square feet	10,000 square feet	Tire store
8	96,090 square feet	22,000 square feet	Grocery store / Market
9	49,288 square feet	6,000 square feet	Retail
10	46,388 square feet	14,000 square feet	Office
11	125,366 square feet	35,000 square feet	Medical offices

Parcel Number	Parcel Size	Building Size	Proposed Use
12	176,270 square feet	40,000 square feet	85-unit residential care facility

Evergreen Devco, Inc. is proposing to subdivide the property and sell the individual parcels to end users to be developed. Given the nature of this type of development staff has requested that strong CC&R's be developed and a site manager be designated to ensure that any future property maintenance issues can be addressed.

4. **Site and Architecture Review**

The project design is driven by the development plan for the property. The site will contain 12 parcels, each of which may be sold individually, and each containing required parking for the proposed use on the lot. The developer will be required to create reciprocal parking and access easements across the entire site, as well as covenants and restrictions which address permitted uses, non-compete issues, common signage standards and maintenance responsibilities.

The site was initially planned as an auto oriented commercial development. Taking the Planning Commission comments from the Preliminary Review hearing, the layout of the site has been modified relocating retail buildings to the hard corner, creating plazas on the corner of Butterfield Boulevard and Cochrane Road (between Shops 1 and Shops 2) and internal to the site (between the Market and Shops 3). Auto oriented uses that generate large amounts of traffic have been consolidated along Cochrane Road.

The applicant has provided conceptual landscape plans as part of their overall site planning. A complete analysis of the project's conformance with city design standards will occur upon the submittal of a Site and Architectural Review application for each parcel as they develop and the overall on-site infrastructure and landscaping improvements that will be completed by the applicant. Specific details on the plaza designs will be determined during the Site and Architecture Review process.

Circulation

The site provides seven external access points from the public right-of-way. Three access points are located along Cochrane Road. One is a full intersection with a traffic light, which the applicant will install as part of the site improvements and the other two will be driveways located to the east and the west of the full intersection. There will be one access point along Butterfield Boulevard and three along Jarvis Drive. There will be one connection adjoining the commercial property to the east.

Internal circulation is provided primarily by east-west and north-south access drives that intersect at a roundabout. Specific design elements for the roundabout will be considered as part of Site and Architectural review, but staff has provided a Condition of Approval that requires the design include a raised curb, decorative bollards, landscaping and/or public art. Additionally, speed tables or other traffic calming measures will be installed along the access roads to discourage drive-by traffic from

utilizing the site to bypass traffic lights. A Condition of Approval has been included that requires an ingress-egress easement over the entire site.

The north-south access is designed as a boulevard. The landscape median in the boulevard would be required to be wide enough to allow trees and other landscaping to thrive. The landscape median will need to be a minimum of ten feet in width.

A Traffic Analysis has been prepared for the project by Hexagon. Recommended adjustments to improve site access and on-site circulation have been recommended:

- a. Due to its close proximity and potential to disrupt traffic flow along Cochrane Road, it is recommended that direction of the drive-thru lane for Pad B within Parcel 3 be reversed to flow in a clockwise direction. The change in direction will ensure that vehicle queues at the drive-thru lane do not spill out to the main drive aisle and potentially onto Cochrane Road.
- b. It is likely that queues extending back from Butterfield Boulevard along Jarvis Drive will block left-turns into and out of Driveway 4 located at the south west corner of the site along Jarvis Drive. The view of outbound left-turns from the driveway also would be restricted for vehicles originating from Butterfield Boulevard and traveling eastbound along Jarvis Drive. Therefore, it is recommended that Driveway 4 be restricted to right-turns in and out only.

These recommendations have been incorporated into the Conditions of Approval.

5. **Economic Development Blueprint**

The City's 2017 Morgan Hill Economic Blueprint establishes the City's current priorities for the implementation of Economic Development goals. The document does not replace the Economic Development Element of the General Plan, but rather supplements the 2035 General Plan by identifying quantifiable actions required to generate jobs, attract investment, grow economic vitality, as well as new tax revenues for the community.

The Economic Blueprint identified four key industries which will drive economic prosperity, create a fiscally sustainable future:

1. Innovation and Advanced Manufacturing
2. Retail
3. Tourism
4. Healthcare

The proposed development, with the proposed uses directly supports three of the four key industries identified in the Economic Blueprint: Healthcare, Tourism, and Retail.

Retail

The Economic Blueprint promotes growing retail offerings and strengthening commercial nodes. The proposed development would create an additional 83,000 square feet of new retail development. The Economic Blueprint identifies retail flexibility as a key strategy to support the retail industry.

The development would be consistent with the identified Economic Blueprint strategies:

Retail Flexibility

Strategy No. 14: Continually revisit retail industry trends and requirements.

Strategy No. 16: Re-Evaluate and propose changes to shopping center-site specific zoning requirements

Tourism

The Economic Blueprint promotes growing leisure, agriculture, wine country and recreational tourism. Supporting lodging is a strategy for this industry. The site is also located near key employment areas for the City and more business quality hotel development has been requested by the community's top employers to support their business needs.

The development would be consistent with the following Economic Blueprint strategies:

Support Lodging

Strategy No. 25: Ensure General Plan and Zoning Code address Bed & Breakfasts, Air B&B and Hotel Development

Strategy No. 27: Identify Pre-zoned lodging sites

Healthcare

The Economic Blueprint promotes growing and fostering medical services and diagnostics industry by attracting services and facilities. The proposed development would add 35,000 square feet of new medical offices.

The development would be consistent with the following Economic Blueprint strategies:

Actively Promote Locations for Medical Uses

Strategy No. 33: Identify and Market pre-zoned medical sites

Consistency

The proposed project would complete a 20-acre site within an established PD, providing additional lodging opportunities that would directly support the tourism industry. The

overall development would create employment opportunities and service amenities for residents within the City.

6. Findings

Planned Development Amendment

In accordance with Section 18.14.020.C (Legacy Zones), a legacy zone is the base zoning district, overlay zone, or combining district which was applied to a property prior to July 7, 2018. All rules and regulations of the legacy zone, and any subsequent amendments thereto, continue to apply to the subject property. The PD (formerly PUD) that was adopted for the site is considered a Legacy Zone.

Permitted land uses, development standards, and other provisions that apply within a legacy zone may be amended in accordance with Chapter 18.114 (Zoning Code Amendments).

The Planning Commission may recommend to the City Council the approval or conditional approval of the proposed Zoning Code Amendment, based upon the findings specified in Section 18.114.060 (Findings for Approval). In accordance with Section 18.114.060 (Findings for Approval), the City Council may approve a Zoning Code Amendment only if all of the following findings are made:

1. **The proposed amendment is consistent with the General Plan and any applicable specific plan as provided by Government Code Section 65860.**
2. **The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.**

As described in the analysis above, the proposed amendment is found to be consistent with the General Plan, and it will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed change to the existing PD enables the creation of a shopping center that is smaller scale clustered development that is sensitive to the character of adjacent structures and the immediate neighborhood. The existing PD encourages big box retail uses that are discouraged by the General Plan. The proposed uses do not conflict with the existing neighborhood but instead provide uses that serve both the adjacent residential and industrial areas as well as the larger Morgan Hill community.

The inclusion of outdoor pedestrian spaces such as plazas and walkways encourage pedestrian activity and provide for attractive transitions between uses as well as public gathering spaces.

Tentative Subdivision Map

Morgan Hill Municipal Code Section 17.20.090, Tentative Subdivision Map — Approval Conditions requires that the following finding to be made by the Planning Commission to adopt the amendment to the Tentative Subdivision Map:

In approving or conditionally approving the Tentative Subdivision Map, the Planning Commission shall find that the proposed subdivision, together with its provisions for its design and improvements, is consistent with applicable general or specific plans adopted by the City.

The amendment to the Tentative Subdivision Map has been designed consistent with the City's General Plan, considering circulation patterns and providing ingress-egress easements to adjacent parcels.

Conclusion

The project has been found to be consistent with the General Plan. Staff recommends that the Planning Commission accept the Addendum to the Mitigated Negative Declaration, approve the amendment to the Tentative Subdivision Map as conditioned, and recommend approval to the City Council of the amendment to the PD Master Plan for the commercial development.

Community Engagement

The Morgan Hill Community was informed about the project through public notification including site signage, newspaper notice, and direct mail to property owners within 300 feet.

7. California Environmental Quality Act (CEQA):

On June 24, 2014, the Morgan Hill Planning Commission adopted the Mitigated Negative Declaration (MND) for the Butterfield and Cochrane Development.

The MND found that the project would result in impacts that were either less than significant or less than significant with mitigation. A mitigation monitoring and reporting program was adopted. Mitigation measures are applicable to the project site and an updated Mitigation Monitoring and Reporting Plan is attached.

An addendum to a previously adopted MND may be prepared if some changes or additions are necessary but no substantial changes would result in new significant environmental impacts or increase the severity of previously identified significant impacts. An addendum in this case is warranted as none of the conditions described in Section 15162 of the CEQA guidelines would occur.

The Modified Project would not result in new or different environmental impacts, nor substantially increase the severity of the previously identified environmental impacts, not require new mitigation measures, and no new information has emerged that would materially change the analyses or conclusions set forth in the MND. Therefore, the

Modified Project would not change the analysis or conclusions reached in the MND (Attachment 8).

LINKS/ATTACHMENTS:

1. AAE2017-0034 SD Resolution
2. AAE2017-0035 ZA Resolution
3. ORD2109 - Cochrane-South Bay
4. April 10, 2018 PC Preliminary Project Review Meeting (Weblink)
5. Evergreen Village - PD Narrative
6. Site Plan and Tentative Map
7. Landscape Plans
8. Butterfield Cochrane Initial Study - Addendum (7-19-18)
9. Butterfield Cochrane Initial Study - Addendum Appendices (Weblink)
10. Cochrane Road Commercial Development Mitigated Negative Declaration and MMRP - June 2014

RESOLUTION NO. 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO A TENTATIVE SUBDIVISION MAP TO SUBDIVIDE A 20.43-ACRE SITE INTO 12 LOTS LOCATED AT SOUTHWEST CORNER OF BUTTERFIELD BOULDEVAR D AND COCHRANE ROAD IN A PD ZONING DISTRICT (APN's 726-25-035 AND 726-32-021)

WHEREAS, such request was considered by the Planning Commission at its regular meeting of July 24, 2018, at which time the Planning Commission recommended approval by the City Council of a subdivision amendment application, AAE2017-0034: Cochrane-South Bay amending the previously approved application SD-13-14: Cochrane-South Bay; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

- SECTION 1.** The amended Tentative Subdivision Map, together with its provisions for its design and improvements, is consistent with the General Plan.

- SECTION 2.** The approval of this subdivision is contingent upon the City Council approval of a Planned Development Master Plan as contained in Zoning Amendment application, AAE2017-0035: Cochrane-Evergreen.

- SECTION 3.** The Planning Commission of the City of Morgan Hill hereby finds that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Addendum to the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis, and that the adopted Mitigated Negative Declaration was considered prior to action taken to adopt the Resolution. The custodian of the documents or other material which constitute the record shall be the Development Services Department. The mitigation measures, including those from the Mitigation Monitoring and Reporting Program, are identified in the set of standard conditions as contained in Exhibit A and are hereby incorporated herein.

- SECTION 4.** The proposed subdivision will not result in a violation of the requirements established by the Regional Water Quality Control Board.

- SECTION 5.** The approved project shall be subject to the conditions as identified in the set of standard conditions attached hereto, as Exhibit A, and by this reference incorporated herein.

Resolution No. 18-XXX

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PASSED AND ADOPTED THIS 24th DAY OF JULY 2018, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENNA LUNA, Deputy City Clerk

LIAM DOWNEY, Chair

A F F I D A V I T

I, _____, applicant, hereby agree to accept and abide by the terms and conditions specified in this resolution.

Applicant

Date: _____

R:\PLANNING\WP51\Zoning Amendment\2013\ZA 13-12 Cochrane-So Bay\AAE2017-0035\PC Resolutions\AAE2017-0034 SD Ammend Res.docx

EXHIBIT "A"

STANDARD CONDITIONS

APPLICATION: AAE2017-0034: Cochrane-Evergreen

THE FOLLOWING ARE STANDARD CONDITIONS OF APPROVAL THAT MUST BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS AND/OR SITE DEVELOPMENT PERMITS EXCEPT AS MAY BE SPECIFIED IN THE CONDITIONS. THE APPROVAL REQUIREMENTS INCLUDE THESE REQUIREMENTS AND ANY SPECIAL CONDITIONS THAT ARE APPLIED THROUGH THE DEVELOPMENT APPROVAL PROCESS. APPLICANTS ARE REQUIRED TO SIGN THE APPROVAL CERTIFICATE/RESOLUTION FORM INDICATING THEY UNDERSTAND AND AGREE TO IMPLEMENT THESE STANDARD CONDITIONS AND ANY SPECIAL CONDITIONS APPLIED TO THEIR PERMIT APPROVAL.

ACRONYMS:

MHMC – Morgan Hill Municipal Code

MHARH – Morgan Hill Architectural Review Handbook

PLANNING DIVISION

I. TIME LIMITS

- A. The Tentative Subdivision approval granted under this Resolution shall remain in effect for two years to July 24, 2020. Failure to apply for Final Map approval with the City Engineer within this term shall result in expiration of approval unless an extension of time is granted by the Planning Commission prior to the expiration date. **(MHMC 17.20.170; 17.24.110)**

II. SITE DEVELOPMENT

- A. **DESIGN PERMIT APPROVAL:** Prior to recordation of the final map, all areas of required public or private improvements shall receive Design Permit approval.
- B. **PUBLIC IMPROVEMENT INSTALLATION:** All perimeter public improvements shall be installed as part of the first final map. Public improvements shall include but are not limited to the following:
 - 1. Raised landscaped median along project frontage on Cochrane Road.
 - 2. Dedicate necessary right-of-way (67 feet from center line) to accommodate 3 travel lanes and bike lane across project Cochrane Road frontage.
 - 3. Curb, gutter and sidewalk on Cochrane Rd., Butterfield Blvd. and Jarvis Dr.
 - 4. Traffic signal at the project entrance and Cochrane Rd.
 - 5. All perimeter driveway approaches.
- C. **ON-SITE COMMON IMPROVEMENTS:** The following on site private improvements shall be installed as part of the public improvement plans prior to the recordation of the first final map:
 - 1. All private street and landscape improvements.
 - 2. All access drives as shown on the site plan.

3. All perimeter landscaping along Cochrane Rd., Butterfield Blvd., and Jarvis shall be installed.
- D. **TREE PROTECTION:** Unless tree removal has been previously approved through the Design Permit process, all trees located within the project shall be protected using the following minimum protection measures (these guidelines shall be included with all site development plans):
1. Mark all trees to be saved with a survey flag or ribbon. Do not nail or staple directly to the tree.
 2. Erect a temporary fence enclosing an area equal to at least the dripline of the tree (or as far from the trunk as possible). This tree protection zone shall not be used for parking, storage of building materials, or other equipment or the placement of temporary or permanent fill. Signs should be posted identifying the restriction of uses in the tree protection zone.
 3. Locate structures, grade changes, and other ground or surface disturbances (e.g. concrete pours) as far as feasible from the “dripline” area of the tree.
 4. Avoid root damage through grading, trenching, compaction, etc at least within an area 1.5 times the dripline area of the tree. Where root damage cannot be avoided, roots encountered over 1” in diameter should be exposed approximately 12” beyond the area to be disturbed (towards the tree stem), by hand excavation, or with specialized hydraulic or pneumatic equipment, cut cleanly with hand pruners or power saw and immediately back-filled with soil. Avoid tearing or otherwise disturbing that portion of the roots to remain.
 5. The addition of plant or other landscaping materials shall remain outside of the dripline of all trees.
 6. Any tree subject to Chapter 12.32 Restrictions On Removal Of Significant Trees of the Morgan Hill Municipal Code requires approval from the Planning Division. The applicant shall request approval prior to removing any significant trees.
- E. **CC & R’S:** The applicant shall provide a set of Covenants, Conditions and Restrictions, Bylaws and Articles of Incorporation, for review and approval by the Community Development Department prior to recordation of the final map. All such CC&Rs shall include the following text:
1. Common Areas/Right of Ways:
 - a. The Owners recognize that the use, modification and proper maintenance of the Common Area and public right-of-way(s)* are for the benefit of all citizens of the City of Morgan Hill (City) and that the City is an intended third party beneficiary of these covenants, conditions and restrictions and may, upon notice of hearing as set forth below, exercise the same powers of enforcement as the Association.

(a) *Public right-of-way: Exclusive of streets dedicated to and accepted by the City of Morgan Hill

- b. The City may, by mail or personal delivery, give written notice of the breach of any maintenance obligation to the Association with a demand that such breach be remedied. If such breach is not remedied within thirty (30) days of the mailing or delivery of such notice, the City shall have standing and the right (but not the obligation) to bring a court action against the Association and Owners to enforce such provision. In addition, the City shall be entitled to recover reasonable attorneys' fees and costs incurred in such action.
 - c. The Notice may also contain a date for a hearing on the matter before a City employee designated by the City (which hearing shall be held no sooner than fifteen (15) days after mailing of such notice), and if after such hearing the City determines that there has been inadequate maintenance, the City shall have the right (but not the obligation) to undertake the maintenance of the Common Area or public right-of-way in question. Any and all costs incurred by the City in so maintaining the Common Area or public right-of-way shall be a lien against all the properties included with the Project and shall be the personal responsibility of the Owners and the Association.
 - d. The entire Project and all of the properties located thereon shall be subject to the conditions and restrictions of all subdivision and other Project approvals by the City, with respect to the Project. Any changes and/or modifications to the Project and/or any Unit, including but not limited to changes to the exterior of any Unit, may be subject to review and approval of the City of Morgan Hill as may be determined by review of the Project approvals by the City of Morgan Hill.
 - e. This section may not be amended without the prior written consent of the Director of Community Development for the City. Nothing contained in this section shall limit any other right or remedy which the City may have under its ordinances or state law.
 - f. For the purposes of this section, the question of whether there has been a breach of a maintenance obligation or adequate maintenance shall be determined by the provisions of the original Declaration as first recorded with the County Recorder for Santa Clara County and by any amendment thereto, but only to the extent that such maintenance obligation or duty of maintenance is increased by such amendment.
2. Tree and Landscape Preservation: The Owners of the lots and Association shall preserve and maintain all trees and landscape on the property originally required by the approved landscape plan and shall not remove or alter any such trees or landscape from the Property without the approval of the Director of Community Development of the City of Morgan Hill.
 3. Compliance with the City of Morgan Hill Conditions of Approval: It shall be the responsibility of each Owner and the Association to insure that any changes or modifications to the Project or any Unit are in compliance with the original City conditions of approval of the Project, which are hereby incorporated herein as if set forth in full.

- F. FINAL SITE DEVELOPMENT PLANS: Final site development plans for all common area or perimeter landscape improvements shall be reviewed, approved and installed prior to recordation of the final map.
- G. FORMATION OF MAINTENANCE ASSOCIATION: Prior to recordation of the first final map a maintenance association shall be formed to maintain all common area landscaping, parking, lighting and circulation. Maintenance of the common areas will be managed by an association in accordance with to be established CC&R's.
- H. DUST, NOISE, VIBRATION, AND MATERIALS MANAGEMENT PLAN: A management plan detailing strategies for control of noise, dust and vibration, and storage of hazardous materials during construction of the project shall be on all site development and grading plans. The intent of this condition is to minimize construction related disturbance of residents of the nearby or adjacent properties. **(MHMC 18.76)**

The plan must include the following "Basic Construction Mitigation Measures" per Bay Area Air Quality Management District's guidelines:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- I. STREET NAMES: Street names, private or otherwise, used to identify building locations shall be submitted to the Planning Division for approval. Proposed street names shall comply with the Street Naming Policy approved by City Council (Res No. 4601)

III. PARKING & VEHICULAR ACCESS

- A. RECIPROCAL INGRESS/EGRESS AND SHARED PARKING EASEMENTS: Prior to recordation of the final map reciprocal parking and access agreements shall be all record on appropriate deed restriction and covenants running with the land subject to review and approval of the Community Development Director for a reciprocal ingress/egress easement and shared parking.
- B. TRAFFIC CALMING:
 - 1. Roundabout - The roundabout at the intersection of the two main access drives shall contain a barrier curb, decorative bollards, landscaping and/or public art; to be approved by the Community Development Director as part of the Design Permit approval process for the site improvements or recordation of the Final Map, whichever occurs first.
 - 2. Speed Tables – Speed tables or other traffic calming measures shall be installed along the east-west access drive. The final design shall be reviewed and approved by the Community Development Director as part of the common area Design Permit approval.
- C. SITE ACCESS AND CIRCULATION:
 - 1. Due to its close proximity and potential to disrupt traffic flow along Cochrane Road, the direction of the drive-thru lane for Pad B within Parcel 3 shall be reversed to flow in a clockwise direction. The change in direction will ensure that vehicle queues at the drive-thru lane do not spill out to the main drive aisle and potentially onto Cochrane Road.
 - 2. Barrier curb and signage shall be installed to restrict Driveway 4 to right-turns in and out only.

IV. LANDSCAPING

- A. LANDSCAPE MAINTENANCE AGREEMENT: The applicant shall enter into a two-year landscape maintenance agreement effective upon acceptance of landscaping improvements and provide an appropriate bond as required by the Design Review Ordinance. Bond amount shall be equal to 100 percent of the value of the landscaping and irrigation improvements for the development project. **(MHMC 18.64.060)**
- B. PLANTING AND IRRIGATION WORKING DRAWINGS: Detailed landscape planting and irrigation working drawings shall be submitted to the Community Development Department for Design Permit review and approval prior to the recordation of the final map. Landscape plans for streets and landscape easements shall be part of the improvement plan submittal.
- C. COMMON AREA PARCELS: A note shall be placed on the final map which shall indicate that lot 8 shall be used for no purpose other than project ingress and egress purposes and shall be permanently secured with appropriate documentation [i.e., Deeds; Easements; Covenants, Conditions and Restrictions (CC&Rs), Dedication, Homeowners Association; etc.).

V. HABITAT PLAN

- A. The approved project is covered under the Santa Clara Valley Habitat Plan (Habitat Plan) and subject to fees and conditions contained in the Habitat Plan.
- B. Prior to issuance of building permits or grading permits the project shall complete and submit a Habitat Plan Application Package. All fees must be paid prior to issuance building permits or grading permits. **(MHMC 18.132.050)**
- C. Any additional conditions or mitigations required by the Habitat Plan shall be clearly stated on all plans that involve any ground disturbing activity (i.e. grading plans, improvement plans, paving plans, demolition plans or other plans for site clearing or temporary stockpile of dirt). **(MHMC 18.132.040)**
- D. This Tentative Map approval is limited to the plan set stamped approved on file (File Number SD 13-14: Cochrane-South Bay) with the Community Development Department. The final map shall be in substantial conformance to the tentative map.
- E. RELATED APPLICATIONS: The project shall comply with the conditions of approval of the related applications or planning division files ZA 13-12: Cochrane-South Bay
- F. DEFENSE AND INDEMNITY: Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, injuries, costs and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against City by reason of its approval of this Tentative Subdivision approval. In addition, applicant shall pay all pre-tender litigation costs incurred on behalf of the City including City's attorney's fees and all other litigation costs and expenses, including expert witnesses, required to defend against any lawsuit brought as a result of City's approval or approvals, but shall not be required to pay any litigation from the City. However, applicant shall continue to pay reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted. The undersigned hereby represents that they are fully empowered by the applicant as their agent to agree to provide the indemnification, defense and hold harmless obligations, and the signature below represents the unconditional agreement by applicant to be bound by such conditions.
- G. MITIGATION FEE ACT: Notice is hereby given that, pursuant to the Mitigation Fee Act, the City of Morgan Hill charges certain fees (as such term is defined in Government Code Section 66000) in connection with approval of your development project for the purpose of defraying all or a portion of the cost of public facilities related to your development project (Mitigation Fee Act Fees). These fees do not include fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements, or as a part of your application for development allocations under the City's Residential Development Control System. The Mitigation Fee Act Fees applying to your project are listed in the schedule of fees provide. Notice is also hereby given that you have the opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval of the approval or conditional approval of your

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development project and that the 90-day approval period in which you may protest has begun.

- H. SIGNED COPIES OF RESOLUTION 18-XX: Submit two (2) signed copies of Resolution 18-XX to the Planning Division prior to recordation of a final map.

VI. PROJECT MITIGATION MEASURES

All mitigation measures identified in the Mitigation Monitoring and reporting Plan are hereby incorporated by reference.

ENGINEERING CONDITIONS

The following conditions shall apply to the project/application.

VII. PROJECT SPECIFIC

- A. At Architecture & Site Review stage, provide the following:
 - 1. Copy of a recent Preliminary Title Report (within last 90 days).
 - 2. Phasing plan, if available.
- B. TRANSPORTATION:
 - 1. At Architecture & Site Review stage, revise plans to address the following:
 - a. Show the proposed traffic signal improvements at the project's main access point at Cochrane Road and Woodview Avenue. The traffic signal improvements shall be subject to the review and approval by the Director of Public Works.
 - b. Show the required second westbound left-turn lane at the Butterfield Boulevard and Cochrane Road intersection per the Traffic Impact Analysis prepared by Hexagon Transportation Consultants dated June 7, 2018.
 - c. Show the recommended adjustments to the site access and circulation per the Hexagon Traffic Impact Analysis dated June 7, 2018.
 - d. Show width and turn-radii along all drive/parking aisles per City Standards.
 - e. Label proposed streets/access roads with temporary name or letter for identification.
 - 2. At Architecture & Site Review stage, verify with the Santa Clara Valley Transportation Authority (VTA) if a bus stop is required along the project's Cochrane Road frontage.
- C. GRADING:
 - 1. At Architecture & Site Review stage, revise plans to address the following:
 - a. Note the grading quantities for cut, fill, import and export.
 - b. Include the lot numbers on the Grading Plan sheets.
- D. STREET IMPROVEMENTS:
 - 1. At Architecture & Site Review stage, revise plans to address the following:
 - a. Show standard driveways (instead of curb cuts) at the two Cochrane Road project access points adjacent to Pad A and to the new hotel.

- b. Show new sidewalk (5' minimum width) and street trees in the park strip along all project frontages.
 - c. Show raised landscape median along project's Cochrane Road frontage.
 - d. Show street sections at Butterfield Boulevard and Jarvis Drive.
 - e. Confirm adequacy of access to City's Sanitary Sewer Lift Station "P" by the City's Sewer Maintenance vactor truck and other large equipment.
 - f. Adjust the new sidewalk at Cochrane Road, across the City's Sanitary Sewer Lift Station "P".
- E. UTILITIES:
 - 1. At Architecture & Site Review stage, revise plans to show removal of the abandoned storm and sanitary sewer mains which runs through the project from Cochrane Road to Jarvis Drive. Prior to abandonment, field verify that storm and sanitary sewer mains are inactive and no longer in use.
 - 2. All buildings shall have a Fire Department connection with a fire hydrant within an acceptable distance as approved by the Fire Division.
 - 3. All water services shall have backflow devices per City Standards.
 - 4. On-site sanitary and storm facilities shall be privately maintained.
 - 5. At improvement plan stage, remove and replace non-standard streetlights along project's Cochrane Road, Butterfield Boulevard and Jarvis Drive frontages.
- F. STORMWATER:
 - 1. At Architecture & Site Review stage, revise plans to show the proposed underground retention tanks and other post-construction stormwater facilities located within a Private Stormwater Easement.
 - 2. At Architecture & Site Review stage, submit the following:
 - a. Preliminary Stormwater Control Plan, Stormwater Runoff Management Plan and applicable stormwater performance certifications per the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements.
 - b. Copy of Soils Report and site-specific infiltration rates.
 - 3. At Architecture & Site Review stage, provide owner(s)/entity responsible for maintaining the post-construction stormwater facilities.

VIII. GENERAL

- A. The applicant shall cause the construction of all public and private improvements in accordance with the latest City Standard Drawings and Specifications. **(MHMC 12.02.090 A; 17.32.010 A)**
- B. The applicant shall have a Final Map prepared by a registered engineer (licensed prior to 01/01/1982: registration number 33,965 or lower) or licensed land surveyor delineating all parcels and easements created. There shall be concurrence in writing by PG & E, Telephone, Cable TV and any other affected agencies to all improvements and easements which are applicable to them. The number and locations of monuments shall be set as required by the Public Works Department. **(MHMC 17.20.200 A; 17.20.290; 17.24.010)**

- C. The applicant shall submit as part of the improvement drawings for the project, profiles of all improvements and typical cross-sections of all streets and details of curbs, gutters, and sidewalks, to be accomplished to the satisfaction of the Director of Public Works prior to submittal of Final Map. **(MHMC Sec 17.32.060 B; 17.32.070; 17.32.080 A)**
- D. Obtain necessary encroachment permits from:
 - ☒ City of Morgan Hill
 and provide guarantee covering off-site improvements. **(MHMC 12.08.040 A; 12.08.090)**
- E. Improvement plans are to show water lines, sanitary sewer, storm drain system, pavement widths, curve radius, and existing utilities.
- F. Enter into an
 - ☒ Improvement Agreement (IA)
 with the City of Morgan Hill to cover required improvements. **(MHMC 12.02.150; 17.32.010 B; 17.32.160)**
- G. Reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all common roads, drives or parking areas shall be provided by CC&R's and deed and shall be recorded concurrent with the map, or prior to issuance of building permit where no map is involved. **(MHMC 17.20.350 H)**
- H. A traffic study of the area affected by the proposed project has been completed. This study shall be subject to review and approval by the Public Works Director prior to the issuance of any City permits. All mitigating improvements outlined in the study shall be installed by the applicant at his expense. **(MHMC 17.20.350 I)**
- I. The applicant shall be required to install a raised landscape median on Cochrane Road for that portion covering the project frontage per City's General Plan. **(MHMC 12.02.120 B)**
- J. Applicant shall file an application for assessment district reapportionment and pay the required fee prior to recordation of the final map. **(MHMC 17.20.350 I)**
- K. Pursuant to City Ordinance 982, the subject property will have reimbursement obligation to the City for lands acquired for street purposes and streets improved should those lands/street improvements abut or be included within subject property. **(MHMC 12.02.120 B)**
- L. **IMPACT FEE INCREASE** – The City of Morgan Hill, pursuant to City Code Chapter 3.56 has established impact fees to finance the cost of improvements required by new development. City Code Chapter 3.56.050 provides for automatic annual (July 1st) adjustment of those fees in existence utilizing the Engineering News Record Index for the preceding twelve months. The City Public Works Department maintains historical records on the Engineering News Record Index. These records are available for inspection during normal business hours. **(MHMC 3.56.010; 3.56.030; 3.56.050)**

IX. STREET IMPROVEMENTS

- A. The applicant shall cause the design and construction of all new public and private streets serving the project. The design of all new public and private streets shall be consistent with the General Plan Land Use and Circulation Element as well as the Street Standard Details as contained within the Public Works Standards Details. The construction of the streets shall be undertaken to the lines and grades and in a manner satisfactory to the Director of Public Works. All street improvements shall be constructed to the satisfaction of the Director of Public Works. The timing of the improvements will be determined by the City. **(MHMC 12.02.010; 12.02.090; 17.32.060 B; CMH General Plan; CMH Design Standards and Standard Details for Construction)**
- B. The project shall install and dedicate street improvement including, but not limited to, curb and gutter, sidewalk, compaction, street paving, oiling, storm drainage facilities, sewer and water, fire protection, undergrounding of utilities and street lighting in conformance with City of Morgan Hill requirements. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010; 17.32.060)**
- C. Dedication of public right-of-way on Cochrane Road and Butterfield Boulevard. The total width of dedication to be approved by the Director of Public Works. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.90; 12.02.100; 17.28.010)**
- D. Dedication of the required corner cutoff at the intersection of Cochrane Road and Woodview Drive and Cochrane Road and Butterfield Boulevard. **(MHMC 12.02.010; 12.02.50; 12.02.080; 12.02.100; 17.28.010)**
- E. Underground existing utilities: all existing overhead utilities adjacent to any site boundary or along any street frontage of site shall be placed underground in accordance with City standards and affected utility company guidelines. **(MHMC 12.02.090 B; 17.32.020 E.1)**

X. SANITARY SEWER SYSTEM

- A. The applicant shall cause to be undertaken the design and construction of sanitary sewer improvements including, but not limited to installation of sewer line extension on the proposed public street(s) or private street(s)/drive aisle(s). The sanitary collection system shall include, but not be limited to manholes with manhole frames and covers, cleanouts, wye-branches and laterals, and separate sewer taps to each lot. These are to be installed by the developer. **(MHMC 13.20.355; 17.32.020 C; CMH Sewer System Master Plan; CMH Design Standards and Standard Details for Construction)**
- B. All existing and future sewer lines shall be tied into the City's system and existing septic systems shall be abandoned in accordance with City requirements. **(MHMC 13.24.060; 17.32.20 C)**

XI. STORM DRAIN SYSTEM

- A. A complete storm drainage study of the proposed development must be submitted showing amount of run-off, and existing and proposed drainage structure capacities. This study

shall be subject to review and approval by the Director of Public Works. All needed improvements will be made by the applicant. No overloading of the existing system will be permitted. **(MHMC 17.32.020 B; 17.32.090; CMH Design Standards and Standard Details for Construction)**

- B. The applicant shall cause the design and construction to be undertaken for a storm drainage collection system shown on the Tentative Map/Site Review plans. All storm drain improvements shall be constructed to the satisfaction of the Director of Public Works. **(MHMC 17.32.020 A & B)**
- C. Collection system shall be designed to be capable of handling a 10-year storm without local flooding. On-site detention facilities shall be designed to a 25-year storm capacity. Streets shall be designed to carry a 100-year storm. Items of construction shall include, but not be limited to installation of storm line extension on proposed public street(s), surface and subsurface storm drain facilities, manholes with manhole frames and covers, catch basins and laterals. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre development flows. **(MHMC 17.32.020 B; 18.74.440; CMH Design Standards and Standard Details for Construction; CMH Storm Drainage System Master Plan)**
- D. Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the Director of Public Works.
 - 1. Storm drain calculations to determine detention/retention pond sizing and operations.
 - 2. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
 - 3. Water Pollution Control Drawings (WPCD) for Sediment and Erosion Control.**(CMH Design Standards and Standard Details for Construction)**
- E. Where the project adjoins existing Santa Clara Valley Water District storm drain facilities, applicant shall obtain dedication(s) of all necessary easement or right-of-way to accommodate established ultimate facilities master plan.
- F. BMP Tree protection shall be part of the SWPPP inspections.
- G. As required by the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ, construction activity resulting in a land disturbance of one (1) acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) ONLINE at: <http://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp> and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with the General Permit. The SWPPP Manual shall follow the CASQA SWPPP template/format at <https://www.casqa.org/store/products/tabid/154/p-167-construction-handbookportal-initial-subscription.aspx> and shall be approved by Land Development Engineering. A Waste Discharger Identification (WDID) number to will be issued to the construction site

after the SWRCB receives and verifies the submitted ONLINE NOI information. The WDID number and approved SWPPP Manual shall be provided to Public Works and the Building Department prior to any approval of grading activities **(SWRCB NPDES General Permit CA000002)**.

H. NPDES GENERAL PERMIT SITE SWPPP INSPECTIONS AND COMPLIANCE:

1. ALL project onsite and offsite construction activity shall have the site inspected by a **qualified third party SWPPP Inspector (QSD or QSP or RCE)**.
2. SWPPP Inspections shall occur weekly during the rainy season (September 15th thru May 1st).
3. SWPPP Inspections shall occur bi-weekly during the non-rainy season.
4. 48 hours prior to and following a forecasted rain event, SWPPP Inspections shall occur in addition to those of items 2 or 3 above.
5. Per each of the inspection conditions 2, 3, or 4, the NPDES SWPPP Inspector shall certify in writing to the Building and Public Works Department if the site is in compliance or non-compliance with the NPDES General Permit for Stormwater, site SWPPP Manual, and Water Pollution Control Drawings (per the CMH-SWPPP Inspection Check List to be provided by Public Works). QSD/QSP SWPPP Inspectors shall forward onsite and offsite information/certification to the Building (on-site private property issues) and Public Works (public right-of-way issues) inspectors respectively.
6. Prior to rain events, BMPs not in compliance will need to be corrected immediately. BMPs maintenance/inspections shall include tree protection if applicable.
7. Illicit discharges per the NPDES General Permit, non-compliance of tracking control, and inlet protection within the public right of way shall be address immediately.
8. Other non-compliance issues need to be addressed within a 24 hour period.
9. Non-compliance issues which have been corrected shall be verified by NPDES SWPPP Inspector by a follow up inspection.

XII. WATER SYSTEM

- A. The applicant shall cause the design and construction to be undertaken of a domestic water system to the satisfaction of the Director of Public Works. The water system improvements shall be constructed within public easements or street rights-of-way to the satisfaction of the Director of Public Works and dedicated to the City. **(MHMC 17.32.020 A & D; CMH Design Standards and Standard Details for Construction; CMH Water System Master Plan)**
- B. Abandonment of any existing water well shall be in conformance with Santa Clara Valley Water District (SCVWD) Ordinance 90-1. Location and disposition to be shown on the plan. Well(s) shall be properly registered with the SCVWD and either be maintained or abandoned in accordance with SCVWD standards.
- C. Installation of water line extension on the proposed public streets and/or private streets. **(MHMC 17.32.020 A & D; CMH Water System Master Plan)**
- D. Provide separate water services and meters for each building and separate suites. These are to be installed by developer. **(MHMC 17.32.020 D)**

XIII. OTHER CONDITIONS

- A. The owner shall dedicate all necessary utility easements. **(MHMC 12.02.080 D; 17.28.010 A)**
- B. The applicant shall cause the design and construction required to underground all electric, gas, Cable TV and communication lines within the development. Such design and construction shall be to the satisfaction of the affected utilities and the Director of Public Works. **(MHMC 17.32.020 E.1)**
- C. The final map on all major subdivision (5 or more lots) shall be approved by the City Council prior to issuance of a grading permit. For minor subdivision (4 lots or less), the final map shall be signed by the City Engineer and the Planning Commission Secretary prior to issuance of a grading permit. **(MHMC 17.20.390; 17.24.210)**
- D. Landscaping and irrigation systems serving common areas that are required to be installed in the public right-of-way on the perimeter of the project area shall be continuously maintained by the owner(s)/Maintenance Association.
- E. Final landscape plans shall be submitted with and included as part of the improvement plans for the project. **(MHMC 17.08.090)**
- F. Prior to the approval of any Building Permit for grading activity, the developer shall schedule a preconstruction meeting with the Public Works Inspection Division with the following project team members:
 - 1. Civil Engineer of record.
 - 2. Geotechnical Engineer of record.
 - 3. Third Party QSD/QSP SWPPP Inspector.
 - 4. General Contractor.
 - 5. Sub Contractors.

XIV. NPDES WATER QUALITY STORMWATER MANAGEMENT DEVELOPMENT STANDARDS

- A. State Water Resources Control Board Post Construction Requirements (PCRs): Project shall comply with the California Regional Water Quality Control Board Central Coast Region Resolution No. R3-2013-0032 as documented by the **Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements** (developed from Resolution No. R-2013-0032 Attachment 1 and 2 at: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/lid_hydromod_charette_index.shtml). A copy of the guidance manual can be obtained through the Department of Public Works internet site. Project shall provide Stormwater Control Plan Checklist and applicable calculations per the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. Project shall meet the applicable requirements of the Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements:

1. Performance Requirement 1: Site Design and Runoff Reduction
2. Performance Requirement 2: Water Quality Treatment
3. Performance Requirement 3: Runoff Retention
4. Performance Requirement 4: Peak Management

B. Peak Storm Water Runoff Discharge Rates - Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion. Note: the project may be required to **retain** stormwater runoff as part of resolution R3-2013-0032 prior to releasing discharge rates at pre development flows.

C. Minimize Stormwater Pollutants of Concern - Stormwater runoff from a site has the potential to contribute oil and grease, suspended solids, metals, gasoline, pesticides, and pathogens to the stormwater conveyance system. The development must be designed so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern that may result in significant impacts, generated from site runoff of directly connected impervious areas (DCIA), to the stormwater conveyance system as approved by the building official. Pollutants of concern consist of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water, elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bio-accumulate in organisms therein, or the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna.

In meeting this specific requirement, “minimization of the pollutants of concern” will require the incorporation of a BMP or combination of BMPs best suited to maximize the reduction of pollutant loadings in that runoff to the Maximum Extent Practicable. Those BMPs best suited for that purpose are those listed in:

1. [California Stormwater Quality Association \(CASQA\) Handbook: BMPs for New Development and Redevelopment](#)
2. [Bay Area Stormwater Management Agencies Association \(BASMAA\) Design Guidance Manual for Stormwater Quality Protection: Start at the Source 1999](#)
3. [California Stormwater Best Management Practices Handbooks](#)
4. [Caltrans Stormwater Quality Handbook: Planning and Design Staff Guide](#)

D. Provide Storm Drain System Stenciling and Signage - Storm drain stencils are highly visible source controls that are typically placed directly adjacent to storm drain inlets. The stencil contains a brief statement that prohibits the dumping of improper materials into the stormwater conveyance system. Graphical icons, either illustrating anti-dumping symbols or images of receiving water fauna, are effective supplements to the anti-dumping message. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as: “NO DUMPING – DRAINS TO CREEK”) and/or graphical icons to discourage illegal dumping. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.

E. Properly Design Outdoor Material Storage Areas - Outdoor material storage areas refer to storage areas or storage facilities solely for the storage of materials. Improper storage of

materials outdoors may provide an opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants to enter the stormwater conveyance system. Where proposed project plans include outdoor areas for storage of materials that may contribute pollutants to the stormwater conveyance system, the following Structural or Treatment BMPs are required:

1. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
2. The storage area must be paved and sufficiently impervious to contain leaks and spills.
3. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.

F. Properly Design Trash Enclosure Areas - All trash enclosure areas must meet the following Structural or Treatment Control BMP requirements (individual single family residences are exempt from these requirements):

1. Roof Required: Trash enclosure areas shall have an all weather noncombustible solid roof to prevent rainwater from mixing with the enclosure's contents.
2. Walls Required: Trash enclosure shall have structural walls to prevent unauthorized off-site transport of trash.
3. Doors: Trash enclosure shall have door(s) which can be secured when closed.
4. Grades: The pad for the enclosure shall be designed to not drain outward, and the grade surrounding the enclosure shall be designed to not drain into the enclosure.
5. Drain Inlet: Within the enclosure, an area drain with an approved (Zurn) vandal proof drain shall be installed and shall be plumbed to the sanitary sewer system with grease trap. Grease trap shall be located within the trash enclosure footprint.

G. Design Standards for Structural or Treatment Control BMPs - The post-construction treatment control BMPs shall incorporate, at a minimum, either a volumetric or flow based treatment control design standard, or both, as identified below to mitigate (infiltrate, filter or treat) stormwater runoff:

1. Volumetric Treatment Control BMP
 - a. The 85th percentile 24-hour runoff event determined as the maximized capture stormwater volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
 - b. The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (2003); or
 - c. The volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” that achieves approximately the same reduction in pollutant loads achieved by the 85th percentile 24-hour runoff event.
2. Flow Based Treatment Control BMP
 - a. The flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the area; or

- b. The flow of runoff produced from a rain event that will result in treatment of the same portion of runoff as treated using volumetric standards above.
- H. **Stormwater Runoff Management Plan (SWRMP) required** - The stormwater runoff management plan shall include sufficient information to evaluate the environmental characteristics of affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures (post construction BMPs) proposed for managing stormwater runoff.
 1. The stormwater runoff management plan shall be prepared under the direction of a professional civil engineer registered in the State of California. The responsible professional civil engineer shall stamp and sign the approved stormwater runoff management plan.
 2. The chief engineer or designee may require a developer to provide a signed certification from the civil engineer responsible for preparing the stormwater runoff management plan that all stormwater best management practices have been designed to meet the requirements of this chapter.
 3. Each certifying civil engineer shall establish to the city's satisfaction that such person has been trained on the design of stormwater quality best management practices not more than three years prior to the certification signature date.
 4. Qualifying training shall be conducted by an organization with stormwater quality management expertise, such as a university, the Bay Area Stormwater Management Agencies Association, the American Society of Civil Engineers, the American Public Works Association, or the California Water Environment Association.
- I. **Stormwater BMP operation, maintenance, and replacement responsibility**
 1. All on-site stormwater management facilities shall be operated and maintained in good condition and promptly repaired/replaced by the property owner(s), an owners' or homeowners' association or other legal entity approved by the city.
 2. Any repairs or restoration/replacement and maintenance shall be in accordance with city-approved plans.
 3. The property owner(s) shall develop a maintenance schedule for the life of any stormwater management facility and shall describe the maintenance to be completed, the time period for completion, and who shall perform the maintenance. This maintenance schedule shall be included with the approved stormwater runoff management plan.
- J. **Stormwater BMP operation and Maintenance Agreement (SWBOMA) required** - Improper maintenance is one of the most common reasons why water quality controls will not function as designed or which may cause the system to fail entirely. It is important to consider who will be responsible for maintenance of a permanent BMP, and what equipment is required to perform the maintenance properly.
 1. Prior to the issuance of any building permit requiring stormwater management BMPs, the owner(s) of the site shall enter into a formal written stormwater BMP operation and maintenance agreement with the city. The city shall record this agreement, against the property or properties involved, with the County of Santa Clara and it shall be binding on all subsequent owners of land served by the stormwater management treatment

BMPs (City standard STORMWATER BMP OPERATION AND MAINTENANCE AGREEMENT to be provided by Land Development Engineering).

2. The stormwater BMP operation and maintenance agreement shall require that the BMPs not be modified and BMP maintenance activities not alter the designed function of the facility from its original design unless approved by the city prior to the commencement of the proposed modification or maintenance activity.
3. The stormwater BMP operation and maintenance agreement shall provide that in the event that maintenance or repair is neglected, or the stormwater management facility becomes a danger to public health or safety, the city shall have the authority to perform maintenance and/or repair work and to recover the costs from the owner.

K. Stormwater BMP inspection responsibility

1. The property owner(s) shall be responsible for having all stormwater management facilities inspected for condition and function by a **Registered Civil Engineer (RCE)**.
2. Unless otherwise required by the chief engineer or designee, stormwater facility inspections shall be done at least twice per year (April 15th and September 15th) by the RCE. Written records shall be kept of all inspections and shall include, at minimum, the following information:
 - a. Site address;
 - b. Date and time of inspection;
 - c. Name of the person conducting the inspection;
 - d. List of stormwater facilities inspected;
 - e. Condition of each stormwater facility inspected;
 - f. Description of any needed maintenance or repairs; and
 - g. As applicable, the need for site re-inspection.
3. Upon completion of each inspection, an inspection report shall be submitted to Land Development Engineering.

- L. Records of maintenance and inspection activities** - On or before April 15th and September 15th of each year, the party responsible for the operation and maintenance of on-site stormwater management facilities under the BMP operation and maintenance agreement shall provide the chief engineer or designee with records of all inspections, maintenance and repairs.

- M. Annual Certification of SWRMP** – On or before September 30th of each year a Registered Civil Engineer (RCE) shall provide written certification that the development's stormwater quality design standards are properly maintained and functioning as required by the SWRMP.

XV. NPDES WATER QUALITY STORMWATER MANAGEMENT DEVELOPMENT STANDARDS FOR PRIORITY PROJECTS

A. Restaurants

1. Properly Design Equipment/Accessory Wash Areas - The activity of outdoor equipment/accessory washing/steam cleaning has the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the stormwater conveyance

system. Include in the project plans an area for the washing/steam cleaning of equipment and accessories. This area must be:

- a. Self-contained, equipped with a grease trap, and properly connected to a sanitary sewer.
- b. If the wash area is to be located outdoors, it must be covered, paved, have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility.

B. Retail Gasoline Outlets

1. Properly Design Fueling Area - Fueling areas have the potential to contribute oil and grease, solvents, car battery acid, coolant and gasoline to the storm \water conveyance system. Therefore, design plans, which include fueling areas, must contain the following BMPs:
 - a. The fuel dispensing area must be covered with an overhanging roof structure or canopy. The canopy's minimum dimensions must be equal to or greater than the area within the grade break. The canopy must not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area.
 - b. The fuel dispensing area must be paved with Portland cement concrete (or equivalent smooth impervious surface), and the use of asphalt concrete shall be prohibited.
 - c. The fuel dispensing area must have a 2% to 4% slope to prevent ponding, and must be separated from the rest of the site by a grade break that prevents run-on of stormwater to the extent practicable.
 - d. At a minimum, the concrete fuel dispensing area must extend 6.5 feet (2.0 meters) from the corner of each fuel dispenser, or the length at which the hose and nozzle assembly may be operated plus 1 foot (0.3 meter), whichever is less.

C. Parking Lots

1. Properly Design Parking Area - Parking lots contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that are deposited on parking lot surfaces by motor-vehicles. These pollutants are directly transported to surface waters. To minimize the offsite transport of pollutants, the following design criteria are required:
 - a. Reduce impervious land coverage of parking areas.
 - b. Infiltrate or treat runoff.
2. Properly Design To Limit Oil Contamination and Perform Maintenance - Parking lots may accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks:
 - a. Treat to remove oil and petroleum hydrocarbons at parking lots that are heavily used (e.g. fast food outlets, lots with 25 or more parking spaces, sports event parking lots, shopping malls, grocery stores, discount warehouse stores).
 - b. Ensure adequate operation and maintenance of treatment systems particularly sludge and oil removal, and system fouling and plugging prevention control.

FIRE DEPARTMENT

Resolution No. 18-XXX**Page 21**

1. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
2. Automatic Fire Sprinkler System Required. Buildings requiring automatic fire sprinkler system shall be equipped throughout with an approved automatic fire sprinkler system. The fire sprinkler system shall be hydraulically designed per National Fire Protection Association (NFPA) Standard #13. **(CFC Chapter 9 as amended by MHMC 15.44.170)**
3. Final Required Fire Flow. Required fire flow may be reduced up to 75% in buildings equipped with automatic fire sprinkler systems but, can be no less than 1,500 GPM. Therefore, the final required fire flow is 1687 GPM at 20 psi residual pressure. This flow shall be taken from any two fire hydrants, on or near the site spaced at a maximum spacing of 250 feet. **(CFC Appendix B)**
4. Public Fire Hydrant(s) required. Provide 13 public fire hydrant(s) at location(s) to be determined jointly by the Fire Department and the City of Morgan Hill Public Works Department. Maximum hydrant spacing shall be 250 feet and the minimum single flow hydrant shall be 1687 GPM at 20 psi residual pressure. If fire hydrants are already in place, include civil drawings showing location of all hydrants with the building permit submittal. **(CFC 507)**
5. Fire Apparatus (Ladder Truck) Access Roads Required. Provide access roadways with a paved all weather surface and a minimum unobstructed width of 30 feet, vertical clearance of 13 feet, 6 inches, minimum circulating turning radius of 23 feet inside and 36 feet outside, a maximum slope of 10% and vehicle loading of 72,000 pounds. **(CFC section 503 as amended by MHMC 15.44.140)**
6. Timing of Required Roadway/Driveway Installations. Prior to the commencement of combustible construction, the required roadway/driveway installations, up through first lift of asphalt, shall be in place, inspected, and accepted by the City of Morgan Hill unless otherwise approved in writing by the Fire Marshal. Bulk combustible construction materials shall not be delivered to the construction site until installations are completed as stated above. During construction, emergency access roads shall be maintained clear and unimpeded. Issuance of building permits may be withheld until installations are completed. **(CFC Chapter 14 as amended by MHMC 15.44.180)**
7. Timing of Required Water Supply Installations. Prior to the commencement of combustible construction, the required Fire Hydrant and Water Supply installations shall be in place, inspected, tested, and accepted by the Fire Department and the City of Morgan Hill, unless otherwise approved in writing by the Fire Marshal. Bulk construction materials may not be delivered to the construction site until installations are completed as stated above. Clearance for building permits may be held until installations are completed. **(CFC Chapter 14 as amended by MHMC 15.44.180)**
8. Fire Lane Marking Required. Provide marking for all roadways within the project. Markings shall be per fire department specifications. Installations shall also conform to Local

Resolution No. 18-XXX**Page 22**

Government Standards and the City of Morgan Hill Standard Details and Specifications 11-F.
(CFC section 503)

9. Conditions contained within this standard conditions checklist shall be restated as “notes” on all pending and future plan submittals, and any referenced diagrams shall be reproduced onto the future plan submittal.

PACIFIC GAS & ELECTRIC (PG&E)**I. UTILITY ACCESS**

- A. Development plans shall provide for unrestricted utility access and avoid encroachments that might impair the safe and reliable maintenance and operation of PG&E’s facilities. Examples of activities which could have an impact on PG&E facilities include permanent/temporary changes in grade over or under the facilities; construction of structures within or adjacent to PG&E easements; and planting of certain types of vegetation over or underneath gas and electric facilities respectively. Developers shall be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate the proposed development **(PG&E)**.

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RESOLUTION NO. 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION AND AN AMENDMENT TO A PLANNED DEVELOPMENT MASTER PLAN FOR “THE VILLAGE” LOCATED ON THE SOUTHEAST CORNER OF BUTTERFIELD BOULEVARD AND COCHRANE ROAD (APN’s 726-25-035 AND 726-32-021)

WHEREAS, the City Council at their regular meeting of August 8, 2014, adopted Ordinance 2109 N.S. which approved a PD Master Plan and development standards for the Morgan Hill Business Park Planned Unit Development;

WHEREAS, Evergreen Development Co. proposes to develop the property, identified by Assessor Parcel Number(s) 726-25-035 and 726-32-021, on the southeast corner of Butterfield Boulevard and Cochrane Road, with a commercial development;

WHEREAS, said proposal requires the adoption of an amendment to the PD Master Plan prior to development on the site;

WHEREAS, findings must be made pursuant to Section 18.114.060 to support a request for an amendment to a PD Master Plan, and any Plan shall be found consistent with such findings;

WHEREAS, such request was considered by the Planning Commission at their regular meeting of July 24, 2018 at which time the Planning Commission recommended approval of Zoning Amendment application AAE2017-0035, amending application ZA 13-12; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

SECTION 1. The proposed zoning amendment is consistent with the General Plan. The development plan established by this amended PD Master Plan will define an orderly and logical development plan and establish uses that are supportive of the surrounding development and future development permitted in the Morgan Hill Business Park PUD.

