



**Regular Meeting Agenda
Planning Commission**

Juan Miguel Munoz-Morris - Chairman
Mohammad Habib - Vice Chairman
Joseph Mueller - Planning Commissioner
Wayne Tanda - Planning Commissioner
Laura Gonzalez-Escoto - Planning Commissioner
Malisha Kumar - Planning Commissioner
Liam Downey - Planning Commissioner

Tuesday, March 10, 2020 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. APPROVE THE FEBRUARY 11, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARINGS

2. PLANNING COMMISSION TO CONSIDER MAKING A RECOMMENDATION TO THE CITY COUNCIL TO AMEND TITLE 18 (ZONING), DIVISION III (RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS)), OF THE MORGAN HILL MUNICIPAL CODE, BY ADDING A SECTION 18.156.180 (ENFORCEMENT) TO ESTABLISH PROCEDURES FOR THE LIMITED ENFORCEMENT OR NON-ENFORCEMENT OF THE RDCE WHILE THE HOUSING CRISIS ACT IS IN EFFECT.

Recommendation:

It is recommended that the Planning Commission adopt a resolution recommending that the City Council amend Title 18 (Zoning), Division III (Residential Development Control System (RDCS)), of the Morgan Hill Municipal Code, by adding a Section 18.156.180 (Enforcement) to establish procedures for the limited enforcement or non-enforcement of the Residential Development Control System (RDCS) while the Housing Crisis Act of 2019 is in effect

OTHER BUSINESS

3. SENATE BILL 743 (SB 743) LEVEL-OF-SERVICE (LOS) TO VEHICLE-MILES-TRAVELED (VMT) PRESENTATION

Recommendation:

Accept presentation by Staff and Nelson\Nygaard Consulting Associates, Inc. regarding the City's implementation of State Senate Bill 743 (SB 743) transition from Level-of-Service (LOS) to Vehicle-Miles-Traveled (VMT) metric for transportation analysis under the California Environmental Quality Act (CEQA).

4. GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT (APR) 2019

Recommendation:

Accept the 2019 General Plan and Housing Element Annual Progress Report (APR).

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 cityclerk@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 cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

DRAFT



Meeting Minutes Planning Commission

Juan Miguel Munoz-Morris - *Chairman*
Mohammad Habib - *Vice Chairman*
Joseph Mueller - *Planning Commissioner*
Wayne Tanda - *Planning Commissioner*
Laura Gonzalez-Escoto - *Planning Commissioner*
Malisha Kumar - *Planning Commissioner*
Liam Downey - *Planning Commissioner*

Tuesday, February 11, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

ROLL CALL ATTENDANCE

Attendee Name	Title	Status	Arrived
Juan Miguel Munoz-Morris	Chairman	Present	
Mohammad Habib	Vice Chairman	Present	
Joseph Mueller	Planning Commissioner	Present	
Wayne Tanda	Planning Commissioner	Present	
Laura Gonzalez-Escoto	Planning Commissioner	Present	
Malisha Kumar	Planning Commissioner	Present	
Liam Downey	Planning Commissioner	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Luna declared the posting for the agenda at 7:01 p.m.

PLEDGE OF ALLEGIANCE

Planning Commission Mueller led the Pledge of Allegiance at 7:02 p.m.

Minutes Acceptance: Minutes of Feb 11, 2020 7:00 PM (Minutes Approval)

OPEN PUBLIC COMMENT PERIOD

Chair Munoz-Morris opened the Public Comment Period at 7:02 p.m. The following individuals address the Planning Commission:

- Shane Palsgrove
- Joe Baranowski

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

ORDERS OF THE DAY

No changes made.

CONSENT AGENDA

1. APPROVE THE NOVEMBER 18, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Liam Downey, Planning Commissioner
AYES:	Munoz-Morris, Habib, Mueller, Tanda, Gonzalez-Escoto, Kumar, Downey

2. APPROVE THE JANUARY 28, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

Planning Commission Tanda abstained from this item due to his absence from the meeting.

RESULT:	ACCEPTED [6 TO 0]
MOVER:	Joseph Mueller, Planning Commissioner
SECONDER:	Liam Downey, Planning Commissioner
AYES:	Munoz-Morris, Habib, Mueller, Gonzalez-Escoto, Kumar, Downey
ABSTAIN:	Tanda

PUBLIC HEARINGS

3. PRELIMINARY REVIEW APPLICATION SR2019-0038: COCHRANE – MORGAN HILL RETAIL VENTURE CENTER: A PRELIMINARY REVIEW OF A PROPOSED PLANNED DEVELOPMENT AMENDMENT FOR THE COCHRANE COMMONS RETAIL CENTER AND ASSOCIATED LAND. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS: 728-37-056, -069, AND -041, ARE LOCATED ON THE NORTH WEST CORNER OF HIGHWAY 101 AND COCHRANE ROAD.