SECTION 2. The proposed project will not be detrimental to the public welfare, will be in the best interests of the city and will be in keeping with the general intent and spirit of the zoning regulations of the City of Morgan Hill, with the City of Morgan Hill General Plan and with any applicable plans adopted by the city.

SECTION 3. The Planning Commission of the City of Morgan Hill hereby finds that, on the basis of the whole record before it, there is no substantial evidence that the project as currently proposed will have a significant effect on the environment beyond

what was anticipated in the previously adopted Mitigated Negative Declaration (June 24, 2014) and the project specific Addendum to the Mitigated Negative Declaration prepared, and this finding reflects the Planning Commission's independent judgment and analysis; therefore, the Planning Commission recommends approval of the addendum to the Mitigated Negative Declaration. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

SECTION 4. The Planning Commission hereby recommends approval of a PD Master Plan, on file at the Development Services Department date stamped June 20, 2018, entitled "Amended Tentative Map Evergreen Village" prepared by MH Engineering and the landscape plans entitled "Morgan Hill Development" prepared by Reed Associates, dated June 29, 2018. The Master Site plan and Landscape Plans are attached as Exhibit A.

SECTION 5. The Planning Commission hereby recommends approval of development standards for "The Village" as attached as Exhibit B.

PASSED AND ADOPTED THIS 24th DAY OF JULY, 2018, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENNA LUNA, Deputy City Clerk

LIAM DOWNEY, Chair

Exhibit A
Morgan Hill Business Ranch
“The Village” Site Plan

Exhibit B

Morgan Hill Business Ranch

“The Village” PUD Development Standards

PUD Location:

The 20-acre “The Village” is located in the southeast quadrant of Butterfield Blvd. and Cochrane Rd., and bound by Jarvis Dr. to the south. APN’s 726-25-035 & 726-32-021

PUD Objective:

The objective of planned development is to create and maintain a broad range of general office, medical office, light R & D and retail uses that would be supportive of the surrounding businesses, residential uses and the residents of the City of Morgan Hill.

Site development standards:

- A. Maximum building size shall be per the approved PD Master Plan
- B. Building location shall be per the approved PD Master Plan
- C. Building setbacks shall be per the approved PD Master Plan
- D. Maximum building height:
 - a. Hotels - 60 ft., including all architectural features and mechanical equipment.
 - b. All Others - 50 ft.
- E. Any subdivision must be consistent with the approved PD Master Plan

The following uses as defined in the Morgan Hill Municipal Code shall be permitted or conditional uses within The Village precise development boundary:

Permitted and Conditional Uses “The Village”

Use	Staff Recommendation
Business Support Services	P
Commercial Services	P
Commercial Recreation, Indoor <15,000 sq. ft.	P
Commercial Recreational, Indoor >15,000 sq. ft.	P
Drive-Thru (maximum 3)	P
Drive-Thru (4 or more)	C
Banks and Financial Institutions	P
Grocery Store	P
Home Improvement Center	P
Hotels & Motels	P
Professional Offices	P
Personal Services	P
Research & Development	P
Restaurants, fast food	P
Restaurants, sit-down	P

Use	Staff Recommendation
General Retail	P
Convenience Markets	P
Fuel and Service Station	P for parcel 5, C for additional parcels
Vehicle Repair and Maintenance, Minor	P for parcel 7, C for additional parcels
Residential Care Facility	P for parcel 12 C for additional parcels
Nursing Homes and Long-Term Care	P for parcel 12 C for additional parcels
Day Care Centers	C
Day Care Centers, Adult	P if ancillary to Elderly/Assisted Living Use, C if not ancillary
Kennel	C

P = Permitted Use

C = Conditional Use

Permitted and Conditionals Uses shall be defined in accordance with Morgan Hill Municipal Code section 18.08.040. Uses not specifically listed may be considered as either permitted or conditional by the Planning Commission if found to be consistent in nature with other listed permitted or conditional uses.

All uses, whether permitted or conditional, shall be conducted in such a manner so as to avoid any nuisance, hazard or commonly recognized offensive condition or characteristic, as established by the commercial and industrial performance standards of Morgan Hill Municipal Code Chapter 18.76.

Additional required conditions.

- A. Parking standards for all uses within The Village PD shall be consistent with Chapter 18.72 Parking and Loading of the Morgan Hill Municipal Code.
- B. Sign limitations shall be satisfied in accordance with Chapter 18.88 of the Morgan Hill Municipal Code.
- C. Design Permit approval by the Community Development Director shall be required of all new construction, additions or substantial building or site alterations
- D. All development and landscaping shall be consistent with Chapter 18.108.040 Design Permit of the Morgan Municipal Code.
- E. Design Permit approval by the community development director shall be required of all substantial landscape alterations.

ORDINANCE NO. 2109, NEW SERIES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE MORGANHILL BUSINESS PARK PLANNED UNIT DEVELOPMENT ZONING DISTRICT TO INCORPORATE A PRECISE DEVELOPMENT PLAN FOR THE 20.25-ACRE SITE LOCATED AT THE SOUTHEASTERLY CORNER OF COCHRANE ROAD AND BUTTERFIELD BLVD.

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

- SECTION 1. AMENDING THE PLANNED UNIT DEVELOPMENT DISTRICT** established under Ordinance No. 545, New Series located on the south side of Cochrane Road between Monterey Rd. and US 101 for a 20.25-acre site located on the southeasterly corner of Cochrane Road and Butterfield Blvd. for Zoning Amendment application ZA-13-12: Cochrane-South Bay Dev. (APNS 726-32-021 and 726-25-035).
- SECTION 2. INCORPORATING THE DEVELOPMENT PLAN BY REFERENCE.** There hereby is attached hereto as Exhibit "A" and made a part of this ordinance, a precise development plan as contained in that certain series of documents date stamped June 18, 2014, on file at the Community Development Department, entitled "The Village" prepared by Kenneth Rodrigues & Partners Inc. and BKF Engineers/ Surveyors/Planners. These documents, as amended by site and architectural review, show the location and relative sizes of all proposed buildings, vehicle and pedestrian circulation ways, parking areas, landscape areas and any other purposeful uses on the project.
- SECTION 3. DESCRIPTION OF LAND IN REZONING.** There hereby is attached hereto as Exhibit "B" are the development standards for "The Village" and made a part of this ordinance which defines the development standard and land uses allowed or conditionally allowed within the boundaries of the described parcel of land.
- SECTION 4. FINDING OF CONSISTENCY WITH THE GENERAL PLAN.** The City Council hereby finds that the amendments established by this ordinance as herein described are compatible with the goals, objectives, policies and land use designation of the General Plan of the City of Morgan Hill. The development plan established by this zoning amendment will define an orderly and logical development plan and establish uses that are supportive of the surrounding development and future development permitted in the Morgan Hill Business Park PUD. The Council further finds that the proposed amendments are required in order to serve the public health, convenience and general welfare as provided by Section 18.62.070 of the Morgan Hill Municipal Code.
- SECTION 5. MITIGATED NEGATIVE DECLARATION.** The City Council hereby finds that, on the basis of the whole record before it (including the Initial Study and any comments received), there is no substantial evidence that the project will

City of Morgan Hill
Ordinance No. 2109, New Series
Page 2 of 17

have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the Ordinance. The custodian of the documents or other material which constitute the record shall be the Community Development Department.

SECTION 6. SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 7. EFFECTIVE DATE; PUBLICATION. This Ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 16TH DAY OF JULY 2014, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 8th DAY OF AUGUST 2014, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

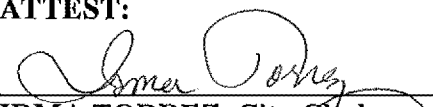
AYES: COUNCILMEMBERS: Larry Carr, Rich Constantine, Marilyn Librers, Gordon Siebert, Steve Tate

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ATTEST:


IRMA TORREZ, City Clerk

APPROVED:


STEVE TATE, Mayor

~ CERTIFICATION ~

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2109, New Series, adopted by the City Council of the City of Morgan Hill, California at its regular meeting held on the 8th day of August, 2014.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: 10/22/2014


IRMA TORREZ, City Clerk

EXHIBIT A



THE VILLAGE

MORGAN HILL, CALIFORNIA

**SOUTH BAY DEVELOPMENT
KENNETH RODRIGUES & PARTNERS, INC.**

TABULATION

TOTAL SITE AREA	20.25 ACRES
-----------------	-------------

PHASE 1

SITE AREA	6.07 ACRES
BUILDING AREA	31,300 SF
PARKING	236 STALLS
RATIO	7.5 / 1000

PHASE 2

SITE AREA	14.18 ACRES
BUILDING AREA	165,000 SF
PARKING	736 STALLS
RATIO	4.5 / 1000

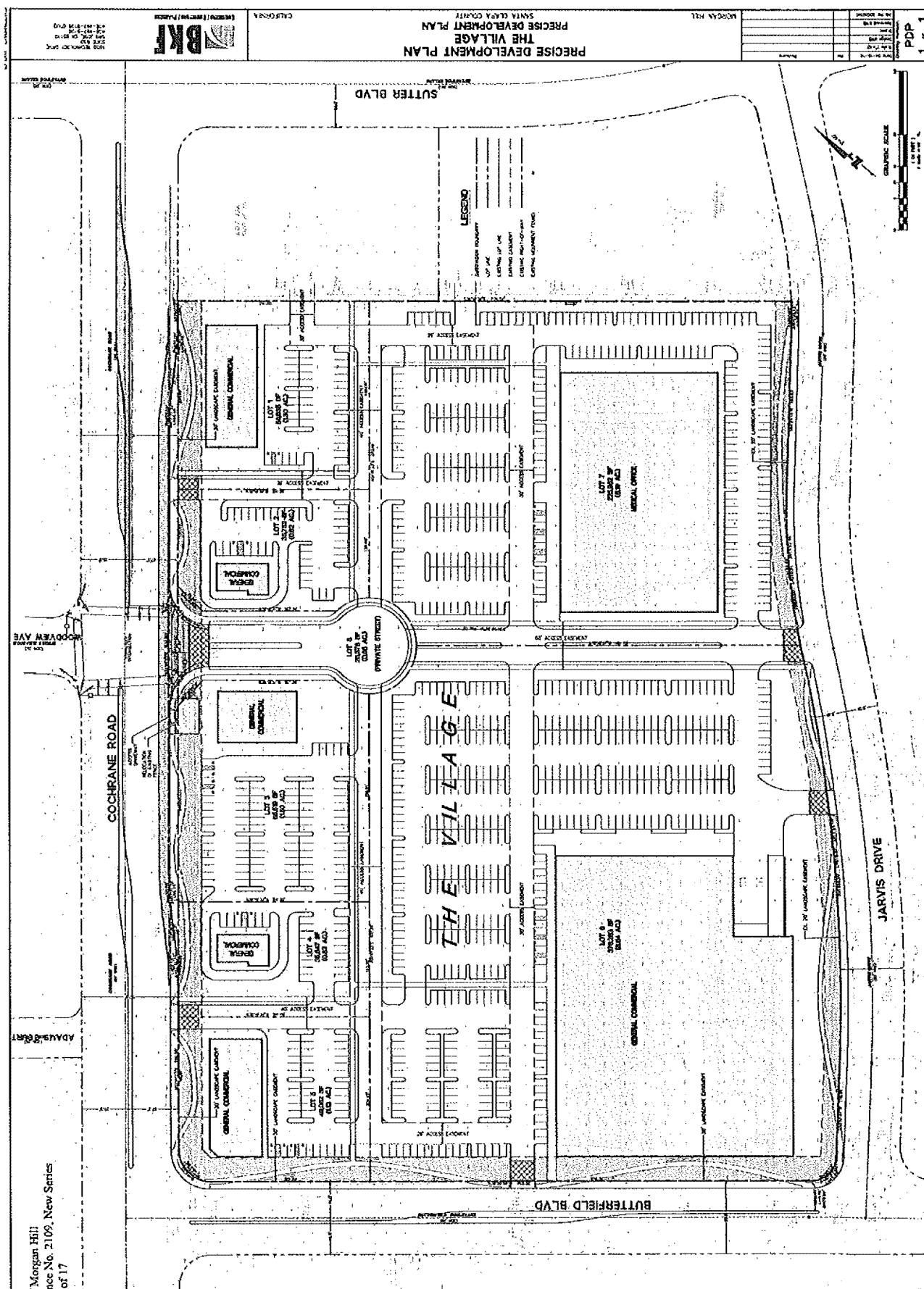
DEVELOPMENT
SERVICES

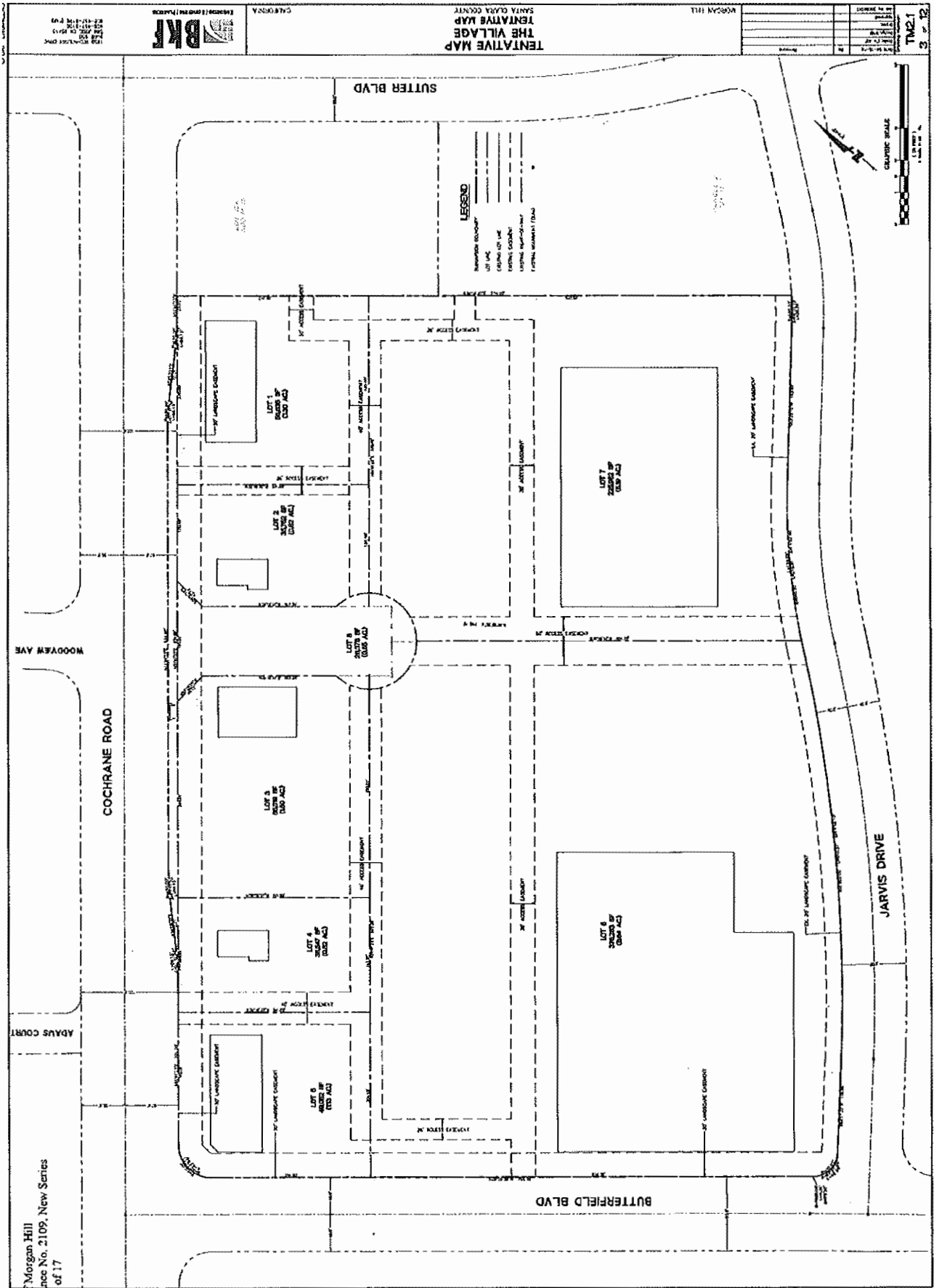
JUN 18 2014

CITY OF MORGAN HILL

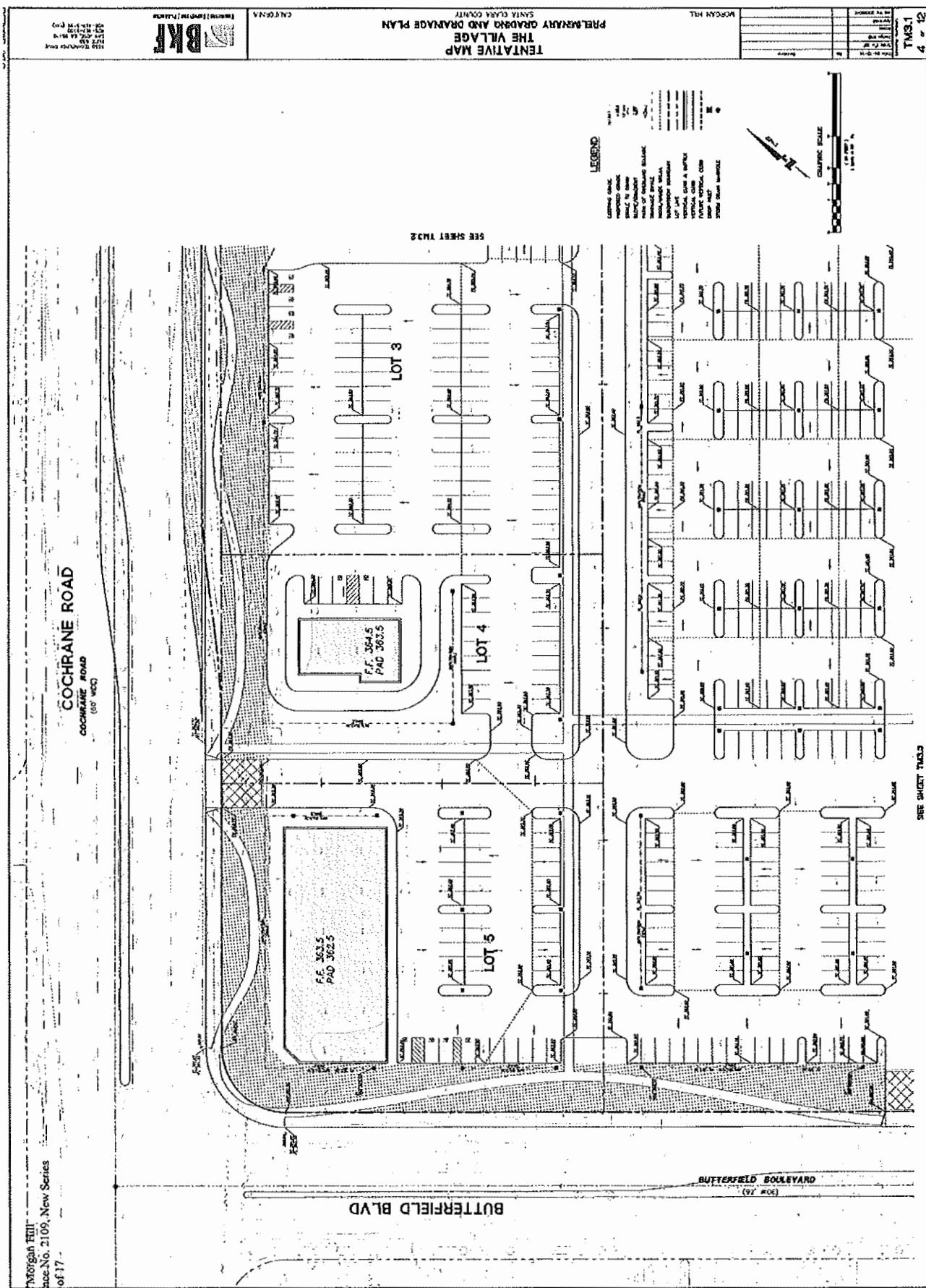
MASTER SITE
PLAN

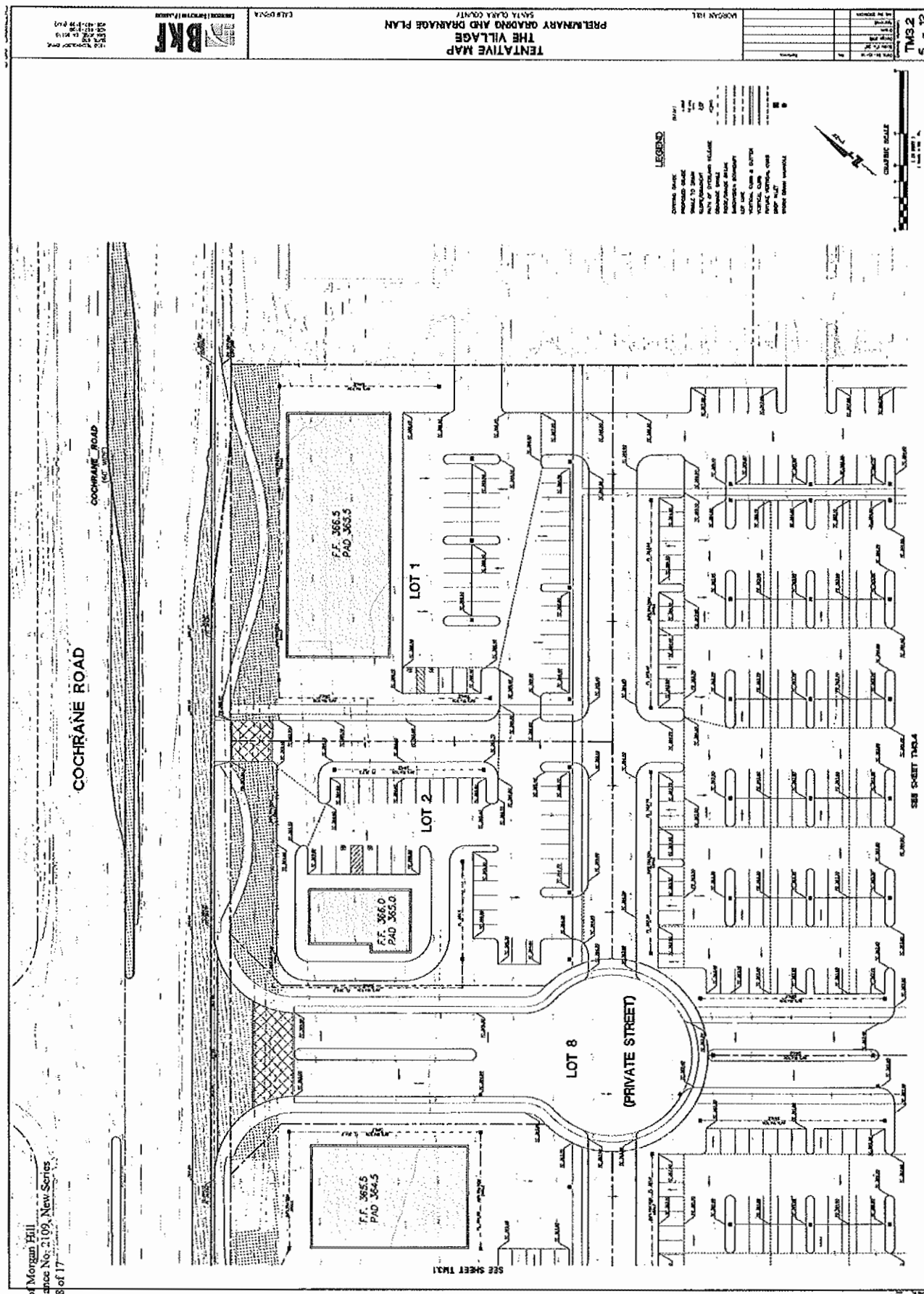


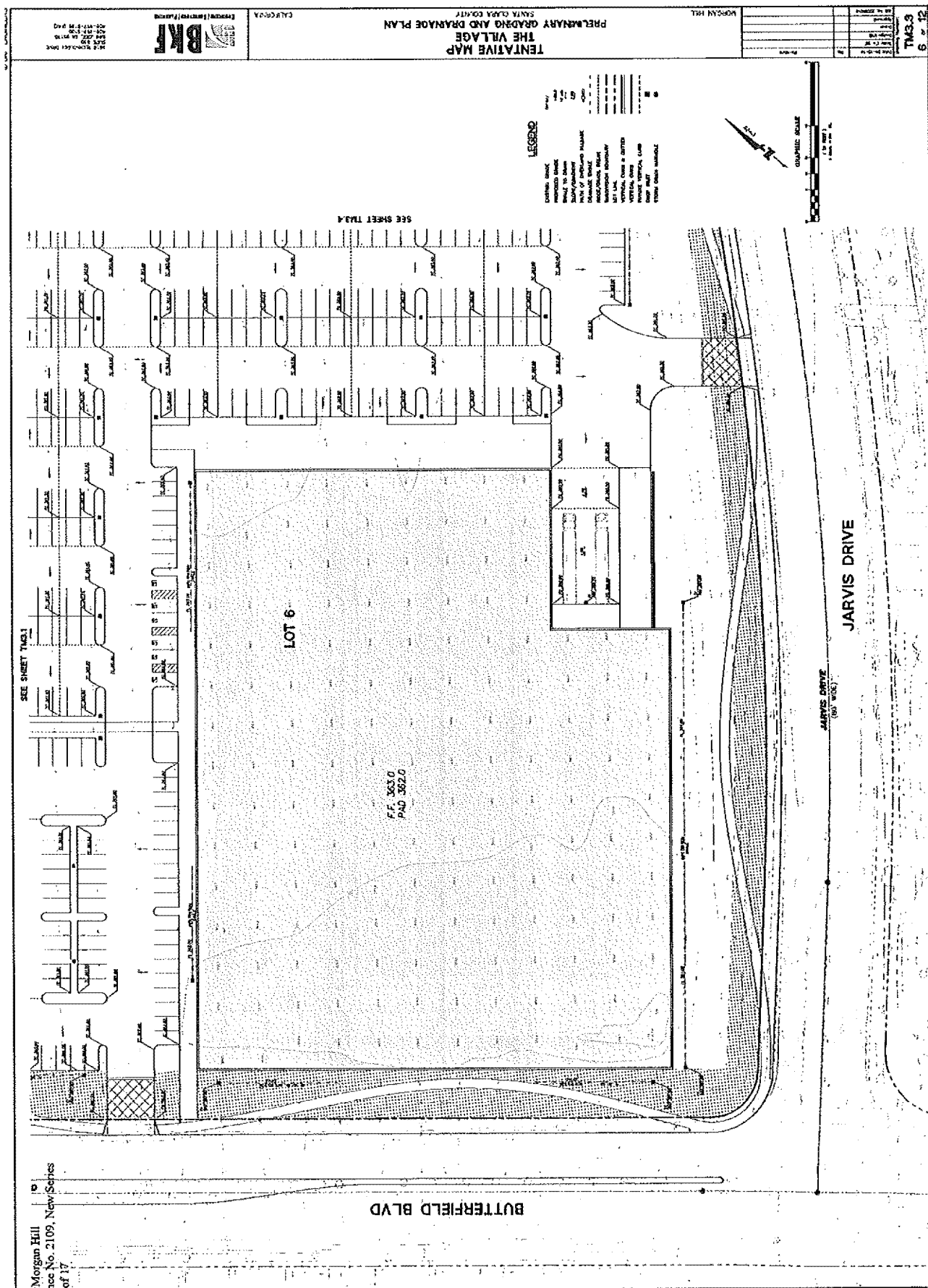


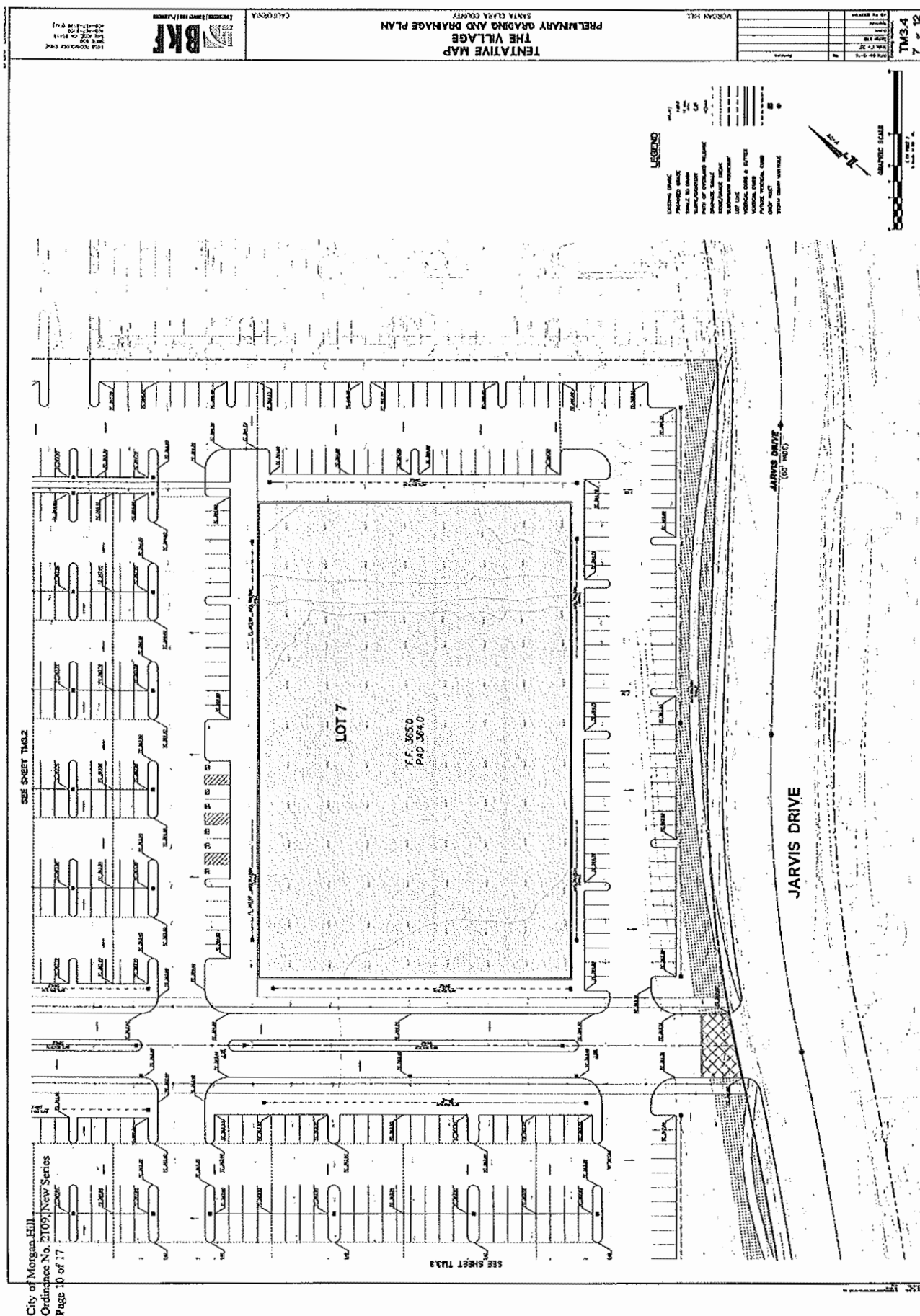


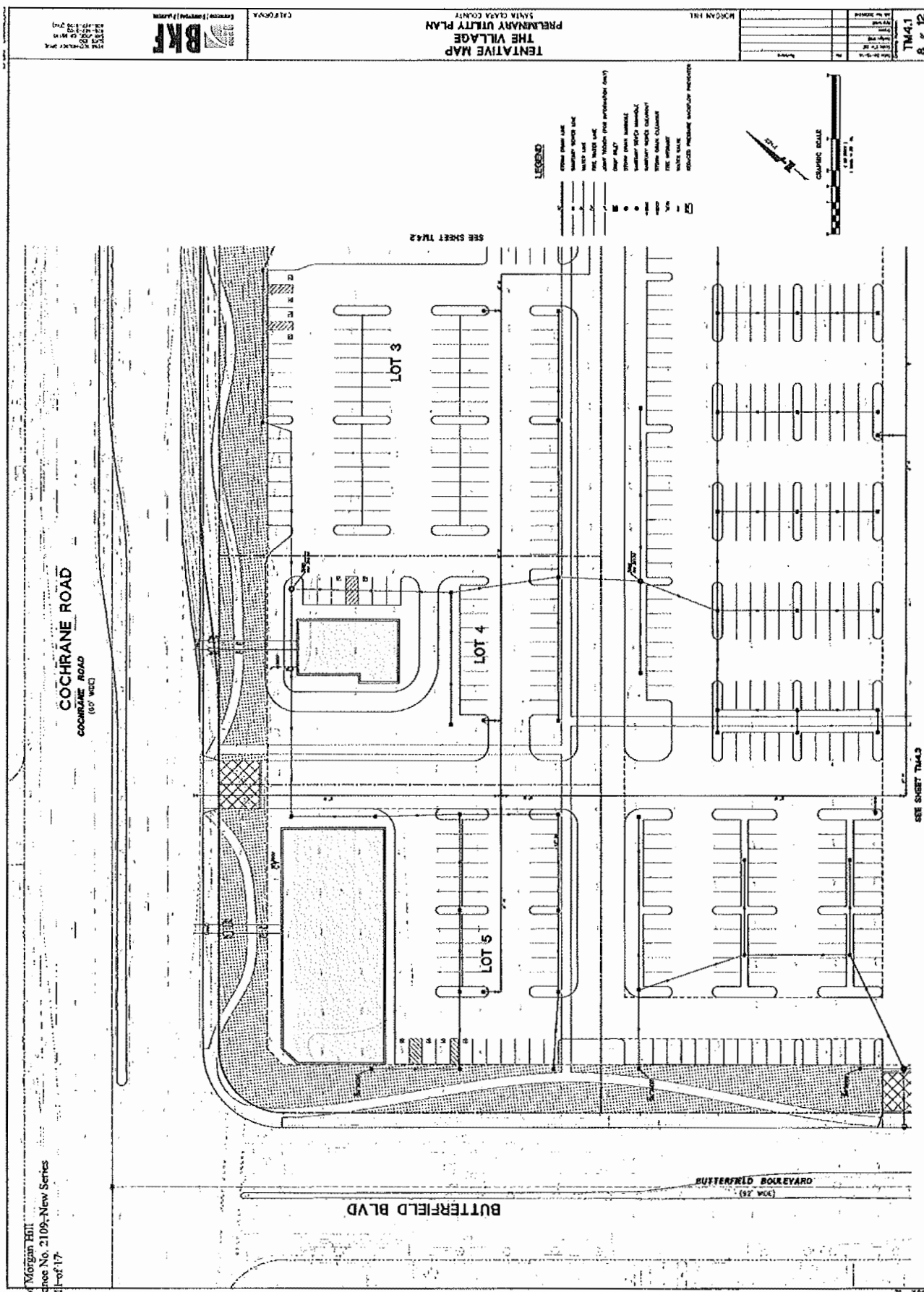
City of Morgan Hill
Ordinance No. 2109, New Series
Page 6 of 17







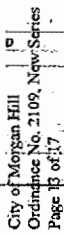


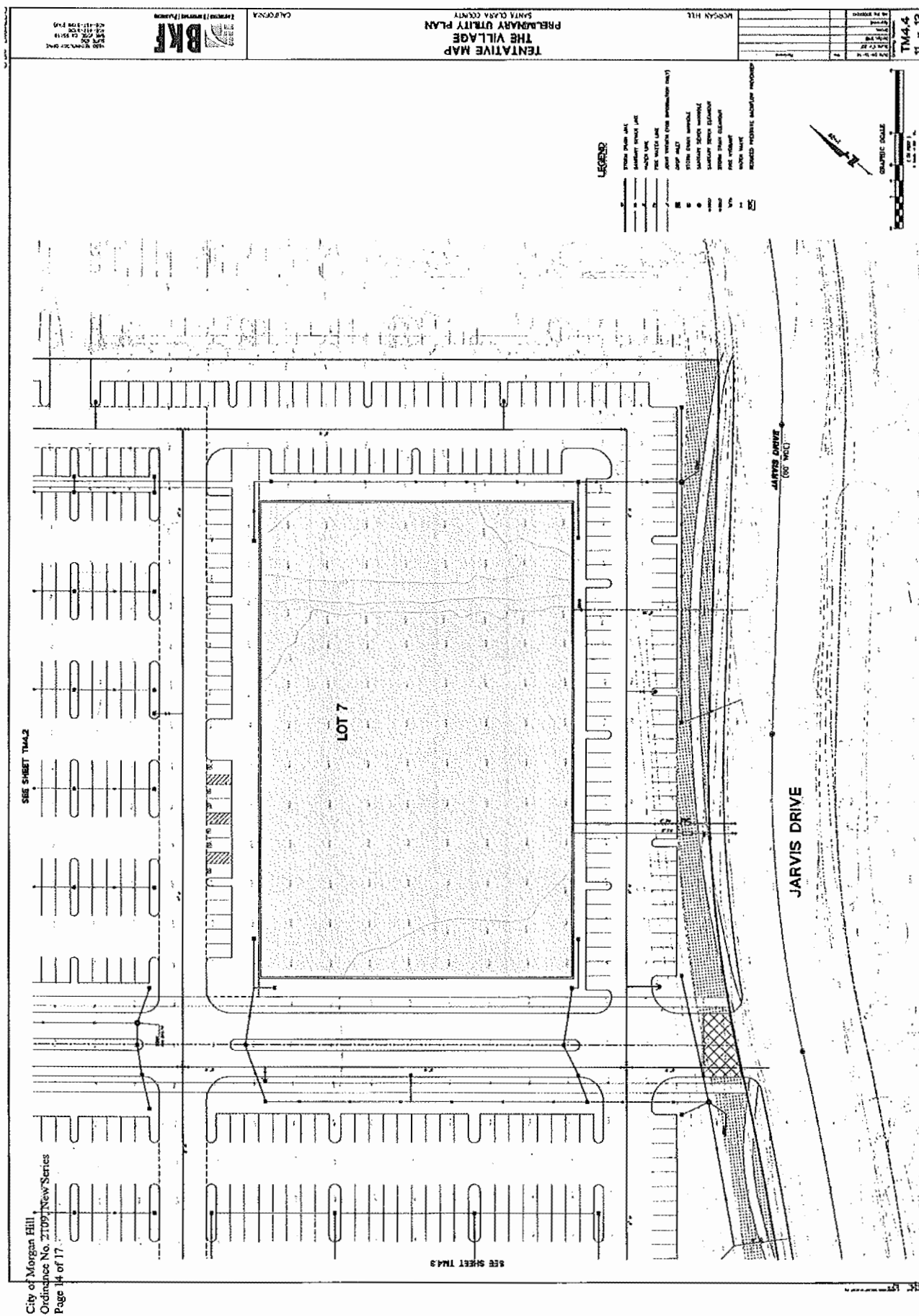




SEE SHEET TW4.1

2741 19645 083





City of Morgan Hill
Ordinance No. 2109, New Series
Page 15 of 17

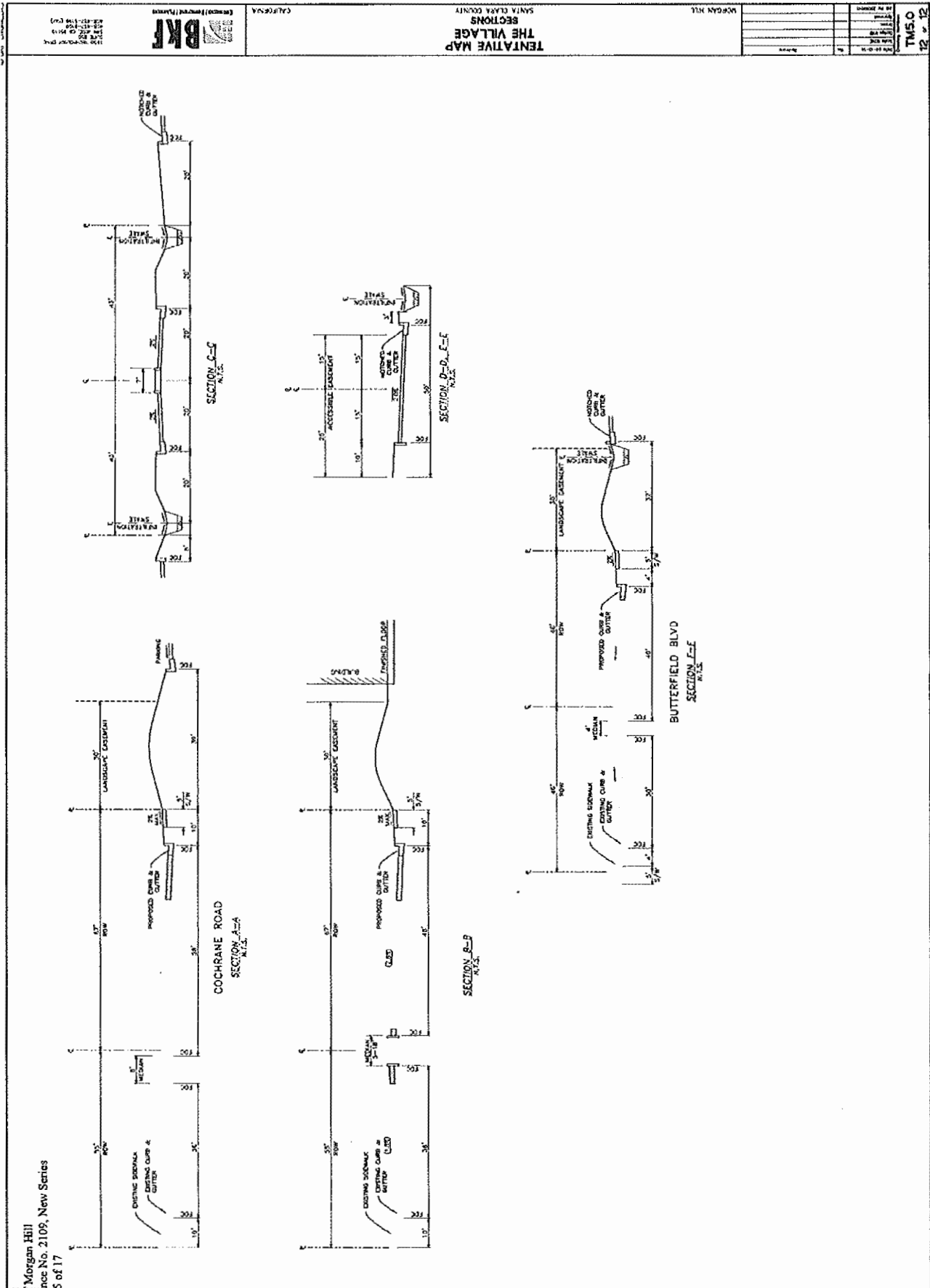


Exhibit B Morgan Hill Business Ranch “The Village” PUD Development Standards

PUD Location:

The 20-acre “The Village” is located in the southeast quadrant of Butterfield Blvd. and Cochrane Rd., and bound by Jarvis Dr. to the south. APN’s 726-25-035 & 726-32-021

PUD Objective:

The objective of planned development is to create and maintain a broad range of general office, medical office, light R & D and retail uses that would be supportive of the surrounding businesses, residential uses and the residents of the City of Morgan Hill.

Site development standards:

- A. Maximum building size shall be per the approved Precise Development Plan
- B. Building location shall be per the approved Precise Development Plan
- C. Building setbacks shall be per the approved Precise Development Plan
- D. Maximum building height: 50 ft.
- E. Any subdivision must be consistent with the approved Precise Development Plan

The following uses as defined in Chapter 18.04 of the Morgan Hill Municipal Code shall be permitted within The Village precise development boundary:

Permitted Uses:

- A. Business support services;
- B. Commercial Services;
- C. Commercial recreation, indoor, 3000 sq. ft. or less in size;
- D. Drive –through restaurant (maximum of two);
- E. Financial services;
- F. Home Improvement Center;
- G. Hotel/motel/lodging facilities;
- H. Offices, Medical/Dental;
- I. Offices, Administrative;
- J. Offices, Professional;
- K. Personal Services;
- L. Research and development;
- M. Restaurants, sit-down and fast food;
- N. Retail, intensive (excluding convenience or specialty markets);

Permitted Uses shall be defined in accordance with Morgan Hill Municipal Code section 18.04. Uses not specifically listed may be found to be consistent in nature with other listed permitted uses in accordance with Municipal Code chapter 18.22.

Page 17 of 17
The following uses as defined in Chapter 18.04 of the Morgan Hill Municipal Code may be conditionally allowed in The Village precise development boundary, subject to issuance of a conditional use permit in accordance with Chapter 18.54 of the Morgan Hill Municipal Code:

Conditional Uses

- A. Commercial recreation, indoor, greater than 3000 sq. ft. in size;
- B. Congregate care for the elderly/assisted living facilities;
- C. Convenience markets & specialty markets;
- D. Day care centers and nursery school;
- E. Day care centers, Adult;
- F. Drive-in or drive through restaurant uses (beyond the 2 permitted);
- G. Kennel;
- H. Minor motor vehicle repair;
- I. Nursing home or convalescent hospital;
- J. Service station

Conditionals Uses shall be defined in accordance with Morgan Hill Municipal Code section 18.04. Uses not specifically listed may be found to be consistent in nature with other listed permitted or conditional uses in accordance with Municipal Code chapter 18.22.

All uses, whether permitted or conditional, shall be conducted in such a manner so as to avoid any nuisance, hazard or commonly recognized offensive condition or characteristic, as established by the commercial and industrial performance standards of Morgan Hill Municipal Code Chapter 18.48

Additional required conditions.

- A. Parking standards for all uses within The Village PD shall be consistent with Chapter 18.50 Parking and Paving of the Morgan Hill Municipal Code.
- B. Sign limitations shall be satisfied in accordance with Chapter 18.76 of the Morgan Hill Municipal Code.
- C. Design permit approval by the community development director shall be required of all new construction, additions or substantial building or site alterations
- D. All development and landscaping shall be consistent with Chapter 18.74 Design Review of the Morgan Municipal Code.
- E. Design permit approval by the community development director shall be required of all substantial landscape alterations.

Table of Contents

Butterfield & Cochrane

Evergreen Village



Evergreen Village

Planning Objectives

Evergreen intends to develop a first-rate shopping center offering lifestyle amenities to serve the community of Morgan Hill. Evergreen has a successful track record of developing shopping center sites throughout California, Arizona, and Colorado, which enables us to apply a diverse spectrum of knowledge regarding what works well and serves communities best. As a testament to our extensive retail experience, we have completed development projects across the United States in more than 175 municipalities.

We would like to apply our experience to the approximately 20-acre site at the Southeast corner of Butterfield & Cochrane. The site is bounded by industrial uses on the south, industrial and commercial uses on the north, commercial uses on the east, and residential on the west making this a transitional development project as we work to integrate it with these existing uses.

Based on feedback and continued discussions with the City, we feel that the site plan we are proposing allows for the highest functionality and developability of the site. There is strength in thoughtful vehicular movement, as well as extensive walkability between the varying portions of the site based on the intended uses.

We intend to bring appropriate and cohesive architecture to the development site that will embody the character of the City of Morgan Hill. We have established Design Guidelines that will reflect the colors, materials and architectural styles for the buildings in the development, as well as landscape, hardscape designs and materials palettes, that will be utilized for the development of the site.



Evergreen Village

Development Standard Deviations

The current approved uses per the Morgan Hill Business Ranch “The Village” PUD Development Standards for this parcel are as follows:

Uses permitted (no conditional use permit required):

- A. Business Support Services
- B. Commercial Services
- C. Commercial Recreation, indoor, 3,000 sq. ft. or less in size
- D. Drive-through restaurant (maximum of two)
- E. Financial services
- F. Home Improvement Center
- G. Hotel/motel/lodging facilities
- H. Offices, Medical/Dental
- I. Offices, Administrative
- J. Offices, Professional
- K. Personal Services
- L. Research & Development
- M. Restaurants, sit-down and fast food
- N. Retail, intensive (excluding convenience or specialty markets)

Uses subject to issuance of a conditional use permit:

- A. Commercial recreation, indoor, greater than 3,000 sq. ft. in size
- B. Congregate care for the elderly/assisted living facilities
- C. Convenience markets & specialty markets
- D. Day care centers and nursery school
- E. Day care centers, Adult
- F. Drive-in or drive through restaurant uses (beyond 2 permitted)
- G. Kennel
- H. Minor vehicle repair
- I. Nursing Home or convalescent hospital
- J. Service station



Evergreen Village

With this application, we are requesting that the uses be amended as follows:

Uses permitted (no conditional use permit required):

- A. Business Support Services
- B. Commercial Services
- C. Commercial Recreation, indoor, 3,000 sq. ft. or less in size
- D. Commercial Recreation, indoor, greater than 3,000 sq. ft. in size
- E. Drive-in/through establishments (maximum of three)
- F. Financial services
- G. Grocery Store
- H. Home Improvement Center
- I. Hotel/motel/lodging facilities (height not to exceed 60', including architectural embellishments)
- J. Mini-storage facilities
- K. Offices, Medical/Dental
- L. Offices, Administrative
- M. Offices, Professional
- N. Personal Services
- O. Research & Development
- P. Restaurants, sit-down and fast food
- Q. Retail, intensive (excluding convenience or specialty markets)
- R. Convenience market, grocery, & specialty markets
- S. Service station (24-hour operation)
- T. Minor Motor vehicle repair (parking requirement 1/250 SF of gross area, vehicle repair bays count towards parking requirement)
- U. Congregate car for the elderly/assisted living facilities
- V. Nursing Home or convalescent hospital
- W. Day care centers, Adult and Children

Uses subject to issuance of a conditional use permit:

- A. Drive-in or drive through restaurant uses (beyond 3 permitted)
- B. Kennel



Evergreen Village

As we have worked closely with staff, we feel that allowing staff to administratively review any changes to the Precise Development Plan, as they arise, with the intent that the development will be maintained and adhere to the requirements of this Planned Development Amendment.

Development Scheme (Construction Phasing)

Our intent is to develop the center in more than one phase of construction:

1. Master Developer (Phase One):
 - a. Offsite improvements including:
 - i. dedicate right of way along Cochrane Rd. across frontage,
 1. 67 ft from centerline
 - ii. install landscaping in the median east of Woodview Ave, along the project frontage in Cochrane Rd.,
 - iii. construct left turn lane in west bound median in Cochrane Rd. for the Woodview Ave and Cochrane Rd. intersection to allow left turns into the project,
 - iv. construct curb, gutter and sidewalks (as required) along project frontage on Cochrane Rd.,
 - v. construct sidewalk (as required) along project frontage on Jarvis Dr.,
 - vi. remove and relocate street lights (as required), replace as necessary,
 1. Cochrane Ave.
 2. Butterfield Blvd.
 3. Jarvis Dr.
 - vii. construct a traffic signal at the intersection of Cochrane Rd. and Woodview Ave, the project's access on Cochrane Rd.,
 - viii. construct required modifications to the Sewer lift station and provide access to the facility from the Project,
 - ix. construct street access driveway approaches,



Evergreen Village

- x. conformance with all Project Mitigation Measures as delineated in the Negative Mitigation Declaration
- b. Onsite infrastructure consisting of rough graded pads, ready for individual parcel improvements that includes:
 - i. private drive aisles complete with lighting and temporary onsite drainage and access points to each parcel,
 - ii. Project mitigation measures per the Mitigated Negative Declaration by Wagstaff and Associates;
 - 1. air quality
 - 2. burrowing owls
 - 3. nesting raptors
 - iii. water main to ensure service to each pad within the development
 - iv. fire and domestic water services stubbed to each on-site parcel,
 - v. sanitary sewer main to ensure service to each pad within the development
 - vi. sanitary sewer service stubbed to each pad within the development
 - vii. storm sewer tie-ins stubbed to each pad within the development, as required, and
 - viii. dry utility services (natural gas, telecommunications and electric) stubbed to each pad within the development.

2. End Users (Subsequent Individual Phases):

- a. Each parcel owner will work directly with the City to fully develop, build out and maintain their parcel in accordance with the City of Morgan Hill Development standards.

Additionally, we intend to provide pedestrian connectivity throughout the development to allow for better accessibility to all stores for the patrons. We are extremely excited to present this project to the City and



Evergreen Village

bring significant value through needed uses and convenience to the City and neighborhood.

Applicant's Intention – Sale/Lease and Common Area Maintenance

Evergreen understands the importance of designing a shopping center that is visually appealing, thoughtfully laid-out, and has the necessary parameters in place to stay first rate long after the initial development is completed.