Recommendation:

Planning Commission to provide preliminary comments on the proposed plan.

Community Development Director Jennifer Carman presented the Staff Report.

Chair Munoz-Morris opened the Public Hearing at 7:27 p.m. The following individuals addressed the Planning Commission:

- Scott Bohrer
- Dick Oliver
- Joe Baranowski
- Keith Grosseohme

The meeting recessed at 8:20 p.m.

The meeting reconvened at 8:26 p.m.

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

No action taken. The Planning Commission provided the applicant feedback on the proposed Planned Development.

RESULT:	NO ACTION TAKEN
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OTHER BUSINESS

None.

DIRECTOR'S REPORT/ANNOUNCEMENTS

The Community Development Director Jennifer Carman gave the report at 9:40 p.m.

ADJOURNMENT

There being no further business, Chair Munoz-Morris adjourned the meeting at 9:44 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

Minutes Acceptance: Minutes of Feb 11, 2020 7:00 PM (Minutes Approval)



PLANNING COMMISSION STAFF REPORT

MEETING DATE: March 10, 2020

PREPARED BY: Leslie Little, Assistant City Manager for Community Development
APPROVED BY: Jennifer Carman, Community Development Director

PLANNING COMMISSION TO CONSIDER MAKING A RECOMMENDATION TO THE CITY COUNCIL TO AMEND TITLE 18 (ZONING), DIVISION III (RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS)), OF THE MORGAN HILL MUNICIPAL CODE, BY ADDING A SECTION 18.156.180 (ENFORCEMENT) TO ESTABLISH PROCEDURES FOR THE LIMITED ENFORCEMENT OR NON-ENFORCEMENT OF THE RDCS WHILE THE HOUSING CRISIS ACT IS IN EFFECT.

RECOMMENDATION(S)

It is recommended that the Planning Commission adopt a resolution recommending that the City Council amend Title 18 (Zoning), Division III (Residential Development Control System (RDCS)), of the Morgan Hill Municipal Code, by adding a Section 18.156.180 (Enforcement) to establish procedures for the limited enforcement or non-enforcement of the Residential Development Control System (RDCS) while the Housing Crisis Act of 2019 is in effect

POLICY CONSIDERATIONS:

The Housing Crisis Act of 2019 (SB 330) made major modifications to the law regarding housing review and processing; specifically eliminating the City's ability to pace growth by permitting a certain number of units/allocations and to implement the General Plan population cap until January 1, 2025. This ordinance provides an opportunity to make the Morgan Hill Municipal Code, specifically Title 18, Zoning, Chapter 18.156 Residential Development Control System, consistent with State Housing Law.

BACKGROUND:

Morgan Hill's Residential Development Control System (RDCS)

The RDCS was first established by the City's voters in 1977, and it has been amended and extended multiple times since its adoption (Morgan Hill Municipal Code ("MHMC") § 18.156.010.B.). It was most recently updated and adopted as Measure S, a City-initiated ballot measure approved by the voters on November 8, 2016 that became effective on March 1, 2017. (Id.) In its current form, the RDCS limits residential growth in the City in two ways:

- (1) It establishes an absolute population cap of 58,200 through January 1, 2035. (Id. at § 18.156.040.A.)
- (2) It limits residential allotments to 215 per calendar year. (Id. at §18.156.050.A.)

Under the RDCS, residential allotments are a prerequisite for applying for most land use entitlements and for constructing units, with some exceptions including a single-family home. Downtown projects, projects that contribute agricultural preservation set-asides, and 100 percent affordable projects are not required to compete, but still required to score based on the RDCS competition criteria. (RDCS Manual).

In addition to the growth control requirements, the RDCS requires the City Council to adopt and maintain a “competition manual” that establishes criteria to evaluate residential projects that have applied for residential allotments. (Id. at § 18.156.100.) Finally, the RDCS prohibits amendments without voter approval, except for specified sections (generally regarding administration and processing requirements). (Id. at § 18.156.020.)