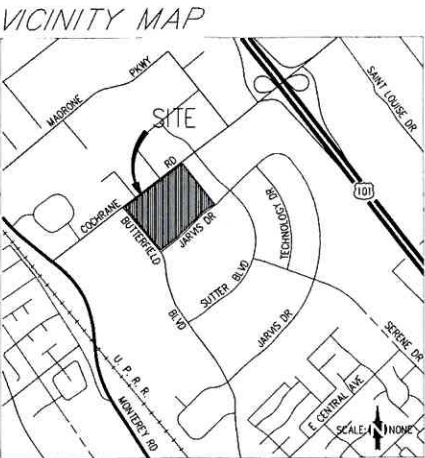
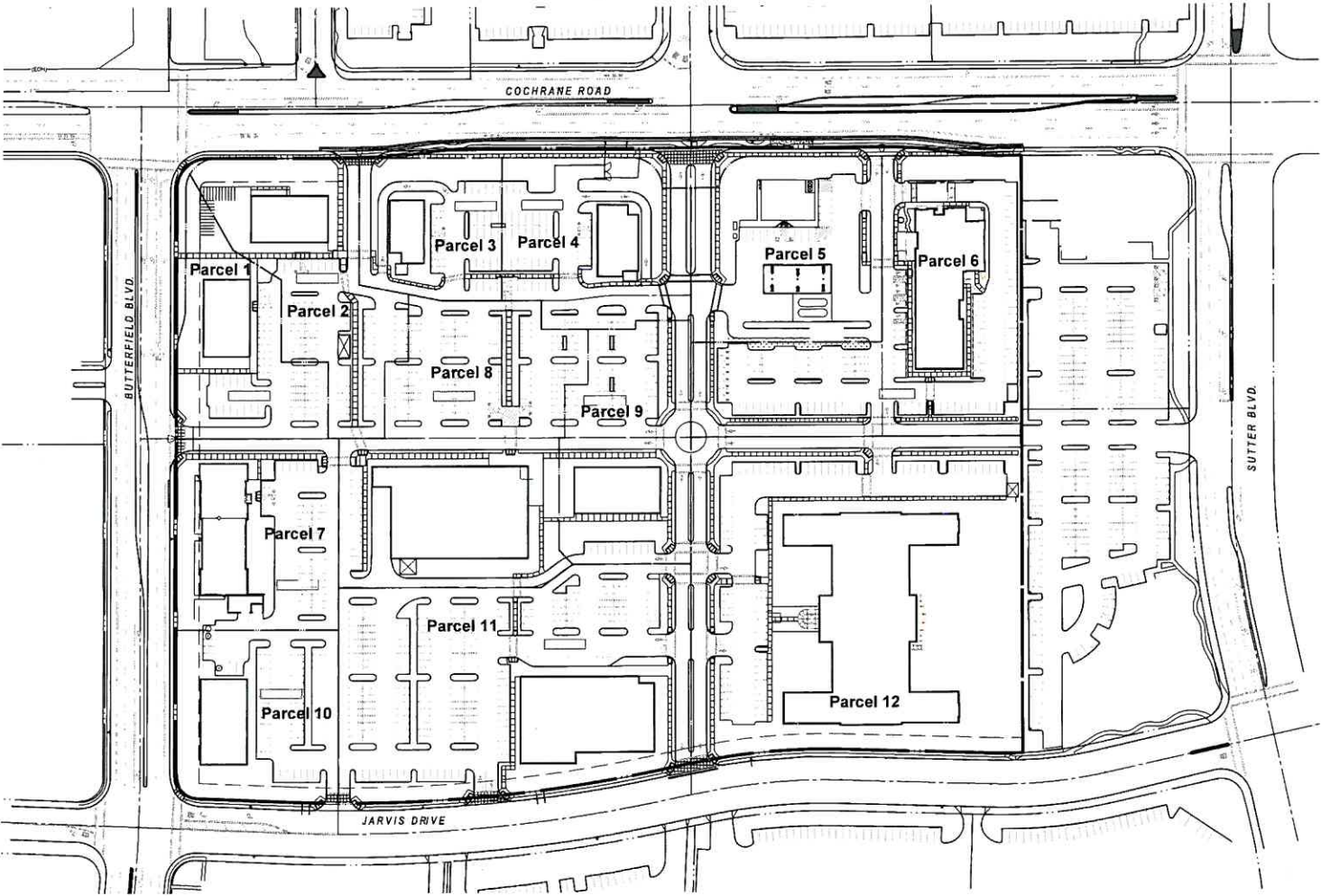
As such, we have developed and will record, with this development, a set of CC&R's that will provide oversight and guidance for the parcel developments (including the requirement to utilize the Design Guidelines) to ensure a cohesive appearance of the fully built project.

Each parcel owner will be responsible for the construction and maintenance of the improvements on their parcel, subject to the enforcement of maintenance standards by the Manager of the shopping center.

Evergreen has successfully developed many shopping centers utilizing these CC&R's and Design Guideline standards and is highly confident that the development of this project will meet the City's standards and expectations for a cohesive and high-quality project.



AMENDED TENTATIVE MAP
EVERGREEN VILLAGE
COMMERCIAL DEVELOPMENT
CITY OF MORGAN HILL, SANTA CLARA, CALIFORNIA
SUBDIVISION NO.
ORDINANCE NO.



BENCH MARK

TOP OF WALK 5' EAST OF SOUTHWEST CORNER OF
BRIDGE NO. 37-341 AT COCHRANE ROAD AND SOUTH
VALLEY FREEWAY (ESTABLISHED BY NOLTE AND
ASSOCIATES) FEMA (FIRM) BM# BM3, ELEVATION 377.58'
NGVD 29

NOTES:

ASSESSOR'S PARCEL NO.	726-25-035 & 726-32-021
PRESENT USE	VACANT
PROPOSED USE	COMMERCIAL
PRESENT ZONING	PUD - PLANNED UNIT DEVELOPMENT/DISTRICT
PROPOSED ZONING	PUD - PLANNED UNIT DEVELOPMENT/DISTRICT
SANITARY SEWER	CITY OF MORGAN HILL
GAS and ELECTRIC	P.G. and E.
WATER	CITY OF MORGAN HILL
TELEPHONE	VERIZON
TOTAL ACERAGE	20.43 ACRES

OWNER'S REPRESENTATIVE

EVERGREEN
DEVELOPMENT SERVICES
2390 EAST CAMELBACK ROAD, SUITE 410
PHOENIX, ARIZONA 85016

ENGINEER

MH ENGINEERING
16075 VINEYARD BLVD
MORGAN HILL, CA 95037
(408) 779-7381

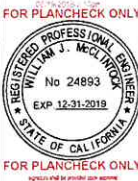
SHEET INDEX

- 1. COVER SHEET
- A-1.1 PROPOSED SITE PLAN
- 2. TENTATIVE MAP
- 3. STREET SECTIONS
- 4. PRELIMINARY GRADING PLAN
- 5. PRELIMINARY GRADING PLAN
- 6. PRELIMINARY GRADING PLAN
- 7. PRELIMINARY GRADING PLAN
- 8. GRADING CROSS SECTIONS

DEVELOPMENT
SERVICES

JUN 20 2018

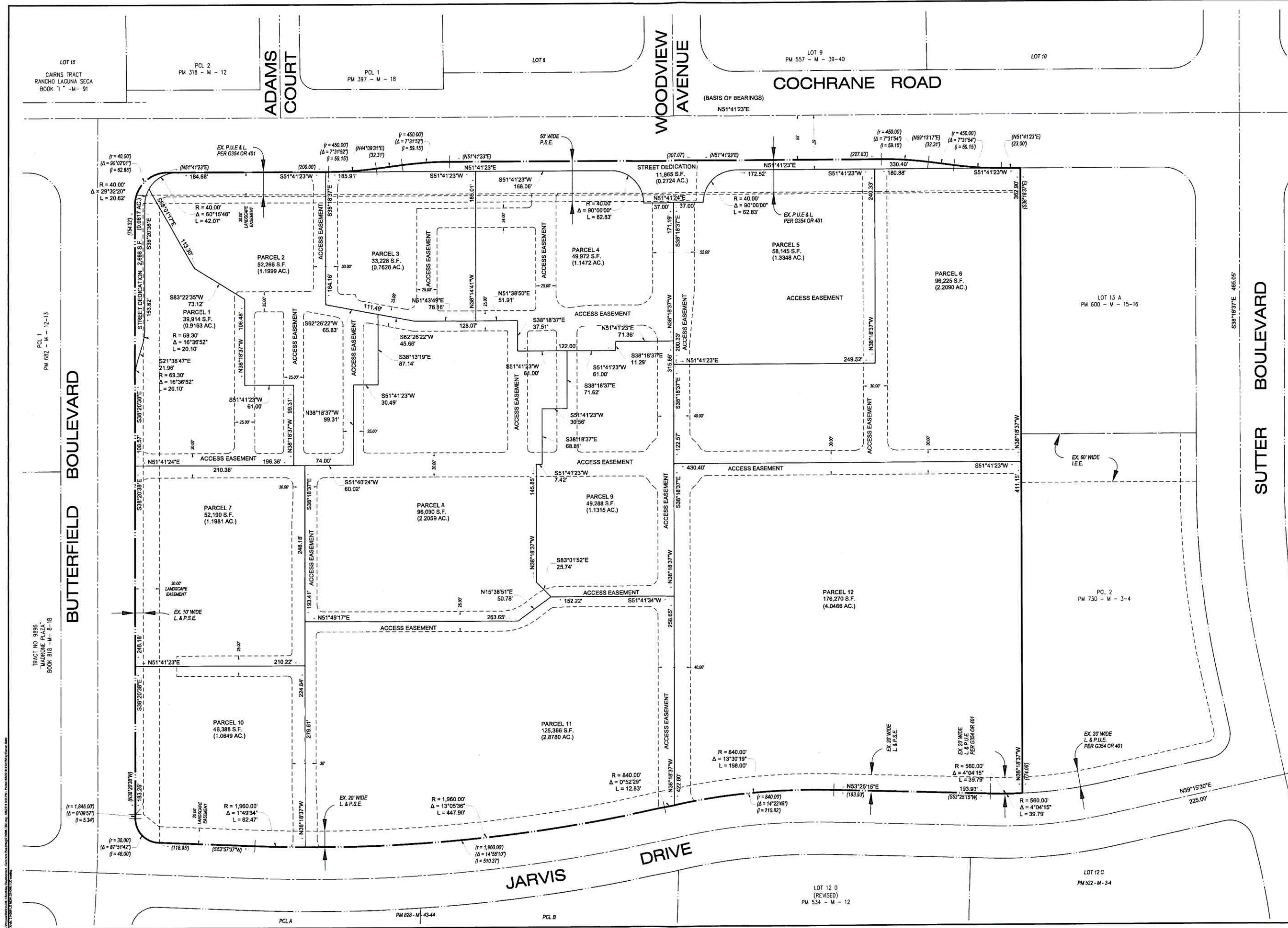
CITY OF MORGAN HILL



Amended Tentative Map
Evergreen Village

DATE:	6/18	SCALE:	1"=100'	DRAWN BY:	RS
JOB NO. 21409					
SHEET 1					
OF 8					





MH engineering Co.
16075 Vineyard Boulevard
Morgan Hill, CA 95037

Amended Tentative Map
Evergreen Village

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SHEET	2				
OF	8				



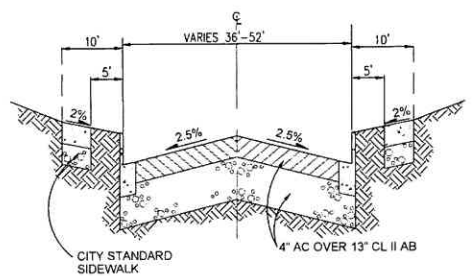
FOR PLANCHECK ONLY

MH engineering Co.
18075 Vineyard Boulevard
Morgan Hill, CA 95037

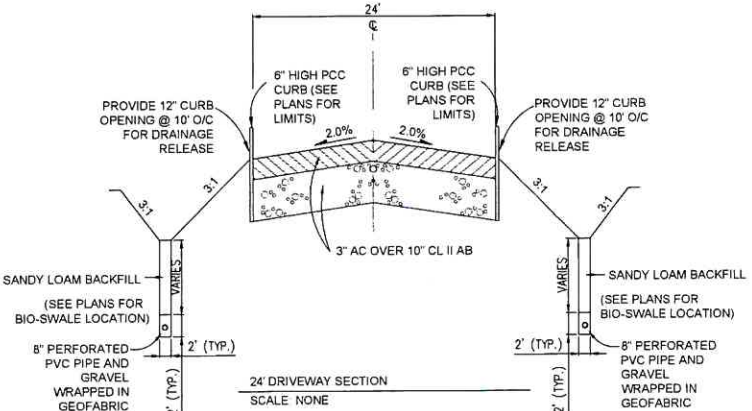
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Evergreen Village**

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JOB NO. 214096							
SHEET 3							
OF 8							

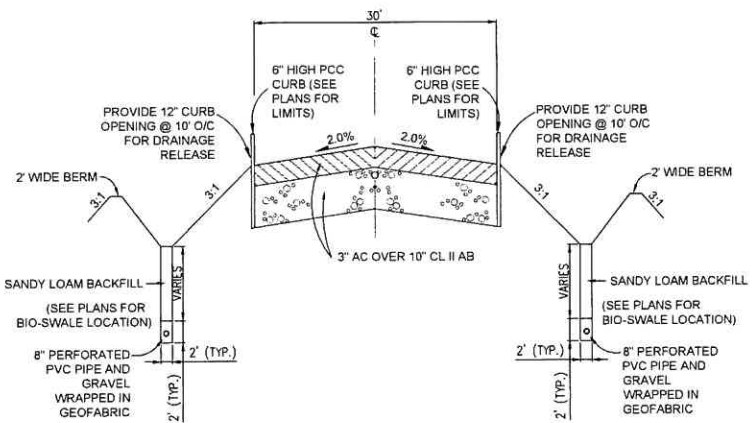
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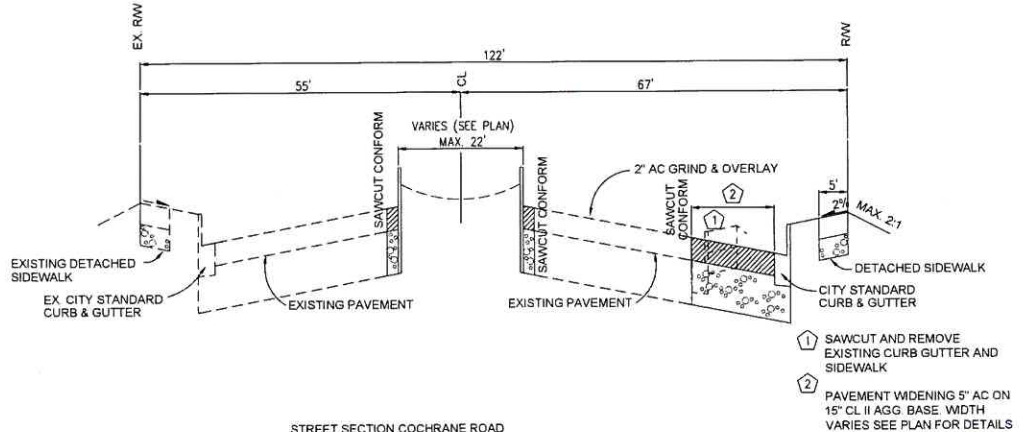
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24' DRIVEWAY SECTION
SCALE: NONE

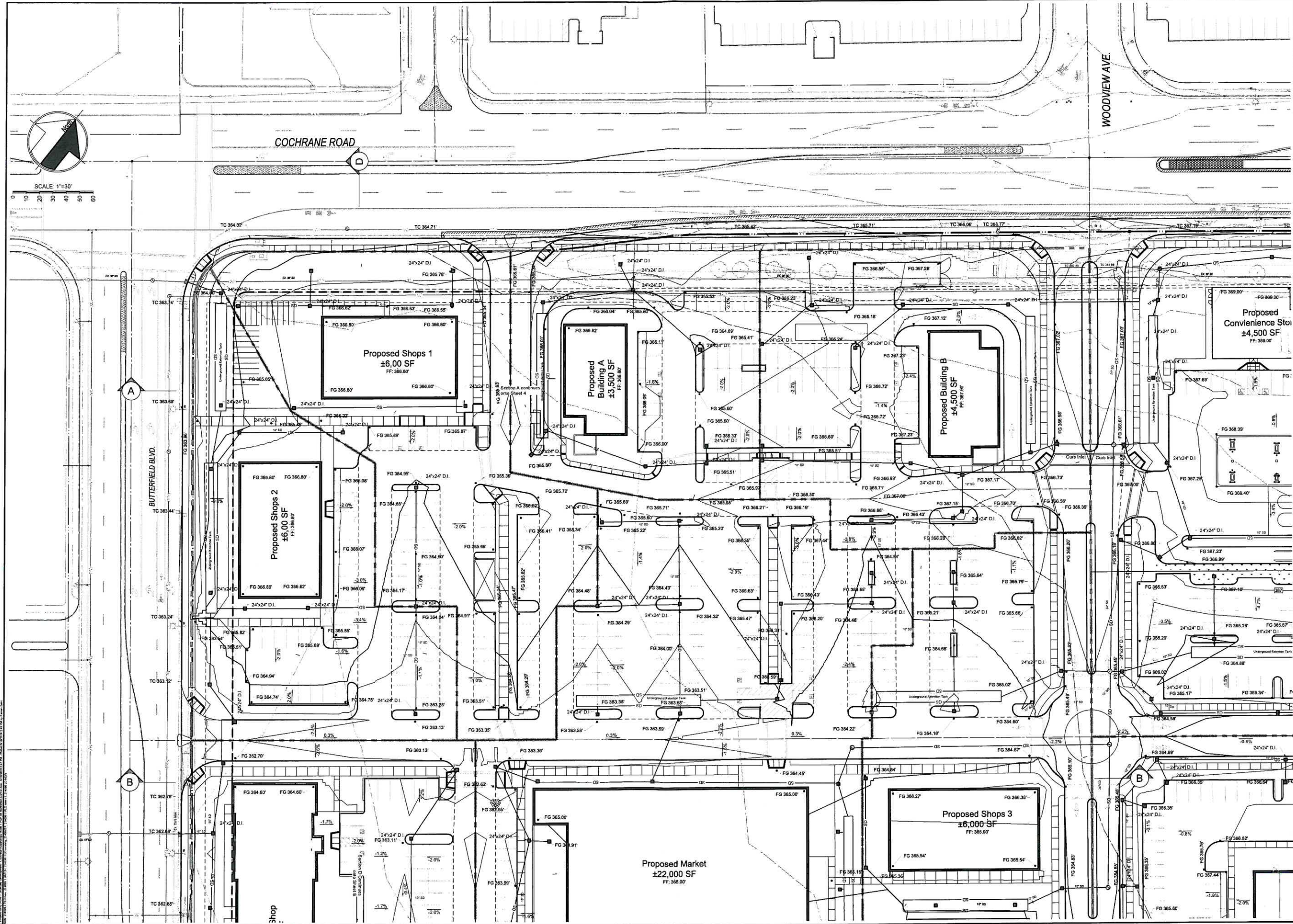


STREET SECTION - ACCESS ROAD
SCALE: NONE



STREET SECTION COCHRANE ROAD
SCALE: NONE SECTION A-A

- 1 SAWCUT AND REMOVE EXISTING CURB GUTTER AND SIDEWALK
- 2 PAVEMENT WIDENING 5" AC ON 15" CL II AGG. BASE. WIDTH VARIES SEE PLAN FOR DETAILS



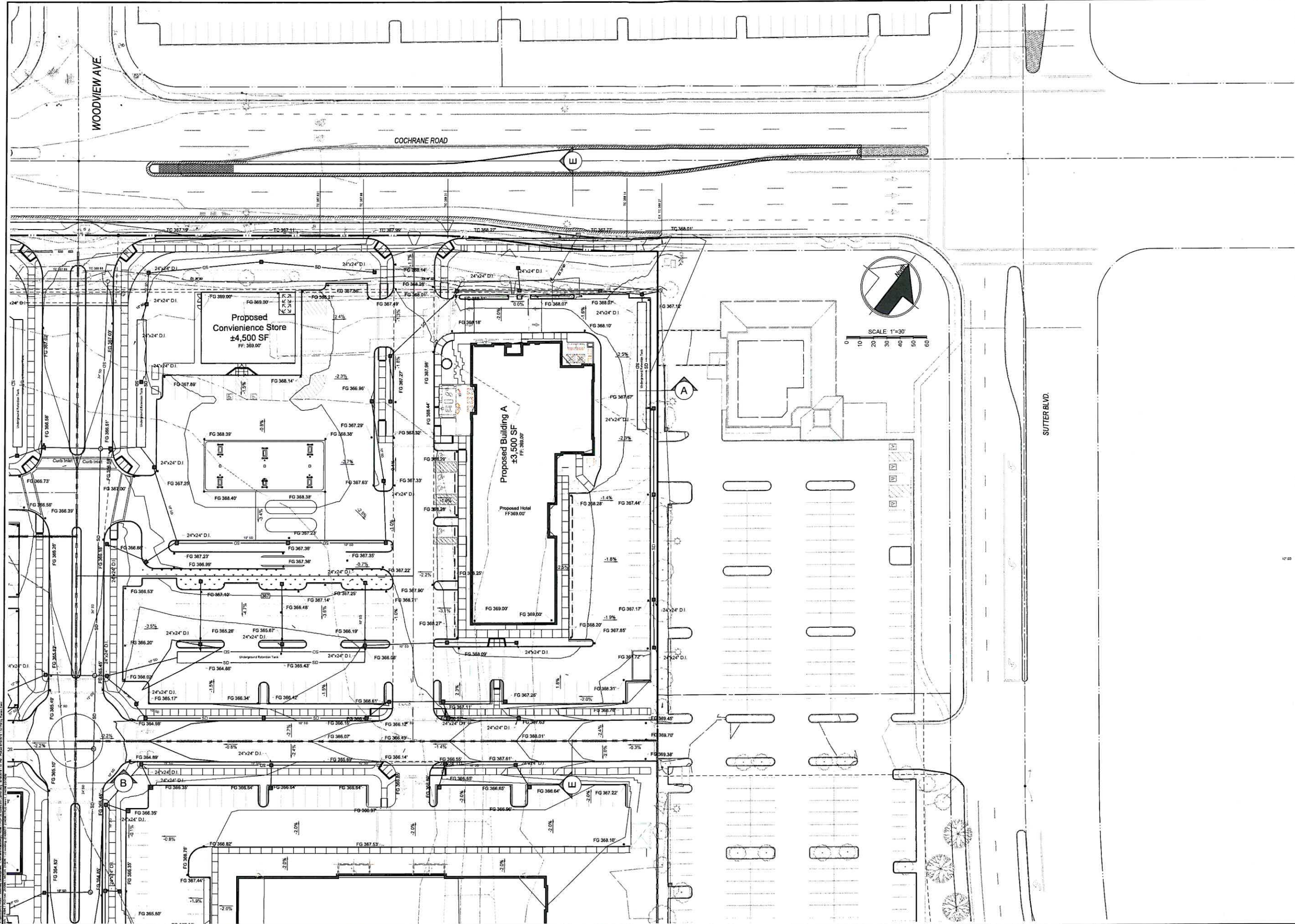
FOR PLANCHUCK ONLY
REGISTERED PROFESSIONAL ENGINEER
WILLIAM J. McINTOSH
No. 24893
EXP. 12-31-2019
STATE OF CALIFORNIA
FOR PLANCHUCK ONLY
Project No. 1846-0034 & AAE2017-0035

MH engineering Co.
18075 Vineyard Boulevard
Morgan Hill, CA 95037

Preliminary Grading Plan
Evergreen Village

DATE: 3/18
SCALE: 1"=30'
DRAWN BY: KVM
CHECKED BY: WJM
SHEET NO. 214096.1
SHEET 4
OF 8

Packet Pg. 97

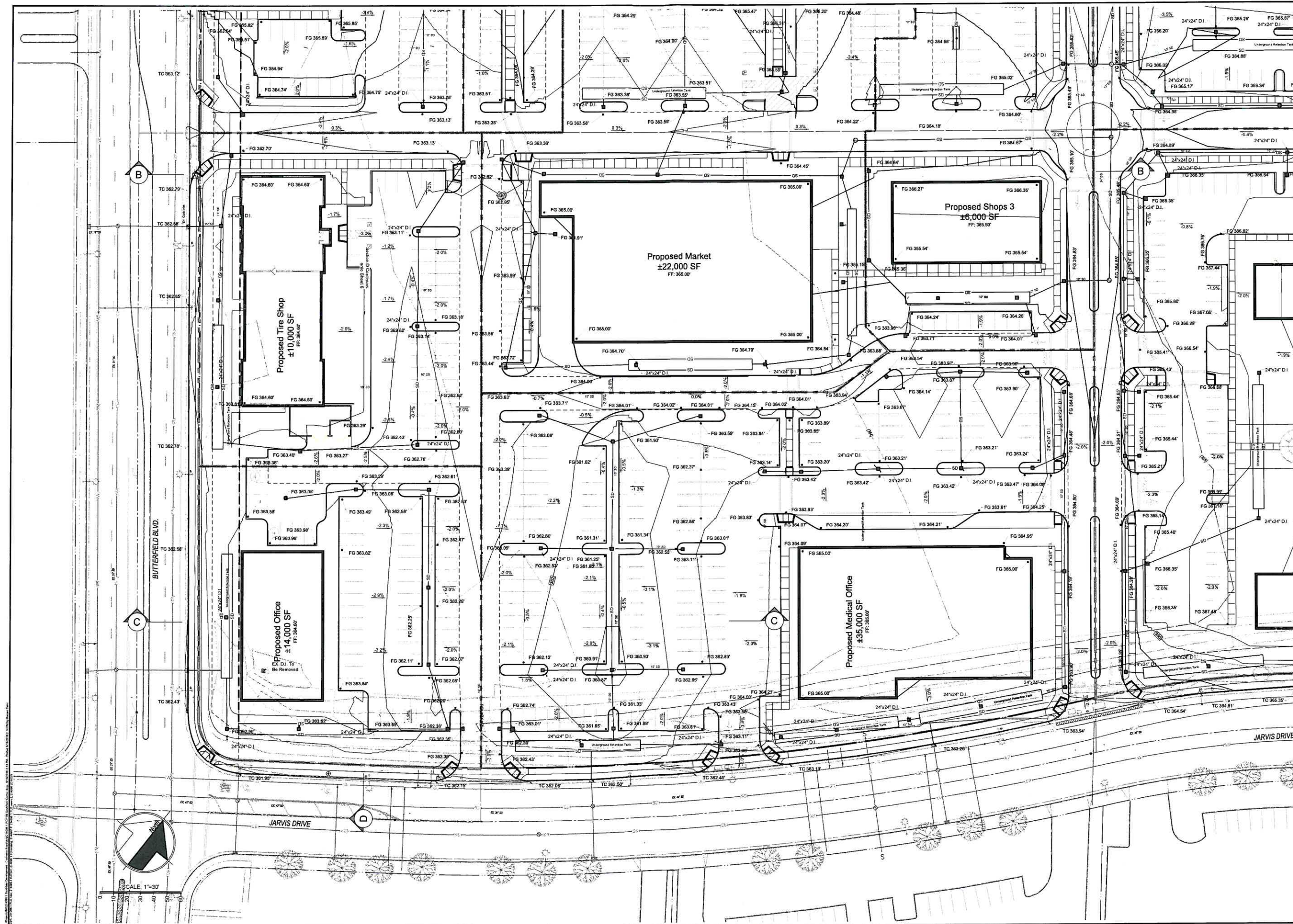


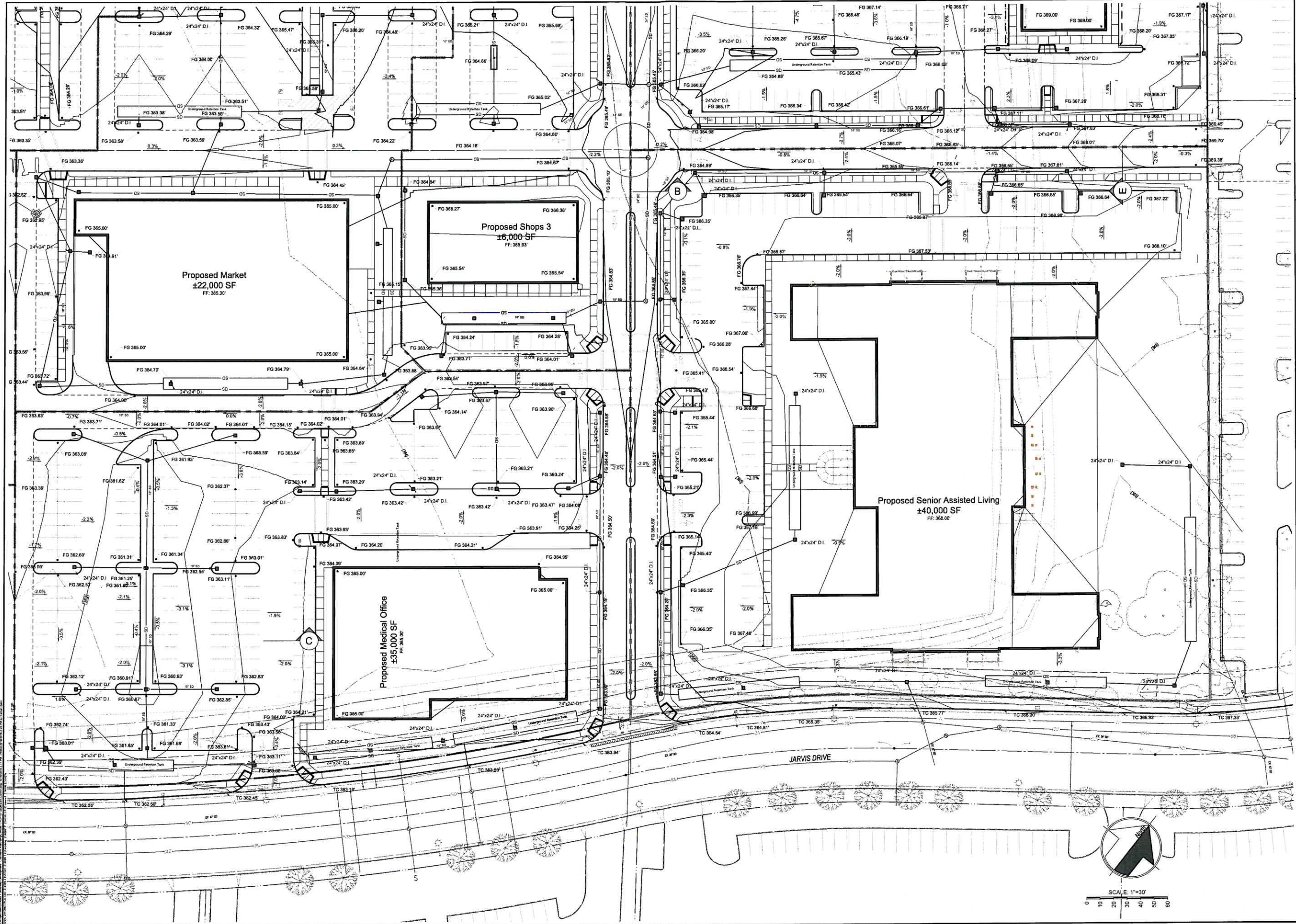
FOR PLANCHUCK ONLY
REGISTERED PROFESSIONAL ENGINEER
WILLIAM J. MCQUINN
No 24893
EXP. 12-31-2019
STATE OF CALIFORNIA
FOR PLANCHUCK ONLY
Morgan Hill, CA 95037

MH engineering Co.
18075 Vineyard Boulevard
Morgan Hill, CA 95037

Preliminary Grading Plan
Evergreen Village

DATE	6/18
SCALE	1"=30'
DRAWN BY	ITS
CHECKED BY	WJM
SHEET	214096.1
OF	5





FOR PLANCHUCK ONLY
REGISTERED PROFESSIONAL ENGINEER
WILLIAM J. MCGLOTHLIN
No. 24893
EXP. 12-31-2019
FOR PLANCHUCK ONLY
Sign and Seal to be provided by engineer

MH engineering Co.
1807's Vineyard Boulevard
Morgan Hill, CA 95037

Preliminary Grading Plan
Evergreen Village

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CHECKED BY	WJM
SHEET	7
OF	8

214096.1

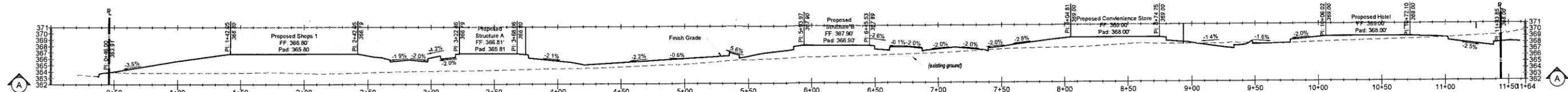


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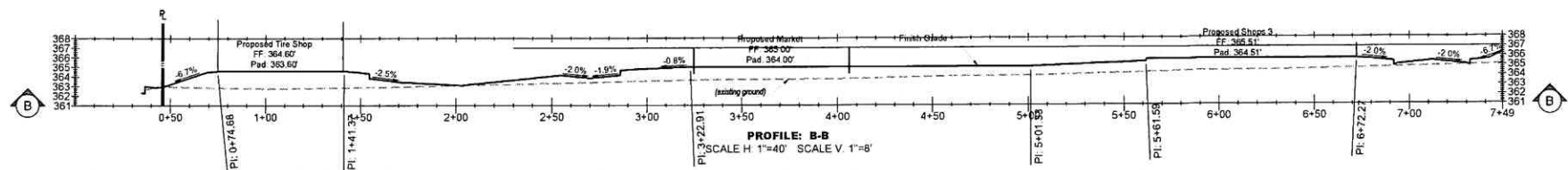
MH engineering Co.
18075 Vineyard Boulevard
Morgan Hill, CA 95037

Preliminary Grading Plan
Evergreen Village

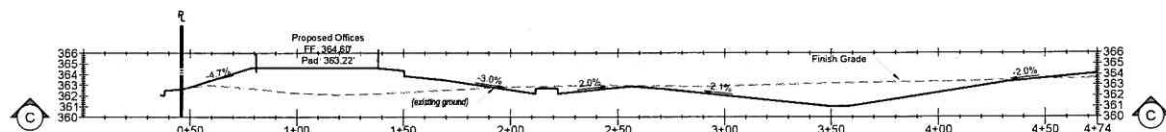
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SHEET 8
OF 8



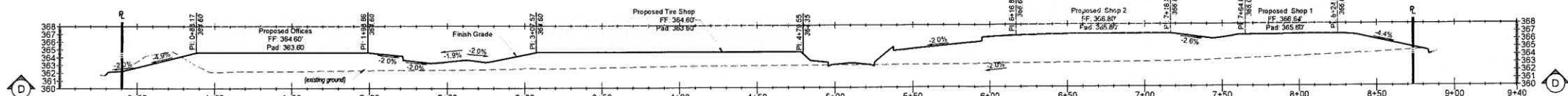
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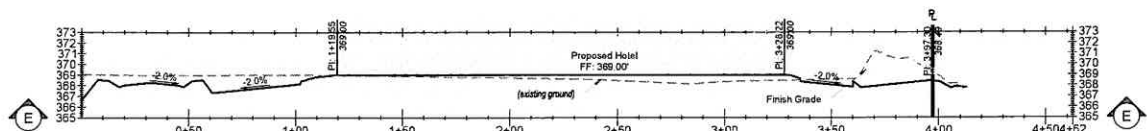
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PROFILE: C-C
SCALE H 1"=40' SCALE V 1"=8'

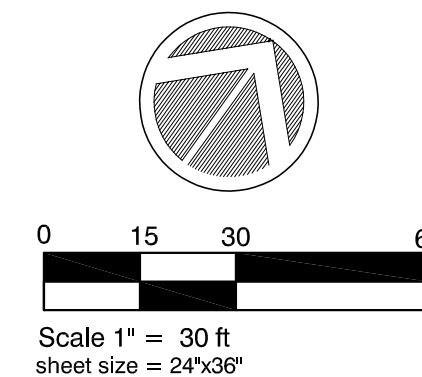


PROFILE: D-D
SCALE H 1"=40' SCALE V 1"=8'



PROFILE: E-E
SCALE H 1"=40' SCALE V 1"=8'

Preliminary Grading Quantities			
Item Description	Cut	Fill	Net
Rough Grading w/ 15% shrinkage	15,726 CY	8,536 CY	7,190 CY (Cut)
Stripings (3" Deep)	Deep	Disc	Inplace
Trench Spoils	1,091 CY	0 CY	1,091 CY (Cut)
Rainbank Excavation	3,694 CY	0 CY	3,694 CY (Cut)
Total	20,511 CY	8,536 CY	11,975 CY (Cut)



1. ALL LANDSCAPE BACKFLOW PREVENTION DEVICES TO BE SCREENED WITH 5 GALLON POT SIZE PLANTS (RHAPHIOLEPIS U. 'MINOR') AT 36" O.C. AT 3'-0" OFFSET FROM DEVICE.

PLANT SYMBOLS

Key Map

Key Map



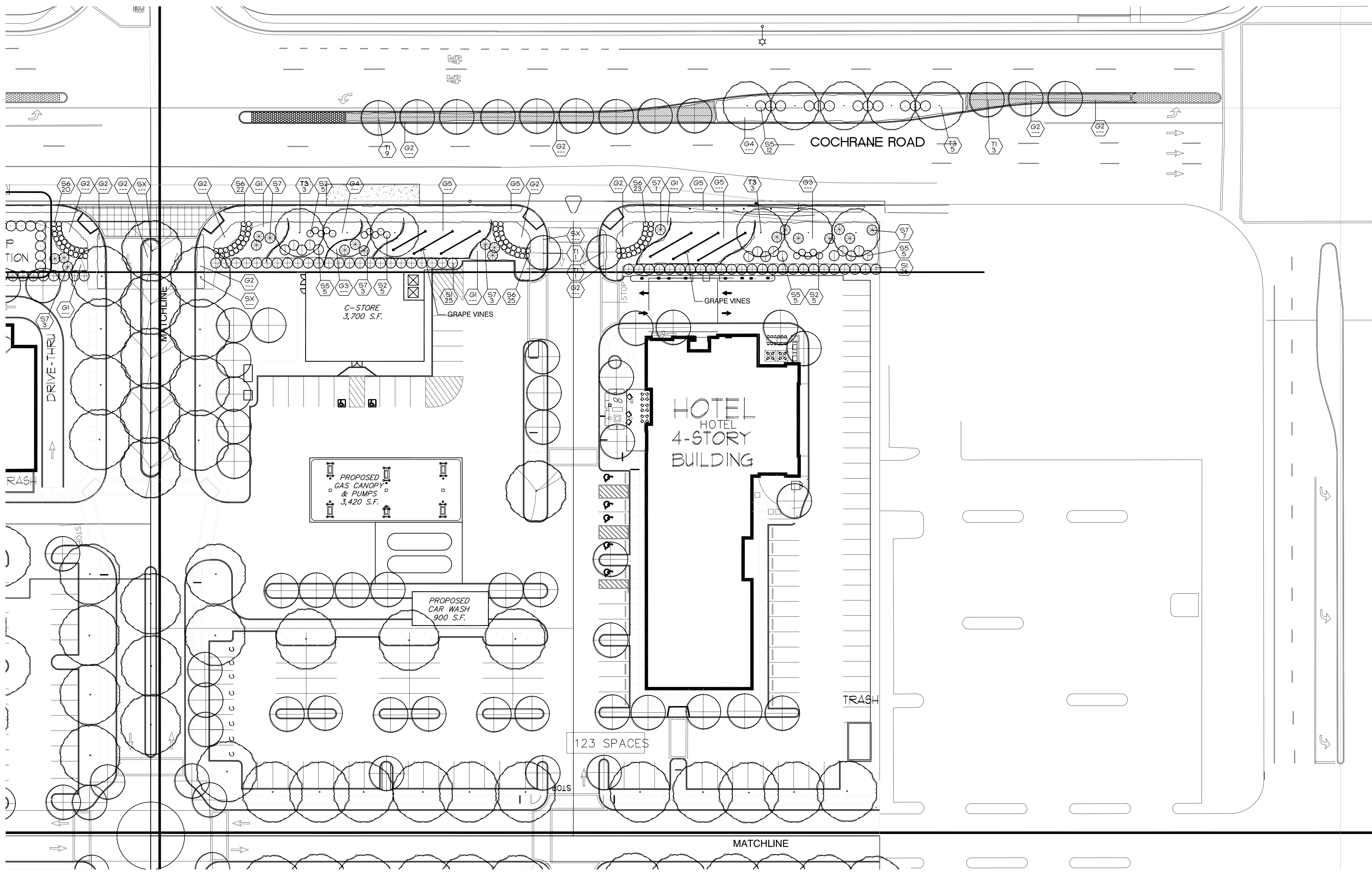
Know what's **below**.
Call before you dig.

Morgan Hill Development
Morgan Hill, California

LANDSCAPE PLANTING PLAN

JOB NO.	DATE
	06.29.18

SHEET
L1.0
OF



LANDSCAPE UTILITY NOTES:

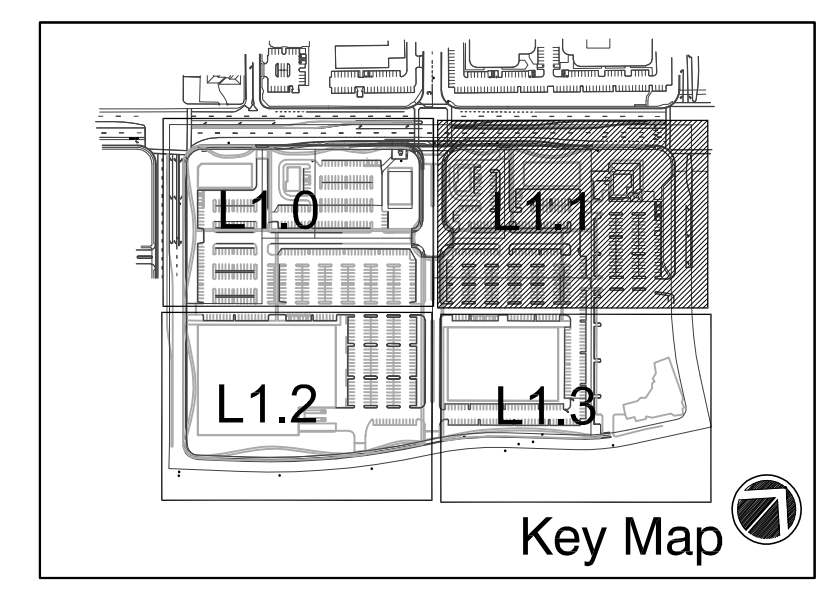
1. ALL LANDSCAPE BACKFLOW PREVENTION DEVICES TO BE SCREENED WITH 5 GALLON POT SIZE PLANTS (RHAPHIOLEPIS U. 'MINOR') AT 36" O.C. AT 3'-0" OFFSET FROM DEVICE.

PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	WUCOLS
TREES						
T1	LAGERSTROEMIA I. 'MUSKOGEE'	MUSKOGEE GRAPE MYRTLE	---	24"BOX	MULTI-TRUNK	LOW
T2	CELTIS SINENSIS	CHINESE HACKBERRY	---	24"BOX	STANDARD	LOW
T3	FRAXINUS UHDEI	EVERGREEN ASH	---	24"BOX	STANDARD	MEDIUM
T4	PLATANUS A. 'COLUMBIA'	LONDON PLANE TREE	---	24"BOX	STANDARD	MEDIUM
T5	LYONOTHAMNUS FLOREBUNDUS	CATALINA IRONWOOD	---	24"BOX	STANDARD	LOW
T6	JUNIPERUS S. 'MEDORA'	MEDORA JUNIFER	---	24"BOX	STANDARD	LOW
T7	QUERCUS AGRIFOLIA	COAST LIVE OAK	---	24"BOX	STANDARD	LOW
T8	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	---	48"BOX	STANDARD	LOW
SHRUBS						
S1	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL.		LOW
S2	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL.		LOW
S3	ARBUTUS U. 'COMPACTA'	STRAWBERRY TREE	---	15 GAL.		LOW
S4	ROSMARINUS O. 'TUSCAN BLUE'	UPRIGHT ROSEMARY	---	5 GAL.		LOW
S5	ARCTOSTAPHYLOS GLAUCA	BIG BERRY MANZANITA	---	5 GAL.		LOW
S6	YUCCA BRIGHT STAR	BRIGHT STAR YUCCA	---	5 GAL.		LOW
S7	PHORMIUM 'MARGARET JONES'	NEW ZEALAND FLAX	---	5 GAL.		LOW
GROUND COVERS						
G1	PITTOPOPIUM PARVIFOLIUM	CREEPING BOOBIALLA	-	1 GAL.	36" O.C.	LOW
G2	BULBINE FRUTESCENS	STALKED BULBINE	-	1 GAL.	24" O.C.	LOW
G3	CEANOTHUS G.H. 'YANKEE POINT'	CARMEL MOUNTAIN LILAC	-	1 GAL.	48" O.C.	LOW
G4	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	-	1 GAL.	36" O.C.	LOW
G5	COTONEASTER D. 'LOUFAST'	BEARBERRY COTONEASTER	-	1 GAL.	48" O.C.	LOW

PLANT SYMBOLS

XXXX INDICATES PLANT KEY
XX INDICATES PLANT QUANTITY



Scale 1" = 30 ft
sheet size = 24"x36"

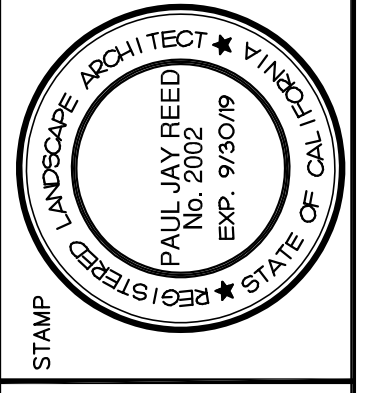
Morgan Hill Development
Morgan Hill, California

LANDSCAPE PLANTING PLAN

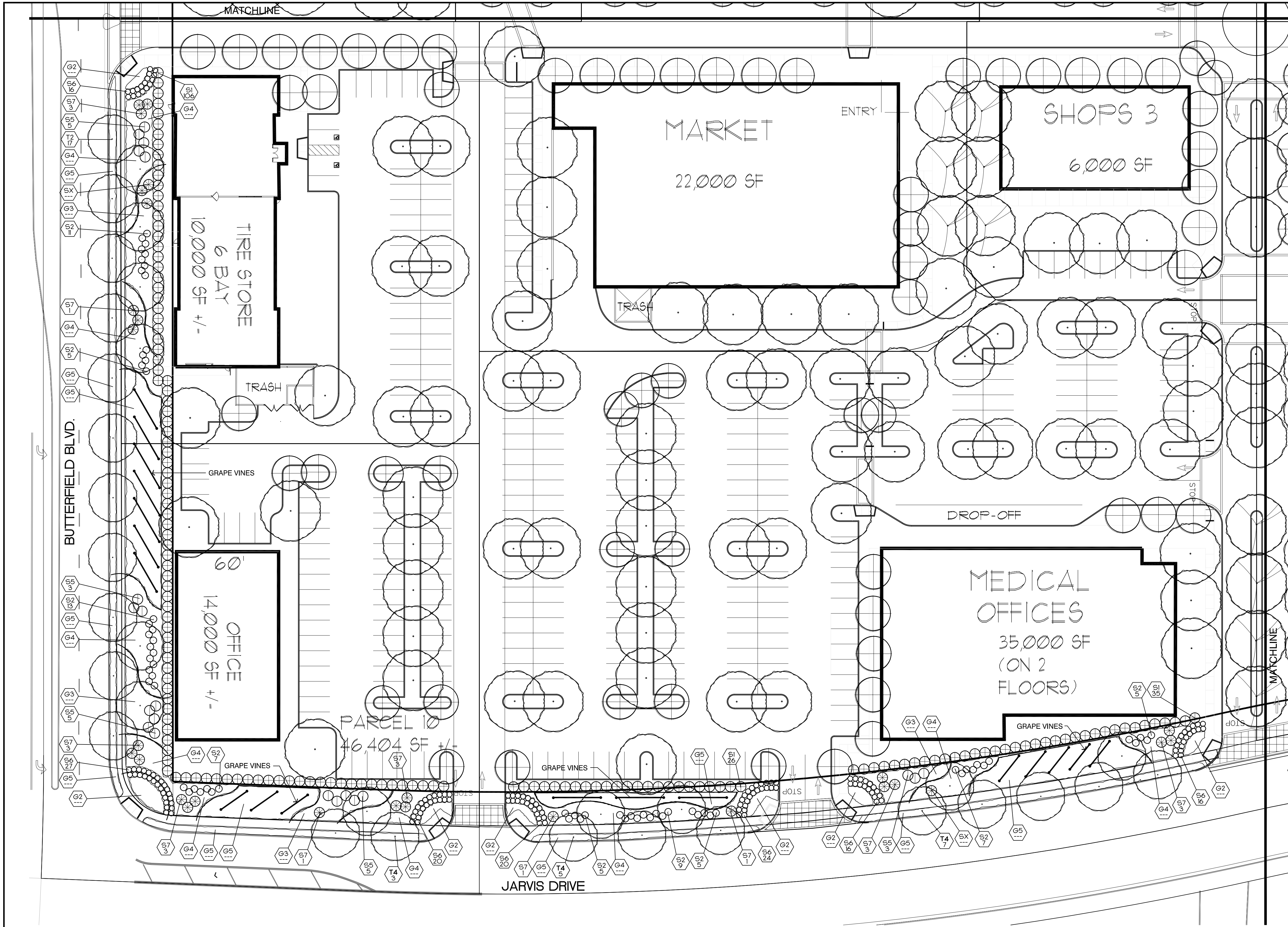
JOB NO. _____ DATE 06.29.18

SHEET L1.1 OF _____

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SCALE 1"=30'
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CHECKED BY PAR



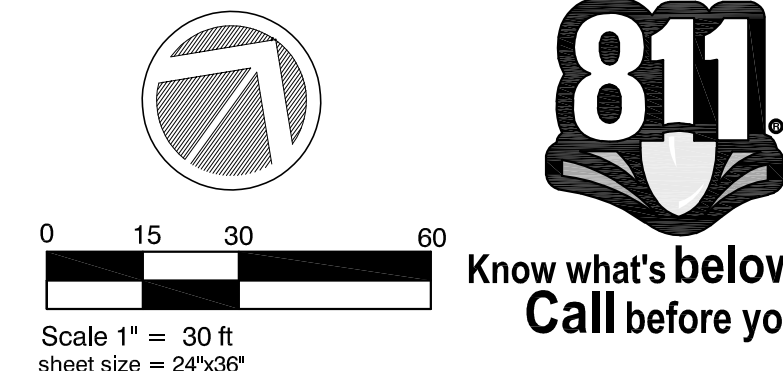
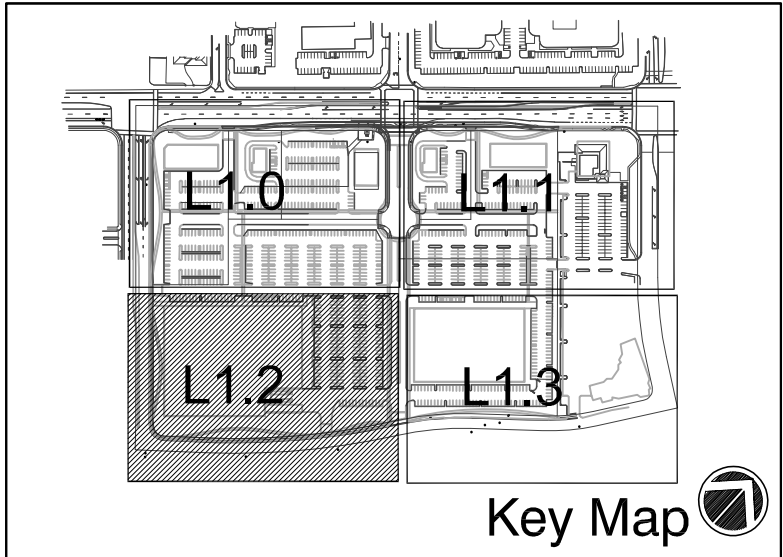
PLANT LIST:					
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
T1	LAGERSTROEMIA I. 'MUSKOGEE'	MUSKOGEE GRAPE MYRTLE	---	24"BOX	MULTI-TRUNK
T2	CELTIS SINENSIS	CHINESE HACKBERRY	---	24"BOX	STANDARD
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T7	QUERCUS AGRIIFOLIA	COAST LIVE OAK	---	24"BOX	STANDARD
T8	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	---	48"BOX	STANDARD
SHRUBS					
S1	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL	
S2	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL	
S3	ARBUTUS U. 'COMPACTA'	STRAWBERRY TREE	---	15 GAL	
S4	ROSMARINUS O. 'TUSCAN BLUE'	UPRIGHT ROSEMARY	---	5 GAL	
S5	ARCTOSTAPHYLOS GLAUCA	BIG BERRY MANZANITA	---	5 GAL	
S6	YUCCA BRIGHT STAR	BRIGHT STAR YUCCA	---	5 GAL	
S7	PHORSTIUM 'MARGARET JONES'	NEW ZEALAND FLAX	---	5 GAL	
GROUND COVERS					
G1	MYOPORIUM PARVIFOLIUM	CREeping BOOBIALLA	-	1 GAL	30" O.C.
G2	BULBINE FRUTESCENS	STALKED BULBINE	-	1 GAL	24" O.C.
G3	CEANOTHUS GH. 'YANKEE POINT'	CARREL MOUNTAIN LILAC	-	1 GAL	48" O.C.
G4	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	-	1 GAL	36" O.C.
G5	COTONEASTER D. 'LOUFAST'	BEARBERRY COTONEASTER	-	1 GAL	48" O.C.

LANDSCAPE UTILITY NOTES:

1. ALL LANDSCAPE BACKFLOW PREVENTION DEVICES TO BE SCREENED WITH 5 GALLON POT SIZE PLANTS (RHAPHIOLEPIS U. MINOR) AT 36" O.C. AT 3'-0" OFFSET FROM DEVICE.

PLANT SYMBOLS

INDICATES PLANT KEY
INDICATES PLANT QUANTITY



7.g

SCALE 1"=30'

DRAWN BY DS

CHECKED BY P.R.

STAMP

LANDSCAPE ARCHITECT

PAUL JAY REED

RECEIVED

EXP. 9/30/19

STATE OF CALIFORNIA

REED ASSOCIATES

LANDSCAPE ARCHITECTURE

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Morgan Hill Development

Morgan Hill, California

LANDSCAPE PLANTING PLAN

JOB NO.