ANALYSIS:

On October 9, 2019, Governor Gavin Newsom signed SB 330, known as the “Housing Crisis Act of 2019”. SB 330 prohibits cities and counties from implementing certain limits on the number of residential permits issued or enforcing population caps through January 1, 2025. In addition, SB 330 mandates sweeping, uniform processing of development applications to standardize processes statewide and provide development certainty to the development industry. These actions were taken to stimulate the construction of housing, at all affordability levels.

Accordingly, developers are entitled to seek City review and approval of residential projects of any size, at any point during the year, without first receiving allocation approval from the City, except in Very High Fire Hazard Severity Zones. In addition, it is possible, although not probable, that the City’s population could potentially exceed 58,200 which is the current growth cap established by the 2035 General Plan Update of 2016.

The City’s Residential Development Control System was adopted by the voters through the initiative process, most recently by Measure S in 2016. Although California voters’ right to adopt legislation by initiative is protected by the State Constitution and is “jealously guarded” by the courts, the state legislature retains the authority to preempt most local land use laws.

Indeed, SB 330 carries penalties for non-compliance with the Housing Crisis Act which are financially costly and created/given additional entities standing to help enforce/police the housing measure. Therefore, the City believes it must abide by SB 330 and suspend enforcement of the Residential Development Control System

Provided is an ordinance (Attachment 2) recommending that the City Council add a provision to the zoning code that states, consistent with the position the City has stated

publicly, that the City will not enforce the Residential Development Control System while SB 330 is in effect except in Very High Fire Hazard Severity Zones.

SB 330 is currently scheduled to sunset on January 1, 2025. (Id. at § 66301.) Therefore, starting on January 1, 2025 (unless SB 330 is extended), the City could resume enforcement of the RDCS and its growth cap. Accordingly, the City could resume requiring residential allotments before approving projects, and it would not be obligated to approve projects that would increase the City's population above 58,200 people.

ZONING ORDINANCE AND GENERAL PLAN CONSISTENCY:

This Ordinance will bring the City into compliance with Housing Crisis Act of 2019. State law preempts the City's ability to make findings as set forth in Municipal Code Section 18.114.060; however, state law requires that the City review and approve projects in a manner consistent with this proposed amendment.

California Environmental Quality Act (CEQA):

The consideration/adoption of this Ordinance is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15061(b)(3) and as a ministerial action pursuant to Public Resources Code Section 21080(b)(1).

PUBLIC ENGAGEMENT:

In accordance with 18.104.090.B.2, official notice of this hearing was provided by placing a quarter page display advertisement in the Morgan Hill Times. Notice was also provided on the website and via social media.

LINKS/ATTACHMENTS:

1. Morgan Hill - PC Resolution - SB 330
2. Morgan Hill - Draft Ordinance re SB 330 Compliance (02 26 20 Version)

RESOLUTION NO. 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING DIVISION III (RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS)), ADDING SECTION 18.156.180 (ENFORCEMENT) TO TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL TO ESTABLISH PROCEDURES FOR THE LIMITED ENFORCEMENT OR NON-ENFORCEMENT OF THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) WHILE THE HOUSING CRISIS ACT ENACTED BY SENATE BILL 330 IS IN EFFECT.

WHEREAS, the State is experiencing a severe housing crisis that is driving the cost of living beyond the reach of an increasing share of the population; and

WHEREAS, on October 9, 2019, the Governor signed 18 bills into law to stimulate housing production (the “2019 package”, including SB330), establishing the Housing Crisis Act of 2019, which is intended to accelerate housing production by streamlining permitting and approval processes, creating certain vested rights for housing projects, and ensuring no net loss in zoning capacity; and

WHEREAS, the California Legislature has declared a statewide housing emergency, to be in effect until January 1, 2025; and

WHEREAS, the amendments proposed by the Ordinance are intended to comply with changes mandated by State law, as the Housing Crisis Act is deemed to preempt, and preclude the enforcement of, the Residential Development Control System (RDCS) as it relates to the population cap of 58,200 and the limit on residential allotments to 215 per calendar year, while the Housing Crisis Act is in effect; and

WHEREAS, State action to override local control with respect to residential land use decisions with respect to residential development, including policies adopted by initiative, was not contemplated at the time RDCS was adopted by initiative in 1977; and

WHEREAS, adopting the Ordinance provides the public with clarity regarding State mandates; and

WHEREAS, on December 18, 2019, the City Council adopted Residential Development Design and Development Standards to comply with the requirements of

SB330 in lieu of applying standards in the RDCS competition manual developed pursuant to Section 18.156.100; and

WHEREAS, the proposed Ordinance was considered by the Planning Commission of the City of Morgan Hill during a duly noticed public hearing as prescribed by law at its regular meeting of March 10, 2020; and