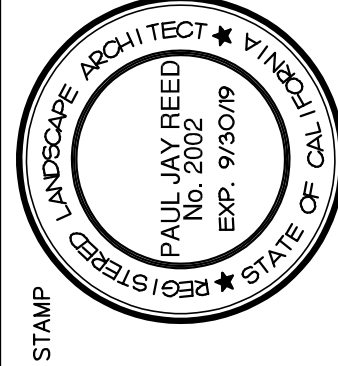
DATE

06.29.18

SHEET

OF

L1.2



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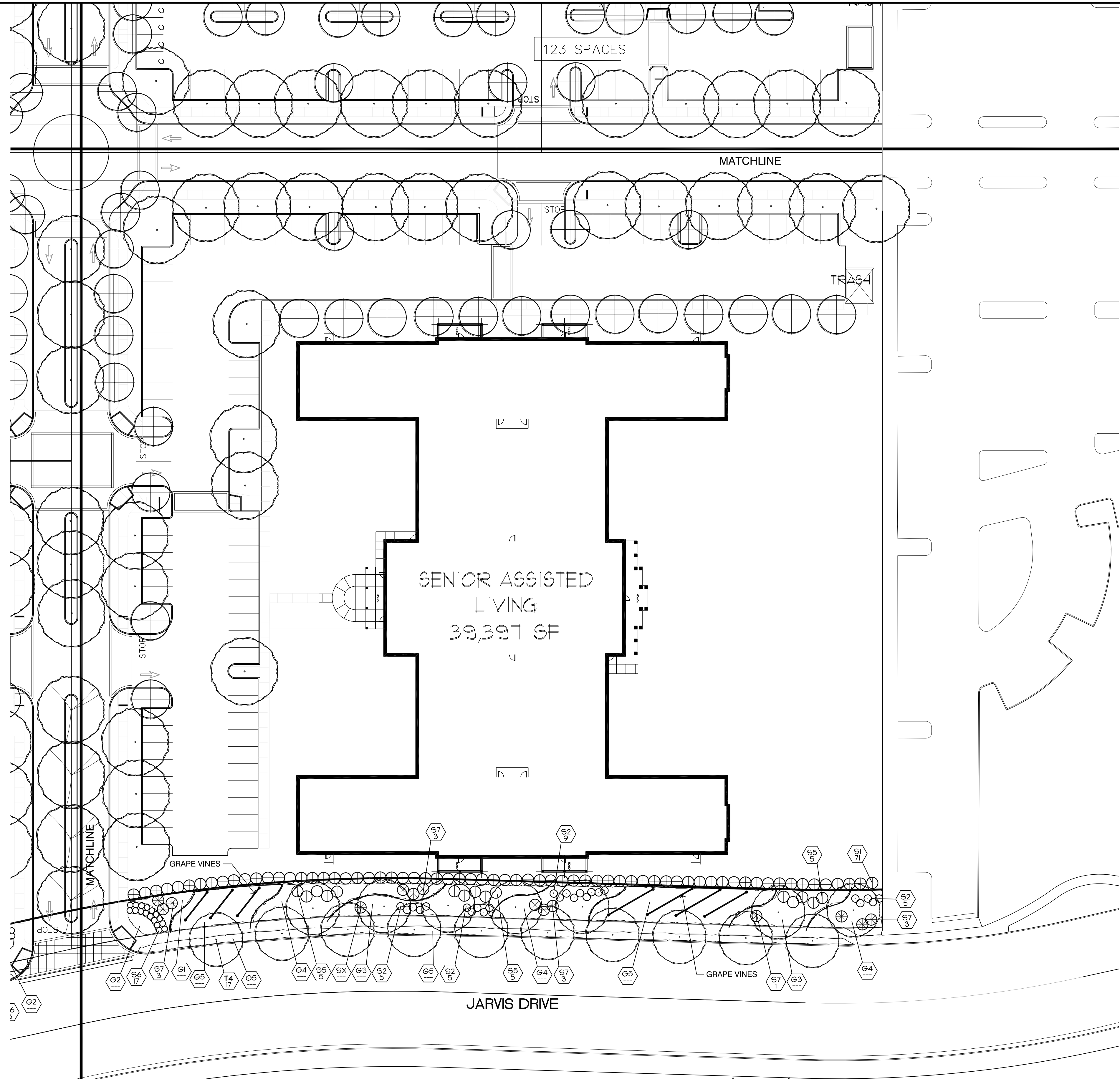
Morgan Hill Development

Morgan Hill, California

LANDSCAPE PLANTING PLAN

JOB NO. DATE
06.29.18

SHEET
OF
L1.3



PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUND COVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH LAWN NOT TO EXCEED A 4:1 SLOPE. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2% MIN).
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 1/8 FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. REFER TO CIVIL ENGINEER'S PLANS FOR OVERALL SITE GRADING AND DRAINAGE.
13. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT - 1800.227.2600

PLANT LIST:

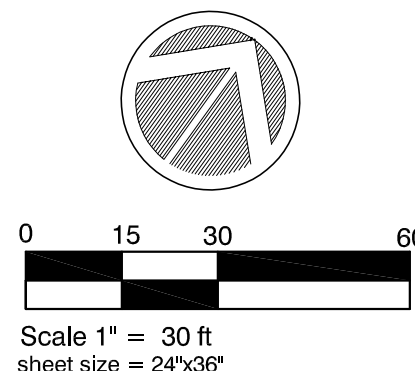
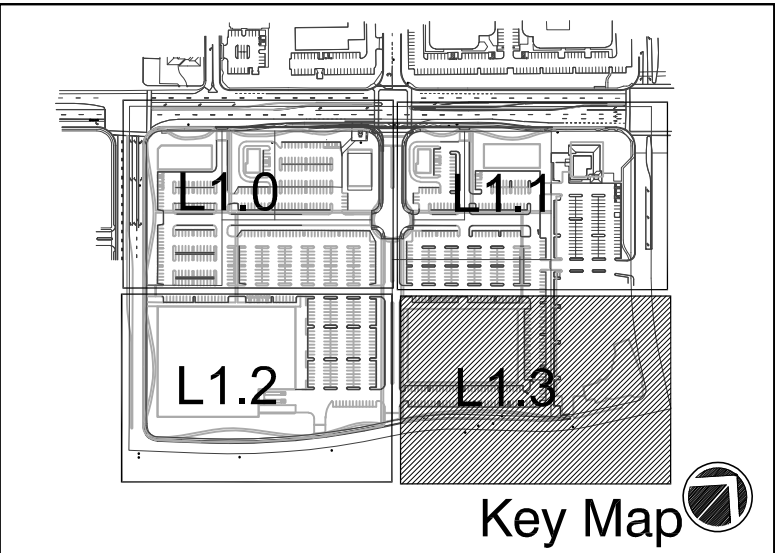
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	WUCOLS
TREES						
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T6	JUNIPERUS S. 'MEDORA'	MEDORA JUNIPER	---	24"BOX	STANDARD	LOW
T7	QUERCUS AGROFLIA	COAST LIVE OAK	---	24"BOX	STANDARD	LOW
T8	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	---	48"BOX	STANDARD	LOW
SHRUBS						
S1	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL		LOW
S2	PITTOSPORUM T. 'VARIEGATA'	MOCK ORANGE	---	5 GAL		LOW
S3	ARELUTIS U. 'COMPACTA'	STRAUBERRY TREE	---	5 GAL		LOW
S4	ROSMARINUS O. 'TUSCAN BLUE'	UPRIGHT ROSEMARY	---	5 GAL		LOW
S5	ARCTOSTAPHYLOS GLAUCA	BIG BERRY MANZANITA	---	5 GAL		LOW
S6	YUCCA BRIGHT STAR	BRIGHT STAR YUCCA	---	5 GAL		LOW
S7	PHORNIUM 'MARGARET JONES'	NEW ZEALAND FLAX	---	5 GAL		LOW
GROUND COVERS						
G1	MYOPIUM PARVIFOLIUM	CREEPING BOOBIALLA	-	1 GAL	30" O.C.	LOW
G2	BULBINE FRUTESCENS	STALKED BULBINE	-	1 GAL	24" O.C.	LOW
G3	CELANOTHUS GH. 'YANKEE POINT'	CARMEL MOUNTAIN LILAC	-	1 GAL	48" O.C.	LOW
G4	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	-	1 GAL	36" O.C.	LOW
G5	COTONEASTER D. 'LOUIFAST'	BEARBERRY COTONEASTER	-	1 GAL	48" O.C.	LOW

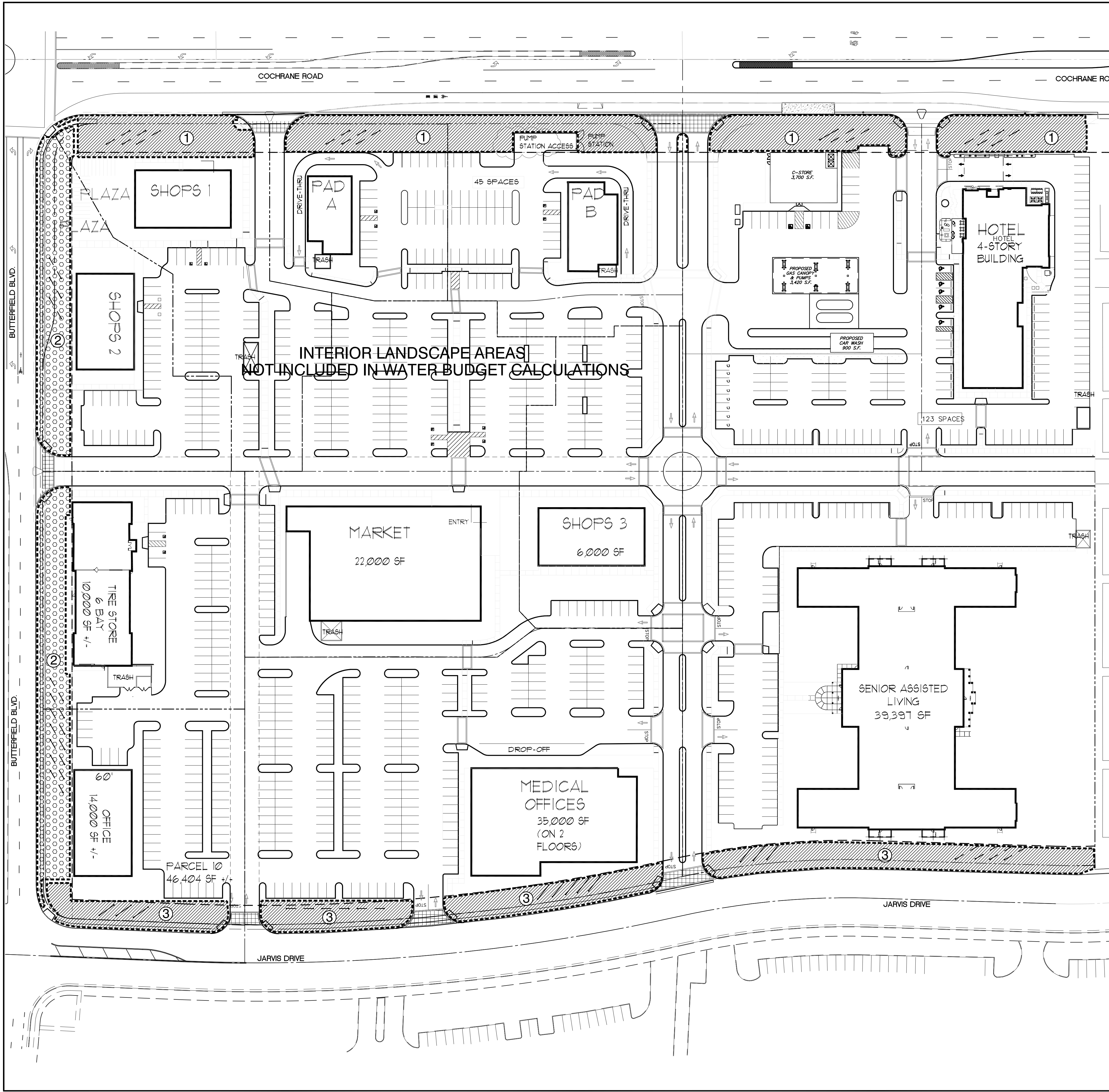
LANDSCAPE UTILITY NOTES:

1. ALL LANDSCAPE BACKFLOW PREVENTION DEVICES TO BE SCREENED WITH 5 GALLON POT SIZE PLANTS (GRAB-PIELES U. 'MINOR') AT 36" O.C. AT 3'-0" OFFSET FROM DEVICE.

PLANT SYMBOLS

- 6xXx INDICATES PLANT KEY
Xx INDICATES PLANT QUANTITY





IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

- HIGH WATER REQUIREMENT
- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT (DROUGHT TOLERANT PLANTING)

Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.1

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.62) x ((0.45 x LA) + (0.3 x SLA))

landscape area 77,488 s.f.

ETAF 45 average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas.

mawa total 931,785 gallons per year

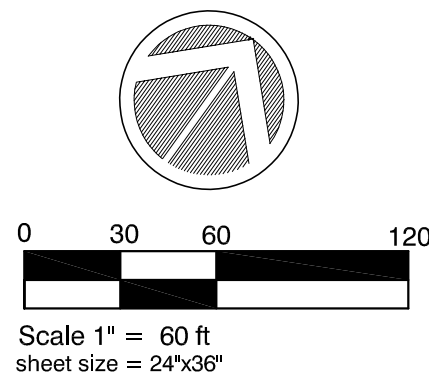
ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.62) x (ETAF x LA)

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	medium	0.5	drip	0.81	0.617	30,251	18,673.5	498,992
2	low	0.2	drip	0.81	0.247	22,236	5,490.4	146,714
3	medium	0.5	drip	0.81	0.617	25,001	15,433	412,393
totals						77,488	39596.54	1,058,099

ETAF culations	
total ETAF x area	39596.54
total area	77,488 s.f.
average ETAF	0.511 Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

TOTALS	
MAWA total	931,785 gallons per year
ETWU total	1,058,099 gallons per year
	-13.6 Percentage reduction of Potabel Irrigation Water



7.g

SCALE

DRAWN BY DS

CHECKED BY P.R

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Morgan Hill Development

Morgan Hill, California

LANDSCAPE HYDROZONE PLAN

JOB NO.

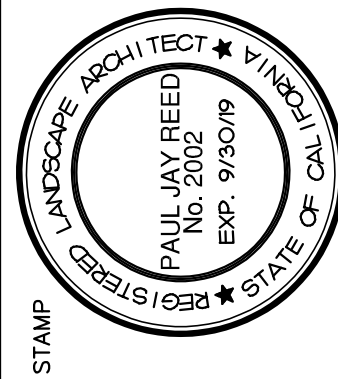
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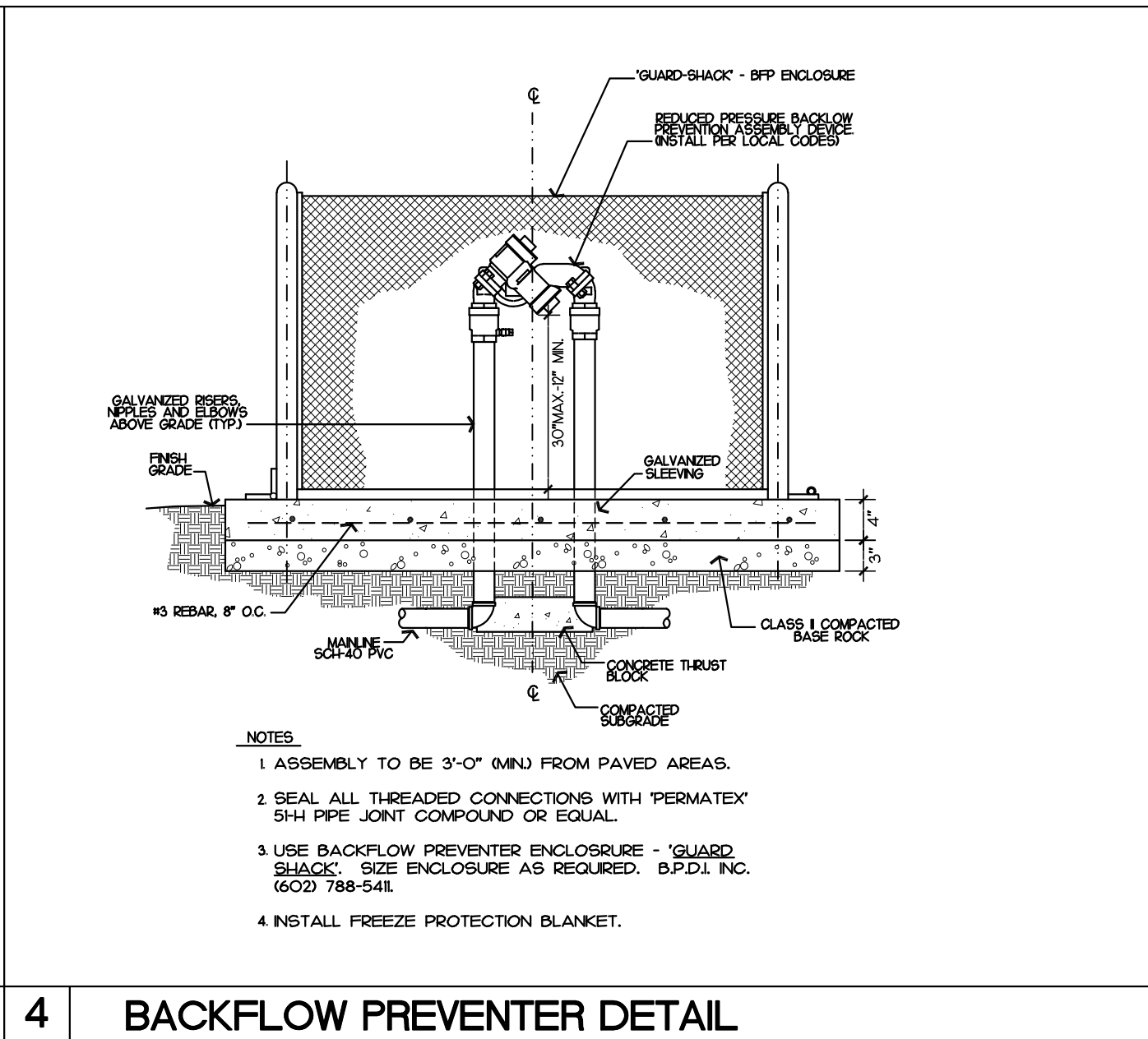
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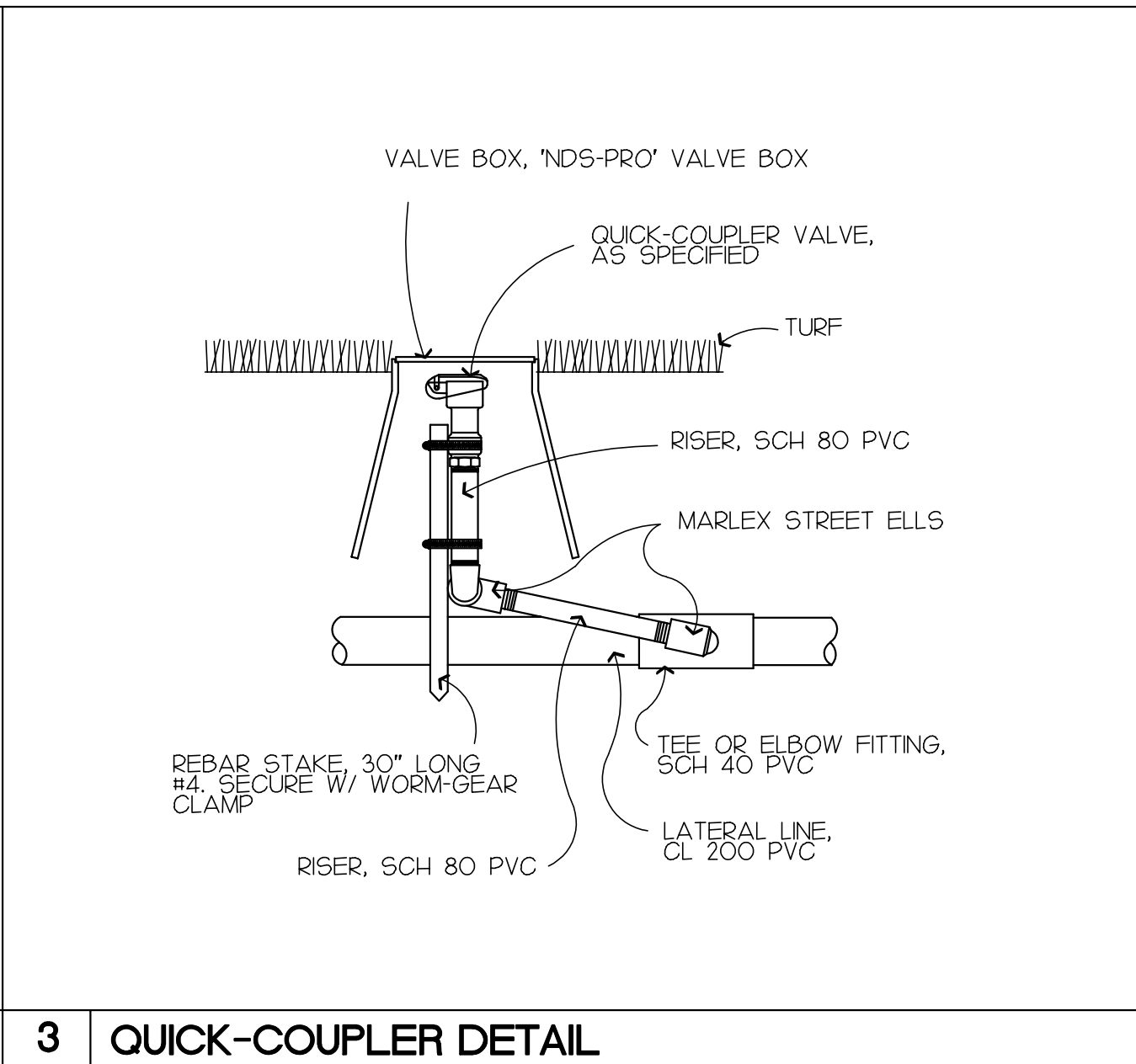


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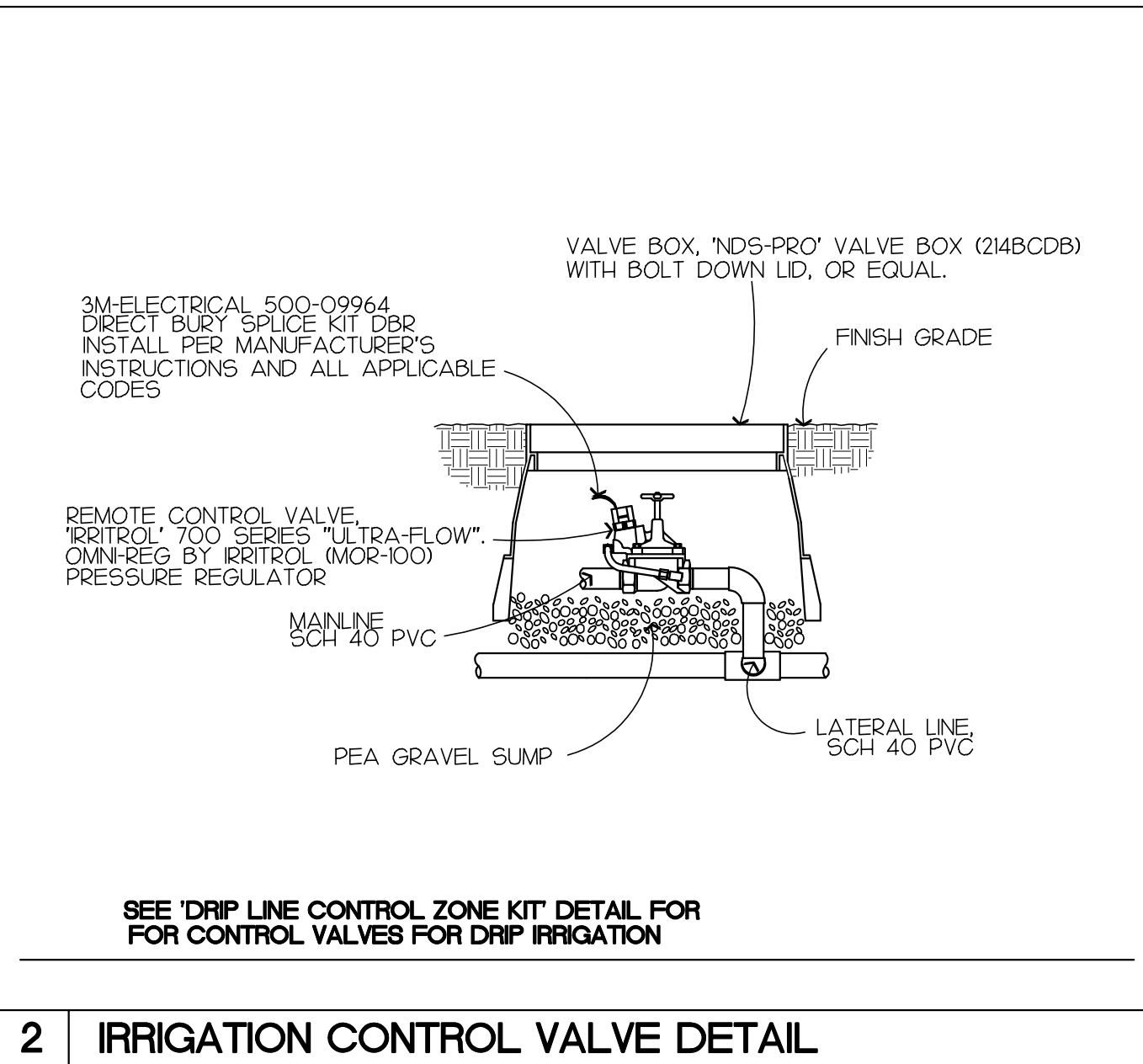
Morgan Hill Development
Morgan Hill, California
LANDSCAPE CONSTRUCTION DETAILS



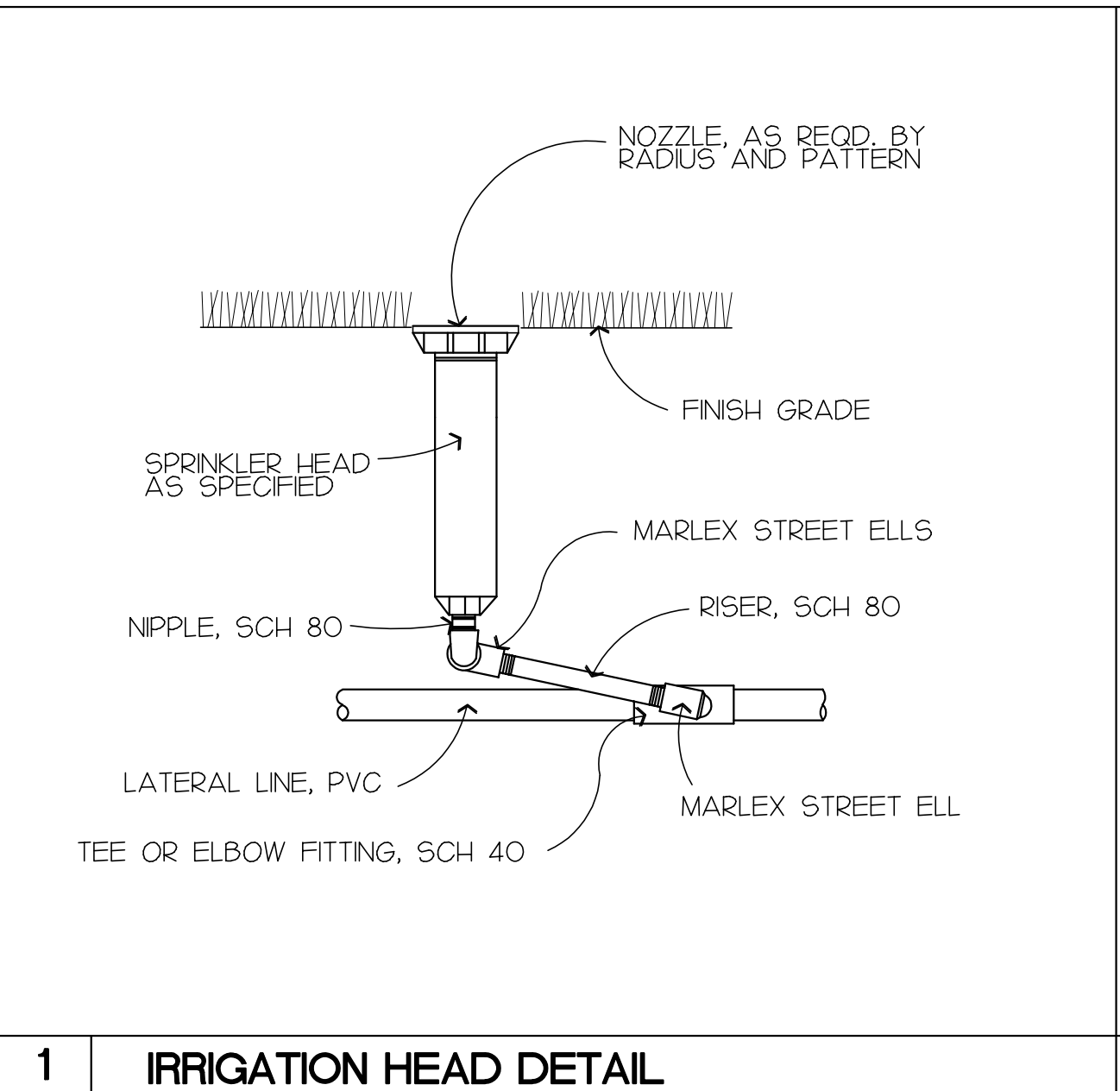
4 BACKFLOW PREVENTER DETAIL



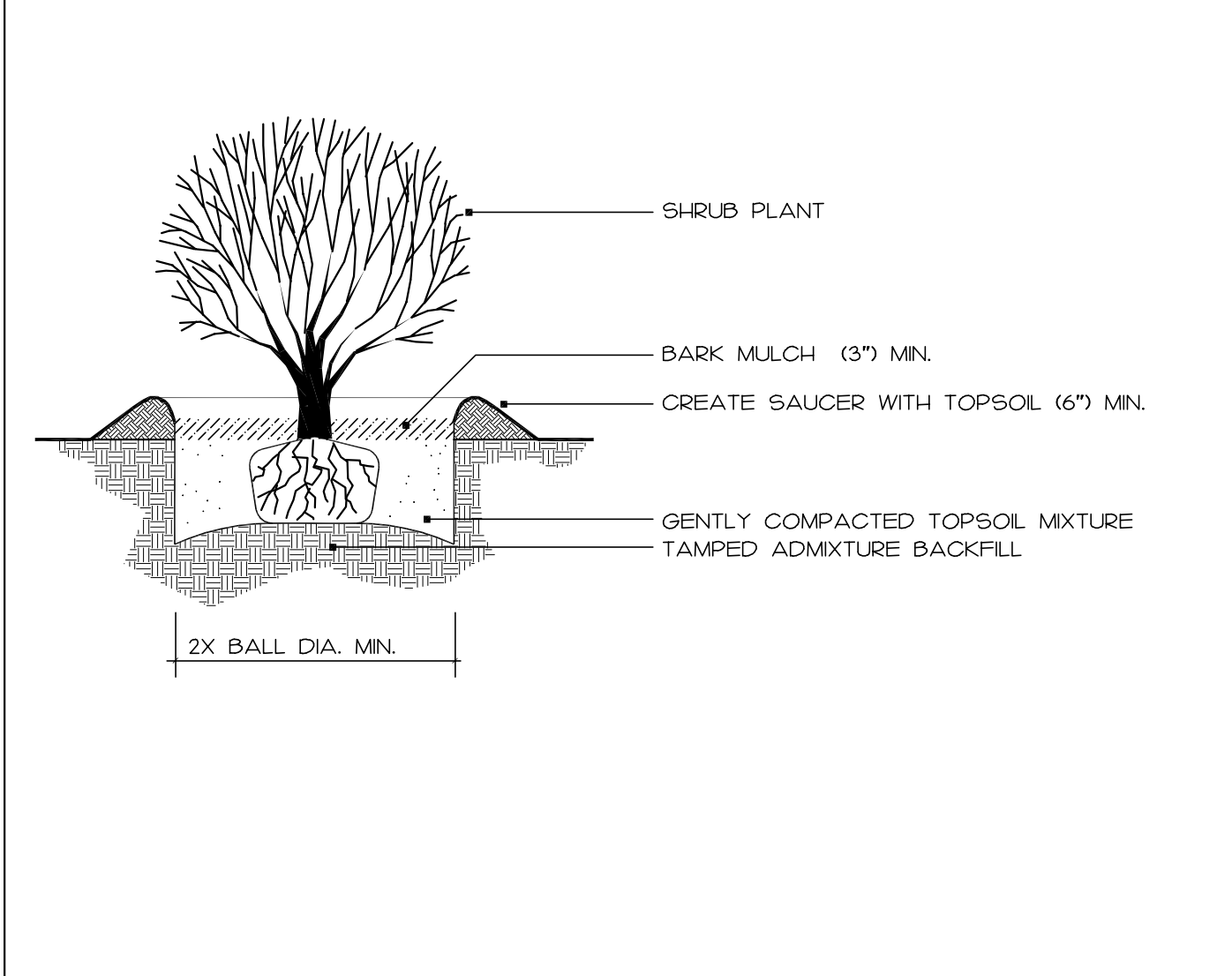
3 QUICK-COUPLER DETAIL



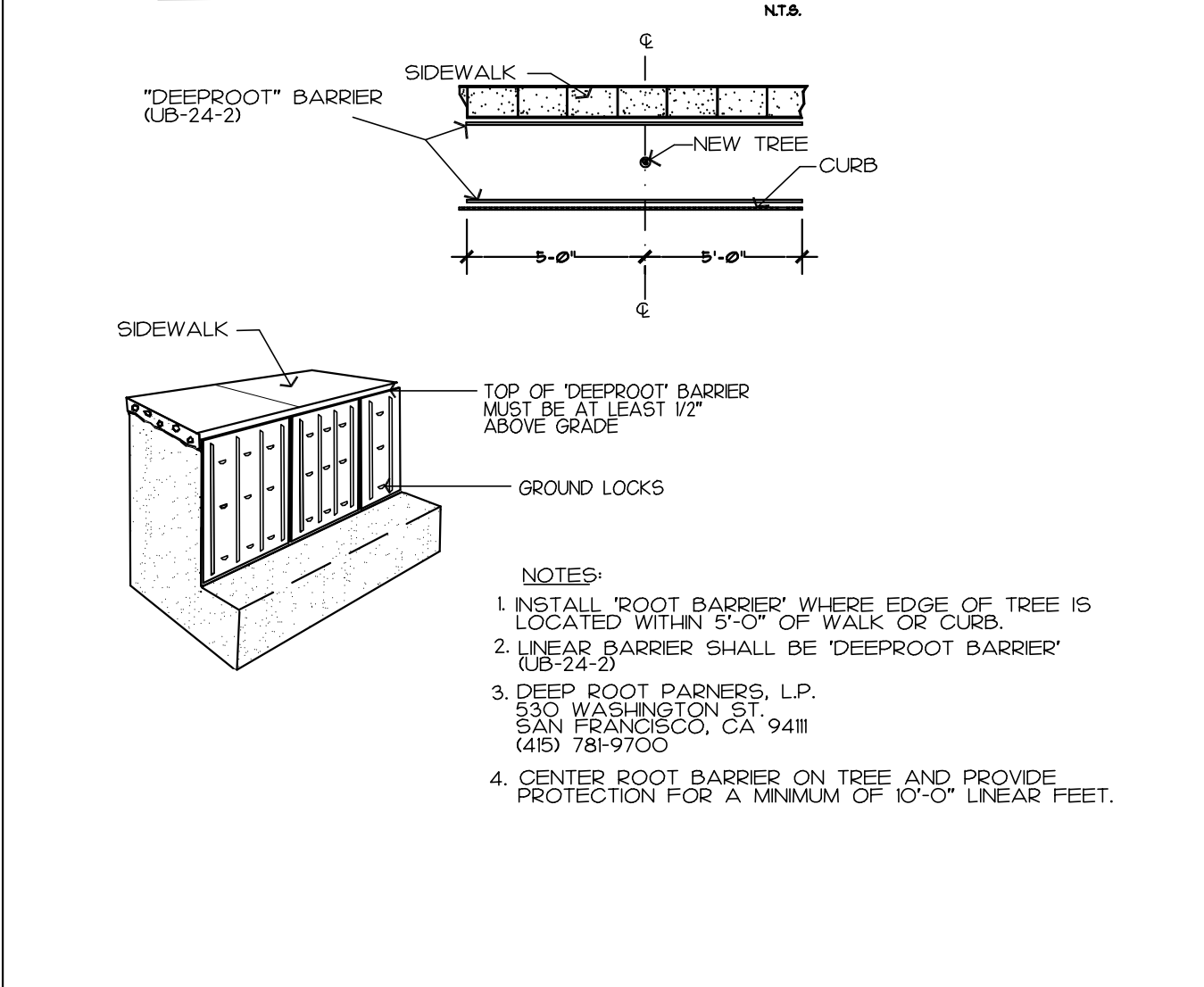
2 IRRIGATION CONTROL VALVE DETAIL



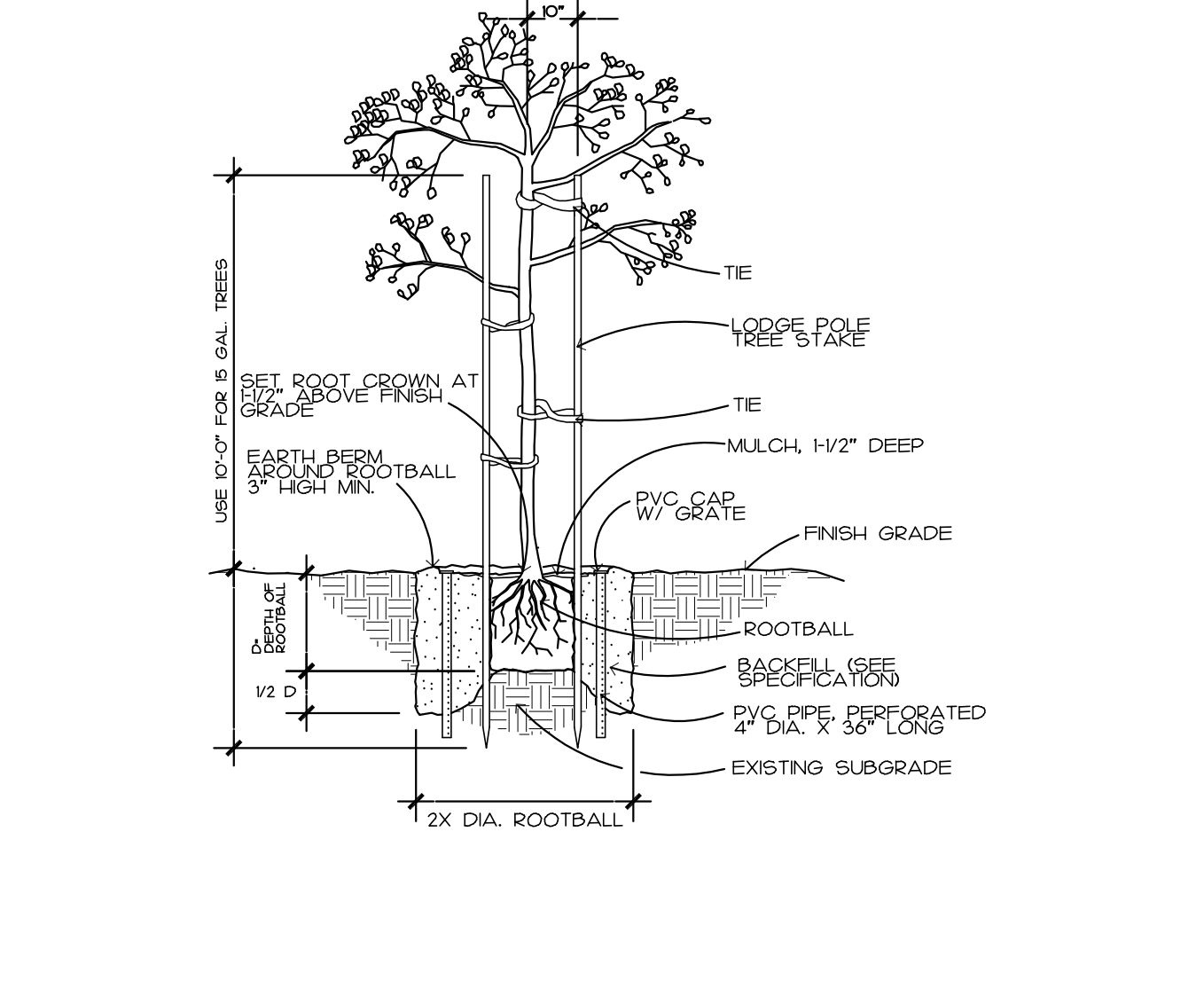
1 IRRIGATION HEAD DETAIL



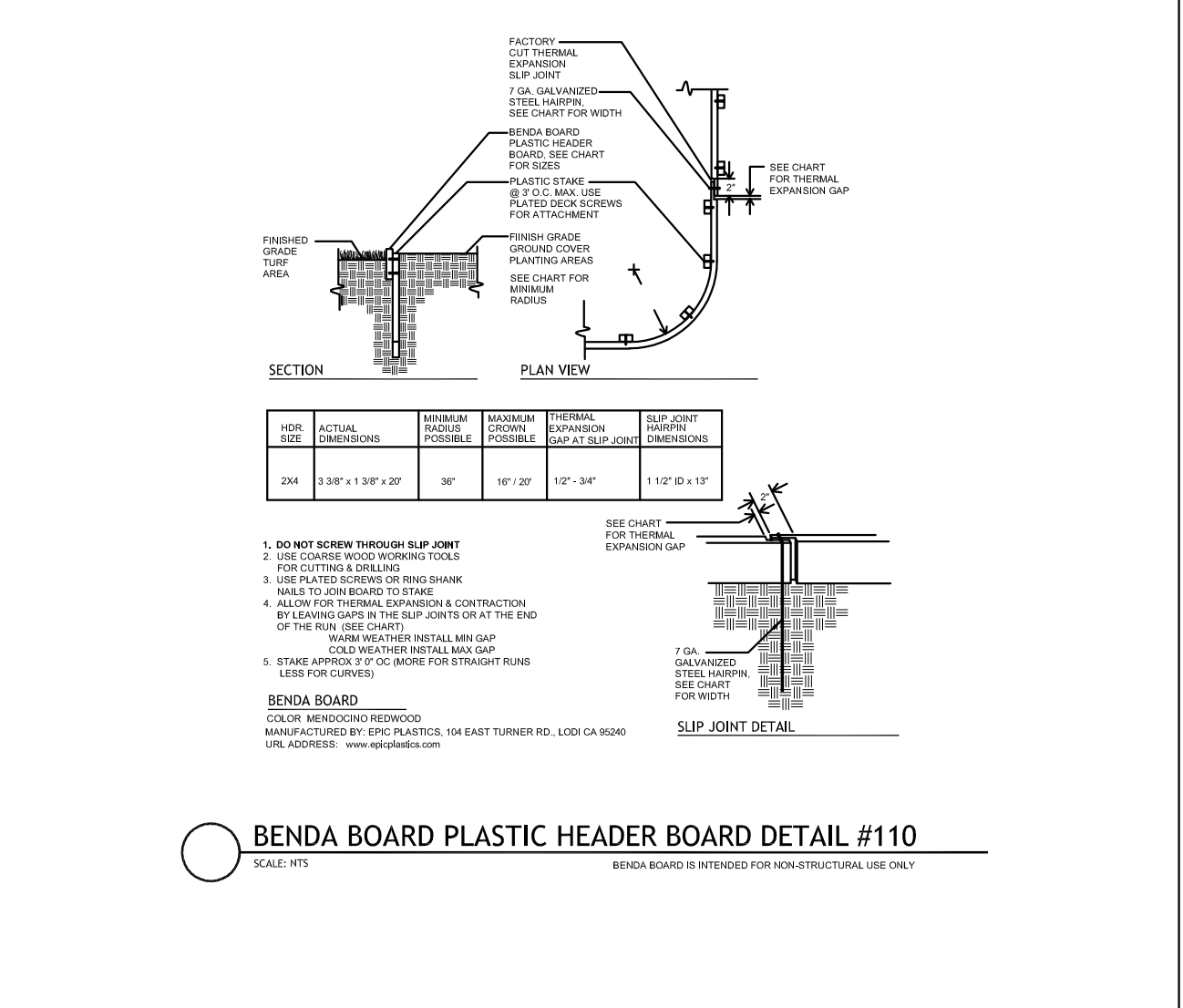
8 SHRUB PLANTING DETAIL



7 TREE ROOT BARRIER DETAIL



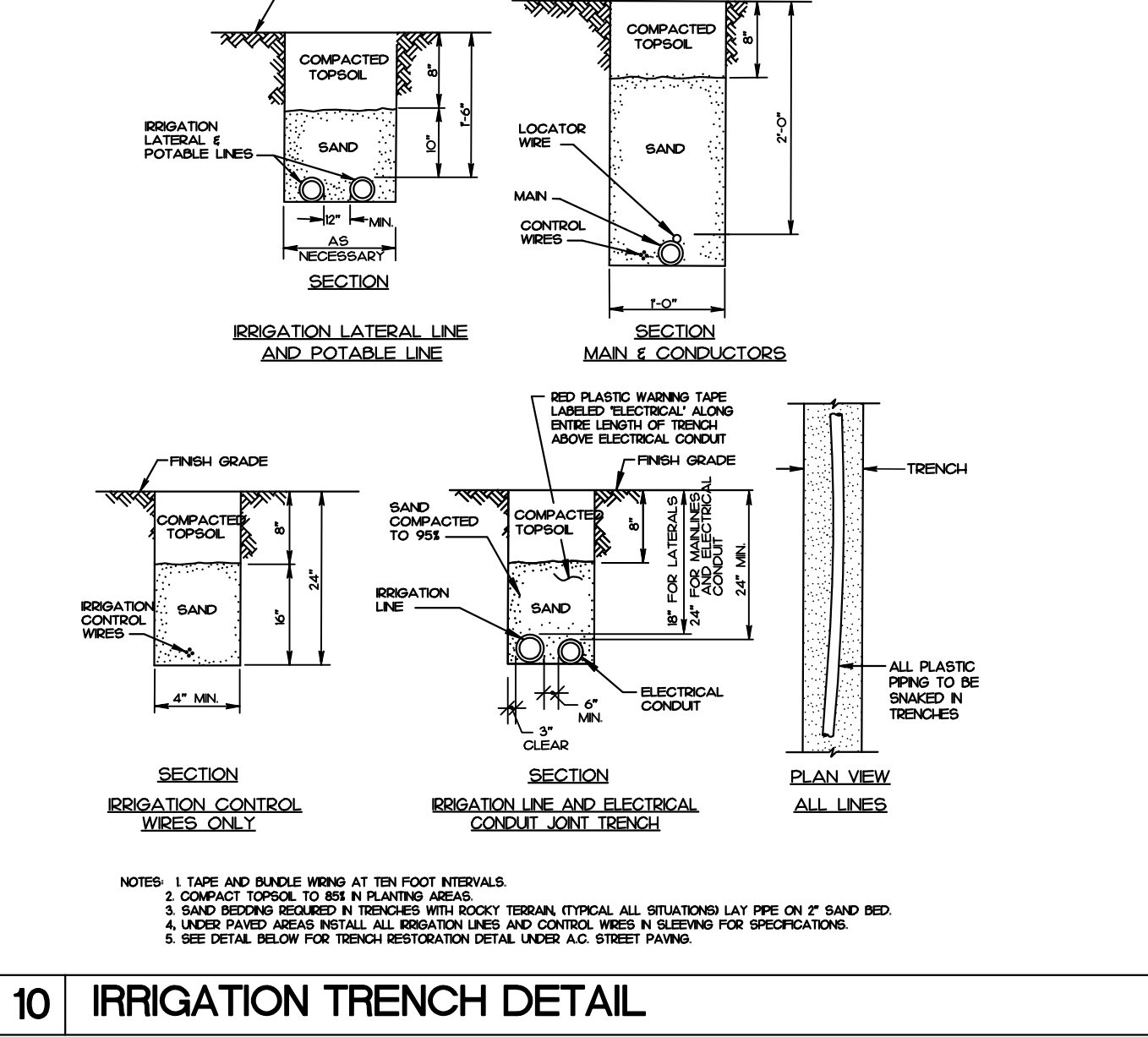
6 TREE PLANTING DETAIL



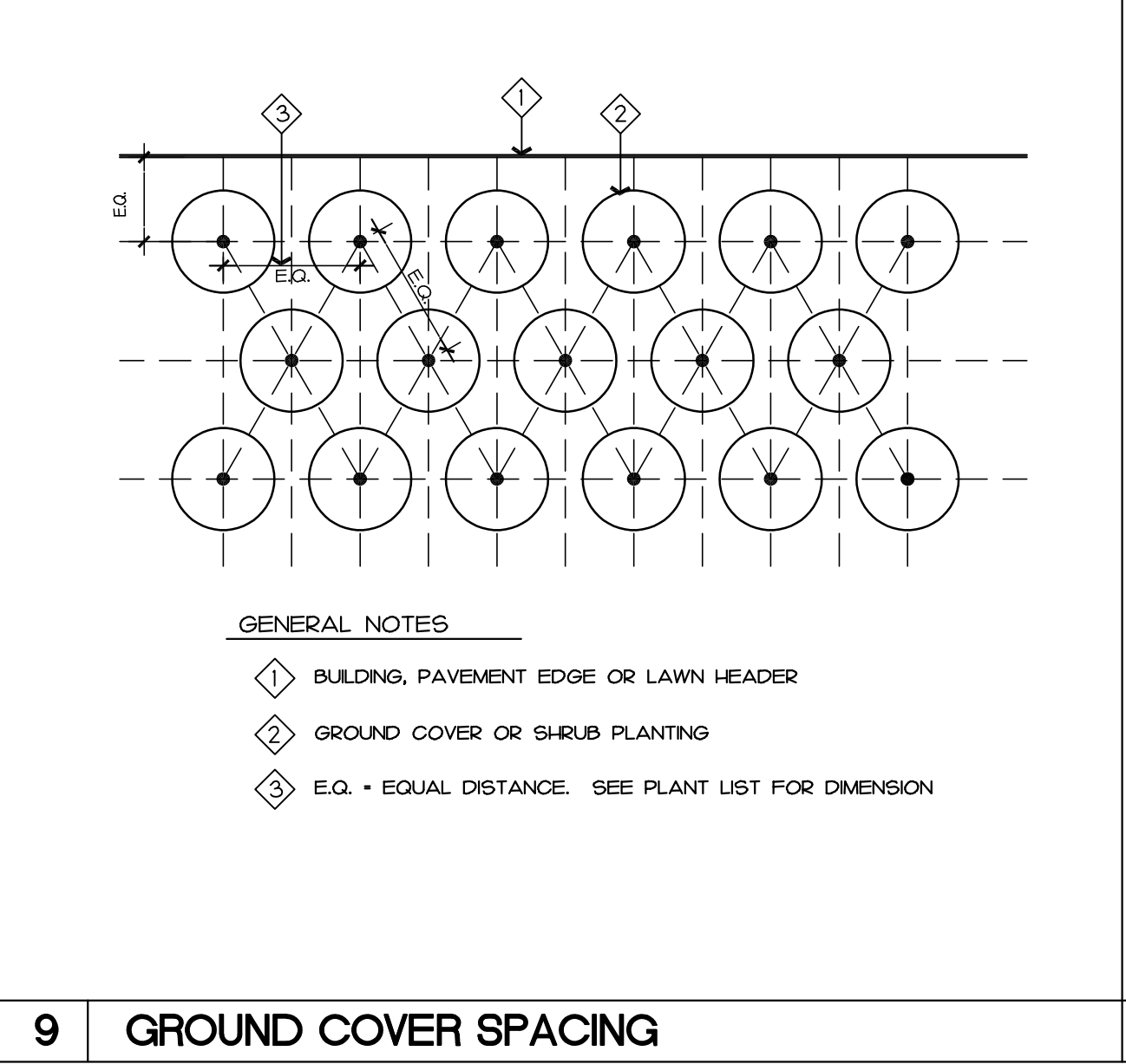
5 'BENDABOARD' LAWN HEADER (OR EQUAL) DETAIL



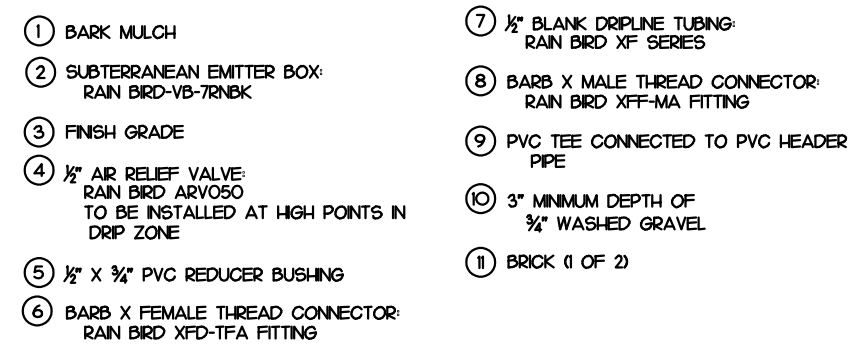
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10 IRRIGATION TRENCH DETAIL



9 GROUND COVER SPACING



1 PVD SUPPLY LINE FROM BANK INLET CONTROL
DOWN 45° TO MEET LATERAL FLOW
DRAINAGE

2 PERIMETER OF AREA

3 PERIMETER DISPLINE NEED TO BE INSTALLED
1'-6" FROM PERIMETER OF AREA

4 OF SUPPLY LEADER

5 PRE-INSTALLED SHAFT FITTING

6 BANK BED VPD SERIES DISPLINE (TYPICAL)

7 BANK X-60 BANK INSET TYPE
BANK BED DISPLINE (TYPICAL)

8 DISPLINE POINT WHERE DISPLINE SHOULD
TIGHTEN (SEE DISPLINE LENGTH IN TABLE
OF DISPLINE LENGTHS)

9 FLUMING POINT WITH VPD CAP OR OPTIONAL
BANK BED BALL VALVE

10 VPD BENDER PIPE

11 VPD SOUL-40 BALL (TYPICAL)

12 MALE ADAPTER INSET

13 STAINLESS STEEL, OCTAGON OR MURRAY CLAMP

14 OPEN END INDICATOR

15 VPD SOUL-40 CAPT. OPENED

16 VPD SOUL-40 BALL VALVE

17 XP SERIES TIE-DOWN STRAP (TDS-006
SERIES TO BANK BED DISPLINE DESIGN GUIDE
FOR PROPER SPACING)

NOTES:

1. DISTANCE BETWEEN LATERAL DOWNS AND BATTER SPRACING TO BE BASED ON SOIL TYPE (CLASS) AND NUMBER OF LATERAL DOWNS PER BATTER SPRACING.
2. MINIMUM DISTANCE BETWEEN LATERAL DOWNS TO BE 10 FEET.
3. LENGTH OF LONGEST DISPLINE LATERAL, BATTERED SHOULD NOT EXCEED THE MAXIMUM DISPLINE LENGTH IN THE ACCOMPANYING TABLE.
4. PLACE 1/2" SOUL DOWNS THREE FEET IN SHAPE FROM TIE DOWN TIE LINES, AND THE TIE IN AT THREE FEET FROM THE END OF EACH SOUL OR TIE OR CLAMP, OR THE TIE IN OR TIE DOWN STRAP ON EACH END OF THE CHARGE OF DISPLINE.

XFD Driftline Maximum Lateral Length (Feet)

Soil Penetration	1" Penetration	1 1/2" Penetration	2" Penetration	3" Penetration
10	10	10	10	10
15	15	15	15	15
20	20	20	20	20
25	25	25	25	25
30	30	30	30	30
35	35	35	35	35
40	40	40	40	40
45	45	45	45	45
50	50	50	50	50
55	55	55	55	55
60	60	60	60	60
65	65	65	65	65
70	70	70	70	70
75	75	75	75	75
80	80	80	80	80
85	85	85	85	85
90	90	90	90	90
95	95	95	95	95
100	100	100	100	100

Diagram illustrating the installation of a Rain Bird VB-6RND 6-inch round valve box. The components and labels are:

- TOP OF MULCH
- 6-INCH ROUND VALVE BOX: RAIN BIRD VB-6RND
- FINISH GRADE
- FLUSH CAP "RAINBIRD" (MDCFAP)
- LANDSCAPE DRIPLINE TUBING OR 1/2-INCH POLYETHYLENE PIPE
- 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL

30 INCH LINEAR LENGTH WIRE, COILED

TOP OF MULCH

FINISH GRADE

VALVE BOX, "RDS-PRO" VALVE BOX (24BCDB) WITH BOLT DOWN LID, OR EQUAL

WATER PROOF CONNECTION "RAINBIRD" SLICE-1

"RAINBIRD" CONTROL ZONE KIT: INCL. BALL VALVE, VALVE, BASKET FILTER AND PRESSURE REGULATOR

PVC LATERAL LINE

SCH. 40 PVC ELL

3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL

SCH. 40 PVC MAINLINE

[illegible]

NOTE:

- I RAIN BIRD XBT-XX-6 IS AVAILABLE IN THE FOLLOWING MODELS:
 - XBT-05-6 0.5 GPH
 - XBT-10-6 1.0 GPH
 - XBT-20-6 2.0 GPH

[illegible][illegible]

The diagram shows a cross-section of the ground with various irrigation components installed. A horizontal lateral line is buried at a depth of 6 inches. From this line, three vertical micro pop-up tubes rise through the soil surface. The leftmost tube is connected to a supply line via a compression fitting and has an anchor stake at its base. The middle tube is a standard NT-series micro pop-up. The rightmost tube is an end cap intended for connection to another lateral line. Bark mulch is applied over the top of the tubes to a depth of 3 inches.

- "RAINBIRD" MICRO POP-UP
- DISTRIBUTION TUBING (XFD000) 2.0 GPM MAX PER LATERAL LINE
- "RAINBIRD" (MDFEEL) 1/2" COMPRESSION ELBOW FITTING
- DISTRIBUTION TUBING
- "RAINBIRD" (MDFEEL) 1/2" COMPRESSION FITTING
- 1/2" PVC SUPPLY LINE
- ANCHOR STAKES RAIN BIRD (TDS-050) 2'0" SPACING MAX.
- BARK MULCH 3" DEPTH
- "RAINBIRD" END CAP (INTENDECAP)

NOTES

1. STATIC WATER PRESSURE AT FIRST NOZZLE TO BE 40 P.S.I.
2. SPACING BETWEEN NOZZLES NOT TO EXCEED 66 INCHES.
3. 2.0 GALLONS PER MINUTE MAXIMUM FLOW FOR EACH "RAINBIRD" XT-SERIES DROP TUBING LATERAL LINE.
4. INSTALL "RAINBIRD" PRESSURE REDUCING FILTER ON EACH IRRIGATION CONTROL VALVE. (PRP-DC-R21).
5. COMPLY WITH ALL MANUFACTURES INSTALLATION INSTRUCTIONS.

The technical drawings illustrate the components and assembly of a roof drainage system. The side elevation shows the vertical arrangement of the downspout, including the main body, flange, and various adapters. The end elevation shows the connection to the roof structure, including the flange, gasket, and the downspout body. The table provides the maximum lateral lengths for different pipe materials and diameters, categorized by the type of fitting used.

Pipe Pressure (psi)	1/2" Spacing		18" Spacing		24" Spacing	
	1/2" Spacing	18" Spacing	1/2" Spacing	18" Spacing	1/2" Spacing	18" Spacing
10	6.6	6.6	6.6	6.6	6.6	6.6
20	13.2	13.2	13.2	13.2	13.2	13.2
30	19.8	19.8	19.8	19.8	19.8	19.8
40	26.4	26.4	26.4	26.4	26.4	26.4
50	33.0	33.0	33.0	33.0	33.0	33.0
60	39.6	39.6	39.6	39.6	39.6	39.6
70	46.2	46.2	46.2	46.2	46.2	46.2

NOTES:
 1. INSTALL BUBBLER ABOVE ROOT BALL AND AT HIGH POINT OF ROOT BALL FOR TREES LOCATED ON SLOPES.

The diagram illustrates the installation of a tree watering system. A lateral line (1/2" flexible pipe) runs horizontally at the finish grade. A 1/2" threaded side outlet PVC tee connects this line to a 1/2" NPT x 1/2" barbed adapter. This adapter is connected to a 1/2" flexible pipe (SBA-C50) that runs diagonally down to a tree. At the tree, another 1/2" NPT x 1/2" barbed adapter connects the flexible pipe to a 1/2" maple street ell. The street ell is connected to a stem, which is then connected to a bubbler. The bubbler is positioned above the root ball of the tree. The root ball is surrounded by material backfill. The ground surface is marked as finish grade, and a watering berm is indicated on the left side of the tree.

COMPONENTS AND CONNECTIONS:

- 1/2" MAPLE STREET ELL
- 1/2" NPT X 1/2" BARB ADAPTER (SBA-C50) BY "RAINBOW"
- 1/2" FLEXIBLE PIPE (SBA-C50) BY "RAINBOW" (HOSE LENGTH AS REQUIRED)
- 1/2" THREADED SIDE OUTLET PVC SCHEDULE 40 TEE (SXS) OR ELV (SXS) CONNECTED TO IRRIGATION LATERAL LINE
- 1/2" NPT X 1/2" BARB ADAPTER (SBA-C50) BY "RAINBOW"
- BUBBLER
- STEM
- ROOT BALL
- MATERIAL BACKFILL
- FINISH GRADE
- WATERING BERM

STAMP

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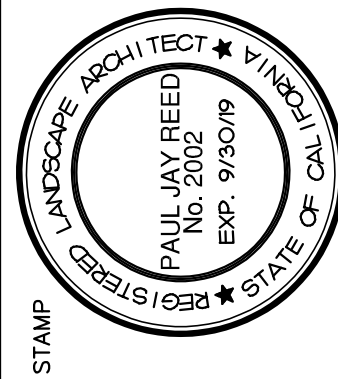
SCAPE CONSTRUCTION DETAILS

JOB NO. DATE
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LANDSCAPE SPECIFICATIONS

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LANDSCAPE SPECIFICATIONS IRRIGATION SPRINKLER SYSTEM AND LANDSCAPE PLANTING 1.0 GENERAL A. THE WORK INCLUDES LABOR, MATERIALS, AND EQUIPMENT REQUIRED TO COMPLETE WORK INDICATED IN DRAWINGS AND DESCRIBED IN SPECIFICATIONS. 1. PERFORM WORK IN ACCORDANCE WITH BEST STANDARDS OF PRACTICE RELATING TO VARIOUS TRADES, AND UNDER CONTINUOUS SUPERVISION OF A COMPONENT FOREMAN CAPABLE OF INTERPRETING DRAWINGS AND SPECIFICATIONS. B. PRIOR TO CONSTRUCTION, VERIFY THAT CONTRACT DOCUMENTS REFLECT LATEST REVISIONS, INCLUDING PLAN CHECK REQUIREMENTS. C. CONSTRUCT IRRIGATION SYSTEM USING MATERIAL AND METHODS CONFORMING TO APPLICABLE PROVISIONS OF UNIFORM PLUMBING CODE, PUBLISHED BY WESTERN PLUMBING OFFICIALS ASSOCIATION, NATIONAL ELECTRICAL CODE, AND OTHER CODES PROPERLY GOVERNING THESE ACTIVITIES AT THE LOCATION OF THE WORK. 1. VERIFY LOCATIONS OF EXISTING UTILITIES WHETHER OR NOT SHOWN IN DRAWINGS. ASSUME RESPONSIBILITY FOR THEIR PROTECTION. D. THE CONTRACT DOCUMENTS ARE NOT INTENDED TO CONFLICT WITH REQUIREMENTS OF GOVERNING ORDINANCES. WHEN DRAWINGS AND SPECIFICATIONS DESCRIBE MATERIALS, SPECIFICATIONS, AND ACTUAL CONDITIONS, COMMENCE WORK IN AREAS OF DISCREPANCY ONLY AFTER RECEIVING INSTRUCTIONS FROM LANDSCAPE ARCHITECT. E. OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED FOR THE WORK. F. BEFORE PROCEEDING WITH THE WORK, VERIFY DIMENSIONS AND QUANTITIES. IMMEDIATELY INFORM LANDSCAPE ARCHITECT OF DISCREPANCY BETWEEN DRAWINGS, SPECIFICATIONS, AND ACTUAL CONDITIONS. COMMENCE WORK IN AREAS OF DISCREPANCY ONLY AFTER RECEIVING INSTRUCTIONS FROM LANDSCAPE ARCHITECT. G. DIMENSIONS INDICATED IN DRAWINGS ARE APPROXIMATE. PROVIDE OFFSETS, FITTINGS, SLEEVES, ETC., REQUIRED TO COMPLETE THE PROJECT. PERFORM SIMILAR OPERATIONS FOR LIKE CONDITIONS WITHOUT ADDITIONAL COST TO OWNER. 1.1 SUBSTITUTIONS A. FURNISH MATERIALS IN QUANTITIES, SIZE, AND MANUFACTURE INDICATED IN DRAWINGS AND SPECIFICATIONS. B. FOR A PERIOD OF 30 DAYS AFTER EXECUTION OF CONTRACT, LANDSCAPE ARCHITECT WILL CONSIDER FORMAL REQUESTS FROM CONTRACTOR FOR SUBSTITUTION OF PRODUCTS IN PLACE OF THOSE SPECIFIED ONLY UNDER THESE CONDITIONS. 1. WHEN SPECIFIED PRODUCTS ARE NOT AVAILABLE THROUGH NO FAULT OF SUB-CONTRACTOR. 2. WHEN IT IS CLEARLY SEEN, IN THE JUDGMENT OF OWNER, THAT A SUBSTITUTION WILL BE TO OWNER'S BEST INTERESTS IN TERMS OF TIME, COST, OR OTHER CONSIDERATIONS. C. SUBMIT A SEPARATE REQUEST FOR EACH SUBSTITUTION. PROVIDE COMPLETE DATA SUBSTANTIATING COMPLIANCE OF PROPOSED SUBSTITUTION, INCLUDING PRODUCT IDENTIFICATION, MANUFACTURER'S NAME AND ADDRESS, MANUFACTURER'S LITERATURE, AND SAMPLES AS APPLICABLE. D. MANUFACTURER'S WARRANTIES WILL NOT RELIEVE SUB-CONTRACTOR OF HIS LIABILITY UNDER THE GUARANTEE. ONLY SUPPLEMENT THE GUARANTEE. 1.2 RECORD DRAWINGS A. FURNISH OWNER WITH A SET OF RECORD DRAWINGS (REPRODUCIBLE VELLUMS) OF IRRIGATION SPRINKLER SYSTEM AT CONCLUSION OF THE INSTALLATION. 1. OBTAIN VELLUMS FROM LANDSCAPE ARCHITECT AT COST OF REPRODUCTION PLUS 25 PERCENT. B. INDICATE IN RECORD DRAWINGS ALL CHANGES MADE TO IRRIGATION SYSTEM DESIGN. 1.3 EXTRA MATERIALS A. FURNISH OWNER WITH 2 EACH OF THE FOLLOWING MATERIALS FOR EACH TYPE OF VALVE AND SPRINKLER HEAD INSTALLED IN THE SYSTEM: 1. VALVE KEYS. 2. SERVICE WRENCHES. 3. QUICK COUPLER VALVE KEYS. 4. HOSE SWIVELS COMPATIBLE WITH QUICK COUPLER VALVES. 5. KEYS TO OPEN AUTOMATIC CONTROL CABINET.	1
B. INSTALLATION 1. PRIOR TO INSTALLATION, LAYOUT AND STAKE PRESSURE SUPPLY LINES, LATERAL LINES, AND LOCATION OF SPRINKLER HEADS. OBTAIN APPROVAL LAYOUT FROM LANDSCAPE ARCHITECT. A. IF EQUIPMENT IS INCORRECTLY LOCATED WITHOUT APPROVAL, RELOCATE PER DIRECTIONS OF LANDSCAPE ARCHITECT WITHOUT ADDITIONAL COST TO OWNER. 2. CONNECT SPRINKLER IRRIGATION SYSTEM TO POINT OF CONNECTION (P.O.C.) INDICATED IN DRAWINGS. A. MAKE CONNECTIONS AT APPROXIMATE LOCATIONS SHOWN IN DRAWINGS. B. ASSUME RESPONSIBILITY FOR CHANGES CAUSED BY ACTUAL SITE CONDITIONS. C. TRENCHING & BACKFILLING 1. EXCAVATION INCLUDES REMOVAL OF WATER AND MATERIALS, OR OBSTRUCTIONS OF ANY NATURE THAT WOULD INTERFERE WITH THE WORK. 2. REMOVE FROM THE SITE EXCESS AND WASTE MATERIAL RESULTING FROM TRENCHING OPERATIONS. 3. DIG TRENCHES STRAIGHT AND SUPPORT PIPE CONTINUOUSLY ON BOTTOM OF DITCH. A. LAY PIPE TO AN EVEN GRADE. FOLLOW LAYOUT FOR TRENCHING EXCAVATION INDICATED IN DRAWINGS AND AS NOTED. 4. COVERAGES A. PROVIDE MINIMUM COVER OF 18 INCHES FOR PRESSURE SUPPLY LINES. B. PROVIDE MINIMUM COVER OF 18 INCHES FOR ALL NON-PRESSURE LINES INDICATED IN DRAWINGS. C. PROVIDE MINIMUM COVER OF 24 INCHES OVER PIPE UNDER VEHICULAR WAYS. D. PROVIDE MINIMUM COVER OF 18 INCHES FOR CONTROL WIRING. E. PROVIDE 3 INCH SAND BACKFILL, ALL SIDES OF PVC PIPE, WHERE SOILS CONTAIN GREATER THAN 50% ROCKS OR OTHER MATERIAL 1/2 INCH OR LARGER IN DIAMETER WITHIN NATIVE BACKFILL MATERIAL. D. COMPACTION 1. COMPACT BACKFILL FOR TRENCHING TO A DRY DENSITY EQUAL TO ADJACENT UNDISTURBED SOIL IN PLANTING AREAS AND TO 90% IN PAVED AREAS. 2. CONFORM TO ADJACENT GRADES WITHOUT DIPS, SUNKEN AREAS, HUMPS, OR OTHER IRREGULARITIES. 3. PLACE INITIAL BACKFILL ON ALL LINES OF A FINE GRANULAR MATERIAL. 4. FOREIGN MATTER LARGER THAN 1/2 INCH IN SIZE WILL NOT BE PERMITTED. 5. IF SETTLEMENT OCCURS AND ADJUSTMENTS IN PIPE, VALVES, SPRINKLER HEADS, LAWN OR PLANTING, OR OTHER CONSTRUCTION ARE NECESSARY, MAKE REQUIRED ADJUSTMENTS WITHOUT ADDITIONAL COST TO OWNER. E. HANDLING OF PIPE 1. INSTALL PVC PIPE ALLOWING A SMALL AMOUNT OF EXCESS LENGTH IN THE LINE TO COMPENSATE FOR CONTRACTION OR EXPANSION OF THE PIPE. A. ACCOMPLISH EXCESS LENGTH BY "SNAKING" THE LINE IN THE TRENCH DURING TIME OF INSTALLATION. 2. HANDLE AND ASSEMBLE PIPE, FITTINGS, AND ACCESSORIES BY SKILLED TRADESMEN USING APPROVED METHODS AND TOOLS. EXERCISE CARE TO PREVENT DAMAGE TO MATERIALS OR EQUIPMENT. A. KEEP INTERIOR OF PIPES, FITTINGS, AND ACCESSORIES CLEAN AT ALL TIMES. CLOSE OPENINGS IN PIPING RUNS AT THE END OF WORK EACH DAY TO PREVENT ENTRY OF FOREIGN MATERIALS. B. BENDING OF GALVANIZED STEEL PIPE WILL NOT BE PERMITTED. 3. PERFORM JOINTING BY COMPETENT TRADESMEN SPECIALLY TRAINED IN THE TYPE OF WORK REQUIRED, USING TOOLS AND EQUIPMENT RECOMMENDED BY THE MANUFACTURERS OF THE PIPE, FITTINGS, OR EQUIPMENT. A. TAKE EVERY PRECAUTION TO SECURE A PERMANENT, WATER-TIGHT JOINT BETWEEN EACH LENGTH OF PIPE. B. JOINTING PROCEDURES AND METHODS ADOPTED BY CONTRACTOR SHALL BE IN STRICT ACCORDANCE WITH RECOMMENDATIONS OF MANUFACTURER OF JOINTING MATERIAL USED.	5
1.4 WARRANTY A. FURNISH OWNER WITH GUARANTEE THAT IRRIGATION SPRINKLER SYSTEM IS FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP, AND THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH DRAWINGS AND SPECIFICATIONS, ORDINARY WEAR AND TEAR, UNUSUAL ABUSE, OR NEGLECT ACCEPTED. B. PROVIDE GUARANTEE FOR REPAIR OR REPLACEMENT OF DEFECTS IN MATERIAL OR WORKMANSHIP, SETTLING OF BACKFILLED TRENCHES, AND TO REPAIR OR REPLACE DAMAGE RESULTING FROM THE REPAIRS OR REPLACEMENTS OF DEFECTS WITHOUT ADDITIONAL COST TO OWNER. C. MAKE REPAIRS OR REPLACEMENTS, INCLUDING COMPLETE RESTORATION OF DAMAGED, PLANTING, PAVING, OR OTHER IMPROVEMENTS OF ANY KIND, WITHIN A REASONABLE TIME AS DETERMINED BY OWNER, AFTER RECEIPT OF WRITTEN NOTICE. D. IN THE EVENT OF FAILURE BY CONTRACTOR TO MAKE REPAIRS OR REPLACEMENTS WITHIN A TEN DAYS AFTER RECEIPT OF WRITTEN NOTICE, REPAIRS OR REPLACEMENTS WILL BE MADE BY OTHERS AT THE EXPENSE OF SUB-CONTRACTOR. E. WARRANTY PERIOD FOR IRRIGATION SPRINKLER SYSTEM, 1 YEAR FROM DATE OF ACCEPTANCE BY OWNER. 1.5 LANDSCAPE MAINTENANCE AND GUARANTEE A. PROVIDE MAINTENANCE FOR PLANTING AND IRRIGATION FOR 60 CALENDAR DAYS AFTER STAGE ACCEPTANCE. 1. WORK INCLUDES, BUT IS NOT LIMITED TO, WATERING, WEEDING, MOWING, FERTILIZING, CULTIVATING, SPRAYING, CUTTING, AND PRUNING NECESSARY TO KEEP PLANTS IN A HEALTHY GROWING CONDITION AND TO KEEP PLANTED AREAS NEAT AND ATTRACTIVE IN APPEARANCE THROUGHOUT MAINTENANCE PERIOD. 2. IMMEDIATELY REPLACE DAMAGED, UNHEALTHY, OR DEAD TREES, SHRUBS, AND GROUND COVERS WITH SIZE AND KIND INDICATED IN DRAWINGS. 3. PRIOR TO END OF MAINTENANCE PERIOD, APPLY FERTILIZED 'D' (15-2-2-6) AT THE RATE OF 4 POUNDS PER 1,000 SQUARE FEET UNIFORMLY OVER ALL PLANTING AREAS. 4. UPON COMPLETION OF INITIAL 60 DAY MAINTENANCE PERIOD, NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO DATE OF INITIAL INSPECTION. B. GUARANTEE THAT PLANTS AND PLANTING AREAS ARE IN HEALTHY, THRIVING CONDITION FOR AN ADDITIONAL 60 DAYS AFTER INITIAL ACCEPTANCE OF PROJECT BY LANDSCAPE ARCHITECT. 1. FINAL ACCEPTANCE MAY BE GRANTED AT THIS TIME AS DETERMINED BY LANDSCAPE ARCHITECT. 2.0 PRODUCTS 2.1 IRRIGATION SPRINKLER MATERIALS A. PVC PLASTIC PIPE AND FITTINGS 1. MAIN LINE (PRESSURE) PIPING, TYPE 1120-1220 SCHEDULE 40, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL. A. MAIN LINE PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED. 2. LATERAL (NON-PRESSURE) LINE PIPING, TYPE 1120-1220 SCHEDULE 40, CLASS 200, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL. A. LATERAL PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED, LASCO, SLOANS, OR APPROVED EQUAL. 3. SOLVENT, TYPE APPROVED BY MANUFACTURER OF PIPE AND FITTINGS. USE SCHEDULE 80 PVC THREADED NIPPLES IN RISER ASSEMBLIES. 4. USE ONLY PVC PLASTIC PIPE FREE FROM BUSTERS, INTERNAL STRATIONS, DENTS, WRINKLES, CRACKS, HOLES, FOREIGN MATERIALS, SMOOTH INTERIOR WALL WITH A GLASS-LIKE APPEARANCE. A. CONTINUOUSLY AND PERMANENTLY MARK EACH PIPE WITH MANUFACTURER'S NAME, KIND OF PIPE, MATERIAL, SIZE SCHEDULE OR TYPE, AND MANUFACTURER'S QUALITY CONTROL IDENTIFICATION. B. GALVANIZED PIPE AND FITTINGS 1. WHERE INDICATED IN DRAWINGS, USE A SCHEDULE 40 MILD STEEL SCREWED PIPE, GALVANIZED, WITH MEDIUM GALVANIZED SCREWED BEADED MALLEABLE IRON FITTINGS. A. GALVANIZED COUPLINGS MAY BE MERCHANT COUPLING.	2
C. CONTROL WIRE 1. DIRECT BURIAL REMOTE CONTROL WIRES, U.L. APPROVED TYPE U.F. MINIMUM OF 4/64 INCH VINYL INSULATION. CONSULT VALVE MANUFACTURER'S CURRENT WIRE SIZING CHART FOR REQUIRED WIRE SIZES. 2. COMMON RETURN WIRE = WHITE, PILOT WIRE = RED, ORANGE, OR BLACK. 3. MAKE SPLICES WITH "SCOTCH LOK" NO. 3577 CONNECTOR SEALING PACKS, OR APPROVED EQUAL. D. SPRINKLER HEADS, REMOTE CONTROL VALVES, AUTOMATIC CONTROLLER, QUICK COUPLER 1. TYPE, SIZE, AND LOCATION INDICATED IN DRAWINGS. 2. LOCATE REMOTE CONTROL VALVES AND QUICK COUPLERS A MAXIMUM OF 12 INCHES FROM CURB, WALK, OR HEADERBOARD. E. BACKFLOW PREVENTION 1. BACKFLOW PREVENTERS AS INDICATED IN DRAWINGS OR AS APPROVED BY LOCAL GOVERNING BODY. 2. DO NOT LOCATE IN LAWN AREAS. 3. SCREEN UNIT WITH PLANT MATERIAL SHOWN ON PLANTING PLAN IN LOCATION OF BACKFLOW PREVENTER OR ELSEWHERE ON SITE WHEN DIRECTED BY LANDSCAPE ARCHITECT. 4. AVOID USING PVC PIPING IN BACKFLOW PREVENTER ASSEMBLIES. F. VALVE BOXES 1. CONTROL VALVE BOXES, AMETEK NO. 10-70-00 WITH GREEN COVER LID NO. 10-173-004, OR EQUAL. PROVIDE EXTENSIONS IF REQUIRED. 2.2 LANDSCAPE PLANTING MATERIALS A. SOIL 1. EXISTING SURFACE SOIL, UNLESS OTHERWISE INDICATED IN DRAWINGS, FREE FROM SUBSOIL, REFUSE, ROOTS, HEAVY OR STIFF CLAY, ROCKS, STICKS, BRUSH OR OTHER DELETERIOUS MATERIALS. 2. NATIVE SOIL MATERIAL EXCAVATED FROM PLANTING HOLES, FREE FROM ROCK OVER 1/2 INCH IN DIAMETER. 3. IMPORTED SOIL, IF REQUIRED, SANDY LOAM TEXTURE. A. SUBMIT SOIL SAMPLES AND ANALYSIS OF IMPORTED SOIL TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO DELIVERY TO PROJECT SITE. B. SHOULD LANDSCAPE ARCHITECT REJECT ANY PORTION OF DELIVERED SOIL, FOR ANY REASON, SELECT SOIL MATERIAL FROM A DIFFERENT SOURCE AND RESUBMIT TO LANDSCAPE ARCHITECT FOR APPROVAL WITHOUT ADDITIONAL COST TO OWNER. B. ORGANIC FERTILIZERS AND SOIL AMENDMENTS 1. COMMERCIAL GRADE ORGANIC FERTILIZERS AND SOIL AMENDMENTS, UNIFORM IN COMPOSITION, DRY AND FREE-FLOWING, DELIVERED TO SITE IN ORIGINAL, UNOPENED CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED ANALYSIS. 2. MATERIAL WHICH BECOMES CAKED OR OTHERWISE DAMAGED, MAKING IT UNSUITABLE FOR USE, WILL BE REJECTED. A. FERTILIZER 'A': ORGANIC FERTILIZER FOR GENERAL SOIL FERTILITY IMPROVEMENT IN ALL TURF AND PLANTING AREAS SHALL BE GRANULATED/PELLETIZED TYPE HAVING A N6-P20-K20 FORMULA. B. FERTILIZER 'B': ORGANIC FERTILIZER TO BE APPLIED TO LAWN AREAS PRIOR TO SEEDING OR SODDING SHALL BE GRANULATED/PELLETIZED TYPE HAVING A N6-P2-K0 (WITH 1% IRON). C. FERTILIZER 'C': ORGANIC FERTILIZER TO BE INCORPORATED IN EACH PLANT PIT SHALL BE A PLANT TAB WITH FORMULA N20-P10-K5, SUCH AS GRO-POWER. D. FERTILIZER 'D': ORGANIC FERTILIZER TO BE APPLIED TO LAWN AREAS AFTER TURF IS ESTABLISHED AND AROUND INSTALLED CONTAINER PLANTS DURING THE MAINTENANCE PERIOD SHALL BE PELLETTED TYPE COMBINATION CHEMICAL ORGANIC FORMULA N15-P2-K6. E. SOIL AMENDMENT: IMPORT TOPSOIL TO MEET ORGANIC MATTER CONTENT OF A MIN. OF 3.5% BY DRY WEIGHT OR 1 INCH OF COMPOST. "OPTION 1" - REQUIRE IMPORT TOPSOIL TO MEET ORGANIC MATTER CONTENT OF A MIN. OF 3.5% BY DRY WEIGHT. "OPTION 2" - SUBMIT SOILS REPORT THAT IDENTIFIES EXISTING TOPSOIL MEETS ORGANIC MATTER OF CONTENT OF 3.5% BY DRY WEIGHT OR GREATER. RECYCLED COMPOST MATERIAL FROM A PROCESSOR THAT PARTICIPATES IN THE U.S. COMPOSTING COUNCIL'S STANDARD TESTING ASSURANCE PROGRAM	3
FOLLOWING MATERIAL, PER 1,000 SQUARE FEET, INTO THE TOP 6 INCHES OF SOIL, USING A ROTOTILLER OR SIMILAR MACHINE, THEN THOROUGHLY WATER. 6 CU. YDS. - RECYCLED COMPOST MATERIAL (SOIL AMENDMENT) 25 LBS. - ORGANIC FERTILIZER 'A' 15 LBS. - SOIL SULPHUR 2. CULTIVATE EXISTING PLANTING AREAS WITH HAND TOOLS. 3. PREPARED SOIL MIX FOR BACKFILL IN PITS FOR TREES, VINES, AND SHRUBS, CONSISTING OF THE FOLLOWING: 1/3 YD. - RECYCLED COMPOST MATERIAL (SOIL AMENDMENT) 2/3 YD. - NATIVE SOIL 1 LB. - IRON SULPHATE AND ORGANIC FERTILIZER 'C' AS FOLLOWS (GRO-POWER TABS OR EQUAL) 1 GAL: 1-TAB 5 GAL: 2-TABS 15 GAL: 4-TABS 6-8 TABS FOR BOXED MATERIAL 4. CONDUCT SOIL PREPARATION AND PLANTING OPERATIONS ONLY UNDER FAVORABLE WEATHER CONDITIONS. SOIL SHALL NOT BE WORKED WHEN EXCESSIVELY DRY OR WET. A. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO STOP WORK TAKING PLACE DURING A PERIOD WHEN CONDITIONS ARE CONSIDERED DETRIMENTAL TO SOIL STRUCTURE OR PLANT GROWTH. C. PLANTING TREES, SHRUBS, & VINES 1. DIG PITS FOR PLANTS SQUARE PER DETAIL IN DRAWINGS. A. LEVEL SIZE OF PITS SHALL BE 2 TIMES DIAMETER OF ROOT BALL, AND ONE-HALF AGAIN AS DEEP AS THE DEPTH OF ROOT BALL. B. SOIL AT SIDES AND BOTTOMS SHALL BE LOOSENEED BY SCARIFYING TO ENSURE ROOT PENETRATION. AVOID SMOOTH CIRCULAR SIDES. 2. BACKFILL PITS WITH "PREPARED SOIL" TO THE BOTTOM OF THE ROOT BALL. THEN SET THE PLANT IN AN UPRIGHT POSITION IN CENTER OF HOLE. BACKFILL SPACE AROUND IT WITH PLANTING MIX. A. WHEN THE BACKFILL AROUND THE PLANT IS APPROXIMATELY TWO-THIRDS COMPLETED, THOROUGHLY WATER. BACKFILL COMPLETE TO THE GRADE OF THE SURROUNDING AREA. B. THE CROWN OF THE PLANT SHALL BE 1-1/2 INCHES ABOVE (MINIMUM) FINISHED GRADE. 3. PREPARE A SOIL RING AT LEAST 3 INCHES HIGH AND AS WIDE AS ROOT BALL AROUND EACH PLANT (NOT IN A TURF AREA) TO RETAIN WATER. A. WATER THOROUGHLY TO ELIMINATE AIR POCKETS. B. REMOVE TURF IN A 24 INCH DIAMETER RING AROUND EACH TREE BASE IN TURF AREAS. D. PLANTING GROUND COVERS 1. PLANTING SHALL TAKE PLACE IN THE EXISTING PREPARED MOIST AND FRIABLE SOIL, NEVER DRY OR WET AND SOGGY. A. THE MOIST CONDITION SHALL EXTEND TO THE FULL DEPTH OF CULTIVATION. 2. SPACE GROUND COVER PLANTS AS INDICATED IN DRAWINGS AND IN THE PLANT LIST. 3. PLANT IN EVENLY SPACED ROWS WITH STAGGERED TRIANGULAR SPACING AND AROUND SHRUBS AND TREES TO WITHIN ONE FOOT. 4. NO GROUND COVER SHALL BE PLANTED LESS THAN ONE-HALF OF THE SPECIFIED SPACING FROM ANY CURB OR WALKWAY. E. PLANTING TURF GRASS 1. AFTER ALL SOIL AMENDMENT AND ORGANIC FERTILIZERS HAVE BEEN APPLIED AND CULTIVATED INTO SOIL, FINE GRADE ALL AREAS. 2. REMOVE RIDGES AND DEPRESSIONS. AREAS SHALL BE SMOOTH, CONTINUOUS, FIRM PLANES THAT ENSURE PROPER SURFACE DRAINAGE. 3. REMOVE ROCKS, SOIL LUMPS, AND DELETERIOUS MATERIALS LARGER THAN 1 INCH, RAKE AND COMPACT AREAS WITH A 200 POUND ROLLER. 4. AVOID ADDITIONAL COMPACTION OF THE SOILS AFTER TREATMENT. DO NOT PERMIT VEHICULAR OR EQUIPMENT TRAFFIC OVER AREAS.	7
F. IRON SULFATE: STANDARD COMMERCIAL BRAND. C. WOOD CHIP MULCH 1. ALL PLANTED AREAS, EXCEPT TURF, SHALL RECEIVE A TOP DRESSING OF MULCH CONSISTING OF RECYCLED, NON-DYED WOOD CHIPS OR FIR CHIPS, MEDIAN GRIND 3/8 TO 3/4" DIAMETER. SHREDDED BARK IS UNACCEPTABLE. D. PLANT MATERIAL 1. CONFORM PLANT MATERIAL, INDICATED IN DRAWINGS BY THE LISTED NAMES, TO STANDARD PLANT NAMES, SECOND EDITION, EXCEPT FOR NAMES NOT INCLUDED, FOLLOW THE ESTABLISHED CUSTOMS OF THE NURSERY TRADE. 2. ALL PLANTS SHALL BE TRUE TO NAME. TAG ONE OF EACH BUNDLE OR LOT WITH THE NAME AND SIZE OF THE PLANT, IN ACCORDANCE WITH STANDARDS OF PRACTICE RECOMMENDED BY AMERICAN ASSOCIATION OF NURSEYMEN. 3. ALL PLANT MATERIALS SHALL MEET THE SPECIFICATIONS OF FEDERAL, STATE, AND COUNTY LAWS, REQUIRING INSPECTION FOR PLANT DISEASES AND INSECT INFESTATIONS. 4. PLANTS SHALL BE SYMMETRICAL, TYPICAL FOR VARIETY AND SPECIES, SOUND, HEALTHY, VIGOROUS, FREE FROM PLANT DISEASES, INSECT PESTS OR OTHER EGGS, WITH HEALTHY, NORMAL ROOT SYSTEMS, WELL FILLING THEIR CONTAINERS, BUT NOT TO THE POINT OF BEING ROOT BOUND. 5. USE ONLY PLANT MATERIALS THAT ARE FIRST CLASS REPRESENTATIVE OF THE SPECIES AND CULTIVARS SPECIFIED AND THAT CONFORM TO ALL STATE AND LOCAL LAWS GOVERNING THE SALE, TRANSPORTATION, AND INSPECTION OF PLANT MATERIALS. 6. PROVIDE ONLY PLANTS WITH STRAIGHT, SINGLE TRUNKS, UNLESS OTHERWISE INDICATED IN DRAWINGS. 7. THOSE SPECIFIED TO BE MULTI-TRUNK SHALL HAVE AT LEAST THREE MAIN LEADERS FROM THE BASE. 8. PLANTS THAT HAVE ENCIRCLING ROOTS, NOT ROOT BOUND, SHALL HAVE ROOTBALLS LIGHTLY SLASHED ON A MINIMUM OF 3 SIDES TO STOP ENCIRCLING ROOT GROWTH. 9. THE HEIGHT AND SPREAD OF PLANT MATERIALS SHALL BE MEASURED WITH BRANCHES IN THEIR NORMAL POSITION. MEASURE SIZES OF PLANTS ON THE PLANT LIST. A. 5 AND 15 GALLON CAN CONTAINER STOCK SHALL HAVE BEEN GROWN IN THAT CONTAINER NOT LESS THAN SIX (6) MONTHS, BUT SHALL NOT HAVE BEEN OVERGROWN IN THE CONTAINERS SO AS TO HAVE BECOME ROOT BOUND. B. 15 GALLON CAN CONTAINER STOCK SHALL HAVE A PLANTED HEIGHT OF 6 FEET WITH 1 INCH CALIPER TRUNK. 2.3 SOURCE QUALITY CONTROL A. PERFORM INSPECTIONS OF CONSTRUCTION FOR THE FOLLOWING PARTS OF THE WORK: 1. INSPECTION UPON COMPLETION OF PRELIMINARY FINISH GRADING AND IRRIGATION SPRINKLER SYSTEM. 2. INSPECTION OF PLANTS PRIOR TO LAYOUT. 3. LAYOUT INSPECTION OF SPOTTED PLANTS. 4. INITIAL INSPECTION UPON COMPLETION OF PLANTING AND TREE STAKING, PRIOR TO COMMENCEMENT OF MAINTENANCE PERIOD. 5. FINAL INSPECTION AT CONCLUSION OF ADDITIONAL 60 DAY LANDSCAPE MAINTENANCE PERIOD. B. LISTED INSPECTIONS WILL BE MADE BY LANDSCAPE ARCHITECT OR AN AUTHORIZED REPRESENTATIVE. 1. REQUEST INSPECTION BY LANDSCAPE ARCHITECT AT LEAST 48 HOURS IN ADVANCE OF TIME INSPECTION IS REQUIRED. 3.0 EXECUTION 3.1 IRRIGATION SPRINKLER SYSTEM A. PREPARATION 1. COORDINATE INSTALLATION OF SPRINKLER MATERIALS, INCLUDING PIPE, TO ELIMINATE INTERFERENCE WITH, OR DIFFICULTY IN PLANTING SHRUBS, TREES, GROUND COVER, EXISTING OR PROPOSED UTILITIES, AND OTHER CONSTRUCTION. RESTORE TO ORIGINAL CONTOURS AND ESTABLISHED GRADES CHANGED DURING COURSE OF THE WORK. A. IN THE EVENT OF SUCH COMPACTION, CONTRACTOR WILL BE REQUIRED TO RECULTIVATE COMPACTED AREAS. 5. SODDING: RAKE AREAS TO FINISH GRADE ELEVATION TO 1 INCH LOWER THAN ADJACENT PAVING TO ACCOMMODATE SOD THICKNESS. A. SPREAD 20 POUNDS PER 1,000 SQUARE FEET OF FERTILIZER 'B' ON SOIL SURFACES PRIOR TO SODDING. THEN NEATLY INSTALL SOD SLABS. B. STAGGER END JOINTS, TIGHTLY JOINTED WITH NO VISIBLE SPACES. C. LIGHTLY WATER AND ROLL ENTIRE AREAS. THEN HEAVILY WATER TO ASSURE WATER PENETRATION OF AT LEAST A DEPTH OF 8 INCHES. 6. SEEDING: APPLY FERTILIZER 'B' TO FINISH GRADED SURFACES AT THE RATE OF 4 POUNDS PER 1,000 SQUARE FEET. A. USE ONLY SEED THAT IS WEED FREE, FRESH, RECLEANED, GRADE A, NEW CROP CONSISTING OF THE PERCENTAGE OF MIX AS DESCRIBED IN DRAWINGS. B. LABEL SEED IN ACCORDANCE WITH THE U.S. DEPARTMENT OF AGRICULTURE RULES AND REGULATIONS UNDER THE FEDERAL SEED ACT PRESENTLY IN EFFECT AND SHALL BE DELIVERED TO PROJECT SITE IN BAGS BEARING DEALER'S LABEL AND GUARANTEED ANALYSIS. C. SOW SEED IN 2 DIRECTIONS AT A TOTAL COMBINED RATE OF 10 POUNDS PER 1,000 SQUARE FEET. D. SOW SEED BY EXPERIENCED PERSONNEL AT A TIME WHEN LITTLE OR NO WIND IS BLOWING. E. LIGHTLY RAKE INTO TOP 1/8 INCH OF SOIL. F. DO NOT MOW UNTIL TURF IS 2-1/2 INCHES HIGH, AND FOR INITIAL MOWING DO NOT MOW LOWER THAN 1-1/2 INCHES. REMOVE ALL CLIPPINGS. 7. FERTILIZING DURING MAINTENANCE: APPLY FERTILIZER 'D', 30 CALENDAR DAYS AFTER PLANTING, AT THE RATE OF 5 POUNDS PER 1,000 SQUARE FEET. A. REPEAT EVERY 30 DAYS THROUGH MAINTENANCE. F. WEED CONTROL, PEST CONTROL, & MULCHING 1. WEED CONTROL MATERIAL SHALL BE A PRE-EMERGENT HERBICIDE, TRIFLURLOLIN (TREFLAN) OR DIPHENAMID (DYMID OR ENIDE) OR APPROVED EQUAL, APPLIED ON PLANTED AREAS, DON'T APPLY TO TURF DEVELOPED AREAS. NOTE: IN CITIES AND FOR PROJECTS THAT DO NOT ALLOW FOR SYNTHETIC PRE-EMERGENTS USE A CORN GLUTEN MEAL PRODUCT. 2. CONSIDER IT PART OF CONTRACTOR'S WORK TO CONTROL ON-SITE OR NEARBY PESTS THAT ARE DISTURBING THE CONDITION OF LANDSCAPE IMPROVEMENTS. 3. CONTROL OF PESTS INCLUDES, BUT IS NOT LIMITED TO RODENTS, RABBITS, INSECTS, DEER, ETC. 4. REPAIR DAMAGE THAT OCCURS TO THE ORIGINAL CONDITION OF IMPROVEMENTS, INCLUDING REPLACEMENT OF PLANT MATERIAL WHEN REQUIRED, WITHOUT ADDITIONAL COST TO OWNER. 5. SPREAD BARK CHIP MULCH EVENLY OVER ENTIRE PLANTED AREA, EXCEPT TURF DEVELOPED AREAS, TO A MINIMUM DEPTH OF 3". G. PRELIMINARY INSPECTION AND STAGE ACCEPTANCE 1. UPON COMPLETION OF PLANTING WORK, NOTIFY LANDSCAPE ARCHITECT THAT PROJECT IS READY FOR INSPECTION. 2. UPON INSPECTION, IF LANDSCAPE ARCHITECT FINDS ENTIRE PROJECT COMPLETE AND IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS, STAGE ACCEPTANCE WILL BE GRANTED. 3. IF ASPECTS OF PROJECT ARE INCOMPLETE OR IMPROPERLY INSTALLED, CONTRACTOR WILL BE NOTIFIED AND HAVE 5 WORKING DAYS IN WHICH TO CORRECT OR COMPLETE THE WORK. 4. STAGE ACCEPTANCE WILL BE GIVEN ONLY WHEN ALL WORK IS CORRECT AND COMPLETE. 5. THE STAGE ACCEPTANCE BY LANDSCAPE ARCHITECT OF LANDSCAPE PROJECT WILL ESTABLISH THE BEGINNING OF PLANT MAINTENANCE PERIOD. 3.3 CLEANING A. UPON COMPLETION OF WORK, REMOVE EXCESS MATERIALS, RUBBISH, DEBRIS, AND SUB-CONTRACTOR'S CONSTRUCTION AND INSTALLATION EQUIPMENT FROM THE PREMISES. B. FINAL INSPECTION OF THE WORK WILL BE MADE BY LANDSCAPE ARCHITECT IN THE PRESENCE OF THE SUB-CONTRACTOR WHOSE CONSTRUCTION OR INSTALLATION SHALL BE MADE BY THE CONTRACTOR 48 HOURS IN ADVANCE OF SUCH INSPECTION.	8

Butterfield & Cochrane Development
Initial Study/Addendum
City of Morgan Hill
July 2018

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ACRONYMS AND ABBREVIATIONS

CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
MND	Mitigated Negative Declaration
NOD	Notice of Determination
RWQCB	Regional Water Quality Control Board
USFWS	United States Fish and Wildlife Service

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

On June 24, 2014, the Planning Commission adopted the Mitigated Negative Declaration (MND) for the Butterfield and Cochrane Development. The development proposed to amend the existing Planned Unit Development District, subdivide the project site into eight parcels, install a stoplight at the main entrance on Cochrane Road, and develop 196,300 square feet of commercial uses on the project site including the following:

- 1) Business support services;
- 2) Commercial services;
- 3) Commercial recreation, indoor, 3,000 square feet or less in size;
- 4) Commercial recreation, indoor, greater than 3,000 square feet in size;
- 5) Drive-through restaurant (maximum of three);
- 6) Financial services;
- 7) Home improvement center;
- 8) Hotel/motel/lodging facilities;
- 9) Offices, medical/dental;
- 10) Offices, administrative;
- 11) Offices, professional
- 12) Personal services
- 13) Research and development;
- 14) Restaurants, sit-down and fast food;
- 15) Retail, intensive (excluding convenience and specialty markets);
- 16) Congregate care for the elderly/assisted living facilities;
- 17) Convenience markets and specialty markets;
- 18) Day care centers and nursery schools;
- 19) Day care centers, adult;
- 20) Minor motor vehicle repair;
- 21) Nursing home or convalescent hospital;
- 22) Service station.
- 23) Any other use the Community Development Director finds similar to listed or permitted uses.

The proposed rezoning would also allow the following conditional uses to be approved by the City at a later date:

- 1) Kennel

The City of Morgan Hill is the Lead Agency under CEQA and has prepared this Addendum to address the impacts of implementing the currently proposed project. This Addendum is being prepared to conform to the requirements of the CEQA, the CEQA Guidelines (California Code of Regulations §15000 et.seq.) and the regulations and policies of the City of Morgan Hill. As discussed in the following analysis, the proposed project is of similar size and intensity compared to the previously analyzed project, and no new significant impacts, nor a substantial increase in the

severity of previously identified impacts, are expected to occur from the implementation of the proposed project, therefore this Addendum has been prepared in conformance with CEQA.

1.2 PURPOSE OF THE ADDENDUM

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusion in the environmental document.

The CEQA Guidelines §15162 state that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164 states that the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in §15162 (see above) calling for preparation of a subsequent EIR have occurred.

This Addendum will not be circulated for public review, but will be attached to the 2014 Butterfield & Cochrane Development Initial Study, pursuant to CEQA Guidelines §15164(c). All documents referenced in this Initial Study/Addendum are available for public review in the Community Development Department at the City of Morgan Hill during normal business hours.

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Butterfield & Cochrane Development (AAE2017-0034/AAE2017-0035: Cochrane-South Bay)

2.2 PROJECT LOCATION

Southeast quadrant of the Cochrane Road and Butterfield Boulevard intersection in Morgan Hill (refer to Figure 2.8-1, Figure 2.8-2, and Figure 2.8-3).

2.3 LEAD AGENCY CONTACT

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City of Morgan Hill
Community Development Agency
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Phone: (408) 778-6480
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2.4 PROJECT APPLICANT

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Phoenix, AZ. 85016
Phone: (602) 808-8600
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2.5 ASSESSOR'S PARCEL NUMBER

726-25-035 and 726-32-021

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

Zoning District: Planned Unit Development
General Plan Designation: Commercial

2.7 HABITAT PLAN DESIGNATION

Private Development Areas:	Urban Development Equal to or Greater Than 2 Acres Covered
Land Cover:	Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed
Land Cover Fee Zone:	Agricultural and Valley Floor Lands (Fee Zone B)

Burrowing Owl Survey and Fee Zone: N/A

2.8 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

The project would require the City to approve a Planned Development/Zoning Amendment, Development Agreement, and Design Permit application.

Figure 2.8-1: Regional Map

Figure 2.8-2: Vicinity Map

Figure 2.8-3: Aerial Photograph and Surrounding Land Uses

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW

This Initial Study/Addendum provides project-level CEQA analysis for a Development Agreement and Planned Development Zoning Amendment to allow the development of a nine-pump gas station, approximately 10,000 square feet of restaurant space, 38,000 square feet of retail space (including a tire shop and grocery store), 110-room hotel, 40,500 square feet of office space, and an 85-bed assisted living facility.

3.1.1 Environmental Setting

The 20.25-acre project site (APNs 726-25-035 and 726-32-021) is located in the southeast quadrant of the intersection of Cochrane Road and Butterfield Boulevard in the City of Morgan Hill. The site is undeveloped. The site's existing General Plan land use designation and zoning are *Commercial* and *Planned Unit Development District*, respectively. The project area includes a mix of uses. Residences are located southwest of the project site, across Butterfield Boulevard. Industrial uses are located northwest and southwest of the project site, across Cochrane Road and Jarvis Drive, respectively. Commercial uses are located northeast of the site.

3.2 PROJECT DESCRIPTION

3.2.1 Site Design and Development Details

The proposed project would divide the project site into 11 parcels and develop a nine-pump gas station, approximately 10,000 square feet of restaurant space, 38,000 square feet of retail space (including a tire shop and grocery store), 110-room hotel, 40,500 square feet of office space, and an 85-bed assisted living facility (see Table 3.2-1 and

Figure 3.2-1). The retail, restaurant, and convenience store buildings will not exceed 30 feet. The market, medical offices and senior living building will be approximately 35 feet in height, and the hotel is anticipated to be 60 feet in height. 0.20 acres of the project site would consist of right-of-way dedication along Cochrane Road for a future road expansion project. The proposed revised project would disturb the site in a similar fashion to the 2014 approved project, but would introduce additional uses not included in the 2014 entitlement.

Table 3.2-1: Project Development		
Parcel #	Proposed Square Footage	Anticipated Use
1	3,000	Convenience store, nine fuel pumps, and car wash
2	3,500	Quick service restaurant and drive-thru
3	2,000	Quick service restaurant and drive-thru
4	7,200	Mixed-use of commercial services and food uses
5	44,000	Full service four-story hotel with approximately 110 rooms
6	10,000	Tire store and showroom with tire service center
7	22,000	Grocery store
8	3,000	Retail uses
9	35,000	Two-story medical office building
10	176,500	85 unit senior residential care facility
11	5,500	General office building

Figure 3.2-1: Conceptual Site Plan

3.2.1.1 *Site Access and Parking*

Direct vehicle access to the project site would be from driveways on Cochrane Road, Butterfield Boulevard, Jarvis Drive, and the adjacent parcel along Sutter Boulevard. The project would include a total of seven access driveways. The main entrance would be located on Cochrane Road, near its intersection with Woodview Avenue. A new traffic signal would be installed at this driveway. The project would provide a total of 592 parking spaces.

3.2.1.2 *Stormwater*

The project proposes to direct all runoff to the onsite landscape areas, which would be designed to function as bioretention areas. An onsite network of perforated storm drain pipes would collect the runoff filtered through the landscape/bioretention areas, maximizing the amount of runoff retained onsite prior to discharging to the public storm drain system. The landscape/bioretention system would be sized to limit the runoff rate from the proposed project to existing conditions.¹ Excess runoff would be directed to the detention basin southwest of the project site.

3.2.1.3 *Construction*

The proposed project would be constructed in two phases. Phase I would construct the project infrastructure, including onsite main access driveways, internal roads, utilities to the building pads, and other offsite work. Phase II would construct the proposed buildings across the project site. Phase II is expected to occur over multiple years, as the project will subdivide the site into 11 parcels. It is anticipated each of the 11 parcels will be constructed as a separate project, albeit with some amount of overlap, i.e. several parcels could be under construction simultaneously based on market demand, with the overall timeframe of construction lasting between three and five years. The proposed project does not anticipate the need for pile driving, and soil import and export volumes are expected to balance each other out.

¹ Using the City's requirements for sizing, the project site would be required to provide storage for a 25-year, 24-hour storm with an additional capacity of 25 percent for freeboard.

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.10	Land Use and Planning
4.2	Agricultural and Forestry Resources	4.11	Mineral Resources
4.3	Air Quality	4.12	Noise and Vibration
4.4	Biological Resources	4.13	Population and Housing
4.5	Cultural Resources	4.14	Public Services
4.6	Geology and Soils	4.15	Recreation
4.7	Greenhouse Gas Emissions	4.16	Transportation/Traffic
4.8	Hazards and Hazardous Materials	4.17	Utilities and Service Systems
4.9	Hydrology and Water Quality	4.18	Mandatory Findings of Significance

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Checklist and Discussion of Impacts** – This subsection includes a checklist for determining potential impacts and discusses the project’s environmental impact as it relates to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact HAZ-1** denotes the first potentially significant impact discussed in the Hazards and Hazardous Materials section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM NOI-2.3** refers to the third mitigation measure for the second impact in the Noise section.
- **Conclusion** – This subsection provides a summary of the project’s impacts on the resource.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion in *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Morgan Hill has policies that address existing conditions affecting a proposed project, which are also discussed in this section. This is consistent with one of the primary objectives of

CEQA, which is to provide objective information to decision-makers and the public. The CEQA Guidelines and the courts are clear that a CEQA document can include information of interest even if such information is not an environmental impact as defined by CEQA.

Therefore, in addition to describing the impacts of the project on the environment, this section will discuss operational issues as they relate to City of Morgan Hill policies. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, geologic hazard zone, high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Existing Conditions*

The 20.25-acre project site is located in central Morgan Hill in the southeast quadrant of the Cochrane Road and Butterfield Boulevard intersection. The project site is a flat, undeveloped field covered by non-native grassland with some trees planted along Cochrane Road and Jarvis Drive. The trees on the project site have been neglected and are in poor condition.

4.1.1.2 *Surrounding Visual Character*

The project area is a patchwork of developed and undeveloped parcels. Newer commercial development borders the eastern site boundary, including a one-story restaurant building and a Spanish-style stucco office building that is up to three stories tall. Cochrane Road, Butterfield Boulevard, and Jarvis Drive border the site to the north, west, and south, respectively. Cochrane Road and Butterfield Boulevard are large roadways (two lanes in each direction) with landscaped medians, sidewalks, and streetlights. Jarvis Drive is a two-lane roadway with streetlights that serves the industrial and commercial uses in the project area. Sidewalks are provided along the north side of Jarvis Drive, however the sidewalk is intermittent along the project frontage. The area north of the project site (across Cochrane Road) includes newer commercial development mostly one-story in height, and undeveloped parcels similar in appearance to the project site. The area west of the project site (across Butterfield Boulevard) includes newer residential apartment buildings, new small-lot single family residences that are up to three-stories in height, and undeveloped parcels similar in appearance to the project site. The area south of the site (across Jarvis Drive) includes newer industrial and commercial buildings that are up to two stories in height.

4.1.1.3 *Scenic Vistas and Resources*

Due to the flat topography, existing development, and large trees in the project area, views of the project site are limited to the immediate vicinity. The site is not located within a designated scenic view corridor or visible from a designated scenic highway. The nearest state-designated highway is State Route (SR) 9, approximately 20 miles west of the site (at the SR 17 interchange).

4.1.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	☐	1, 2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	☐	1, 2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒	☐	1, 2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☐	☒	☐	1, 2

4.1.2.1 *Impacts to Scenic Views or Scenic Resources (Checklist Questions a and b)*

The project site is not located along a state scenic highway. Views of the project site area are limited to the immediate area. The proposed project would not block views of Nob Hill to the north since views from developments south of the site are obstructed by existing development.

Trees are considered visual resources in urban environments since they contribute to aesthetic interest and character. Several trees are present on the site, including a row of olive trees along Cochrane Road and a group of landscape trees planted in the east corner of the site. Valley oak and coast live oak saplings are also present along Cochrane Road. Although these trees would be removed, the tree removal would be consistent with what is associated with the approved 2014 project, and trees would be planted in accordance with City policies to offset the aesthetic effects of tree removal (see Section 4.4 Biological Resources for a detailed discussion).

Redevelopment of this site, therefore, would not have a significant adverse effect on a scenic vista or damage scenic resources within a state scenic highway. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.1.2.2 *Impacts to Visual Character (Checklist Questions c)*

The proposed project would divide the project site into 11 parcels and develop a nine-pump gas station, approximately 10,000 square feet of restaurant space, 38,000 square feet of retail space (including a tire shop and grocery store), 110-room hotel, 40,500 square feet of office space, and an 85-bed assisted living facility. While development under the proposed project would change the existing visual character of the existing undeveloped project site, the proposed commercial buildings

would be similar in scale to the existing development in the project area, and would be substantially similar in scale and character to the development program under the 2014 approved entitlements, which was also found to result in a less than significant visual impact. All development on the site would be subject to review and approval by the City of Morgan Hill Design Permit process to ensure the development meets local design and aesthetic standards. Franchise architecture would not be permitted. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.1.2.3 *Light and Glare Impacts (Checklist Question d)*

The proposed development of commercial buildings would incrementally increase light and glare in the project area, due to the new reflective surfaces and outdoor lighting on the site and vehicles traveling on and to and from the site. These new sources of light and glare from the project would be similar in character to light and glare from the nearby existing commercial, industrial and residential development. Building design, glazing materials and outdoor lighting would be subject to review by the City of Morgan Hill Design Permit process for conformance with City standards. For these reasons, development on the site under the proposed project would not result in a new source of substantial light or glare that would affect day or nighttime views in the area, and would be substantially similar in terms of proposed lighting to the development program under the 2014 approved entitlements, which was also found to result in a less than significant light and glare impact. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.1.3 Conclusion

The proposed development of commercial buildings on the project site would not result in significant aesthetic impacts. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

The project site is not used for agricultural production and is not the subject of a Williamson Act contract.² No land adjacent to the project site is used for agricultural production. The City of Morgan Hill General Plan Land Use Diagram designates the project site *Commercial*, and the Zoning Map designates the project site *Planned Unit Development – General Commercial (PUD)*. The land in the project vicinity is also designated and zoned for urban uses. Existing development adjacent to the site includes commercial, industrial, and residential uses. The land on and adjacent to the site is not forest land or timberland, or zoned for timberland production. According to the Santa Clara County Important Farmland 2014 Map, the surrounding area is designated *Urban and Built-up Land*.

There are four farmland categories in the California Department of Conservation Farmland Mapping Program: *Prime Farmland*, *Farmland of Statewide Importance*, *Unique Farmland* and *Farmland of Local Importance*. According to the Santa Clara County Important Farmland 2010 Map, the project site was designated *Farmland of Local Importance*, which is defined as land with small orchards and vineyards, primarily in the foothill areas, and land cultivated as dry cropland for grains and hay, however, in the most recent 2014 map, the site was re-designated as *Grazing Land*.³ The project site is not subject to a Williamson Act contract.

4.2.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☐	1, 2, 3
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐	1, 2, 4

² Giordano, Frank. Office of the Assessor, County of Santa Clara. *Personal Communication*. October 10, 2012

³ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. *Santa Clara County Important Farmlands Map 2014*. Map. October 2016.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒	☐	1, 2
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐	1, 2
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐	1, 2, 3

4.2.2.1 *Agricultural and Forest Resources (Checklist Question a-e)*

The City of Morgan Hill adopted its Agricultural Lands Preservation Program (Preservation Program) in November 2014 to preserve potential agricultural land subject to development. Lands classified as *Prime Farmland*, *Farmland of Statewide Importance*, *Unique Farmland*, *Farmland of Local Importance*, or *Grazing Land* under the California Department of Conservation Farmland Mapping Program are covered under the Preservation Program. The project site was designated *Farmland of Local Importance* in 2010 and would be required to comply with Preservation Program's mitigation measures as detailed in the Agricultural Mitigation Ordinance. **(note to City: site is now mapped as Grazing Land, which is not subject to the Ag Ordinance, but it was Local Importance in 2010, so please confirm mitigation applies)** The proposed project would pay all applicable agricultural preservation in-lieu fees and/or provide sufficient agricultural conservation easements at a 1:1 ratio.⁴ The project site is not a forest resource, nor are there forest lands in its vicinity. For these reasons, the project would not impact agricultural or forest resources. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.2.3 Conclusion

The proposed project would not result in any new or more significant impacts to agricultural, forestry or timberland resources on the project site or project area than the approved project. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁴ Chapter 18.85 of the Morgan Hill Municipal Code.

4.3 AIR QUALITY

The following discussion is based on an air quality and greenhouse gas emissions analysis completed for the proposed project by *Illingworth & Rodkin* on July 13, 2018. The report summarizing the results of the analysis is included as Appendix A of this Addendum.

4.3.1 Environmental Setting

Air quality and the concentration of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain, and for photochemical pollutants, sunlight.

The project site is located at the south end of the Santa Clara Valley within the San Francisco Bay Area Air Basin. The region typically has moderate ventilation and frequent inversions that restrict vertical dilution. Located on either side of the Santa Clara Valley, the Santa Cruz Mountains and Diablo Range restrict horizontal dilution. The surrounding terrain results in a prevailing wind that follows along the valley's northwest-southeast axis. The combined effects of these geographical and meteorological factors make air pollution potential in the Santa Clara Valley quite high.

4.3.1.1 *Existing Conditions*

The project site is currently undeveloped and does not generate any air pollutants.

4.3.1.2 *Sensitive Receptors*

The Bay Area Air Quality Management District (BAAQMD) defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, child care centers, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors within the project area are the single-family residences located across the street from the project site along Butterfield Boulevard.

4.3.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	☐	1, 8, 23
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒	☐	1, 8, 23

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☐	☒	☐	1, 8, 23
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	☐	1, 8, 23
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	☐	1, 8, 23

4.3.2.1 *Clean Air Plan Consistency (Checklist Question a)*

The most recent clean air plan is the 2017 Bay Area Clean Air Plan (2017 CAP). The proposed project would not conflict with the 2017 CAP because it would have emissions below BAAQMD thresholds, is considered urban infill, and is consistent with the development assumptions of the City's General Plan. Because the project would not exceed BAAQMD significance thresholds, it is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less Than Significant Impact [Same Impact as Approved Project])**

4.3.2.2 *Violation of Standards (Checklist Question b, d)*

Construction

Criteria Pollutants

Construction of the project would involve site grading, trenching, paving, building construction, and architectural coatings. Construction-related automobiles, trucks, and heavy equipment are a primary concern with regard to criteria pollutant emissions as a result of diesel particulate matter.

Table 4.3-1: Construction Criteria Pollutant Emissions

Scenario	ROG	NO _x	PM ₁₀ Exhaust	PM _{2.5} Exhaust
Total construction emissions	3.3 tons	6.3 tons	0.3 tons	0.2 tons
Average daily emissions ¹	16.5 lbs./day	31.5 lbs./day	1.3 lbs./day	1.2 lbs./day
BAAQMD Thresholds	54 lbs./day	54 lbs./day	82 lbs./day	54 lbs./day
Threshold Exceeded?	No	No	No	No

¹Assumes 400 workdays.

As shown in Table 4.3-1, the emissions of ROG, NO_x, PM₁₀ exhaust, and PM_{2.5} exhaust associated with construction would not exceed the BAAQMD significance thresholds and, therefore, would not result in a significant impact from construction emissions. **(Less Than Significant Impact [Same Impact as Approved Project])**

Fugitive Dust

Similar to the 2014 approved project, construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soil. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA *Air Quality Guidelines* consider these impacts to be less than significant if best management practices are implemented to reduce these emissions. As described below, the project includes mitigation measures, consistent with those measures required of the approved 2014 project, to reduce this impact to a less than significant level.

Impact AQ-1: Construction of the proposed project could temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. **(Significant Impact)**

Mitigation Measures: The following mitigation measure, which is consistent with the Basic Construction Mitigation Measures identified in the BAAQMD CEQA *Air Quality Guidelines* to reduce impacts from construction-related fugitive dust to a less than significant level, shall be implemented.

MM AQ-1.1: During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

- Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- Haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- Visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweeps at least once per day. The use of dry power sweeping is prohibited.
- Vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph)
- Roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- Construction equipment shall be maintained and properly tuned in accordance with manufacture's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of MM AQ-1.1, dust emissions during construction of the proposed project would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation [Same as Impact Approved Project])**

Toxic Air Contaminants

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Construction exhaust emissions pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM_{2.5}. As was done for the approved 2014 project, a health risk assessment of project construction activities (refer to Appendix A) was prepared to evaluate potential health effects of sensitive receptors at nearby residences and identified a maximally exposed individual (MEI) for construction emissions of DPM and PM_{2.5}. The MEI is located at the northwest corner of the Butterfield Boulevard and Jarvis Drive intersection.

The health risk assessment conservatively assumed that both construction phases would occur concurrently, and that all 11 proposed parcels would be constructed within an 18 month window, such that construction emissions would be compressed into a 'worst-case' scenario. Using these conservative assumptions, results of the assessment for project construction indicate the maximum incremental residential infant/child cancer risk at the MEI receptor would be 11.0 in one million and the residential adult incremental cancer risk would be 0.2 in one million, which is above the BAAQMD significance threshold of 10.0 in one million. The maximum-modeled annual PM_{2.5} concentration, was 0.1 micrograms per cubic meter (µg/m³), which would not exceed the BAAQMD

significance threshold of $0.3 \mu\text{g}/\text{m}^3$. The maximum modeled annual residential DPM concentration was $0.011 \mu\text{g}/\text{m}^3$, also lower than the BAAQMD significance criterion of a hazard index greater than 1.0. While annual $\text{PM}_{2.5}$ concentrations and non-cancer hazards from construction activities would be below the significance thresholds, cancer risk, if the project were constructed in as little as 18 months, would be above the significance threshold and represent a significant impact compared to the 2014 approved project. However, as noted in the project description, the proposed project would be constructed in two phases. Phase I would construct the project infrastructure, including onsite main access driveways, internal roads, utilities to the building pads, and other offsite work. Phase II would construct the proposed buildings across the project site. Phase II is expected to occur over multiple years, as the project will subdivide the site into 11 parcels. It is anticipated each of the 11 parcels will be constructed as a separate project, albeit with some amount of overlap, i.e. several parcels could be under construction simultaneously based on market demand, with the overall timeframe of construction lasting between three and five years. Therefore, the modeling results contained in Appendix A are not reflective of the project's intended construction schedule, and represent a 'worst-case' scenario that will not occur. Nevertheless, to ensure this outcome, the following mitigation measure is included in the project.

Impact AQ-2: Construction of the proposed project, if all 11 parcels are constructed simultaneously and within 18 months, could increase cancer risk to nearby sensitive receptors. **(Significant Impact)**

Mitigation Measures: The following mitigation measure shall be implemented to ensure construction TACs do not exceed established health risk thresholds.

MM AQ-2.1: Prior to issuance of a grading permit, the project shall develop, and provide to the City for review and approval, a construction equipment plan with updated construction phasing schedule demonstrating that the combined emissions of the 11 parcels would not exceed the significant health risk threshold of 10.0 cancer cases in one million for infant exposure. The use of Tier 4 engines or equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) could meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant levels.

With implementation of MM AQ-1.1 and MM AQ-2.1, the infant/child cancer risk would be less than 10.0 in one million and result in a less than significant impact, consistent with the 2014 approved project. **(Less Than Significant Impact with Mitigation [Same as Impact Approved Project])**

Operation

Criteria Pollutants

Operational air emissions from the project would be generated primarily from autos driven by future customers, employees, and vendors. Evaporative emissions from gasoline station operations, architectural coatings and maintenance products (classified as consumer products) are typical emissions from the types of uses proposed by the project.

Table 4.3-2: Operational Criteria Pollutant Emissions				
Scenario	ROG	NO_x	PM₁₀	PM_{2.5}
2021 Project Operational Emissions (<i>tons/year</i>)	4.3 tons	8.2 tons	3.4 tons	1.0 tons
Gasoline Dispensing Facility Emissions (<i>tons/year</i>)	1.7 tons	0.0 tons	0.0 tons	0.0 tons
Total Emissions (<i>tons/year</i>)	6.0 tons	8.2 tons	3.4 tons	1.0 tons
BAAQMD Thresholds (<i>tons /year</i>)	10 tons	10 tons	15 tons	10 tons
Exceed Threshold?	No	No	No	No
2021 Project Operational Emissions (<i>lbs./day</i>)	14.2 lbs.	44.9 lbs.	18.6 lbs.	5.5 lbs.
BAAQMD Thresholds (<i>pounds/day</i>)	54 lbs.	54 lbs.	82 lbs.	54 lbs.
Exceed Threshold?	No	No	No	No
Notes: Assumes 365-day operation.				

As shown in Table 4.3-2, the emissions of ROG, NO_x, PM₁₀ exhaust, and PM_{2.5} exhaust associated with operation of the proposed project would not exceed the BAAQMD significance thresholds and, therefore, would not result in a significant impact from operational emissions. **(Less Than Significant Impact [Same Impact as Approved Project])**

4.3.2.3 Cumulative Pollutant Increase (Checklist Question c)

Cumulative TAC emissions from the project take into account construction of the project, stationary sources, the proposed gas station, and traffic on Butterfield Boulevard and Cochrane Road. As shown in **Table 4.3-3**, the proposed project would not exceed the cumulative TAC thresholds for maximum cancer risk, PM_{2.5}, or the hazard index at the MEI; therefore, the project would have a less than significant impact. **(Less Than Significant Impact [Same Impact as Approved Project])**

Table 4.3-3: Cumulative TAC Emissions at Construction MEI				
Source		Maximum Cancer Risk (per million)	PM_{2.5} concentration (µg/m³)	Hazard Index
Project Construction	Unmitigated	11.0 ⁵	0.10	0.01
Butterfield Blvd (north-south) at 40 feet west, 15,440 ADT		5.2	0.16	<0.01
Cochrane Rd (east-west) at 800 feet south, 17,290 ADT		0.9	0.03	<0.01

⁵ As noted above, the predicted 11.0 cases per million cancer risk is based on an assumption that the project is constructed within an 18-month timeframe with all 11 parcels under construction simultaneously, which is a conservative assumption and not reflective of the actual intended schedule for construction, which is more realistically expected to occur over three to five years, and therefore construction emissions are expected to be below 10.0 cases per million, which will be ensured through implementation of MM AQ-2.1. Therefore, Table 4.3-

Plant #17542 at 1,000 feet southwest	0.0	0.00	<0.01
Plant #2417 at 1,000 feet west	0.2	<0.01	<0.01
Plant #12093 at 570 feet west	0.2	<0.01	<0.01
Plant #18212 at 330 feet west	0.0	0.00	0.00
On-Site Gas Station at 600 feet southwest	0.2	0.00	<0.01
Combined Sources Unmitigated	17.7	<0.30	<0.07
BAAQMD Threshold – Combined Sources	100	0.8	10.0

4.3.2.4 *Odor Impacts (Checklist Question e)*

Similar to the 2014 approved project, the proposed project would include restaurants, which could be sources of odors. Restaurants, especially fast-food restaurants, can produce noticeable odors through the preparation of food. Char broilers and deep fryers tend to produce odors that can be offensive to some people and generate complaints. Existing residents are located approximately 500 feet west or southwest from proposed restaurants. These residents will generally not be located downwind of the restaurants (the dominant wind flow in Morgan Hill is from the north-northwest). Although significant odors are unlikely, this impact is considered significant due to the potential for odor complaints.

Impact AQ-3: Odors generated by the proposed restaurants could result in odor complaints.

Mitigation Measure: The following mitigation measure shall be implemented to reduce potential odors to a less than significant level:

MM AQ-3.1: Include designs to reduce cooking odors or require the installation of odor abatement equipment if complaints occur. The City shall require designs of the restaurant to avoid odor complaints, and if necessary, require restaurants to install odor abatement equipment if confirmed odor complaints are received.

Implementation of MM AQ-3.1 would reduce potential odors to a less than significant level if complaints are confirmed by the City. **(Less Than Significant Impact with Mitigation [Same as Impact Approved Project])**

4.3.3 Existing Air Quality Conditions Affecting the Project

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless the City complies with BAAQMD Air Quality Guidelines that address existing conditions (e.g. air quality) affecting a proposed project, which are addressed below.

3 overestimates actual construction health risks, and even using those inflated numbers, cumulative health risks are not significant.

Table 4.3-4: Community Risk Impact to New Project Residences

Source	Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Butterfield Blvd (north-south) at 800 feet east, 15,440 ADT	0.34	0.03	<0.01
Cochrane Rd (east-west) at 500 feet south, 17,290 ADT	0.58	0.05	<0.01
Plant #17542 at 1,000 feet south	0.00	<0.01	0.00
Plant #2417 at 300 feet north	0.45	<0.01	<0.01
Plant #12093 at 350 feet north	0.18	<0.01	<0.01
Plant #18212 at 600 feet northeast	0.00	0.00	0.00
On-Site Gas Station at 700 feet east	0.07	0.00	0.00
Cumulative Total	1.62	0.11	<0.04
BAAQMD Single-Source Threshold	> 10.0	> 0.3	> 1.0
Significant?	No	No	No
BAAQMD Cumulative Source Threshold	> 100	> 0.8	> 10.0
Significant?	No	No	No

The proposed project includes sensitive receptors at an assisted living facility on the southeast corner of the site. As shown in Table 4.3-4, traffic on Butterfield Boulevard and Cochrane Road, nearby stationary sources (i.e. diesel generators), and emissions from the proposed gas station would not expose these sensitive receptors to significant air quality risks.

4.3.4 Conclusion

The proposed project, with the implementation of the above mitigation measures, would not result in any new or more significant air quality impacts than the approved project. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation)]**

4.4 BIOLOGICAL RESOURCES

The following discussion is based upon a biological constraints study prepared for the project site by *Live Oak Associates* in October 2012 and a tree survey completed by *Deborah Ellis, MS - Consulting Arborist and Horticulturalist* in May 2013. The reports summarizing the results of the biological constraints study and tree survey are included in Appendix B and Appendix C of this Initial Study, respectively.

4.4.1 Environmental Setting

4.4.1.1 *Existing Conditions*

The project site, historically disturbed by agricultural activities and currently disked to reduce fire hazards, provides grassland habitat that supports a mixture of ruderal (weedy) species, dominated by non-native annual grasses and forbs. The habitat provided by the site is common in the project area. A number of locally occurring wildlife species may occur on the project site. Due to the relatively small size of the site, the urban development adjacent to the site, and the disturbed nature of the site, the habitat provided by the site provides limited value for wildlife.

There are 33 trees present on the site, including a row of olive trees along Cochrane Road and a group of landscape trees planted in the east corner of the site. Valley oak and coast live oak saplings are also present along Cochrane Road. The trees on the project site may support a variety of nesting bird species, including raptors.

There were no aquatic features observed on the project site. The nearest waterway to the project site is the Madrone Channel (approximately 2,200 feet east across US 101).

4.4.1.2 *Applicable Plans, Policies, and Regulations*

Migratory Birds

The Federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The trustee agency that addresses issues related to the MBTA is the US Fish and Wildlife Service (USFWS). Species of birds protected under the MBTA include all native birds and certain game birds. The MBTA protects whole birds, parts of birds, bird eggs, and nests and prohibits the possession of all nests of protected bird species whether they are active or inactive. An active nest is defined as having eggs or young. Birds protected by the MBTA may be present in the grassland habitat and/or in the cottonwood tree located on the project site.

Birds of Prey

Birds of prey are protected in California under provisions of the State Fish and Game Wildlife Code, Section 3503.5, which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season that results in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment is considered a “taking” by the California Department of Fish and Wildlife.

Local Plans and Policies

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

The project site is located within the Santa Clara Valley Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) area. The HCP/NCCP was developed by the County of Santa Clara, the Cities of San Jose, Gilroy and Morgan Hill, the Santa Clara Valley Water District, and the Santa Clara Valley Transportation Authority (collectively the "local partners") under the guidance of the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW). The HCP/NCCP provides 'take' authorization [per the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA)] for 18 listed and non-listed species (i.e. covered species). The HCP/NCCP also includes conservation measures to protect all 18 species and a conservation strategy designed to mitigate impacts on covered species and to contribute to the recovery of these species in the study area.

City of Morgan Hill Tree Removal Controls

The City of Morgan Hill maintains the urban natural landscape partly by promoting the health, safety, and welfare of the City by controlling the removal of significant sized trees (Municipal Code 12.32.020 G and H). According to the City of Morgan Hill Tree Removal Controls, a significant tree is considered to be a tree with a single stem or trunk of a circumference of 40 inches (or diameter of 12.7 inches) or more for nonindigenous species and a circumference of 18 inches (or diameter of 5.7 inches) or more for indigenous species measured at four and one-half feet vertically above the ground. In addition, the Tree Removal Controls specify that all commercial tree farms, nonindigenous tree species in residential zones, and orchards (including individual fruit trees) are exempted from the definition of significant tree.

A tree survey was completed for the project site in connection with the entitlements for the approved 2014 project. There are a total of 33 trees on the project site including 17 olive, nine London plane, four ash, and two locust. The trees on the site have been neglected and, as a result, are not in good condition. All of the trees on the site are nonindigenous species with diameters measuring 11 inches or less and, therefore, are not protected under the City of Morgan Hill Tree Removal Controls.

4.4.2

Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☐	☐	☒	☐	1, 2, 9
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒	☐	1, 2, 9
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐	1, 2, 9
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐	1, 2, 9
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐	1, 2, 10
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐	1, 2, 11

4.4.2.1 *Impacts to Sensitive Habitat (Checklist Question b-d)*

The non-native grassland habitat provided by the project site is regionally abundant. There are no sensitive habitats, including areas of high biological diversity, areas providing important wildlife habitat, or unusual or regionally restricted habitat types on the site. The proposed development of the project site would not directly affect wetlands, riparian habitat or other sensitive natural community.

Because the project site is surrounded by development, the site provides minimal dispersal habitat for native wildlife and does not function as a wildlife movement corridor. For these reasons, loss of the 20.25 acres of non-native grassland habitat present on the site that would occur under either the proposed project or the approved 2014 project would not be significant. **(Less Than Significant Impact [Same as Approved Project])**

4.4.2.2 *Impacts to Special Status Species (Checklist Question a)*

Burrowing Owls

Although burrowing owls were not seen on or adjacent to the project site during field surveys, the project site contains open areas that could support burrowing owls. Therefore, there is the possibility for burrowing owls to be present on the project site at the time of project development. If owls occupy the site, construction on the site during the nesting season could disturb or destroy occupied nests, resulting in the loss of the reproductive effort; this would be a significant impact.

Impact BIO-1: Construction activities on the project site, whether associated with the approved 2014 project or the current proposed project, could result in the loss of burrowing owl eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest. **(Significant Impact)**

Mitigation Measures: The developer would participate in the Citywide Burrowing Owl Habitat Mitigation Plan, a mitigation program acceptable to the California Department of Fish and Wildlife. Under the Plan, the City has adopted a fee program that funds setting aside or managing preserve land to provide habitat for burrowing owls. Providing habitat for burrowing owls elsewhere offsets indirect and cumulative impacts from the loss of foraging and nesting habitat in the City.

In conformance with the City's Burrowing Owl Habitat Mitigation Plan, the project would be required to implement the following measures to avoid direct impacts to burrowing owls and to offset impacts to non-native grassland habitat on the site. Implementation of this measure would avoid or reduce significant impacts to burrowing owls and their habitat.

MM BIO-1.1: Complete pre-construction surveys to determine if burrowing owls are present within the footprint of the proposed grading area, no more than 30 days prior to initiation of any construction-related activities.

MM BIO-1.2: Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones with a 250-foot radius from occupied burrows, shall be established. All project-related activities shall occur outside of the exclusion area until the young have fledged.

MM BIO-1.3: If preconstruction surveys are completed during the non-breeding season and burrowing owls are observed on the site, the owls may be relocated upon approval of the California Department of Fish and Game once mitigation has been provided.

MM BIO-1.4: A final report on burrowing owls, including any protection measures, shall be submitted to the Director of Community Development prior to grading.

Conformance with the City's Burrowing Owl Habitat Mitigation Plan (or any adopted HCP/NCCP), including mitigation measures, MM BIO-1.1 through MM BIO-1.4, would ensure impacts to burrowing owls would be less than significant. **[(Less Than Significant Impact with Mitigation) Same Impact as Approved Project]**

Nesting Raptors and Migratory Birds

Nesting raptors and migratory birds are protected under State and Federal regulations. At the time of development, raptors and migratory birds could be nesting in the trees and vegetation on and adjacent to the project site. Construction during the nesting season could destroy nests or disturb occupied nests, resulting in the loss of the reproductive effort.

Impact BIO-2: Construction activities on the project site, whether associated with the approved 2014 project or the current proposed project, could result in the loss of raptor and/or migratory bird eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest. **(Significant Impact)**

Mitigation Measures: The following mitigation measures will reduce impacts from construction at the project site nesting raptors and migratory birds to a less than significant level:

MM BIO-2.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the raptor nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys will be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all trees within 250 feet of the site for nests.

MM BIO-2.2: If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that will remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the

survey and any designated buffer zones shall be submitted to the satisfaction of the Director of Community and Economic Development prior to the start of construction. **(Less Than Significant Impact with Mitigation [Same as Approved Project])**

American Badger

American badgers may be present on the project site at the time of project construction. Although badgers or signs of badgers were not seen on or adjacent to the project site during field surveys, the project site contains open areas, a food source (i.e., ground squirrels) and is contiguous to known badger habitat. Conversion of the ruderal field to urban development would not result in a substantial loss of habitat for the American badger, however, construction activities on the site, whether associated with the approved 2014 project or the current proposed project, could cause harm or injury to individuals, if they are present.

Impact BIO-3: American badgers could be injured or harmed, if occupied badger dens are present onsite at the time of construction. **(Significant Impact)**

Mitigation Measure: The following mitigation measure will reduce impacts from construction at the project site to American badgers to a less than significant level:

MM BIO-3.1: Pre-construction surveys shall be used to determine the presence or absence of badgers on the project site. If an active badger den is identified during pre-construction surveys, a construction-free buffer of up to 300 feet shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed. **(Less Than Significant Impact with Mitigation [Same as Approved Project])**

4.4.2.3 Impacts to City-Protected Trees (Checklist Question e)

The trees on the project site have been neglected and, as a result, are not in good condition. All of the trees on the site are nonindigenous species with diameters measuring 11 inches or less and, therefore, are not protected under the City of Morgan Hill Tree Removal Controls. With implementation of MM BIO-2.1 and MM BIO-2.2 (discussed above), tree removal would avoid impacts to birds during the nesting season. **(No Impact [Same as Approved Project])**

4.4.2.4 Consistency with Habitat Conservation Plan/Natural Community Conservation Plan (Checklist Question f)

The current proposed project, as well as the approved 2014 project, is a covered activity under the HCP/NCCP (Private Development Covered 2.6 acres, Urban Development Equal to or Greater Than Two Acres Covered 17.7 acres). The vast majority of the site is designated as *Grain, Row-crop, Hay*

and Pasture, Disked/Short-term Fallowed land cover (19.9 acres) and is mapped as *Fee Zone B* (Agricultural and Valley Floor Lands).⁶ The proposed project would be required to pay this fee to offset the loss of this land cover type. The remainder of the project site (0.4 acres) is designated as an *Urban Area* with no land cover fee. The project site is not located in any other fee zone or within or adjacent to any plant or wildlife survey area.

The HCP/NCCP also considers covered activities to result in a certain amount of indirect impacts from urban development mostly in the form of increased impervious surface and from the effects of nitrogen deposition. Urban development that increases the intensity of land use results in increased air pollutant emissions from passenger and commercial vehicles and other industrial and nonindustrial sources. Emissions from these sources are known to increase airborne nitrogen, of which a certain amount is converted into forms that can fall to earth as depositional nitrogen. It has been shown that increased nitrogen in serpentine soils can favor the growth of nonnative annual grasses over native serpentine species and these nonnative species, if left unmanaged, can overtake the native serpentine species, which are host plants for larval Bay Checkerspot butterfly. As such, covered projects within the HCP/NCCP area are subject to paying a “Nitrogen Deposition Impact Fee” which is calculated based on the number of daily vehicle trips attributed to the activity and collected prior to the commencement of the use. The current proposed project would generate approximately 2,000 more daily vehicle trips than the approved 2014 project, and therefore would pay a higher nitrogen deposition impact fee.

In addition, all covered activities in the HCP/NCCP are subject to certain conditions (as identified in Chapter 6 of the Plan) based on the project’s location and type of project. To ensure that the project complies with conditions of the HCP/NCCP, the conditions will be applied to each component as part of the entitlement approval conditions and/or other permits (i.e. grading permits, building permits, etc.).

The City of Morgan Hill has adopted the HCP/NCCP and approved an ordinance⁷ implementing the measures and conditions set forth in the HCP/NCCP, and will levy applicable impact fees and incorporate relevant conditions on covered activities into the proposed residential mixed-use project. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

4.4.3 Conclusion

The proposed project, with the implementation of the above mitigation measures, would not result in any new or more significant impacts to biological resources than the approved project. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation)]**

⁶ Santa Clara Valle Habitat Agency. “Geobrowser”. Accessed June 12, 2018. <http://www.hcpmaps.com/habitat/>.

⁷ Chapter 18.69 of the City of Morgan Hill Municipal Code

4.5 CULTURAL RESOURCES

The following discussion is based, in part, upon a cultural resources assessment prepared in 2006 by *Basin Research Associates Inc.* for the Cochrane Animal Hospital, which is located 100 feet north of the project site, across Cochrane Road. This report is on file at the City of Morgan Hill and may be reviewed by qualified personnel during regular business hours.

4.5.1 Environmental Setting

4.5.1.1 *Existing Conditions*

The project site is an undeveloped field covered by non-native grassland. The area surrounding the project site is developed with newer residential, commercial, and light industrial buildings. There are no historic structures located on or adjacent to the project site.

4.5.1.2 *Archaeological Resources*

Based on the Archaeological Sensitivity Map included in the City of Morgan Hill General Plan, the west corner of the project site extends into the archaeological sensitivity area associated with the former location of the 1876 J. Cairns residence, which was setback north of Cochrane Road. The Cultural Resources Assessment (CRA) completed for the Cochrane Animal Hospital site, which is located north of Cochrane Road between the project site and the former Cairns residence, evaluates the possibility of archaeological resources associated with the Cairns residence extending south towards the project site. The CRA notes that archaeological resources associated with the Cairns residence would likely be located north of Cochrane Road in privies and outbuildings at the rear of the residence, and that any historic fences along Cochrane Road would have deteriorated through time and later removed when Cochrane Road was widened.⁸ For these reasons, archaeological resources associated with the Cairns residence are not expected on the project site.

California Assembly Bill (AB) 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts as a result of a project. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. The City of Morgan Hill has not been contacted for consultation by a tribe.

4.5.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐	1, 12, 13

⁸ Basin Research Associates, Inc. *Cultural Resources Assessment: Adams-Natt Veterinary Hospital*. January 2006.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐	1, 12, 13
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	☐	1, 12, 13
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	☐	1, 12, 13
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	☐	☐	☒	☐	☐	1, 12, 13
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying this criteria, the significance of the resource to a California Native American tribe shall be considered.	☐	☐	☒	☐	☐	1, 12, 13

4.5.2.1 *Impacts to Archaeological and Paleontological Resources (Checklist Question b-e)*

Archaeological Resources

The Cultural Resource Assessment completed for the Cochrane Animal Hospital, which is located 100 feet north of the project site, suggests a low to moderate potential for the presence of intact subsurface prehistoric or historic era archaeological deposits on the project site. No prehistoric or historic archaeological sites are recorded on, adjacent, or within 0.25 miles of the project site and no prehistoric or historic archaeological resources were observed 100 feet north of the site during the archaeological field inventory completed for Cochrane Animal Hospital. Per AB 52, no tribes have requested consultation with the City pertaining to this project, and there are no known tribal resources present on the project site. However, in the unlikely event cultural materials are found during site grading or excavation, the following standard measures would be implemented, per the City of Morgan Hill's Standard Conditions of Approval.

Standard Measures: In accordance with the City of Morgan Hill Municipal Code Chapter 18.75, proposals for the development or redevelopment of a site identified as archaeologically sensitive by the City's adopted archaeological sensitivity map shall be subject to the following review process and standard conditions of project approval. Implementation of standard measures, SM CULT-1 and SM CULT-2, would ensure that development on the project site would not result in significant impacts to archaeological resources:

- SM CULT-1:** Since the site is located within the mapped archaeologically sensitive area as adopted by the City, then the project applicant has the option to either have an archaeological survey be completed for the site to determine what, if any, conditions of approval will be required as mitigation measures; or agree to comply with the following standard conditions of approval, which shall be conclusively deemed to reduce potentially significant impacts on archaeological resources to a less than significant level (no archaeological resources report is required as part of any CEQA review of the project as long as the applicant accepts these conditions and incorporates them into the project):
- An archaeologist shall be present on-site to monitor all ground-disturbing activities. Where historical or archaeological artifacts are found, work in areas where remains or artifacts are found will be restricted or stopped until proper protocols are met, as described below:
 - Work at the location of the find will halt immediately within thirty feet of the find. If an archaeologist is not present at the time of the discovery, the applicant shall contact an archaeologist for evaluation of the find to determine whether it qualifies as a unique archaeological resource as defined by this chapter;
 - If the find is determined not to be a Unique Archaeological Resource, construction can continue. The archaeologist will prepare a brief informal memo/letter that describes and assesses the significance of the resource, including a discussion of the methods used to determine significance for the find;
 - If the find appears significant and to qualify as a unique archaeological resource, the archaeologist will determine if the resource can be avoided

- and will detail avoidance procedures in a formal memo/letter; and
- If the resource cannot be avoided, the archaeologist shall develop within forty-eight hours an action plan to avoid or minimize impacts. The field crew shall not proceed until the action plan is approved by the community development director. The action plan shall be in conformance with California Public Resources Code 21083.2.

SM CULT-2: All development projects located within an archaeological sensitivity area and/or containing known archaeological resources on-site shall also be subject to the following measures as standard conditions of project approval:

- This project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply. If human remains are discovered, it is probable they are the remains of Native Americans.
 - If human remains are encountered they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
 - Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled.
 - Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
- In the event that known or suspected Native American remains are encountered or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the exclusion zone as defined below.
- An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the Monitoring Archaeologist (typically 25-50ft for single burial or archaeological find).
- The exclusion zone shall be secured (e.g., 24 hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.

- The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
 - The City of Morgan Hill Community Development Director
 - The Contractor's Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found)
 - The Native American Heritage Commission (NAHC) in Sacramento
 - The Amah Mutsun Tribal Band
- The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
- The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
- Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
- Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's community development director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out.
- If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Paleontological Resources

The proposed project would excavate to a maximum depth of approximately five feet to install necessary utility infrastructure. Given that the proposed project would not require excavation below five feet below ground surface, paleontological resources would not likely be discovered during construction. The project would, therefore, not result in a significant impact to paleontological resources. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.5.2.2 *Impacts to Historic Resources (Checklist Question a)*

The project site is currently undeveloped; no listed, determined, or pending California Register of Historical Resources are located on or adjacent to the project site; and no significant or potentially significant local, State, or Federal cultural resources/historic properties (e.g., landmarks, points of

interest, etc.) are located on or adjacent to the project site. For these reasons the proposed project would have no impact on historic resources. **[(No Impact) Same Impact as Approved Project]**

4.5.3 Conclusion

With the implementation of the City's standard conditions of approval to protect archaeological resources, the proposed project would have a less than significant impact on archaeological resources. The project would not have a significant impact on tribal, paleontological, or historic resources. **(Less Than Significant Impact [Same Impact as Approved Project])**

4.6 GEOLOGY AND SOILS

4.6.1 Environmental Setting

4.6.1.1 *Geology and Soils*

The project site is located in the Santa Clara Valley, an alluvial basin, bounded by the Santa Cruz Mountains to the west, the Hamilton/Diablo Range to the east, and the San Francisco Bay to the north. The Santa Clara Valley was formed when sediments derived from the Santa Cruz Mountains and the Hamilton/Diablo Range were exposed by the continued tectonic uplift and regression of the inland sea that had previously inundated this area. Bedrock in this area is made up of the Franciscan Complex, a diverse group of igneous, sedimentary, and metamorphic rocks of Upper Jurassic to Cretaceous age (70-140 million years old). Overlaying the bedrock at substantial depths are marine and terrestrial sedimentary rocks of Tertiary and Quaternary age.

Soils on the site and in the immediate project area consist of Arbuckle gravelly loam, Cortina loam, and San Ysidro loam.⁹ The shrink-swell potential of these soils ranges from low to high, respectively. The site is predominantly San Ysidro loam, which has a high shrink-swell potential. The shrinking and swelling is the result of the soil absorbing water in the winter and drying in the summer. The shrinking and swelling action can damage improperly designed and/or constructed building foundations and pavements.

The potential for erosion and landslides at the project site is low, due to the flat slope of the project site and surrounding area. The project site is not located within a landslide hazard zone.¹⁰

4.6.1.2 *Seismicity*

An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. The degree of shaking is dependent on the magnitude of the event, the distance to its zone of rupture and local geologic conditions. According to the City of Morgan Hill Geotechnical Hazards maps and the County's *Geologic Hazard Zones Map*, the project site is not located in a fault rupture hazard zone.

The nearest active fault lines to the site include the San Andreas Fault, Hayward Fault Southeast Extension, and Calaveras Fault, which are located approximately 12 miles southwest, 11 miles north, and three miles northeast of the project site, respectively. Other faults near the project site include the Coyote Creek Fault (approximately two miles northeast of the project site), and the Silver Creek Fault (approximately 2.5 miles northeast of the project site).

4.6.1.3 *Liquefaction*

Soil liquefaction is a phenomenon in which saturated, cohesion-less soils undergo a temporary loss of strength during earthquake ground shaking. The liquefaction potential of valley floor terrain is

⁹ United States Department of Agriculture, Natural Resources Conservation Service. *Custom Soil Resource Report for Eastern Santa Clara Area, California*. June 12, 2018.

¹⁰ County of Santa Clara. *County Geologic Hazard Zones Map 53*. October 26, 2012.

estimated based on groundwater elevations in alluvial deposits within 50 feet of the ground surface.¹¹
The project site is not located within a liquefaction hazard zone.¹²

4.6.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
1. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42.)?	☐	☐	☐	☒	☐	1, 2, 5
2. Strong seismic ground shaking?	☐	☐	☐	☒	☐	1, 2
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐	1, 2, 5
4. Landslides?	☐	☐	☐	☒	☐	1, 2, 5
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐	1, 2
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒	☐	1, 2, 5

¹¹ Pacific Geotechnical Engineering, *Geology, Geologic, and Geotechnical Hazards, City of Morgan Hill*, December, 1991.

¹² County of Santa Clara, *County Geologic Hazard Zones Map 53*, October 26, 2012.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☐	☐	☒	☐	1, 6, 7
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐	1

4.6.2.2 Soil Impacts (Checklist Question b, d, e)

Soil Conditions

Soils on the project site range from a low to high expansion potential. Expansive soil conditions could damage future development and improvements proposed under the project, which would represent a significant impact (unless substantial damage is avoided by incorporating appropriate engineering into the grading and foundation design of proposed buildings).

Standard Measures: In accordance with the City of Morgan Hill standards, the project, consistent with the conditions of approval of the 2014 approved project, shall implement the following measures to reduce and/or avoid soil hazards. Implementation of the standard measure, SM GEO-1, would ensure that impacts to the project from soil conditions and seismic hazards would be less than significant.

SM GEO-1: To avoid or minimize potential damage from seismic shaking, the proposed residential mixed-use development shall be built using standard engineering and seismic safety design techniques. Prior to issuance of development permits, building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of Morgan Hill Building Division prior to issuance of a building permit. The buildings will be required to meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project will be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

Capability of Soils

New development at the site would connect to the existing sewer sanitary system. No septic systems would be developed under the project; therefore, no impacts to soils related to septic systems would occur. **(No Impact [Same as Approved Project])**

Soil Erosion

Ground disturbance would be required during grading, trenching, and construction of the proposed project, similar to the ground disturbance involved with the 2014 approved project. Ground disturbance would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete.

The City developed standard conditions to avoid significant soil erosion impacts during construction. The following conditions would be included as part of the project:

Standard Condition (SC GEO-1), Storm Drain System: Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the Director of Public Works.

1. Storm drain calculations to determine detention pond sizing and operations.
2. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
3. Water Pollution Control Drawings for Sediment and Erosion Control.

Standard Condition (SC GEO-2), Storm Drain System: As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resource Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Public Works Department review. The SWPPP shall be made a part of the improvement plans. (SWRCB NPDES General Permit CA000002)

[Less Impact than Approved Project (Less Than Significant Impact)]

4.6.2.3 *Seismic Hazards (Checklist Question a, c)*

The likelihood that a fault rupture would occur at the site is low; however, the site is located in a seismically active region and strong ground shaking will likely occur during the life of the project. The site is located in an area of relatively stable ground not likely to be involved in landsliding, faulting or other lateral displacement type ground failures. Based on the *Santa Clara County*

Geologic Hazard Zones Map, the site is not are not located in a fault rupture, landslide, or liquefaction hazard zone. **(Less Than Significant Impact [Same as Approved Project])**

Since the soils on the site are not prone to liquefaction nor is the site near a creek or other open channel, the probability of lateral spreading occurring on-site is low. **(Less Than Significant Impact [Same as Approved Project])**

Impacts from seismic and seismic-related hazards can be minimized through the use of standard engineering and seismic safety design techniques per the City's Building Division and the California Building Code (see SM GEO-1). The proposed development would be designed to withstand soil hazards and to reduce the risk to life or property to the extent feasible and in compliance with the California Building Code. **(Less Than Significant Impact [Same as Approved Project])**

4.6.3 Conclusion

Conformance with the recommendations of a design-level geotechnical engineering report and with the California Building Code, and conformance with the City's standard conditions of approval would avoid geology and soil impacts at the project site. **(Less Than Significant Impact [Same as Approved Project])**

4.7 GREENHOUSE GAS EMISSIONS

The following discussion is based on an air quality and greenhouse gas emissions analysis completed for the proposed project by *Illingworth & Rodkin* on July 13, 2018. The report summarizing the results of the analysis is included as Appendix A of this Addendum.

4.7.1 Environmental Setting

4.7.1.1 *Background Information*

This section provides a general discussion of global climate change and focuses on emissions from human activities that alter the chemical composition of the atmosphere. As discussed in the Downtown Specific Plan MEIR, the discussion on global climate change and greenhouse gas (GHG) emissions is based in part upon the California Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32) and research, information and analysis completed by the International Panel on Climate Change (IPCC), the U.S. EPA, and the California Air Resources Board (CARB).

Global climate change refers to changes in weather including temperatures, precipitation, and wind patterns. Global temperatures are modulated by naturally occurring and anthropogenic (generated by mankind) atmospheric gases such as carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (NO_x).¹³ These gases allow sunlight into the earth's atmosphere but prevent heat from radiating back out into outer space and escaping from the earth's atmosphere, thus altering the earth's energy balance. This phenomenon is known as the greenhouse effect.

Naturally occurring GHGs include water vapor,¹⁴ CO₂, CH₄, NO_x, and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but are for the most part solely a product of industrial activities.

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of GHGs have a broader, global impact. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

Impacts to California from climate change include shifting precipitation patterns, increasing temperatures, increasing severity and duration of wildfires, earlier melting of snow pack and effects on habitats and biodiversity. Sea levels along the California coast have risen up to seven inches over the last century, and average annual temperatures have been increasing. These and other effects will likely intensify in the coming decades and significantly impact the State's public health, natural and manmade infrastructure, and ecosystems.

¹³ IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Bases. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor, and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: <<http://ipcc.ch/>>. Accessed March 25, 2013.

¹⁴ Concentrations of water are highly variable in the atmosphere over time, with water occurring as vapor, cloud droplets and ice crystals. Changes in its concentration are also considered to be a result of climate feedbacks rather than a direct result of industrialization or other human activities. For this reason, water vapor is not discussed further as a greenhouse gas.

Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. There is no comprehensive strategy that is being implemented on a global scale that addresses climate change; however, in California a multi-agency “Climate Action Team,” has identified a range of strategies and the Air Resources Board, under AB 32, has approved the *Climate Change Scoping Plan* (Scoping Plan), discussed below.

Assembly Bill 32 and Executive Order S-3-05

Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act, was passed in 2006 and established a goal to reduce GHG emissions to 1990 levels by 2020. Prior to the adoption of AB 32, the Governor of California also signed Executive Order S-3-05, which set a long-term objective to reduce GHG emissions to 90 percent below 1990 levels by 2050. The CalEPA is the state agency in charge of coordinating the GHG emissions reduction effort and establishing targets along the way.

In December 2008, the California Air Resources Control Board (CARB) approved the Climate Change Scoping Plan, which proposes a comprehensive set of actions designed to reduce California’s dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Climate Change Scoping Plan, must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 GHG reduction goal.

Senate Bill 32 and Assembly Bill 197

SB 32 and AB 197 were signed into law in September 2016. SB 32 legislation amends provisions of AB 32, the California Global Warming Solutions Act of 2006 (Health and Safety Code Division 25.5), to require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by December 31, 2030. This legislation incorporates the Executive Order B-30-15 target discussed above into state law. Changes to the California Health and Safety Code under the companion AB 197 legislation call for each scoping plan update to identify emissions reduction measures and include the range of projected GHG emissions reductions as well as the range of projected air pollution reductions that result from the emission reduction measures.

The mid-term target established under SB 32 is considered critical by the state to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue reducing GHG emissions. As a part of this effort, CARB is required to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent. The most recently plan update was approved by CARB in December of 2017. SB 32 applies to projects that are completed after 2020.

4.7.1.2 Regulatory Framework

Bay Area 2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. BAAQMD has permit authority over stationary sources, acts as the primary reviewing agency for environmental documents, and develops regulations that must be consistent with or more stringent than, federal and state air quality laws and regulations.

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two closely related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how the BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants; to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Bay Area Air Quality Management District: CEQA Guidelines

The thresholds of significance used to evaluate the proposed developments are determined by the Lead Agency, the City of Morgan Hill. Per CEQA Guidelines Section 15064.7, the City has elected to use the thresholds and methodology included in the May 2017 BAAQMD Air Quality Guidelines, as they are based on substantial evidence and remain the most up-to-date, scientifically-based method available to evaluate air quality impacts.

The BAAQMD's CEQA Air Quality Guidelines recommended a GHG threshold of 1,100 metric tons or 4.6 metric tons (MT) per capita. These thresholds were developed based on meeting the 2020 GHG targets set in the scoping plan that addressed AB 32. Development of the project would occur beyond 2020, so a threshold that addresses a future target is appropriate. Although BAAQMD has not published a quantified threshold for 2030 yet, this assessment uses a "Substantial Progress" efficiency metric of 2.6 MT CO₂e/year/service population. This is calculated for 2030 based on the GHG reduction goals of SB 32 and Executive Order B-30-15, taking into account the 1990 inventory and the projected 2030 statewide population and employment levels.¹⁵

4.7.1.3 Existing Conditions

The project site is currently undeveloped and contributes extremely low emissions of GHGs.

¹⁵ Association of Environmental Professionals, 2016. Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California. April.

4.7.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	☐	1, 8, 23
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒	☐	1, 8, 23

4.7.2.1 *Construction Greenhouse Gas Emissions (Checklist Question a, b)*

Construction phases include site grading, trenching, building construction, and paving. The project site is located in an urbanized location, within close distance of construction supplies and equipment, which would help minimize greenhouse gas emissions generated from the transport of construction materials and waste. There is no reliable method to estimate construction-related emissions associated with the manufacturing of project materials.

Neither the City of Morgan Hill nor the BAAQMD have quantified thresholds for construction activities, however, the project site is in an urban setting close to construction supplies and equipment, and construction of the project would not contribute substantially to local or regional greenhouse gas emissions. **(Less than Significant Impact [Same as Approved Project])**

4.7.2.2 *Operational Greenhouse Gas Emissions (Checklist Question a, b)*

GHG (e.g., carbon dioxide, methane, and nitrogen dioxide) from operations of the project would include electricity and natural gas used by residents of the site, and fuel burned for transportation to and from the site. Indirect emissions will include utility usage by building residents and employees for water conveyance, wastewater treatment, and solid waste disposal. As shown in Table 4.7-1, the proposed project would exceed the BAAQMD GHG emissions threshold in the year 2021, similar to the 2014 approved project which was forecast to result in emissions of 11.2 MT/service population/year, and in the year 2030.

Table 4.7-1: Annual Project GHG Emissions in Metric Tons

Source Category	Proposed Project in 2021	Proposed Project in 2030
Area	4	4
Energy Consumption	901	901
Mobile	3,890	3,071
Solid Waste Generation	405	404
Water	31	31
Total (MT/year)	5,231	4,411
Service Population Emissions (MT/Capita/year)	12.7	10.7
Significance Threshold	1,100 MT/year or 4.6 in 2020 2.6 in 2030	

Impact GHG-1: The proposed project, similar to the 2014 approved project, would exceed BAAQMD GHG emissions thresholds for 2020 and 2030. **(Significant Impact)**

Mitigation Measure: The following mitigation measure shall be implemented to reduce GHG emissions to a less than significant level.

MM GHG-1.1: The proposed project shall implement a GHG reduction plan for each parcel that includes the proper strategies to reduce GHG emissions consistent with 2020 or 2030 thresholds based on the date of operation of a given parcel, i.e. parcels that will be in operation prior to 2021 must meet the 2020 threshold and those after 2020 must meet the 2030 threshold. Strategies of this plan may include, but would not be limited to, the following:

- Installation of solar power systems or other renewable electric generating systems that provide electricity to power on-site equipment and possibly provide excess electric power;
- Develop and implement a transportation demand management program to reduce mobile GHG emissions;
- Construct onsite or fund off-site carbon sequestration projects (such as a forestry or wetlands projects for which inventory and reporting protocols have been adopted). If the project develops an off-site project, it must be registered with the Climate Action Reserve or otherwise approved by the BAAQMD in order to be used to offset Project emissions;
- Purchase of carbon credits to offset Project annual emissions. Carbon offset credits must be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by the California Air Resources Board or BAAQMD. The preference for offset carbon credit

purchases include those that can be achieved as follows: 1) within the City; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Provisions of evidence of payments, and funding of an escrow-type account or endowment fund would be overseen by City of Morgan Hill. **(Less than Significant Impact with Mitigation [Same as Approved Project])**

4.7.3 Conclusion

With implementation of MM GHG-1.1, the proposed project would reduce its GHG emissions to below the BAAQMD 2020 or 2030 threshold, as applicable, and not result in a significant impact. **(Less Than Significant Impact with Mitigation [Same as Approved Project])**

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based upon a Phase I Environmental Site Assessment prepared for the project site by *Geologica Inc.* in November 2007, an agrichemical assessment prepared for the project site by *ENGEO Inc.* in March 2013, and a Vicinity Hazardous Materials Users Survey completed for the proposed project by *Belinda Blackie, P.E., R.E.A.* in June 2013. These hazardous material reports are included as Appendix D, Appendix E, and Appendix F respectively.

4.8.1 Environmental Setting

The approximately 20.25-acre project site consists of an undeveloped field. The area surrounding the project site is developed with a mix of residential, commercial, and industrial uses. Review of historic topographic maps and aerial photographs indicated no evidence of historic buildings or structures on the site or in the immediate area, and that the site was historically used for agricultural production. The project site is not subject to wildland fires. The project site is not located within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, and there are no private airstrips located near the project site.

4.8.1.1 *Onsite Hazardous Material Conditions*

Visual inspection of the site during preparation of the Phase I Environmental Site Assessment indicated no evidence of hazardous waste storage, disposal, or dumping. The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List).

The project site was historically used for agricultural production up until at least 1965.¹⁶ For this reason, soil samples from the project site were analyzed to determine if past agricultural activities on the site contaminated the soil with organochlorine pesticides and/or arsenic. No organochlorine pesticides were detected at or above the test method detection limits. All levels of detected arsenic were below naturally occurring background levels. The results of the soil sample analysis indicate that past agricultural uses have not significantly impacted the site.¹⁷

4.8.1.2 *Offsite Sources of Contamination*

Groundwater beneath the site likely flows northwest towards San Francisco Bay or southwest towards local creeks and Monterey Bay. Federal, State, and/or local databases were searched to determine if groundwater contamination (e.g. a leaking underground storage tank) in the project area could affect the groundwater beneath the project site. Although there are some listed sites in the project vicinity, based on the regulatory agency status (e.g., closed) and/or location of these facilities relative to the subject site (e.g., downgradient), the potential for these sites to have impacted the subject property was considered low at the time the Phase I Environmental Site Assessment was completed for the project site.¹⁸

¹⁶ *Geologica, Phase I Environmental Site Assessment*, November 5, 2007.

¹⁷ *ENGEO, Inc., Cochrane Road Property, Cochrane Road and Butterfield Boulevard, Morgan Hill, California, Agrichemical Assessment*, March 14, 2013.

¹⁸ *Geologica, Phase I Environmental Site Assessment*, November 5, 2007.

4.8.2

Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐	1, 2, 16, 17
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	☐	1, 2, 16, 17
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐	1, 2
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐	1, 2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1, 2
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1, 2
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐	1, 2

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	☐	1, 2

4.8.2.1 *Impacts from Construction and Operations at the Site (Checklist Questions a, c)*

The proposed mixed-use development would routinely use limited amounts of cleaning materials and would not generate substantial hazardous emissions or accidental chemical releases from hazardous materials use, storage, or transport. The use and storage of hazardous materials in the City of Morgan Hill is regulated by Santa Clara County Department of Environmental Health Hazardous Materials Compliance Division (SCCDEH). The construction and operation of the proposed project would conform to the requirements of the SCCDEH. Service stations routinely transport and use hazardous materials. Compliance with applicable Federal, State, and local handling, storage, and disposal requirements would ensure that no significant hazards to the public or the environment are created by these routine activities. These requirements include equipping fuel dispensers with automatic shutoffs and other safety devices in accordance with Fire, Building, and Health codes, and including spill containment and overfill prevention systems on underground storage tanks in accordance with CCR Title 23, section 2635. For these reasons, the storage and handling of hazardous materials on the site, under the proposed project, would not result in a significant impact.

The nearest schools to the site, El Toro Elementary and Stratford School, are approximately 1.0 miles and 0.8 miles, respectively, from the site. Due to the distance of the site from nearby schools, the project impacts of hazardous construction emissions and hazardous wastes on nearby schools would be less than significant. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.8.2.2 *Impacts of Soil Contamination and Hazardous Building Materials (Checklist Question b, d)*

Based on the findings in the Phase I ESA and the Agrichemical Assessment, hazardous chemicals were used on the project site's former agricultural production. No organochlorine pesticides were detected at or above the test method detection limits. All levels of detected arsenic were below naturally occurring background levels. The results of the soil sample analysis indicate that past agricultural uses have not significantly impacted the site.¹⁹

Groundwater is approximately 42 feet below ground surface. Since subsurface soil samples are either consistent with background concentration levels or below regulatory screening levels and the

¹⁹ ENGEO, Inc. *Cochrane Road Property, Cochrane Road and Butterfield Boulevard, Morgan Hill, California, Agrichemical Assessment*. March 14, 2013.

risk of exposure to the groundwater is low, groundwater is not considered an environmental concern on the project site. **[Same Impact as Approved Project (Less Than Significant Impact)]**

Hazardous Building Materials

Review of historic topographic maps and aerial photographs indicated no evidence of historic buildings or structures on the site or in the immediate area, and that the site was historically used for agricultural production. For these reasons the project site does not contain hazardous building materials. **[Same Impact as Approved Project (No Impact)]**

4.8.2.3 Other Hazards

Airport Safety Hazard (Checklist Question e)

The project site is not located within the South County Airport Influence Areas or Federal Aviation Administration Height Restriction Area; therefore, the project would not result in an airport safety hazard. Since the site is not within the airport influence area (AIA) of an airport, the site is not subject to Santa Clara County Airport Land Use Commission (ALUC) evaluation. **(No Impact [Same as Approved Project])**

Private Airstrip (Checklist Question f)

The project site is not within the vicinity of a private airstrip; therefore, the proposed development would not result in a safety hazard in relation to a private airstrip. **(No Impact [Same as Approved Project])**

Emergency Response (Checklist Question g)

The proposed mixed-use development project would not interfere with the City-adopted Local Hazard Mitigation Plan or any adopted statewide emergency response or evacuation plans. **(No Impact [Same as Approved Project])**

Wildfires (Checklist Question h)

The project is in a highly developed urban area and it is not adjacent to any wildland areas that would be susceptible to fire. The project site is within the City limits and is not within a State of California Very High Fire Hazard Severity Zone or the City's wildland and urban interface.²⁰ **(No Impact [Same as Approved Project])**

4.8.2.4 Off-Site Contamination Impacts on the Project

The project site is surrounded by a mix of industrial, commercial and residential land uses. A vicinity hazardous material user survey was completed for the project area. The purpose of the survey was to identify California Accidental Release Program (CalARP) facilities in the project area and to also identify facilities that may be storing CalARP - regulated chemicals at quantities exceeding the respective CalARP threshold. The purpose of the CalARP program is to prevent

²⁰ CAL FIRE. *Very High Fire Hazard Severity Zones in LRA*. Map. October 2008.

accidental releases of substances that can cause serious harm to the public and the environment and to minimize the damage in the event of a release.

The survey included the following:

- a visual survey of the project area to identify businesses located within a one-half mile radius of the project sites that appear to use, handle, and/or store significant quantities of toxic or hazardous materials and/or waste.
- reviewing available Santa Clara County Fire Department (SCCFD) hazardous materials/waste inventories for the facilities identified during the visual survey.
- reviewing a list of California Accidental Release Program (CalARP) facilities for the project area.
- reviewing a regulatory agency database report to identify government agency-recorded facilities using or emitting hazardous materials in the project area.

Based on the results of the survey, there are no CalARP facilities within one mile of the project site and there are no facilities in the project area using or storing CalARP - regulated chemicals at quantities exceeding the respective CalARP threshold. Therefore, the use and storage of chemicals in the project area is not expected to affect the proposed project in the event of an accidental release. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.8.3 Conclusion

The proposed project would store hazardous materials in accordance with local, state, and federal regulations. There are no hazardous material concerns on the project site or in the project area that would affect the proposed project. For these reasons, the proposed project would not result in a significant hazards and hazardous materials impact. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Setting

4.9.1.1 *Drainage and Flooding*

The project site is located in the Butterfield Channel storm water drainage basin. Butterfield Channel, previously named Sutter Channel, is an improved channel that drains the area west of US 101 and east of Railroad Avenue to East Little Llagas Creek. Because the entire project is an undeveloped field, the site generates little storm water runoff.

The project site is not located within a 100-year flood hazard area. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), the project site is located within Zone X. Zone X is an area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods.²¹

4.9.1.2 *Water Quality*

The water quality of ponds, creeks, streams, and other surface water-bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as “non-point” source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Grading and excavation activities during construction of the proposed billboard could increase the amount of surface water runoff (i.e., particles of fill or excavated soil) from the site, or could erode soil downgradient, if the flows are not controlled. Deposition of eroded material in water features could increase turbidity, thereby endangering aquatic life, and reducing wildlife habitat. Excessive precipitation can carry these non-point pollutants downstream.

Regulatory Overview (Water Quality)

The Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by water quality control boards, which for the Morgan Hill area south of Cochrane Road²² is the Central Coast Regional Water Quality Control Board (RWQCB).²³ The Central Coast RWQCB issues and enforces NPDES permits for discharges to water bodies in the portion of Santa Clara County that drains to the Monterey Bay. The RWQCB is also tasked with preparation and

²¹ Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel #06085C0443H, May 18, 2009.

²² Santa Clara Valley Water District. *Uvas-Llagas Watershed Map*.

<<http://www.valleywatercompplan.org/watersheds/view/449> > Accessed July 28, 2011.

²³ Historically, efforts to prevent water pollution focused on “point” sources, meaning the source of the discharge was from a single location (e.g., a sewage treatment plant, power plant, factory, etc.). More recent efforts are focusing on pollution caused by “non-point” sources, meaning the discharge comes from multiple locations. The best example of this latter category is urban stormwater runoff, the source of which is a myriad of impervious surfaces (e.g., highways, rooftops, parking lots, etc.) that are found in a typical city or town.

revision of a regional Water Quality Control Plan, also known as the Basin Plan. The Central Coast RWQCB's latest Basin Plan was approved in September 2017. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to control water quality and protect beneficial uses.

Under Section 303(d) of the 1972 Clean Water Act, States are required to identify impaired surface water bodies and develop total maximum daily loads (TMDLs) for contaminants of concern.²⁴ The TMDL is the quantity of pollutant that can be safely assimilated by a water body without violating water quality standards. Listing of a water body as impaired does not necessarily suggest that the water body cannot support the beneficial uses; rather, the intent is to identify the water body as requiring future development of a TMDL to maintain water quality and reduce the potential for future water quality degradation. The Llagas Creek watershed is listed by the U.S. Environmental Protection Agency as an impaired water body for chloride, fecal coliform, low dissolved oxygen, pH, sodium, and total dissolved solids.

NPDES General Permit for Construction Activity

The State Water Resources Control Board has implemented a NPDES General Construction Permit for the State of California. Construction activity subject to this permit includes clearing, grading, and ground disturbances such as stockpiling or excavation. For projects disturbing one acre or more of soil,²⁵ a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.²⁶

NPDES Municipal Stormwater Permit

The U.S. Environmental Protection Agency has delegated management of NPDES requirements for municipal urban runoff discharges in California to the State Water Resources Control Board and the nine RWQCB's. The City of Morgan Hill has adopted and prepared a Storm Water Management Plan (SWMP) and been issued the NPDES Small Municipal Separate Storm Sewer Systems (small MS4s) General Permit by the Central Coast RWQCB [Order Number 2003-0005-DWQ, Waste Discharge Identification Number (WDID#) 3-43MS03020]. The City of Morgan Hill is designated by the EPA as a small MS4, serving less than 100,000 people. Morgan Hill's previous Small MS4 permit expired in June 2010, and the new regional permit serves as a renewal of the Small MS4 permit for Morgan Hill. The City's SWMP plan outlines a comprehensive five year plan to establish Best Management Practices (BMPs) through six Minimum Control Measures (MCMs) to help reduce the discharge of pollutants into waterways and to protect local water quality caused by stormwater and urban runoff within the corporate limits of Morgan Hill.

²⁴ California State Water Resources Control Board, "[Total Maximum Daily Load Program](http://www.waterboards.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml)," http://www.waterboards.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml, viewed December 20, 2016.

²⁵ Effective July 1, 2010, all dischargers were required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ adopted on September 2, 2009. Source: State Water Resources Control Board website, updated February 2013. Available at: http://www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml. Accessed December 21, 2016.

²⁶ State Water Resources Control Board, Division of Water Quality. *Construction General Permit Fact Sheet*. Last Updated January 2013. Available at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml. Accessed December 21, 2016.

4.9.1.3 Groundwater

The depth to groundwater at the project site is approximately 42 feet below ground surface (bgs).²⁷ The site does not contain aquifer recharge facilities, such as streams or ponds.

4.9.1.4 Dam Failure

The Association of Bay Area Governments has compiled dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area. The maps for the City of Morgan Hill show the project site to be in the dam failure inundation hazard zone for Anderson Reservoir.²⁸ The dams in Santa Clara County are managed by the Santa Clara Valley Water District. Anderson Dam is currently limited to about half its capacity due to seismic concerns, in order to protect against potential dam failure. The dam is currently being retrofitted to solve the seismic issue.²⁹

4.9.1.5 Seiches, Tsunamis, and Mudflows

A seiche is an oscillation of the surface of a lake or landlocked sea varying in period from a few minutes to several hours. There are no landlocked bodies of water near the project site that in the event of a seiche will affect the site.

A tsunami is a series of water waves caused by the displacement of a large volume of a body of water, such as an ocean or a large lake. Due to the immense volumes of water and energy involved, tsunamis can devastate coastal regions. The project site does not lie within a tsunami inundation hazard area.³⁰

A mudflow is the rapid movement of a large mass of mud formed from loose soil and water. The project site is relatively flat and is not susceptible to mudflows.

4.9.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	☐	1, 2

²⁷ Geologica Inc., *Phase I Environmental Site Assessment. Vacant Properties, Assessor's Parcel Numbers 726-25-035 and 726-32-021, Morgan Hill, California*, November 5, 2007.

²⁸ Association of Bay Area Governments, *Bay Area Dam Failure Inundation Hazards*, October 5, 2009, <http://www.abag.ca.gov/bayarea/eqmaps/damfailure/>.

²⁹ Santa Clara Valley Water District. "Anderson Dam Seismic Retrofit". 2018.

<https://www.valleywater.org/project-updates/dam-reservoir-projects/anderson-dam-seismic-retrofit>.

³⁰ California Emergency Management Agency, *Tsunami Inundation Map for Emergency Planning San Francisco Bay Area*, December 9, 2009, http://www.consrv.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Documents/Tsunami_Inundation_SanFranciscoBayArea300.pdf.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	☐	1, 2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒	☐	1, 2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☐	☒	☐	1, 2
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	☐	1, 2
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒	☐	1, 2
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	☐	14
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	☐	14

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	☐	1, 15
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐	1, 2

4.9.2.1 *Impacts to Drainage (Checklist Questions c-e)*

The project site is approximately 20.25 acres of undeveloped land and 100 percent pervious.

The proposed mixed-use development would fully develop the project site and at completion of project construction, the project site would be approximately 23 percent pervious, leaving the site nearly covered in impervious surfaces.

Per the implementation of the SWPPP and other drainage standards implemented by the City, the project should not significantly increase stormwater flows into the existing system. The project would be required to minimally retain all water from the 85th percentile of rainfall events (approximately two to five year storm events) on site; therefore, during 85 percent of the rainfall events, the existing storm drain system would not be impacted by the project. Furthermore, any on-site systems (retention basins) would be required to be designed to detain a volume of water up to a 25-year storm event while releasing water at a rate reflective of the 10-year predevelopment flow. This design limits stormwater flows off-site to less than 10-year predevelopment flows. The existing public storm water system is already designed to convey a 10-year storm event; therefore, the project should not significantly contribute to any additional flooding during the most frequent events. The final drainage system design for the project would be subject to review and approval by the City of Morgan Hill Public Works Department, who would confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.9.2.2 *Impacts to Water Quality (Checklist Question a, f)*

Construction

There is the potential for water quality impacts to occur during project construction (e.g., demolition, grading, and excavation activities). In addition to generating dust, litter, oil, and other pollutants that could contaminate runoff from the site, construction activities would increase the potential for erosion and sedimentation by disturbing and exposing underlying soil to the erosive forces of water and wind. The proposed project would disturb more than one acre of soil and would be required to follow the requirements of the Statewide CGP.

Impact HYD-1: Construction activities could temporarily increase pollutant loads in storm water runoff, degrading water quality downstream of the project site.

Mitigation Measures: In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level:

MM HYD-1.1: The following BMPs would be implemented during project construction:

- Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities will be suspended during periods of high winds.
- All exposed or disturbed soil surfaces will be watered at least twice daily to control dust.
- Stockpiles of soil or other materials that can be blown by the wind will be watered or covered.
- All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).
- Vegetation in disturbed areas will be replanted as quickly as possible.

MM HYD-1.2: Consistent with the requirements of the NPDES General Permit for Construction Activities, a Notice of Intent (NOI) would be submitted to the RWQCB and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to control discharge associated with construction activities, prior to commencement of grading and construction activities. Once grading begins the SWPPP must be kept on-site and updated as needed while construction progresses. **(Less Than Significant Impact with Mitigation [Same as Approved Project])**

Post – Construction

Stormwater runoff from urban uses such as the proposed project contains metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste. The project would conform to the City's Storm Water Management Plan (SWMP) to reduce the discharge of pollutants into waterways and to protect local water quality that could be degraded by storm water and urban run-off within the corporate limits of Morgan Hill.

In order to meet SWMP requirements onsite, the project proposes to direct all runoff to the onsite landscape areas, which would be designed to function as bioretention areas. An onsite network of perforated storm drain pipes would collect the runoff filtered through the landscape/bioretention areas, maximizing the amount of runoff retained onsite prior to discharging to the public storm drain system. Conformance with the SWMP, as proposed by the project, would reduce the potential for the project to result in post-construction water quality impacts. **(Less Than Significant Impact [Same as Approved Project])**

4.9.2.3 *Impacts to Groundwater (Checklist Question b)*

As discussed above, the depth to groundwater at the project site is approximately 42 feet below ground surface (bgs). The groundwater is deep enough such that the project, which entails only shallow ground disturbance for building foundations and utility trenching, would not interfere with groundwater flow or expose any aquifers. The project site is not an aquifer recharge facility (i.e., streams or ponds); therefore, development of the project site would not substantially interfere with aquifer recharge. **(Less Than Significant Impact [Same as Approved Project])**

4.9.2.4 *Impacts to the Project from Flooding (Checklist Question g-i)*

The project is not located within a 100-year flood hazard zone and, therefore, would have no impact on 100-year flows or expose people to flood hazards associated with the 100-year flood. **(No Impact [Same as Approved Project])**

Dam Failure

The City of Morgan Hill is located in the dam failure inundation area of Anderson Dam. While the project site is subject to deep inundation should the Anderson Dam fail catastrophically, the dam is inspected twice a year by the SCVWD in the presence of representatives from the California Division of Safety of Dams and the Federal Energy Regulatory Commission. Furthermore, the Anderson Reservoir is managed to present significant damage during a maximum credible earthquake. While the potential inundation resulting from catastrophic dam failure could damage property and proposed structures within Morgan Hill as a whole and pose a severe hazard to public safety, the probability of such failure is extremely remote and reservoir levels have been lowered to maintain an additional level of safety; therefore dam inundation failure is not considered a significant hazard.³¹ **(Less Than Significant Impact [Same as Approved Project])**

Seiches, Tsunamis, and Mudflows

The project site would not be at risk from damage due to sea waves or tsunamis. The project site would not be subject to inundation by seiche, tsunami, or mudflow. The site is not in an area that could be exposed to inundation from sea level rise. **(No Impact [Same as Approved Project])**

4.9.3 **Conclusion**

With the implementation of standard measures and the City's policies and standards, the proposed mixed-use development would have a less than significant impact on hydrology and water quality. **(Less Than Significant Impact [Same as Approved Project])**

³¹ Santa Clara Valley Water District. "Anderson Dam Seismic Retrofit". 2018.
<https://www.valleywater.org/project-updates/dam-reservoir-projects/anderson-dam-seismic-retrofit>.

4.10 LAND USE AND PLANNING

4.10.1 Environmental Setting

The 20.25-acre project site is located in the southeast quadrant of the intersection of Cochrane Road and Butterfield Boulevard in the City of Morgan Hill. The site is undeveloped. The site's existing General Plan land use designation and zoning are *Commercial* and *Planned Unit Development District*, respectively. The project area includes a mix of uses. Residences are located west of the project site, across Butterfield Boulevard. Industrial uses are located north and south of the project site, across Cochrane Road and Jarvis Drive, respectively. Commercial uses are located east of the project site. An aerial photograph of the project site and the surrounding land uses is shown in Figure 2.8-3.

4.10.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Physically divide an established community?	☐	☐	☐	☒	☐	1, 2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐	1, 2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	☐	1, 2, 11

4.10.2.1 *Land Use Impacts from the Project*

Impacts on Established Communities (Checklist Question a)

The site is in an urban setting predominantly characterized by commercial, office, residential and parking uses. The area is currently developed with a mix of land uses and development of the proposed mixed use development would not physically divide an established community. **(No Impact [Same as Approved Project])**

Land Use Conflict Impacts (Checklist Question b)

Consistency with Applicable Land Use Plan

Land use conflicts can arise from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere; or 2) conditions on or near the project site may have impacts on persons or development introduced onto the site by the project. Both of these circumstances are aspects of land use compatibility. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land use compatibility conflicts can range from minor irritations and nuisance to potentially significant effects on human health and safety.

The proposed development of mixed uses on the project site would be compatible with the surrounding commercial and industrial uses. Land use conflicts between the proposed commercial uses and existing residential uses in the project area are not expected, because there is sufficient separation distance (i.e., Butterfield Boulevard, a four-lane arterial with a landscaped median) between the uses.

The proposed project is consistent with the *Commercial* General Plan land use designation. Therefore, the project site would retain its current General Plan land use designation. The site is currently zoned *PUD, Planned Unit Development*. The project includes an application to amend the *PUD* to accommodate the proposed mixed-use development. **(No Impact [Same as Approved Project])**

Shade and Shadow Impacts

Shadow sensitive land uses, such as parks, community facilities, and historic resources within the project area were identified based upon a visual reconnaissance and review of aerial photographs. There are no shadow sensitive land uses immediately adjacent to the project site. The nearest shadow sensitive land use is Murphy Springs Park, approximately 0.75 mile southwest of the site, on Murphy Springs Court. The proposed project is not adjacent to any shadow sensitive land uses and would undergo design review by the City. For these reasons, the project would not result in significant shade and shadow impacts. **(No Impact [Same as Approved Project])**

Consistency with the Santa Clara Valley Habitat Plan

Project consistency with the Santa Clara Valley Habitat Plan (VHP) is discussed in Section 4.4, Biological Resources. The proposed project is a covered activity under the Santa Clara Valley Habitat Plan and would be required to pay the appropriate development fees and adhere to applicable conditions. The proposed project would not conflict with the VHP. **(No Impact [Same as Approved Project])**

4.10.3 Conclusion

The proposed project would not physically divide an established community and would not conflict with the VHP. The proposed commercial use of the project site is compatible with surrounding land uses. **(No Impact [Same as Approved Project])**

4.11 MINERAL RESOURCES

4.11.1 Environmental Setting

The project site is located in an urban area within the City of Morgan Hill. Mineral resource recovery activities do not occur on or near the project site, nor does the site contain any known mineral resources.

4.11.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	☐	1, 2
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☐	1, 2

4.11.2.1 *Mineral Resources Impacts (Checklist Questions a, b)*

The project site is undeveloped and does not contain any known state or locally important mineral resources. Therefore, the proposed project would not impact mineral resources. **[Same Impact as Approved Project (No Impact)]**

4.11.3 Conclusion

Implementation of the proposed project would result in no impact to mineral resources. **[Same Impact as Approved Project (No Impact)]**

4.12 NOISE AND VIBRATION

The following discussion is based upon an environmental noise assessment prepared for the proposed project by *Illingworth & Rodkin* in July 2018. The environmental noise assessment is included as Appendix G of this Addendum.

4.12.1 Environmental Setting

4.12.1.1 *Noise Background*

Noise

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of the vibrations by which sound is produced. Higher pitched signals sound louder to people than sounds with a lower pitch. A decibel (dB) is a unit of measurement which indicates the relative amplitude of a sound. A 10 on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, is a sound measurement scale that gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level, L_{dn} , is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

Vibration

The abbreviation “VdB” is used for vibration decibels to reduce confusion with sound decibels. Construction activities can cause vibration that varies in intensity depending on several factors. Pile driving and vibratory compaction equipment typically generate the highest construction-related groundborne vibration levels. The two primary concerns with construction-induced vibration are the potential to damage a structure, and the potential to annoy or disturb people and interfere with enjoyment of life.

4.12.1.2 *Existing Noise Environment*

A noise monitoring survey consisting of two short-term and two long-term noise measurements was completed at the project site beginning on Monday, April 30, 2018 and concluding on Thursday, May 3, 2018 to document existing ambient noise levels. The results of the noise monitoring survey indicate that the predominant noise sources affecting the site are vehicular traffic along surrounding roadways. The results of the monitoring are shown in Table 4.12-1 below. An aerial photograph showing the locations from which noise measurements were taken is provided in Figure 4.12-1.³²

³² Illingworth & Rodkin, Inc. *Butterfield & Cochrane Development, Environmental Noise and Vibration Assessment*. July 5, 2018.

Table 4.12-1: Summary of Short-term and Long-term Noise Measurements (dBA)		
ID	Noise Measurement Location	L_{eq}
ST-1	Eastern property line of the site	53
ST-2	South side of the site along Jarvis Drive	51
LT-1	Front of 18443 Butterfield Boulevard	63-74 (day) 53-68 (night)
LT-2	Front of 355 Woodview Avenue on Cochrane Road	70-74 (day) 59-70 (night)
Source: Illingworth & Rodkin, Inc. <i>Butterfield & Cochrane Development, Environmental Noise and Vibration Assessment</i> . July 5, 2018. LT = Long-term ST = Short-term		

Figure 4.12-1: Noise Measurement Locations

4.12.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project result in:						
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒	☐	1, 2, 18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐	1, 2, 18
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	☐	1, 2, 18
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	☐	1, 2, 18
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1, 2
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1, 2

4.12.2.1 Noise and Vibration Impacts from the Project

Traffic Noise (Checklist Question a, c)

Per the City of Morgan Hill General Plan, noise from project-generated traffic would result in a significant impact if: a) the noise level increase is five dBA L_{dn} or greater, with a future noise level of less than 60 dBA L_{dn} , or b) the noise level increase is three dBA L_{dn} or greater, with a future noise level of 60 dBA L_{dn} or greater. The noise environment at the nearest sensitive receptors exceeds 60

dBA L_{dn} , therefore, a noise impact would be identified where the project would result in a permanent noise level increase of 3 dBA L_{dn} or more.

Traffic generated by the project would use Butterfield Boulevard, Cochrane Road, Sutter Boulevard, and Jarvis Drive to access the project site. Traffic noise levels due to the proposed project are calculated to increase existing traffic noise levels by 0 to 1 dBA L_{dn} along Butterfield Boulevard, Cochrane Road, and Sutter Boulevard. Traffic noise levels at receptors along Jarvis Road, between Butterfield Boulevard and Sutter Boulevard, are calculated to increase by 2 dBA L_{eq} during the AM and PM peak hour due to a combination of traffic noise increases on Jarvis Road and those on the surrounding roadways. There are no noise sensitive land uses (i.e., residences) located along this segment of Jarvis Road. Traffic noise increases resulting from the proposed project would not increase ambient noise levels by 3 dBA L_{dn} or more at existing noise sensitive uses. **(Less than Significant Impact [Same as Approved Project])**

Operational Noise (Checklist Question a, c)

The proposed project would generate noise associated with mechanical equipment (i.e. heating, ventilation, air conditioning systems, auto shop equipment), parking and circulation, loading docks, and a carwash. Based on the distance to the nearest sensitive receptor, residences located approximately 150 feet west of the site across Butterfield Boulevard, and the existing ambient noise level of 63 to 73 dBA L_{eq} , noise generated by parking and circulation (50 to 60 dBA L_{max}), loading docks (50 to 55 dBA L_{max}), and the car wash (53 to 63 dBA L_{eq}) would be below the existing ambient noise level and would not be distinguishable from existing noise sources, similar to the 2014 approved project.

Mechanical equipment (i.e. heating, ventilation, air conditioning systems, auto shop equipment) on parcels one, six, and nine (see Figure 3.2-1), however, could potentially impact nearby sensitive receptors located to the west, across Butterfield Boulevard. Mechanical equipment can operate continuously throughout the day and night and has different acoustical characteristics than traffic noise; therefore, the following mitigation measure would apply to the proposed project.

Impact NOI-1: Operation of mechanical equipment could exceed existing ambient noise levels near sensitive receptors.

Mitigation Measure: The following mitigation measure would be implemented as part of the project in order to reduce mechanical equipment noise to a less than significant level:

MM NOI-1.1: Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City of Morgan Hill's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to 55 dBA L_{eq} at residences to the west of the site, across Butterfield Boulevard. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.

With implementation of MM NOI-1.1, noise generated by the proposed project's mechanical equipment would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation [Same as Approved Project])**

Construction Noise (Checklist Question a, b, d)

Construction activities can generate high noise levels, especially during demolition, excavation, and foundation construction when heavy equipment operates on-site. Hourly average noise levels generated by demolition and construction typically range from 78-91 dBA L_{eq} at a distance of 50 feet from the center of a busy construction site. The closest noise sensitive uses surrounding the site include residences located about 150 feet west of the site, across Butterfield Boulevard.

Residences to the west would be exposed construction noise levels as high as 69 to 82 dBA L_{eq} when construction is located adjacent to the western property line, with more typical levels being 60 to 73 dBA L_{eq} or less as construction moves away from the property line. Commercial uses, located about 50 and 80 feet to the east, 200 feet to the north, and 175 feet to the south would be exposed to typical construction noise levels of up to 66 to 90 dBA L_{eq} . Construction noise would be lower as activities move further from noise sensitive locations or into shielded areas. Project construction would similar to construction activity associated with the 2014 approved project and would be anticipated to exceed 60 dBA L_{eq} at residences and 70 dBA L_{eq} at commercial uses and the ambient noise levels by more than 5 dBA L_{eq} over a period exceeding one year, resulting in a significant impact.

Impact NOI-2: If not controlled, construction activities on the project site could expose adjacent sensitive receptors to a substantial temporary increase in ambient noise levels. **(Less Than Significant Impact with Mitigation)**

Mitigation Measure: With the implementation of the measures listed below, and recognizing that the sensitive land uses located across Butterfield Boulevard would only be affected by noise from construction activities on the westernmost portion of the site, and recognizing that construction on the remainder of the site would typically occur at distances of 500 feet or more from those same sensitive land uses, the substantial temporary increase in ambient noise levels would be less than significant.

MM NOI-2.1: Consistent with the City of Morgan Hill Municipal Code, the following standard measures shall be implemented by the developer during project construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance.

- Construction activities shall be limited to the hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities should occur on Sundays or federal holidays (Consistent with Section 8.28.040 of the Morgan Hill Municipal Code).
- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Locate stationary noise generating equipment (e.g. rock crushers, compressors) as far as possible from adjacent residential receptors.
- Acoustically shield stationary equipment located near residential receptors with temporary noise barriers or recycled demolition materials.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

Implementation of MM NOI-2.1 would reduce construction noise levels to a less than significant level. **(Less than Significant Impact with Mitigation [Same as Approved Project])**

Construction Vibration (Checklist Question a, b, d)

The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. The nearest structures are located as close as 50 and 80 feet to the east, 200 feet to the north, 125 feet to the west, and 175 feet to the south of the project site. At the nearest structures, located about 50 feet to the east, typical construction activities would be expected to result in vibration levels of 0.1 in/sec PPV or less. Vibration would be anticipated to be perceptible when located adjacent to structures but would be well below the 0.30 in/sec PPV significance threshold for architectural or structural damage. **(Less than Significant Impact [Same as Approved Project])**

4.12.2.2 Airport-Related Noise (Checklist Question e, f)

The project site is located approximately six miles northwest of the San Martin Airport. There are no private airstrips in the site vicinity. The project site is not within the noise contours of the airport, therefore there would be no noise impacts to future residents resulting from airport-related noise. **[(No Impact) Same Impact as Approved Project]**

4.12.2.3 Noise and Vibration Conditions Affecting the Project

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless the City has policies that address existing conditions (e.g. noise) affecting a proposed project, which are addressed below.

Exterior Noise

The main noise generator in the project area is traffic on the surrounding surface streets. The majority of the outdoor uses of the proposed project are of sufficient distance or shielded from existing traffic noise, and would not exceed the City of Morgan Hill's exterior noise policy (65 dBA for residential/hotel and 70 dBA for office, commercial, and parks). The exterior uses at the proposed hotel, however, could potentially exceed the City's exterior noise policy depending on the final site design. The project would comply with the following condition of approval prior to obtaining grading/building permits:

- Consider acoustics in the design of outdoor use areas for the Parcel 5 Hotel use. A qualified acoustical consultant shall be retained by the project applicant to review hotel plans to determine specific noise reduction measures necessary to reduce noise to meet the City's noise and land use compatibility threshold (65 dBA L_{dn}). Noise reduction measures could include, but are not limited to, site planning utilizing setbacks from Cochrane Road and shielding from hotel structures and/or the installation of noise barriers or parapet walls (in the case of rooftop use areas).

Interior Noise

The proposed project buildings located along Butterfield Boulevard and Cochrane Road would be exposed to the highest exterior noise levels. Interior noise levels vary depending on the design of the building. Based on the anticipated exterior noise environment, interior noise levels at the assisted living facility and medical offices would be below the City's 45 dBA L_{dn} for residential uses, 45 dBA L_{eq} for offices, and below the 50 dBA L_{eq(1-hr)} specified by the Cal Green Code.

The proposed hotel and commercial uses along Butterfield Boulevard and Cochrane road would also meet the interior noise standards with the inclusion of forced-air ventilation, so that windows can be kept closed to control noise.

4.12.3 Conclusion

With implementation of MM NOI-1.1 and MM NOI-2.1, the proposed project would not result in significant noise impacts. **(Less than Significant Impact with Mitigation [Same as Approved Project])**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Setting

Based on the California Department of Finance population estimates, the City's total population was approximately 44,513 in January 2018 and the average persons per household was an estimated 3.06.^{33,34} The City's total population is projected to grow to approximately 46,100 by 2030.³⁵

As part of the General Plan, residential development within the City of Morgan Hill is controlled by the Residential Development Control System (RDCS). Morgan Hill's RDCS process meters the amount of residential development occurring within the City in any given year, typically up to 215 units annually, to ensure the rate of development does not outstrip the availability of public services and infrastructure to serve the City's residents. RDCS establishes a population ceiling of 58,200 for the City as of January 1, 2035.

4.13.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	☐	1, 3
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1, 3
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1, 3

4.13.2.1 *Impacts to Population and Housing*

A project can induce substantial population growth by: 1) proposing new housing beyond projected or planned development levels, 2) generating demand for housing as a result of new businesses, 3) extending roads or other infrastructure to previously undeveloped areas, or 4) removing obstacles to

³³ California Department of Finance. *E-1: City/County Population Estimates with Annual Percent Change - January 2017 and 2018*. May 2018.

³⁴ City of Morgan Hill. *Pop-Facts: Demographic Snapshot 2015 Report*. Available at: <<http://www.morgan-hill.ca.gov/717/Demographics-Community-Profile>>. Accessed January 3, 2017.

³⁵ City of Morgan Hill. *Morgan Hill General Plan: City of Morgan Hill Housing Element*. Adopted February 2015.

population growth (i.e., expanding capacity of a wastewater treatment plant beyond that necessary to serve planned growth).

Population Growth (Checklist Question a)

The proposed project would develop a nine-pump gas station, approximately 10,000 square feet of restaurant space, 38,000 square feet of retail space (including a tire shop and grocery store), 110-room hotel, 40,500 square feet of office space, and an 85-bed assisted living facility. The businesses and medical offices would primarily serve Morgan Hill's existing population and would not induce substantial population growth. The proposed assisted living facility is considered a commercial use and is not subject to the City's RDCS system, provided that any private rooms only contain a half kitchen. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Population Growth and People/Housing Displacement (Checklist Question b, c)

The project site is undeveloped, and therefore, no residents occupy the site. For this reason, the proposed project would not displace people or necessitate the construction of housing elsewhere. **[(No Impact) Same as Approved Project]**

4.13.3 Conclusion

The proposed project would not induce substantial population growth or displace people or housing. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.14 PUBLIC SERVICES

4.14.1 Environmental Setting

4.14.1.1 *Fire Protection*

The City of Morgan Hill contracts with the California Department of Forestry and Fire Protection (CalFire) for fire and emergency medical services. The City is served by three stations at the following locations: 1) El Toro Fire Station, located at 18300 Old Monterey Road (approximately 0.4 mile southwest of the project site), 2) Dunne Hill Fire Station, located at 2100 East Dunne Avenue (approximately 2.5 miles east of the project site), and 3) 15670 Monterey Street (approximately 2.8 miles south of the project site). In general, the response time meets the current standard of eight minutes 95 percent of the time; although it is expected that most responses will be approximately five minutes 90 of the time.³⁶

4.14.1.2 *Police Protection*

Police service is provided to the project site by the City of Morgan Hill Police Department (MHPD). The MHPD facility is located at 16200 Vineyard Boulevard, approximately one mile southeast of the project site. The department employs 39 sworn officers.³⁷ The Police Department's goal is to respond to Priority One calls within five minutes and Priority Two calls within eight minutes.³⁸ Priority One calls are reports of a crime in progress or where an injury has occurred and Priority Two calls are reports of felonies and other major calls.

4.14.1.3 *Schools*

The project site is located within the Morgan Hill Unified School District. The District has eight elementary schools, two middle schools, two comprehensive high schools, one continuation high school, and a community adult school, as well as a home schooling program. The nearest schools to the site, El Toro Elementary and Stratford School, are approximately 1.0 mile and 0.8 mile, respectively, from the site.

4.14.1.4 *Parks*

The City owns 70 acres of developed park land (including the Civic Center, assessment district parks and city owned trails) and 59 acres of recreation facilities. Included within this inventory, the City maintains two community parks, five neighborhood parks, two neighborhood/school parks, and 15 mini-parks, in addition to its public trail system and open space. In addition to publicly-owned park land, there is also a significant amount of recreational land and open space in the City that is privately owned and maintained.

The City also owns and operates special use facilities for recreational purposes. These facilities include the Morgan Hill Aquatics Center, Community and Cultural Center, the Centennial Recreation Center, the 38 acre Outdoor Sports Center, and Skateboard/BMX park. Many sports leagues and

³⁶ City of Morgan Hill, City Council Staff Report. *Fire and Emergency Medical Services (EMS) CalFire Proposal Update*. Meeting Date April 4, 2012.

³⁷ City of Morgan Hill. *Police*. Accessed June 14, 2018. <http://www.morgan-hill.ca.gov/index.aspx?nid=129>.

³⁸ City of Morgan Hill. *Operating and CIP Budget, FY 13-14. Police Field Operations, Performance Measures*. 2013.

teams use Morgan Hill School District facilities after school hours and on weekends. These facilities include 12 baseball/softball fields, two football fields, two tracks, and four swimming pools.

The General Plan includes policies that support the City's park land and recreational goal to provide useful, accessible, and high-quality parks, recreation, and trail facilities. To achieve this goal, the City has adopted General Plan Policies and a park land dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires park land dedication or in-lieu fees for residential developments.

In accordance with General Plan Policies HC-3.3 and HC-3.29, park land dedication or in-lieu fees are required by new developments to meet the recreation and open space needs of residents in Morgan Hill.

4.14.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project						
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
- Fire Protection?	☐	☐	☐	☒	☐	1, 2
- Police Protection?	☐	☐	☐	☒	☐	1, 2
- Schools?	☐	☐	☐	☒	☐	1, 2
- Parks?	☐	☐	☐	☒	☐	1, 2
- Other Public Facilities?	☐	☐	☐	☒	☐	1, 2

4.14.2.1 *Impacts to Public Services (Checklist Question a)*

Fire and Police Services

Development on the project site under the proposed project would be constructed in conformance with current building and fire codes, including features that would reduce potential fire hazards. The development would be reviewed by both CalFIRE and the Morgan Hill Police Department to ensure appropriate safety features to reduce fire hazards and criminal activity are included in the project. Given that the proposed project is infill development, the development of commercial uses on the site would not substantially increase the demand for fire or police protection, or otherwise require

construction or expansion of fire or police facilities. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Schools

The proposed project does not propose to develop residential units that would increase the student population of the City. The assisted living facility would not include school age children who would attend area schools. Therefore, the proposed project would have not increase demand on or require additional construction of school facilities. **[(No Impact) Same as Approved Project]**

Parks

The City of Morgan Hill has adopted a parkland dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires parkland dedication or in-lieu fees for residential developments. The proposed project does not include residential development that would place demands on park in that the assisted living facility would not include a large population of residents who would be expected to use nearby parks and the project would not therefore be subject to the parkland dedication/park land in-lieu fee ordinance; thus, the proposed project would have no impact on park facilities. **[(No Impact) Same as Approved Project]**

4.14.3 Conclusion

The proposed development of the proposed mixed-uses on the project site would incrementally increase demand for public services in the project area, however, this increase in demand would not result in a significant impact on the environment. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.15 RECREATION

4.15.1 Environmental Setting

The City owns 70 acres of developed park land (including the Civic Center, assessment district parks and city owned trails) and 59 acres of recreation facilities. Included within this inventory, the City maintains two community parks, five neighborhood parks, two neighborhood/school parks, and 15 mini-parks, in addition to its public trail system and open space. In addition to publicly-owned park land, there is also a significant amount of recreational land and open space in the City that is privately owned and maintained.

The City also owns and operates special use facilities for recreational purposes. These facilities include the Morgan Hill Aquatics Center, Community and Cultural Center, the Centennial Recreation Center, the 38 acre Outdoor Sports Center, and Skateboard/BMX park. Many sports leagues and teams use Morgan Hill School District facilities after school hours and on weekends. These facilities include 12 baseball/softball fields, two football fields, two tracks, and four swimming pools.

The General Plan includes policies that support the City's park land and recreational goal to provide useful, accessible, and high-quality parks, recreation, and trail facilities. To achieve this goal, the City has adopted a park land dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires park land dedication or in-lieu fees for residential developments.

4.15.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☐	☒	☐	1
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐	1

4.15.2.1 *Impacts on Parks and Recreational Facilities (Checklist Question a, b)*

As discussed in Section 4.13 Public Services, the proposed project does not include the development of residential units that would place demands on parks in that the assisted living facility would not include a large population of residents who would be expected to use nearby parks and the anticipated workforce for the proposed businesses would largely come from the existing City

population. As a result, the proposed project would not increase the use of existing recreational facilities or require their expansion. **[(No Impact) Same as Approved Project]**

4.15.3 Conclusion

The proposed project would not result in impacts to recreation. **[(No Impact) Same as Approved Project]**

4.16 TRANSPORTATION/TRAFFIC

The following discussion is based upon a traffic impact analysis completed for the proposed project by *Hexagon Transportation Consultants* in June 2018. The report is attached as Appendix H of this Initial Study/Addendum.

4.16.1 Environmental Setting

4.16.1.1 *Existing Roadway Network*

Regional Access

US 101 is a north-south freeway extending northward to San Francisco and southward through Gilroy. US 101 is an eight-lane freeway (three mixed-flow lanes and one high-occupancy vehicle [HOV] lane in each direction) north of Cochrane Road. South of Cochrane Road, it is a six-lane freeway with no HOV lanes. Existing access to and from the project area is provided via an interchange at Cochrane Road.

Local Access

Cochrane Road is an east-west divided roadway that runs from Monterey Road to Malaguerra Avenue east of US 101. Cochrane Road is a four-lane road between Monterey Road and Sutter Boulevard. Between Sutter Boulevard and US 101, Cochrane Road widens to three lanes eastbound and two lanes westbound, then narrows back to four lanes east of US 101, and to two lanes east of Mission View Drive. Cochrane Road has a posted speed limit of 45 mph. It runs along the northern project frontage and would provide direct access to the project site via various driveways.

Monterey Road is a four-lane divided major arterial that runs directly through Morgan Hill. Monterey Road extends from Market Street in downtown San Jose to US 101 south of Gilroy. Monterey Road runs west of the project site with a posted speed limit of 45 mph.

Butterfield Boulevard is a four-lane roadway that runs southward from Cochrane Road to Monterey Road with a posted speed limit of 35 mph. At the intersection with Monterey Road, Butterfield Boulevard changes designation to Watsonville Road. Direct access to the project site would be provided via a driveway along Butterfield Boulevard.

Jarvis Drive is a two-lane undivided roadway that runs in a concentric form within the area bounded by Monterey Road, Cochrane Road, US 101, and Main Avenue. It begins at Monterey Road and extends eastward past Sutter Boulevard at which point it loops around and extends southwest to Butterfield Boulevard. Jarvis Drive is the southern project boundary and would provide direct access to the project site via two driveways.

Sutter Boulevard is a four-lane roadway that runs from Butterfield Boulevard to Woodview Avenue just north of Cochrane Road, with a posted speed limit of 35 mph. Indirect access would be provided to the project site from Sutter Boulevard via an existing driveway that serves the existing commercial development east of the project site.

Study Intersections

The traffic impact analysis completed for the proposed project evaluates the operations of 20 signalized intersections, five unsignalized intersections, and 16 freeway segments. The study intersections and freeway segments listed below were evaluated following the standards and methodologies set forth by the City of Morgan Hill and VTA. A detailed discussion of the methodologies used is included in the traffic impact analysis attached as Appendix H of this Initial Study/Addendum.

Intersections

1. Monterey Road and Cochrane Road
2. Cochrane Circle and Cochrane Road
3. Butterfield Boulevard and Cochrane Road
4. Woodview Avenue and Cochrane Road (unsignalized)
5. Sutter Boulevard and Cochrane Road
6. Madrone Parkway and Cochrane Road
7. US 101 Southbound Ramps and Cochrane Road
8. US 101 Northbound Ramps and Cochrane Road
9. DePaul Drive and Cochrane Road
10. Mission View Drive and Cochrane Road (unsignalized)
11. Sutter Boulevard and Cochrane Road (unsignalized)
12. Butterfield Boulevard and Jarvis Drive (N) (unsignalized)
13. Sutter Boulevard and Jarvis Drive (unsignalized)
14. Butterfield Boulevard and Sutter Boulevard
15. Butterfield Boulevard and Jarvis Drive (S)/Digital Drive
16. Monterey Road and Old Monterey Road
17. Butterfield Boulevard and Central Avenue
18. Monterey Road and Main Avenue
19. Butterfield Boulevard and Main Avenue
20. Condit Road and Main Avenue
21. Butterfield Boulevard and Diana Avenue
22. Monterey Road and Dunne Avenue
23. Butterfield Boulevard and Dunne Avenue
24. US 101 Southbound Ramps and Dunne Avenue
25. US 101 Northbound Ramps and Dunne Avenue

Freeway Segments

1. US 101 between SR 85 and the Southbound Lane Drop
2. US 101 between Southbound Lane Drop and Sheller Avenue
3. US 101 between Sheller Avenue and Burnett Avenue
4. US 101 between Burnett Avenue and Cochrane Road
5. US 101 between Cochrane Road and Dunne Avenue
6. US 101 between Dunne Avenue and Tennant Avenue
7. US 101 between Tennant Avenue and San Martin Avenue
8. US 101 between San Martin Avenue and Masten Avenue
9. US 101 between Masten Avenue and San Martin Avenue
10. US 101 between San Martin Avenue and Tennant Avenue

11. US 101 between Tennant Avenue and Dunne Avenue
12. US 101 between Dunne Avenue and Cochrane Road
13. US 101 between Cochrane Road and Burnett Avenue
14. US 101 between Burnett Avenue and Sheller Avenue
15. US 101 between Sheller Avenue and Southbound Lane Drop
16. US 101 between the Southbound Lane Drop and SR 85

4.16.1.2 *Existing Bicycle and Pedestrian Facilities*

Monterey Road has bike lanes along its entire length within the City of Morgan Hill, with the exception of the segment that runs through downtown between Dunne Avenue and Main Avenue. Bike lanes are also provided along the entire lengths of Cochrane Road, Butterfield Boulevard, and Sutter Boulevard.

Sidewalks are provided along the south side of Cochrane Road between Monterey Road and US 101. There are no sidewalks provided along the north side of Cochrane Road between Monterey Road and just east of Butterfield Boulevard. Sidewalks are provided along both sides of Butterfield Boulevard. Sidewalks are provided along the north side of Jarvis Drive, however the sidewalk is intermittent along the project frontage. Sidewalks are provided along Sutter Boulevard between Cochrane Road and Jarvis Road, however no sidewalks are provided south of Jarvis Road.

4.16.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒	☐	1, 2, 19
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒	☐	1, 2, 19

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☐	1, 2, 19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	☐	1, 2, 19
e) Result in inadequate emergency access?	☐	☐	☐	☒	☐	1, 2, 19
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒	☐	1, 2, 19

4.16.2.1 *Thresholds of Significance*

All intersections within the City of Morgan Hill are required to meet the City's LOS standard of LOS D, with the exception of Downtown intersections permitted to operate at LOS F, and nine intersections and three freeway zones permitted to operate at LOS E. According to the City's LOS guidelines, a development is said to create a significant adverse impact on traffic conditions at a signalized intersection if for either peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or LOS E as identified above under existing conditions to an unacceptable LOS E or LOS F under project conditions, or
2. The level of service at the intersection is an unacceptable level of LOS E or LOS F as identified above under existing conditions and the addition of project trips causes the average critical delay to increase by four or more seconds and the volume-to-capacity ratio (V/C) to increase by 0.01.

An exception to this rule applies when the addition of project traffic reduces the amount of average delay for critical movements (i.e., the change in average delay for critical movements is negative). In this case, the threshold of significance is an increase in the critical V/C value by 0.01 or more.

Unsignalized intersections within the City have a minimum operating level of LOS D. According to the City's LOS guidelines, a development is said to have a significant adverse impact on traffic conditions at an unsignalized intersection if for either peak hour the addition of project traffic causes the worst approach delay to degrade to LOS E or F and the traffic volumes at the intersections are sufficiently high to satisfy the peak hour volume warrant.

A project is said to create a significant adverse impact on traffic conditions on a County Congestion Management Program (CMP) freeway segment if for either peak hour:

1. The level of service on a freeway segment is an unacceptable LOS F under no project conditions, and the number of project trips on that segment constitutes at least one percent of capacity on that segment.
2. The level of service on the freeway segment degrades from an acceptable LOS E or better under existing conditions to an unacceptable LOS F under project conditions.

A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore freeway conditions to LOS E or better.

4.16.2.2 *Impacts to Roadways (Checklist Question a, b)*

Existing Plus Project

Based on the ITE trip generation rates and reductions for pass-by-trips, it is estimated that the proposed project would generate 10,064 daily trips, with 666 trips (385 inbound and 281 outbound) occurring during the AM peak hour and 758 trips (351 inbound and 407 outbound) occurring during the PM peak hour. The 2014 approved project generated 8,153 daily trips.

The results of the intersection level of service analysis under existing plus project conditions are summarized in Table 4.16-1. The results show that, measured against the City's LOS standards, all study intersections are projected to operate at acceptable levels of service under existing plus project conditions during each of the peak hours analyzed. Therefore, no study intersections would be significantly impacts by the project according to the City's impact criteria. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Table 4.16-1: Existing Plus Project Intersection Levels of Service							
Intersection	Peak Hour	Existing		Existing + Project			
		Delay¹	LOS²	Delay¹	LOS²	Δ in Crit. Delay	Δ in Crit. V/C
1. Monterey Road/Cochrane Road	AM	28.1	C	28.7	C	0.9	0.021
	PM	24.0	C	25.2	C	1.2	0.025
2. Cochrane Circle/Cochrane Road	AM	10.5	B	10.4	B	0.1	0.017
	PM	10.9	B	11.3	B	0.4	0.022
3. Butterfield Boulevard/Cochrane Road	AM	12.8	B	13.6	B	1.0	0.078
	PM	14.7	B	16.2	B	2.0	0.100
4. Woodview Avenue/Cochrane Road	AM	14.8	B	17.4	B	N/A	N/A
	PM	13.1	B	17.9	B	N/A	N/A
5. Sutter Boulevard/Cochrane Road	AM	17.6	B	18.0	B	0.2	0.038
	PM	18.3	B	19.1	B	0.0	0.040

Table 4.16-1: Existing Plus Project Intersection Levels of Service

Intersection	Peak Hour	Existing		Existing + Project			
		Delay ¹	LOS ²	Delay ¹	LOS ²	Δ in Crit. Delay	Δ in Crit. V/C
6. Madrone Parkway/Cochrane Plaza/Cochrane Road	AM	19.1	B	18.6	B	-3.5	0.037
	PM	31.4	C	30.5	C	-0.7	0.028
7. US 101 Southbound Ramps/Cochrane Road	AM	12.8	B	13.2	B	0.5	0.035
	PM	16.5	B	16.9	B	0.7	0.039
8. US 101 Northbound Ramps/Cochrane Road	AM	8.6	A	9.1	A	0.4	0.020
	PM	11.3	B	11.6	B	0.3	0.023
9. De Paul Drive/Cochrane Road	AM	17.7	B	17.8	B	0.1	0.006
	PM	18.7	B	18.8	B	0.1	0.006
10. Mission View Drive/Cochrane Road	AM	32.6	D	34.2	D	N/A	N/A
	PM	16.1	C	16.4	C	N/A	N/A
11. Sutter Boulevard/Cochrane Plaza	AM	13.7	B	14.0	B	N/A	N/A
	PM	23.0	C	25.1	D	N/A	N/A
12. Butterfield Boulevard/Jarvis Drive (N)	AM	11.9	B	13.1	B	N/A	N/A
	PM	12.1	B	12.8	B	N/A	N/A
13. Sutter Boulevard/Jarvis Drive	AM	16.1	C	13.2	B	N/A	N/A
	PM	19.7	C	20.6	C	N/A	N/A
14. Butterfield Boulevard/Sutter Boulevard	AM	6.7	A	7.4	A	0.9	0.080
	PM	15.6	B	17.5	B	1.9	0.074
15. Butterfield Boulevard/Jarvis Drive (S)/Digital Drive	AM	4.5	A	4.7	A	0.3	0.047
	PM	7.0	A	6.6	A	-0.2	0.050
16. Monterey Road/Old Monterey Road	AM	9.9	A	10.1	B	0.3	0.034
	PM	18.8	B	21.0	C	3.1	0.039
17. Butterfield Boulevard/Central Avenue	AM	10.4	B	10.5	B	0.4	0.050
	PM	4.0	A	4.1	A	0.6	0.054
18. Monterey Road/Main Avenue	AM	44.2	D	44.8	D	0.7	0.021
	PM	45.1	D	45.9	D	1.1	0.025
19. Butterfield Boulevard/Main Avenue	AM	27.6	C	28.3	C	0.4	0.043
	PM	29.8	C	29.9	C	-0.1	0.032
20. Condit Road/Main Avenue	AM	27.6	C	27.7	C	0.1	0.004
	PM	26.1	C	26.2	C	0.1	0.005
21. Butterfield Boulevard/Diana Avenue	AM	32.3	C	44.4	D	17.0	0.033
	PM	27.7	C	37.2	D	14.5	0.035
22. Monterey Road/Dunne Avenue	AM	28.9	C	29.2	C	0.4	0.013
	PM	31.4	C	31.7	C	0.5	0.014

Table 4.16-1: Existing Plus Project Intersection Levels of Service

Intersection	Peak Hour	Existing		Existing + Project			
		Delay ¹	LOS ²	Delay ¹	LOS ²	Δ in Crit. Delay	Δ in Crit. V/C
23. Butterfield Boulevard/Dunne Avenue	AM	38.3	D	40.3	D	3.7	0.058
	PM	35.3	D	36.7	D	2.1	0.042
24. US 101 Southbound Ramps/Dunne Avenue	AM	20.9	C	20.9	C	0.0	0.000
	PM	18.8	B	18.8	B	0.0	0.000
25. US 101 Northbound Ramps/Dunne Avenue	AM	5.3	A	5.2	A	-0.1	0.006
	PM	11.8	B	11.7	B	0.0	0.005
¹ The reported delay and corresponding level of service for signalized and all-way stop-controlled intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- and two-way stop-controlled intersections are based on the stop-controlled approach with the highest delay. ² LOS = Level of service. LOS calculations conducted using the TRAFFIX level of service analysis software package.							

Cumulative Plus Project

Cumulative conditions are comprised of forecasted traffic volumes and reflect estimated traffic growth in the City of Morgan Hill for the Year 2025. The land uses of the proposed development plan are of greater intensity than those assumed in the General Plan. When compared with the land uses included in the City's General Plan, the proposed mix of uses in the current development application would result in an additional 510 AM peak hour trips and 404 PM peak hour trips at the project site compared to what volumes are currently assumed in the City's 2025 forecast model.

The results show that, measured against the City of Morgan Hill level of service standards, all the study intersections are projected to operate at acceptable levels of service under Year 2025 cumulative and cumulative plus project conditions during each of the peak hours analyzed (see Table 4.16-2). Therefore, no study intersections would be significantly impacted by the project, according to the City's level of service impact criteria.

In addition, all unsignalized study intersections are projected to have traffic conditions that fall below the thresholds that warrant signalization under Year 2025 cumulative and cumulative plus project conditions. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Table 4.16-2: Cumulative Plus Project Intersection Levels of Service

Intersection	Peak Hour	Cumulative		Cumulative + Project			
		Delay ¹	LOS ²	Delay ¹	LOS ²	Δ in Crit. Delay	Δ in Crit. V/C
1. Monterey Road/Cochrane Road	AM PM	26.2 26.4	C C	26.8 27.1	C C	0.8 0.6	0.012 0.010
2. Cochrane Circle/Cochrane Road	AM PM	10.4 11.9	B B	10.4 12.1	B B	0.1 0.3	0.012 0.010
3. Butterfield Boulevard/Cochrane Road	AM PM	19.7 25.2	B C	21.1 27.6	C C	2.4 2.9	0.068 0.015
4. Woodview Avenue/Cochrane Road	AM PM	17.1 15.6	C C	17.0 16.6	B B	N/A N/A	N/A N/A
5. Sutter Boulevard/Cochrane Road	AM PM	18.1 19.5	B B	17.1 19.8	B B	-4.1 0.0	-0.070 0.017
6. Madrone Parkway/Cochrane Plaza/Cochrane Road	AM PM	18.6 29.7	B C	18.5 29.3	B C	0.0 -0.3	0.031 0.014
7. US 101 Southbound Ramps/Cochrane Road	AM PM	13.6 19.2	B B	14.0 19.7	B B	0.5 0.8	0.027 0.021
8. US 101 Northbound Ramps/Cochrane Road	AM PM	9.9 11.9	A B	10.3 12.1	B B	0.3 0.3	0.013 0.013
9. De Paul Drive/Cochrane Road	AM PM	19.0 19.3	B B	19.1 19.4	B B	0.1 0.1	0.005 0.003
10. Mission View Drive/Cochrane Road	AM PM	20.3 22.4	C C	20.4 22.3	C C	0.3 0.0	0.008 0.000
11. Sutter Boulevard/Cochrane Plaza	AM PM	15.3 30.3	C D	15.5 30.5	C D	N/A N/A	N/A N/A
12. Butterfield Boulevard/Jarvis Drive (N)	AM PM	12.5 12.9	B B	13.4 13.4	B B	N/A N/A	N/A N/A
13. Sutter Boulevard/Jarvis Drive	AM PM	21.1 29.4	C D	18.1 29.7	C D	N/A N/A	N/A N/A
14. Butterfield Boulevard/Sutter Boulevard	AM PM	15.5 25.1	B C	16.5 27.4	B C	1.4 3.2	0.056 0.034
15. Butterfield Boulevard/Jarvis Drive (S)/Digital Drive	AM PM	4.5 6.9	A A	4.6 6.7	A A	0.2 -0.1	0.033 0.025
16. Monterey Road/Old Monterey Road	AM PM	13.6 48.5	B D	13.9 52.6	B D	0.6 5.7	0.027 0.021
17. Butterfield Boulevard/Central Avenue	AM PM	10.4 4.0	B A	10.5 4.1	B A	0.3 0.4	0.036 0.029

Table 4.16-2: Cumulative Plus Project Intersection Levels of Service

Intersection	Peak Hour	Cumulative		Cumulative + Project			
		Delay ¹	LOS ²	Delay ¹	LOS ²	Δ in Crit. Delay	Δ in Crit. V/C
18. Monterey Road/Main Avenue	AM	54.2	D	55.3	E	1.5	0.012
	PM	47.4	D	47.9	D	0.7	0.013
19. Butterfield Boulevard/Main Avenue	AM	29.7	C	30.3	C	0.7	0.037
	PM	32.9	C	33.0	C	0.2	0.016
20. Condit Road/Main Avenue	AM	30.1	C	30.2	C	0.2	0.003
	PM	31.0	C	31.1	C	0.2	0.003
21. Butterfield Boulevard/Diana Avenue	AM	34.2	C	42.2	C	12.1	0.024
	PM	39.4	D	46.2	D	10.6	0.018
22. Monterey Road/Dunne Avenue	AM	30.2	C	30.4	C	0.4	0.009
	PM	34.4	C	34.7	C	0.3	0.007
23. Butterfield Boulevard/Dunne Avenue	AM	40.1	D	41.7	D	2.9	0.040
	PM	36.9	D	37.7	D	1.3	0.023
24. US 101 Southbound Ramps/Dunne Avenue	AM	21.0	C	21.0	C	0.0	0.000
	PM	20.1	C	20.1	C	0.0	0.000
25. US 101 Northbound Ramps/Dunne Avenue	AM	6.4	A	6.3	A	-0.1	0.004
	PM	11.3	B	11.2	B	0.0	0.003
¹ The reported delay and corresponding level of service for signalized and all-way stop-controlled intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- and two-way stop-controlled intersections are based on the stop-controlled approach with the highest delay. ² LOS = Level of service. LOS calculations conducted using the TRAFFIX level of service analysis software package.							

4.16.2.3 Impacts to Freeways (Checklist Question a, b)

Existing Plus Project

The results of the freeway segment level of service analysis under existing plus project conditions are summarized in Table 4.16-3. Traffic volumes on the study freeway segments under existing plus project conditions were estimated by adding project trips to the existing volumes. The results show that the project would not cause an increase in traffic volumes of one percent or more of freeway capacity on any freeway segments currently operating at an unacceptable LOS F, nor would the addition of project traffic result in the degradation of LOS on any freeway segment currently operating at an acceptable LOS E to an unacceptable LOS F. Therefore, based on CMP impact criteria, the proposed project would not have a significant impact on freeways. **[(Less Than Significant Impact) Same Impact as Approved Project]**

Table 4.16-3: Existing Plus Project Freeway Segment Levels of Service

Freeway	NB/ SB	From	To	Peak Hour	Project Trips	LOS	Cap (vph)	Percent Increase
US 101	North	Masten Avenue	San Martin Avenue	AM PM	58 53	C B	6,900	0.84 0.77
		San Martin Avenue	Tennant Avenue	AM PM	58 53	F B	6,900	0.84 0.77
		Tennant Avenue	East Dunne Avenue	AM PM	58 53	F C	6,900	0.84 0.77
		East Dunne Avenue	Cochrane Road	AM PM	58 53	E C	6,900	0.84 0.77
		Cochrane Road	Burnett Avenue (Lane Drop)	AM PM	34 52	D C	6,900	0.49 0.75
		Burnett Ave (Lane Drop)	Sheller Avenue	AM PM	31 54	D E	6,900	0.45 0.78
		Sheller Avenue	Lane Drop (SB)	AM PM	31 48	D C	6,900	0.45 0.70
		Lane Drop (SB)	SR 85	AM PM	34 54	C B	6,900	0.49 0.78
US 101	South	SR 85	Lane Drop (SB)	AM PM	51 41	B C	9,200	0.55 0.45
		Lane Drop (SB)	Sheller Avenue	AM PM	47 39	B D	6,900	0.68 0.57
		Sheller Avenue	Burnett Ave (Lane Drop	AM PM	50 37	B F	6,900	0.72 0.54
		Burnett Avenue (Lane Drop)	Cochrane Road	AM PM	58 53	B F	6,900	0.84 0.77
		Cochrane Road	East Dunne Avenue	AM PM	42 61	B E	6,900	0.61 0.88
		East Dunne Avenue	Tennant Avenue	AM PM	42 61	B E	6,900	0.61 0.88
		Tennant Avenue	San Martin Avenue	AM PM	42 61	B E	6,900	0.61 0.88
		San Martin Avenue	Masten Avenue	AM PM	42 61	B D	6,900	0.61 0.88
¹ Measured in passenger cars per mile per lane. ² LOS = level of service. Bold type indicates unacceptable operations (LOS F).								

4.16.2.4 Air Traffic Patterns (Checklist Question c)

The proposed project would not result in a change in air traffic patterns given the nearest airport is six miles away. **[(No Impact) Same Impact as Approved Project]**

4.16.2.5 *Site Access, Design, and Circulation (Checklist Question d, e)*

The project site would be designed following City of Morgan Hill design standards and provide adequate width and turn-radii at and along all drive/parking aisles to allow for two-way circulation and adequate circulation of larger vehicles (such as emergency trucks, garbage truck, and delivery trucks) throughout the project site.

(Note to City: Hexagon made the following suggestions for improved site access and circulation. The final IS text will reflect those adjustments that have been made by the project, or will be required by the City.)

A review of the project site plan identified several recommended adjustments to improve site access and on-site circulation. The following adjustments are recommended:

Due to its close proximity and potential to disrupt traffic flow along Cochrane Road, it is recommended that direction of the drive-thru lane for Pad B within Parcel 3 be reversed to flow in a clockwise direction. The change in direction will ensure that vehicle queues at the drive-thru lane do not spill out to the main drive aisle and potentially onto Cochrane Road.

It is likely that queues extending back from Butterfield Boulevard along Jarvis Drive will block left-turns into and out of Driveway 4 located at the southwest corner of the site along Jarvis Drive. The view of outbound left-turns from the driveway also would be restricted for vehicles originating from Butterfield Boulevard and traveling eastbound along Jarvis Drive. Therefore, it is recommended that Driveway 4 be restricted to right-turns in and out only.

Adhering to City of Morgan Hill standards and requirements, and implementing the above recommendations, the proposed site access points and layout of the surface parking areas would be adequate to accommodate circulation of both passenger and emergency vehicles. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.16.2.6 *Bicycle and Pedestrian Facilities (Checklist Question f)*

The project site plan shows continuous pedestrian connections between all proposed land uses on site and pedestrian walkways along the project site frontages. The proposed pedestrian walkways along the project site frontages would provide a connection to other existing pedestrian facilities (sidewalks, crosswalks, bus stops, etc.) east and west of the project site. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.16.3 Conclusion

As discussed above, the proposed project would not result in significant transportation impacts. **[(Less Than Significant Impact) Same Impact as Approved Project]**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Setting

4.17.1.1 *Water Service*

The City of Morgan Hill provides potable water service to its residential, commercial, industrial, and institutional customers within the City limits. The City's water system facilities include 14 groundwater wells, ten potable water storage tanks, 10 booster stations, and over 160 miles of pressured pipes ranging from two to 14 inches in diameter. The City's water distribution system meets the needs of existing customers. The City has planned and constructed water projects in conjunction with new street construction in anticipation of future growth and water needs.

4.17.1.2 *Sewer System and Wastewater Treatment*

The South County Regional Wastewater Authority (SCRWA) Wastewater Treatment Plant provides service to the cities of Morgan Hill and Gilroy. The treatment plant has capacity to treat an average dry weather flow (ADWF) of 8.5 million gallons per day (mgd) and is currently permitted by the California Regional Water Quality Control Board, Central Coast Region to treat up to 8.5 mgd.³⁹ Both the cities of Gilroy and Morgan Hill have growth control systems in place which limit unexpected increases in sewage generation. The ADWF for combined flows from Morgan Hill and Gilroy was approximately 6.8 mgd in 2010 (with 2.9 mgd generated by Morgan Hill). Based on combined population projections for both cities, the current capacity of 8.5 mgd would be reached in approximately 2021. The City of Morgan Hill has an allocation of 3.56 mgd (of the total 8.5 mgd). The latest projections in November 2013, based on the City's existing General Plan, show this allocation is projected to be reached by about 2023. The City of Gilroy's allocation (4.94 mgd) is projected to be reached in 2019. Flow projections are ongoing and have changed over the past years, depending on changing per capita flow rates and other variables in the projection calculations.

The 8.5 mgd total plant capacity is projected to be exceeded in 2022. In recognition of this projected exceedance of capacity, the SCRWA is currently planning to fund, design, and construct an expansion of the facility by 2022. It is further anticipated that the plant will need to be expanded again in the mid-2030s, in conjunction with buildout of the current Morgan Hill and Gilroy General Plans.

4.17.1.3 *Solid Waste*

Recology South Valley provides solid waste and recycling services to the businesses and residents of the cities of Morgan Hill and Gilroy. Recology South Valley has contracted through 2017 with the Salinas Valley Solid Waste Authority to dispose of municipal solid waste at Johnson Canyon Sanitary Landfill. Johnson Canyon Sanitary Landfill is anticipated to reach capacity in 2040.⁴⁰

³⁹ California Regional Water Quality Control Board. *Waste Discharge Requirements, South County Regional Wastewater Authority Wastewater Treatment and Reclamation Facility, Santa Clara County (NPDES Permit No. CA0049964) – Order No. R3-2010-0009*. April 2010.

⁴⁰ Phil Couchee, General Manager, Recology South Valley. February 3, 2010.

4.17.1.4 Storm Drainage

The City of Morgan Hill's storm drainage system consists of a combination of curb and gutter facilities, curb inlets, underground pipelines, and bubblers that drain into detention basins or to the nearest creek. The City's storm drainage system in the project vicinity meets existing drainage needs.

The project site is within the Butterfield Channel storm water drainage basin. Butterfield Channel, previously named Sutter Channel, is an improved channel that drains the area west of US 101 and east of Railroad Avenue to East Little Llagas Creek. The channel is presently complete from Jarvis Drive to Tennant Avenue, and serves as an interim detention basin pending completion of the remainder of the channel and the 27-acre detention basin. Upon completion, the Butterfield Channel storm water drainage basin will consist of an open drainage channel along the eastern side of Butterfield Boulevard extension and a 27.6 acre detention pond on the south side of Maple Avenue. The drainage channel will begin south of Jarvis Drive on the north, and extend to Maple Avenue on the south. There is a 36-inch public storm drain main located adjacent to the site along Cochrane Road.⁴¹ There are also existing storm drain mains on the project site and along Butterfield Boulevard and Jarvis Drive. The existing onsite storm drain line bisects the project site, connecting to the existing lines in Cochrane Road and Jarvis Drive.⁴²

4.17.2 Checklist and Discussion of Impacts

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	☐	1, 20
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐	1, 20, 22
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐	1, 21

⁴¹ Mitchel W. Burley. BKF Engineers. April 4, 2013.

⁴² City of Morgan Hill, *Storm Drainage System Master Plan*, January 2002.

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
Would the project:						
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	☐	1, 22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	☐	1, 20
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐	1

4.17.2.1 *Impacts to Sewer System and Wastewater Treatment (Checklist Question a, b, e)*

The proposed commercial development would generate approximately 46,575 gallons of wastewater per day.⁴³ There is sufficient capacity in the sanitary sewer system to support the project and the project would not adversely affect the functionality or the capacity of the existing sanitary sewer system.⁴⁴ **(Less Than Significant Impact [Same as Approved Project])**

4.17.2.2 *Impacts to Storm Drainage (Checklist Question c)*

The proposed project site is undeveloped with no impervious surfaces. Development of the proposed project would fully develop the project site and substantially increase the amount of impervious surfaces and stormwater runoff. Per the implementation of the SWPPP and other drainage standards implemented by the City, the project should not significantly increase storm water flows into the existing system. The project will be required to minimally retain all water from the 85th percentile of rainfall events (approximately two to five year storm events) on site; therefore, during 85 percent of the rainfall events, the existing storm drain system would not be impacted by the project. Furthermore, the on-site systems (retention basins) will be required to be designed to detain a volume of water up to a 25-year storm event while releasing water at a rate reflective of the 10-year predevelopment flow. This design limits storm water flows off-site to less than 10-year predevelopment flows. The existing public storm water system is already designed to convey a 10-year storm event; therefore, the project should not significantly contribute to any additional flooding during the most frequent events. The final drainage system design for the proposed commercial mixed-use development will be subject to review and approval by the City of Morgan Hill Public

⁴³ Based on 85 percent of the total water usage.

⁴⁴ Ha, Charlie, *Will Serve Letter*, City of Morgan Hill, May 16, 2014.

Works Department, who will confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. **(Less Than Significant Impact [Same as Approved Project])**

4.17.2.3 *Impacts to Water Supply Services (Checklist Question d)*

The estimated water demand of the proposed project would be approximately 54,794 gallons per day (gpd), as shown in Table 4.17-1. The City has accounted for the increase in water use based on the General Plan's projection of population growth in the City and planned development. The development proposed by the project would not increase water demand above that forecasted in the most recent Urban Water Management Plan. There is sufficient capacity in the water mains adjacent to the site in Cochrane Road, Butterfield Boulevard, and Jarvis Drive to serve the proposed project.⁴⁵

(Less Than Significant Impact [Same as Approved Project])

Table 4.17-1: Estimated Project Daily Water Use			
Use	Rate¹	Size	Gallons/Day
Convenience store, nine fuel pumps, and car wash	203 gallons/day/1,000 ft ²	3,000 ft ²	609
Quick service restaurant and drive-thru	832 gallons/day/1,000 ft ²	3,500 ft ²	2,912
Quick service restaurant and drive-thru	832 gallons/day/1,000 ft ²	2,000 ft ²	1,664
Mixed-use of commercial services and food uses	203 gallons/day/1,000 ft ²	7,200 ft ²	1,461
Full service four-story hotel	69 gallons/day/room	110 rooms	7,590
Tire store and showroom with tire service center	258/day/1,000 ft ²	10,000 ft ²	2,580
Grocery store	338 gallons/day/1,000 ft ²	22,000 ft ²	7,436
Retail uses	203 gallons/day/1,000 ft ²	3,000 ft ²	609
Two-story medical office building	344 gallons/day/1,000 ft ²	35,000 ft ²	12,040
Senior residential care facility	179 gallons/day/1,000 ft ²	85 units	15,215
General office building	487 gallons/day/1,000 ft ²	5,500 ft ²	2,678
Total Project Daily Water Use			54,794
¹ CalEEMod Water Use Rates, Table 9.1			

4.17.2.4 *Impacts to Landfills (Checklist Question f)*

The City of Morgan Hill has contracted with Recology South Valley to provide solid waste disposal and recycling service within the City. Recology South Valley will dispose of solid waste from the City at Johnson Canyon Sanitary Landfill which has a projected permitted capacity of approximately

⁴⁵ BKF Engineers, Mitchel W. Burley, April 4, 2013.

13,800,000 cubic yards and is expected to remain open through 2040.⁴⁶ The proposed project will result in increased waste disposal from the project site; however, future development would be served by a landfill with adequate capacity to serve the project site. **(Less Than Significant Impact [Same as Approved Project])**

4.17.3 Conclusion

The proposed project would not exceed the capacity of existing utilities and service systems serving the project area. **(Less Than Significant Impact [Same as Approved Project])**

⁴⁶ California Integrated Waste Management Board. *Facility/Site Summary Details: Johnson Canyon Sanitary Landfill*. 2008. Accessed June 15, 2018. <http://www.calrecycle.ca.gov/SWFacilities/Directory/27-AA-0005/Detail/>.

4.18

MANDATORY FINDINGS OF SIGNIFICANCE

	New Potentially Significant Impact	New Less Than Significant With Mitigation Incorporated	New Less Than Significant Impact	Same Impact as "Approved Project"	Less Impact than "Approved Project"	Checklist Source(s)
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒	☐	1-23
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒	☐	1-23
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	☐	1-23

4.18.1 Project Impacts (Checklist Question a)

This Initial Study/Addendum evaluates the environmental impacts that could result from the project's implementation. With implementation of the mitigation measures included in the project and described in sections 4.3 Air Quality, 4.4 Biological Resources, 4.7 Greenhouse Gas Emissions, 4.9 Hydrology and Water Quality, and 4.12 Noise and compliance with City General Plan policies, Standard Measures and Standard Conditions of Approval, the proposed project would not result in significant adverse environmental impacts to fish or wildlife species, rare plants, or cultural resources. **[Same Impact as Approved Project (Less Than Significant Impact with Mitigation)]**

4.18.2 Cumulative Impacts (Checklist Question b)

Pursuant to Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

As discussed in Section 4.3 Air Quality, the proposed project would implement mitigation measures to reduce short-term construction impacts from TACs to a less than significant level. Modeling of cumulative impacts from project area TACs showed the project was below the BAAQMD threshold; thus, there is no significant cumulative impact, consistent with the approved 2014 project.

As discussed in Section 4.7 Greenhouse Gas Emissions, the proposed project would implement mitigation measures to reduce GHG emissions to a less than significant level and, therefore, not make a substantial contribution to a cumulative GHG emissions impact, consistent with the approved 2014 project.

As discussed in Section 4.16 Transportation and Traffic, the proposed development and future development in the project area would not cause a significant intersection or freeway delays; therefore, no cumulative impact on the roadway network is anticipated.

With implementation of mitigation measures, standard measures, and conditions of approval to address environmental impacts to biological resources, cultural resources, geology and soils, hydrology and water quality, and noise, the proposed project would not result in cumulative impacts on these resources.

4.18.3 Direct or Indirect Adverse Effects on Human Beings (Checklist Question c)

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, and noise. Implementation of the Standard Permit Conditions and mitigation measures, and adherence to General Plan, City Code, and state and federal regulations described in these sections of the report, would avoid significant impacts. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Impact with Mitigation Incorporated)**

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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

Terry Linder, Senior Planner
Richard Smeaton, Contract Planner

6.2 CONSULTANTS

David J. Powers & Associates, Inc.

Environmental Consultants and Planners
Akoni Danielsen, Principal Project Manager
Tyler Rogers, Assistant Project Manager
Zach Dill, Graphic Artist

Hexagon Transportation Consultants Inc.

Robert Del Rio, Vice President & Principal Associate

Illingworth & Rodkin, Inc.

Michael Thill, Noise Consultant
James Reyff, Air Quality Consultant



COMMUNITY DEVELOPMENT AGENCY

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MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT:

Application #s: ZA-13-12/SD-13-14

APN: 726-25-035 and 726-32-021

Project Title: Cochrane Road Commercial Development

Project Location: The 20.25-acre project site is located in the southeast quadrant of the intersection of Cochrane Road and Butterfield Boulevard in the City of Morgan Hill.

Project Proponent: David Andris, Cochrane Road Investors, LLC

Project Description: The project proposes to amend the site's existing Planned Unit Development Zoning District to permit certain types of commercial uses, subdivide the site into eight parcels, and develop 196,300 square feet of commercial uses in two phases. The project would also install a new traffic signal at its main entrance on Cochrane Road near Woodview Avenue.

II. DETERMINATION

In accordance with the City of Morgan Hill procedures for compliance with the California Environmental Quality Act (CEQA), the City has completed an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City makes the following determination:

- Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are included in the project, and, therefore, this **MITIGATED NEGATIVE DECLARATION** has been prepared.

III. CONDITIONS (Mitigation and Avoidance Measures):

A. *Air Quality:*

The following mitigation measure is proposed to reduce impacts associated with fugitive dust to a less than significant level:

MM AIR-1.1: The following Best Management Practices (BMPs) shall be implemented during construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice daily.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The following mitigation measure is proposed to reduce odor impacts to a less than significant level:

MM AIR-2.1: Include designs to reduce cooking odors or require the installation of odor abatement equipment if complaints occur. The City shall require designs of the restaurant to avoid odor complaints, and if necessary, require restaurants to install odor abatement equipment if confirmed odor complaints are received.

B. Biological Resources

The following mitigation measures will minimize potential adverse impacts on western burrowing owls to a less than significant level:

- MM BIO-1.1:** A pre-construction survey will be conducted by a qualified biologist for burrowing owls within 30 days of the on-set of construction. This survey will be conducted according to methods described in the *Staff Report on Burrowing Owl Mitigation* (CDFG 1995). All suitable habitats of the study area will be covered during this survey.
- MM BIO-1.2:** If pre-construction surveys undertaken during the breeding season (February 1 through August 31) locate active nest burrows within or near construction zones, exclusion zones with a 250-foot radius from occupied burrows, shall be established. All project-related activities shall occur outside the exclusion area until the young have fledged.
- MM BIO-1.3:** If pre-construction surveys undertaken during the non-breeding season (September 1 through January 31) locate active nest burrows within or near construction zones, resident owls may be relocated to alternative habitat. The relocation of resident owls must be according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation. This plan must provide for the owl's relocation to nearby lands possessing available nesting and foraging habitat. Any mitigation or relocation plan for the owls is subject to review and approval by CDFW.
- MM BIO-1.4:** A final report on burrowing owls, including any protection measures, shall be submitted to the Director of Community Development prior to grading.

The following mitigation measures will reduce impacts from construction at the project site to raptor and migratory bird eggs and nestlings to a less than significant level:

- MM BIO-2.1:** Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the raptor nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys will be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all trees within 250 feet of the site for nests.
- MM BIO-2.2:** If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that will remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during

project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the Director of Community and Economic Development prior to the start of construction.

The following mitigation measure will reduce impacts from construction at the project site to American badgers to a less than significant level:

- MM BIO-3.1:** Pre-construction surveys shall be used to determine the presence or absence of badgers on the project site. If an active badger den is identified during pre-construction surveys, a construction-free buffer of up to 300 feet shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed.

C. Cultural Resources

The following standard measures will reduce or avoid possible impacts to buried cultural resources, if encountered during grading or excavation:

Standard Measures: This project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials. In the unlikely event cultural materials are found during site grading or excavation, the following standard measures would be implemented. If human remains are discovered, it is probable they are the remains of Native Americans.

- If human remains are encountered they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
 - Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled.
 - Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
- In the event that known or suspected Native American remains are encountered or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic

structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale.

- An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the Monitoring Archaeologist (typically 25-50ft for single burial or archaeological find).
- The discovery locale shall be secured (e.g., 24 hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.
- The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
 - The City of Morgan Hill Community Development Director (408) 779-7247
 - The Contractor’s Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900
 - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082
 - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C)
- The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
- The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
- Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
- Within 24 hours of their notification by the NAHC, the MLD may recommend to the City’s Community Development Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out.
- If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

D. Greenhouse Gas Emissions

The following mitigation measures are proposed to reduce GHG emissions impacts to a less than significant level:

- MM GHG-1.1:** The project shall implement the following energy-efficiency measures to reduce GHG emissions:

- The Project shall implement energy reduction features and meet new 2013 Title 24 Building Code Standards that would result in GHG emissions from energy usage that are 20 percent lower than the usage predicted in CalEEMod that is based on 2008 or earlier Title 24 requirements.
- The Project shall implement a Trip Reduction Plan for employees to reduce those trips by at least 5 percent. The plan shall include the following features:
 - Subsidized transit passes;
 - Showers and locker facilities to encourage non-motorized commutes alternatives;
 - Secure bike facilities on site;
 - Pedestrian and bicycle connections to adjacent roadways;
 - Preferred parking for electric vehicles with charging stations;
 - Enhancement of transit/bus stops adjacent to the site; and
 - Enhance/improve sidewalks and pedestrian access to the site.
- The Project, as a whole, shall adopt a water use reduction goal of at least 20 percent. A water use reduction plan shall be developed by the project applicant that may include measures such as the installation of low-flow water fixtures in sinks, low-flush toilets, and the use of water efficient landscaping.
- Implement a solid waste recycling program through recycling and composting strategies, which results in a solid waste diversion rate of at least 20 percent.
- Loading docks have electrical hookups for trucks and include signage that prohibits excessive idling.
- Where feasible, install solar voltaic panels to generate electricity. This could include rooftop photovoltaic panels and/or covering on-site parking areas with photovoltaic panels.

MM GHG-1.2:

Develop a carbon offset program to offset all remaining project emissions above the per service population threshold of 4.6 MT CO₂e per year. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, and enforceable by the City or BAAQMD. Offsets may include but are not limited to the following:

- Applicant funding of local projects, subject to review and approval by the City or BAAQMD, that will result in real, permanent, verifiable, and enforceable, and additional reduction in GHG emissions. If the City or BAAQMD develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold.
- Purchase of carbon credits to offset emissions below the significance threshold. Only CARB carbon offset credits, credits verified and registered with the Climate Action reserve may be used to offset emissions.

E. Hydrology and Water Quality

In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level:

MM HYD-1.1:

The following BMPs will be implemented during project construction:

- Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust producing activities will be suspended during periods of high winds.
- Stockpiles of soil and other materials that can be blown by the wind will be watered or covered.
- All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).
- Vegetation in disturbed areas will be replanted as quickly as possible.

MM HYD-1.2:

Consistent with the requirements of the NPDES General Permit for Construction Activities, a Notice of Intent (NOI) would be submitted to the RWQCB and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to control discharge associated with construction activities, prior to commencement of grading and construction activities. Once grading begins the SWPPP must be kept on-site and updated as needed while construction progresses.

F. Noise

The following standard measures shall be implemented by the developer during project construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance:

MM NOI-1.1:

Consistent with the City of Morgan Hill Municipal Code, the following standard measures shall be implemented by the developer during project construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance.

- Construction activities shall be limited to the hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities should occur on Sundays or federal holidays (Consistent with Section 8.28.040 of the Morgan Hill Municipal Code).
- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise generating equipment (e.g. rock crushers, compressors) as far as possible from adjacent residential receptors.
- Acoustically shield stationary equipment located near residential receptors with temporary noise barriers or recycled demolition materials.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land

uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

III. FINDING

The City of Morgan Hill Community Development Director hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the Initial Study are included in the project.

Andrew Crabtree
Director of Community Development

Date: _____

MITIGATION MONITORING OR REPORTING PROGRAM

Cochrane Road Commercial Development

ZA-13-12/SD-13-14



June 2014

PREFACE

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the Mitigation Monitoring or Reporting Program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study (June 2014) prepared for the Cochrane Road Commercial Development project concludes that proposed commercial development could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project. This Mitigation Monitoring or Reporting Program outlines these measures and how, when, and by whom they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less-than-significant.

**MITIGATION MONITORING OR REPORTING PROGRAM
COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
AIR QUALITY				
Impact AIR-1: The proposed project could result in significant air quality impacts associated with fugitive dust during construction.	MM AIR-1.1: The following Best Management Practices (BMPs) shall be implemented during construction: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice daily. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	The Best Management Practices shall be implemented by the applicant and contractors during grading and construction activities. Prior to issuance of a building permit, the applicant shall submit to the Community Development Department for review and approval a management plan detailing the strategies for control of dust during construction of the project.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Impact AIR-2: Odors generated by the proposed restaurants could result in odor complaints.	MM AIR-2.1: Include designs to reduce cooking odors or require the installation of odor abatement equipment if complaints occur. The City shall require design of the restaurant to avoid odor complaints, and if necessary, require restaurants to install odor abatement equipment if confirmed odor complaints are received.	The measures shall be implemented by the applicant and/or the contractors during the design, construction and/or operation of the project, as applicable.	Measure shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
BIOLOGICAL RESOURCES				
Impact BIO-1: Construction activities on the project site could result in the loss of burrowing owl eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest.	MM BIO-1.1: Complete pre-construction surveys to determine if burrowing owls are present within the footprint of the proposed grading area, no more than 30 days prior to initiation of any construction-related activities. MM BIO-1.2: Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones with a 250-foot radius from occupied burrows, shall be established. All project-related activities shall occur outside of the exclusion area until the young have fledged. MM BIO-1.3: If preconstruction surveys are completed during the non-breeding season and burrowing owls are observed on the site, the owls may be relocated upon approval of the California Department of Fish and Game once mitigation has been provided. MM BIO-1.4: A final report on burrowing owls, including any protection measures, shall be submitted to the Director of Community Development prior to grading.	Burrowing owl pre-construction surveys shall be completed by the applicant no more than 30 days prior to the initiation of site clearing or construction activities. The burrowing owl survey report, including any protection measures, shall be submitted to the Director of Community Development prior to grading.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Impact BIO-2: Construction activities on the project site could result in the loss of raptor and/or migratory bird eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest.	MM BIO-2.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys will be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all nesting habitat within 250 feet of the site for nests. MM BIO-2.2: If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that will remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the of the Community Development Director, prior to the start of construction.	If construction cannot be scheduled to avoid the nesting season, then the pre-construction surveys for nesting birds shall be completed within 30 days of the on-set of site clearing or construction activities.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
Impact BIO-3: American badgers could be injured or harmed, if occupied badger dens are present onsite at the	MM BIO-3.1: Pre-construction surveys shall be used to determine the presence or absence of badgers on the project site. If an active badger den is identified during pre-construction surveys, a construction-free buffer of up to 300 feet shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor	The badger pre-construction survey shall be completed concurrent with the burrowing owl pre-construction survey	Measure shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

**MITIGATION MONITORING OR REPORTING PROGRAM
COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
time of construction.	shall be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed.	(see MM BIO-1.1 above)		

CULTURAL RESOURCES

The project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials.	Standard Measures: This project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials. In the unlikely event cultural materials are found during site grading or excavation, the following standard measures would be implemented. If human remains are discovered, it is probable they are the remains of Native Americans. • If human remains are encountered they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld. ○ Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled. ○ Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains. • In the event that known or suspected Native American remains are encountered or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials	The measures shall be implemented by the applicant and contractors during construction, if cultural materials are encountered.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
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MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale. - An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time or discovery, by the Monitoring Archaeologist (typically 25-50ft for single burial or archaeological find). - The discovery locale shall be secured (e.g., 24 hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances. - The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition: - The City of Morgan Hill Community Development Director (408) 779-7247 - The Contractor's Point(s) of Contact - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900			

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	○ The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082 ○ The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C) • The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC. • The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.) • Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose. • Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Community Development Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out. • If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.			

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
GREENHOUSE GAS EMISSIONS				
Impact GHG-1: The proposed project would exceed BAAQMD's GHG emissions thresholds.	MM GHG-1.1: The project shall implement the following energy-efficiency measures to reduce GHG emissions: - The Project shall implement energy reduction features and meet new 2013 Title 24 Building Code Standards that would result in GHG emissions from energy usage that are 20 percent lower than the usage predicted in CalEEMod that is based on 2008 or earlier Title 24 requirements. - The Project shall implement a Trip Reduction Plan for employees to reduce those trips by at least 5 percent. The plan shall include the following features: - Subsidized transit passes; - Showers and locker facilities to encourage non-motorized commutes alternatives; - Secure bike facilities on site; - Pedestrian and bicycle connections to adjacent roadways; - Preferred parking for electric vehicles with charging stations; - Enhancement of transit/bus stops adjacent to the site; and - Enhance/improve sidewalks and pedestrian access to the site. - The Project, as a whole, shall adopt a water use reduction goal of at least 20 percent. A water use reduction plan shall be developed by the project applicant that may include measures such as the installation of low-flow water fixtures in sinks, low-flush toilets, and the use of water efficient landscaping. - Implement a solid waste recycling program through recycling and composting strategies, which results in a solid waste diversion rate of at least 20 percent. - Loading docks have electrical hookups for trucks and include signage that prohibits excessive idling. - Where feasible, install solar voltaic panels to generate electricity. This could include rooftop photovoltaic panels and/or covering on-	The GHG emissions reduction measures and carbon offset program shall be submitted to the Community Development Department for review and approval, prior to issuance of a building permit.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

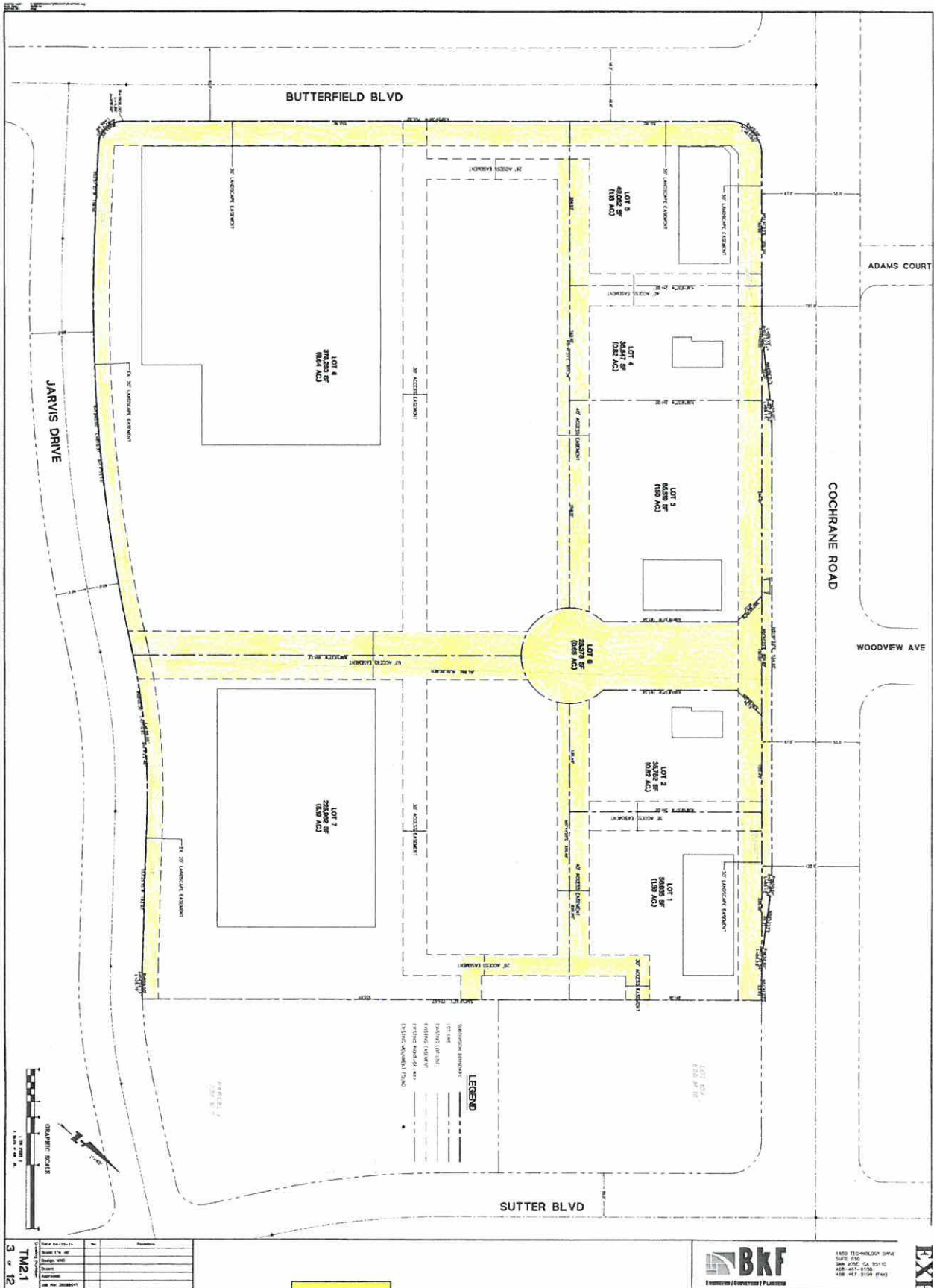
MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	site parking areas with photovoltaic panels. MM GHG-1.2: Develop a carbon offset program to offset all remaining project emissions above the per service population threshold of 4.6 MT CO₂e per year. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, and enforceable by the City or BAAQMD. Offsets may include but are not limited to the following: • Applicant funding of local projects, subject to review and approval by the City or BAAQMD, that will result in real, permanent, verifiable, and enforceable, and additional reduction in GHG emissions. If the City or BAAQMD develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold. • Purchase of carbon credits to offset emissions below the significance threshold. Only CARB carbon offset credits, credits verified and registered with the Climate Action reserve may be used to offset emissions.			
GEOLOGY AND SOILS				
The project would be exposed to geology and soil hazards.	Standard Measures: The following measures, consistent with the City of Morgan Hill Standards Conditions of Approval, would be implemented by the proposed project: • The adverse effects of seismic activity and expansive soil would be avoided using standard engineering and design techniques applied to new construction projects within the City of Morgan Hill. Building design and construction would be completed in conformance with a design-level geotechnical investigation reviewed by the City as a standard condition of development. The proposed project will also be required to conform to the requirements of the 2013 California Building Code. • The project will be subject to review and approval by the Morgan	Prior to issuance of a building permit, the project applicant shall submit the design-level geotechnical investigation and erosion control plan to the City of Morgan Hill Public Works Department and the project plans to the City of Morgan Hill Fire	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	Hill Fire Department, prior to issuance of a building permit. The project will be required to prepare an Erosion Control Plan. Prior to issuance of a building and/or site development permit, the Erosion Control Plan will be subject to review and approval of the Public Works Department. Conformance with the measures in the Erosion Control Plan would reduce soil erosion during construction to a less than significant level.	Department for review and approval and the project will be subject to review and approval by the City of Morgan Hill Fire Department.		
HYDROLOGY AND WATER QUALITY				
Impact HYD-1: Construction activities could temporarily increase pollutant loads in storm water runoff, degrading water quality downstream of the project site.	In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level: MM HYD-1.1: The following BMPs would be implemented during project construction: - Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains. - Earthmoving or other dust-producing activities will be suspended during periods of high winds. - All exposed or disturbed soil surfaces will be watered at least twice daily to control dust. - Stockpiles of soil or other materials that can be blown by the wind will be watered or covered. - All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard. - All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).	The project applicant shall file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual with the RWQCB, prior to the commencement of soil disturbing activities. Copies of the NOI Receipt Letter and SWPPP shall be submitted to the City of Morgan Hill Building and Public Works Department for review and approval,	Measures, including the approved SWPPP, shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	Vegetation in disturbed areas will be replanted as quickly as possible. MM HYD-1.2: Consistent with the requirements of the NPDES General Permit for Construction Activities, a Notice of Intent (NOI) would be submitted to the RWQCB and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to control discharge associated with construction activities, prior to commencement of grading and construction activities. Once grading begins the SWPPP must be kept on-site and updated as needed while construction progresses.	prior to the issuance of a building permit. The Best Management Practices shall be implemented by the applicant and contractors during project grading and construction.		
NOISE				
Impact NOI-1: If not controlled, construction activities on the project site could expose adjacent sensitive receptors to a substantial temporary increase in ambient noise levels.	MM NOI-1.1: Consistent with the City of Morgan Hill Municipal Code, the following standard measures shall be implemented by the developer during project construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. - Construction activities shall be limited to the hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities should occur on Sundays or federal holidays (Consistent with Section 8.28.040 of the Morgan Hill Municipal Code). - Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. - Locate stationary noise generating equipment (e.g. rock crushers, compressors) as far as possible from adjacent residential receptors. - Acoustically shield stationary equipment located near residential receptors with temporary noise barriers or recycled demolition materials.	The measures shall be implemented by the applicant and contractors during construction.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM COCHRANE ROAD COMMERCIAL DEVELOPMENT (ZA-13-12/SD-13-14)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	- Utilize "quiet" air compressors and other stationary noise sources where technology exists. - The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.			

SOURCE: City of Morgan Hill, *Cochrane Road Commercial Development Initial Study*, June 2014.



Common Area Improvements

EXHIBIT D

MITIGATION MONITORING OR REPORTING PROGRAM

Butterfield & Cochrane Development

AAE2017-0034/AAE2017-0035



July 2018

PREFACE

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the Mitigation Monitoring or Reporting Program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study prepared for the Butterfield & Cochrane Development project concludes that proposed mixed-use development could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project. This Mitigation Monitoring or Reporting Program outlines these measures and how, when, and by whom they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less-than-significant.

MITIGATION MONITORING OR REPORTING PROGRAM BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
AIR QUALITY				
Impact AQ-1: Construction of the proposed project could temporarily generate fugitive dust in the form of PM ₁₀ and PM _{2.5} .	MM AQ-1.1: During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects: - Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. - Haul trucks transporting soil, sand, or other loose material off-site shall be covered. - Visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweeps at least once per day. The use of dry power sweeping is prohibited. - Vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph) - Roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California	The Best Management Practices shall be implemented by the applicant and contractors during grading and construction activities. Prior to issuance of a grading or building permit, the applicant shall submit to the Community Development Department for review and approval a management plan detailing the strategies for control of dust during construction of the project.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points. - Construction equipment shall be maintained and properly tuned in accordance with manufacture's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.			
Impact AQ-2: Construction of the proposed project, if all 11 parcels are constructed simultaneously and within 18 months, could increase cancer risk to nearby sensitive receptors.	MM AQ-2.1: Prior to issuance of a grading permit, the project shall develop, and provide to the City for review and approval, a construction equipment plan with updated construction phasing schedule demonstrating that the combined emissions of the 11 parcels would not exceed the significant health risk threshold of 10.0 cancer cases in one million for infant exposure. The use of Tier 4 engines or equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) could meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant levels.	Prior to issuance of a grading permit, the applicant shall submit to the Community Development Department for review and approval a construction equipment plan with updated construction phasing schedule demonstrating that the combined emissions would not exceed the significant	Measure shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
		health risk threshold of 10.0 cancer cases in one million for infant exposure.		
Impact AQ-3: Odors generated by the proposed restaurants could result in odor complaints.	MM AQ-3.1: Include designs to reduce cooking odors or require the installation of odor abatement equipment if complaints occur. The City shall require design of the restaurant to avoid odor complaints, and if necessary, require restaurants to install odor abatement equipment if confirmed odor complaints are received.	The measures shall be implemented by the applicant and/or the contractors during the design, construction and/or operation of the project, as applicable.	Measure shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
BIOLOGICAL RESOURCES				
Impact BIO-1: Construction activities on the project site could result in the loss of burrowing owl eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest.	MM BIO-1.1: Complete pre-construction surveys to determine if burrowing owls are present within the footprint of the proposed grading area, no more than 30 days prior to initiation of any construction-related activities. MM BIO-1.2: Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones with a 250-foot radius from occupied burrows, shall be established. All project-related activities shall occur outside of the exclusion area until the young have fledged. MM BIO-1.3: If preconstruction surveys are completed during the non-breeding season and burrowing owls are observed on the site, the owls may be relocated upon approval of the California Department of Fish and Game once mitigation has been provided.	Burrowing owl pre-construction surveys shall be completed by the applicant no more than 30 days prior to the initiation of site clearing or construction activities. The burrowing owl survey report, including any protection measures, shall be submitted to the Director of	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	MM BIO-1.4: A final report on burrowing owls, including any protection measures, shall be submitted to the Director of Community Development prior to grading.	Community Development prior to grading permit.		
Impact BIO-2: Construction activities on the project site could result in the loss of raptor and/or migratory bird eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest.	MM BIO-2.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys will be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all nesting habitat within 250 feet of the site for nests. MM BIO-2.2: If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that will remain off limits to construction until the nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the of the Community Development Director, prior to the start of construction.	If construction cannot be scheduled to avoid the nesting season, then the pre-construction surveys for nesting birds shall be completed within 30 days of the on-set of site clearing or construction activities. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the of the Community Development Director, prior to the issuance of a grading permit and start of construction.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
Impact BIO-3: American badgers could be injured or	MM BIO-3.1: Pre-construction surveys shall be used to determine the presence or absence of badgers on the project site. If an active badger den is	The badger pre-construction survey shall be completed	Measure shall be printed on all construction	City of Morgan Hill Community

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
harmful, if occupied badger dens are present onsite at the time of construction.	identified during pre-construction surveys, a construction-free buffer of up to 300 feet shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed.	concurrent with the burrowing owl pre-construction survey (see MM BIO-1.1 above), and provided prior to grading permit.	documents, contracts, and project plans.	Development Director

CULTURAL RESOURCES

The project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials.	SM CULT-1: Since the site is located within the mapped archaeologically sensitive area as adopted by the City, then the project applicant has the option to either have an archaeological survey be completed for the site to determine what, if any, conditions of approval will be required as mitigation measures; or agree to comply with the following standard conditions of approval, which shall be conclusively deemed to reduce potentially significant impacts on archaeological resources to a less than significant level (no archaeological resources report is required as part of any CEQA review of the project as long as the applicant accepts these conditions and incorporates them into the project): - An archaeologist shall be present on-site to monitor all ground-disturbing activities. Where historical or archaeological artifacts are found, work in areas where remains or artifacts are found will be restricted or stopped until proper protocols are met, as described below: - Work at the location of the find will halt immediately within thirty feet of the find. If an archaeologist is not present at the	The measures shall be implemented by the applicant and contractors during construction, if cultural materials are encountered.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director
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**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	time of the discovery, the applicant shall contact an archaeologist for evaluation of the find to determine whether it qualifies as a unique archaeological resource as defined by this chapter; ▪ If the find is determined not to be a Unique Archaeological Resource, construction can continue. The archaeologist will prepare a brief informal memo/letter that describes and assesses the significance of the resource, including a discussion of the methods used to determine significance for the find; ▪ If the find appears significant and to qualify as a unique archaeological resource, the archaeologist will determine if the resource can be avoided and will detail avoidance procedures in a formal memo/letter; and ▪ If the resource cannot be avoided, the archaeologist shall develop within forty-eight hours an action plan to avoid or minimize impacts. The field crew shall not proceed until the action plan is approved by the community development director. The action plan shall be in conformance with California Public Resources Code 21083.2. SM CULT-2: This project may adversely impact undocumented human remains or unintentionally discover significant historic or archaeological materials. In the unlikely event cultural materials are found during site grading or excavation, the following standard measures would be implemented. If human remains are discovered, it is probable they are the remains of Native Americans. • If human remains are encountered they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a			

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld. - o Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled. - o Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains. • In the event that known or suspected Native American remains are encountered or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale. • An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the Monitoring Archaeologist (typically 25-50ft for single burial or archaeological find).			

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	- The discovery locale shall be secured (e.g., 24 hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances. - The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition: - The City of Morgan Hill Community Development Director (408) 779-7247 - The Contractor's Point(s) of Contact - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900 - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082 - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C) - The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC. - The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.) - Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose. - Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Community Development Director the recommended means for treating or disposing, with appropriate			

MITIGATION MONITORING OR REPORTING PROGRAM BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out. If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.			
GREENHOUSE GAS EMISSIONS				
Impact GHG-1: The proposed project would exceed BAAQMD GHG emissions thresholds for 2020 and 2030.	MM GHG-1.1: The proposed project shall implement a GHG reduction plan for each parcel that includes the proper strategies to reduce GHG emissions consistent with 2020 or 2030 thresholds based on the date of operation of a given parcel, i.e. parcels that will be in operation prior to 2021 must meet the 2020 threshold and those after 2020 must meet the 2030 threshold. Strategies of this plan may include, but would not be limited to, the following: - Installation of solar power systems or other renewable electric generating systems that provide electricity to power on-site equipment and possibly provide excess electric power; - Develop and implement a transportation demand management program to reduce mobile GHG emissions; - Construct onsite or fund off-site carbon sequestration projects (such as a forestry or wetlands projects for which inventory and reporting protocols have been adopted). If the project develops an off-site project, it must be registered with the Climate Action Reserve or	The GHG emissions reduction measures and carbon offset program shall be submitted to the Community Development Department for review and approval, prior to issuance of a building permit.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	otherwise approved by the BAAQMD in order to be used to offset Project emissions; • Purchase of carbon credits to offset Project annual emissions. Carbon offset credits must be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by the California Air Resources Board or BAAQMD. The preference for offset carbon credit purchases include those that can be achieved as follows: 1) within the City; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Provisions of evidence of payments, and funding of an escrow-type account or endowment fund would be overseen by City of Morgan Hill.			
GEOLOGY AND SOILS				
In accordance with the City of Morgan Hill standards, the project shall implement the following measures to reduce and/or avoid soil hazards.	SM GEO-1: To avoid or minimize potential damage from seismic shaking, the proposed residential mixed-use development shall be built using standard engineering and seismic safety design techniques. Prior to issuance of development permits, building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of Morgan Hill Building Division prior to issuance of a building permit. The buildings will be required to meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project will be designed to withstand soil hazards identified on the site and the project	To be implemented by the applicant and contractors prior to the issuance of a grading permit.	All measures will be required as part of the development permit. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of permits.	Director of the City's Community Development Agency

MITIGATION MONITORING OR REPORTING PROGRAM BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.			
Ground disturbance would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete.	Standard Condition (SC GEO-1), Storm Drain System: Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the Director of Public Works. 1. Storm drain calculations to determine detention pond sizing and operations. 2. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system. 3. Water Pollution Control Drawings (WPCD) for Sediment and Erosion Control. Standard Condition (SC GEO-2), Storm Drain System: As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one (1) acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification (WDID) number to the construction site will be issued after the SWRCB receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the	To be implemented by the applicant and contractors prior to approval of grading permit.	All measures will be required as part of the development permit. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of permits.	Director of the City's Community Development Agency and Public Works Department.

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	Building and Public Works Department review. SWPPP shall be made a part of the improvement plans. (SWRCB NPDES General Permit CA000002)			
HYDROLOGY AND WATER QUALITY				
Impact HYD-1: Construction activities could temporarily increase pollutant loads in storm water runoff, degrading water quality downstream of the project site.	In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level: MM HYD-1.1: The following BMPs would be implemented during project construction: • Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains. • Earthmoving or other dust-producing activities will be suspended during periods of high winds. • All exposed or disturbed soil surfaces will be watered at least twice daily to control dust. • Stockpiles of soil or other materials that can be blown by the wind will be watered or covered. • All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard. • All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers). • Vegetation in disturbed areas will be replanted as quickly as possible. MM HYD-1.2: Consistent with the requirements of the NPDES General Permit for Construction Activities, a Notice of Intent (NOI) would be submitted to the RWQCB and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to control discharge associated with construction	The project applicant shall file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual with the RWQCB, prior to the commencement of soil disturbing activities. Copies of the NOI Receipt Letter and SWPPP shall be submitted to the City of Morgan Hill Building and Public Works Department for review and approval, prior to the issuance of a building permit. The Best Management Practices shall be	Measures, including the approved SWPPP, shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

MITIGATION MONITORING OR REPORTING PROGRAM BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)				
Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	activities, prior to commencement of grading and construction activities. Once grading begins the SWPPP must be kept on-site and updated as needed while construction progresses.	implemented by the applicant and contractors during project grading and construction.		
NOISE				
Impact NOI-1: Operation of mechanical equipment could exceed existing ambient noise levels near sensitive receptors.	MM NOI-1.1: Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City of Morgan Hill's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to 55 dBA Leq at residences to the west of the site, across Butterfield Boulevard. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.	To be implemented by applicant and contractors prior to the issuance of a building permit.	All measures will be required as part of the development permit. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of building permits.	City of Morgan Hill Community Development Director
Impact NOI-2: If not controlled, construction activities on the project site could expose adjacent sensitive receptors to a substantial temporary increase in ambient noise levels.	MM NOI-2.1: Consistent with the City of Morgan Hill Municipal Code, the following standard measures shall be implemented by the developer during project construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. Construction activities shall be limited to the hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities should occur on Sundays or federal holidays (Consistent with Section 8.28.040 of the Morgan Hill Municipal Code).	The measures shall be implemented by the applicant and contractors during construction.	Measures shall be printed on all construction documents, contracts, and project plans.	City of Morgan Hill Community Development Director

**MITIGATION MONITORING OR REPORTING PROGRAM
BUTTERFIELD & COCHRANE DEVELOPMENT (AAE2017-0034/AAE2017-0035)**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. - Locate stationary noise generating equipment (e.g. rock crushers, compressors) as far as possible from adjacent residential receptors. - Acoustically shield stationary equipment located near residential receptors with temporary noise barriers or recycled demolition materials. - Utilize "quiet" air compressors and other stationary noise sources where technology exists. - The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.			

SOURCE: City of Morgan Hill. *Butterfield & Cochrane Development Initial Study/Addendum*. July 2018.