WHEREAS, the Planning Commission has reviewed recommendations contained in the March 10, 2020 staff report on this item, and has determined that Government Code section 66300 has preempted the City's ability to enforce its policies with respect to managing growth as set forth in the General Plan and zoning code; and

WHEREAS, this ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and as a ministerial action not subject to CEQA under Public Resources Code Section 21080(b)(1) as described in paragraphs Q and R of Section 1 of the Ordinance; and

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

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

SECTION 1. Morgan Hill Municipal Code Section 18.114.040 requires Planning Commission to recommend to City Council based upon the findings listed in 18.114.060 in connection with text amendments to the City's zoning code: that the proposed amendment is consistent with the general plan; that the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and that the proposed amendment is internally consistent with other applicable provisions of the zoning code. The Planning Commission finds that Government Code section 66300 has preempted the City's ability to enforce its policies with respect to managing growth as set forth in the General Plan and zoning code. The Planning Commission further finds that, accordingly, state law preempts the City's ability to make findings as set forth in Municipal Code Section 18.114.060; however, state law requires that the City review and approve projects in a manner consistent with this proposed amendment.

SECTION 2. The Planning Commission hereby recommends that the City Council approve the ordinance amending Division III (Residential Development Control System (RDCS)) adding Section 18.156.180 (Enforcement) to

Chapter 18.156 of Title 18 (Zoning) of the Municipal Code implementing amendments made to the California Planning and Zoning Law regarding the Housing Crisis Act of 2019 by Senate Bill 330.

PASSED AND ADOPTED THIS 10th DAY OF MARCH 2020, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

JENNA LUNA, Deputy City Clerk

APPROVED:

JUAN MIGUEL MUNIZ-MORRIS, Chair

Date: _____

ORDINANCE NO. ____, NEW SERIES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL TO AMEND CHAPTER 18.156 (RESIDENTIAL DEVELOPMENT CONTROL SYSTEM) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL BY ADDING A SECTION 18.156.180 (ENFORCEMENT) TO ESTABLISH PROCEDURES FOR THE LIMITED ENFORCEMENT OR NON-ENFORCEMENT OF THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) WHILE THE HOUSING CRISIS ACT IS IN EFFECT

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

Section 1. **Findings Regarding the Housing Crisis Act of 2019.** To comply with the Housing Crisis Act of 2019, the City Council finds as follows:

A. On October 9, 2019, Governor Newsom signed Senate Bill 330 (“SB 330”) into law effective as of January 1, 2020.

B. SB 330 enacted Government Code Section 66300, the “Housing Crisis Act of 2019.” Among other limitations on local authority, Section 66300(b)(1)(D) of the Housing Crisis Act prohibits affected cities from implementing limits on the number of residential permits issued through January 1, 2025.

C. Pursuant to Government Code Section 66300(e), the California State Department of Housing and Community Development (“HCD”) has determined that Morgan Hill is an “affected city” subject to the Housing Crisis Act.

D. Section 66300(a)(3) of the Housing Crisis Act expressly states that the Act applies to “the electorate of an affected county or city exercising its local initiative or referendum power, whether that power is derived from the California Constitution, statute, or the charter or ordinances” and requires that its provisions “be broadly construed so as to maximize the development of housing within this state.”

E. The City’s Residential Development Control System (the “RDCS”) was adopted by the voters through the initiative process and was most recently extended by a vote of the people called “Measure S” in 2016 and is codified as Morgan Hill Municipal Code Chapter 18.156.

F. The RDCS establishes an absolute population cap of 58,200 through January 1, 2035 and limits residential allotments to 215 per calendar year. The Housing Crisis Act is deemed to preempt, and preclude the enforcement of, these portions of the RDCS while the Housing Crisis Act is in effect.

G. The City Council of the City of Morgan Hill actively and aggressively opposed certain portions of SB 330, including the prohibition on caps on the number of housing units that may be approved or constructed annually and limits on population of the City under the RDCS, intending to preserve the growth control measures in place in the City of Morgan Hill since 1977.

H. Although Morgan Hill has already achieved more than four times the State-required amount of market rate residential development assigned via the most recent Regional Housing Needs Allocation process, affordable housing production remains a challenge in the City. The RDCS prevents market rate housing development from monopolizing available land in the City so that affordable housing developers have an opportunity to acquire sites and develop homes without competing directly with builders seeking to maximize their own profits.

I. The City of Morgan Hill has limited resources to invest in local infrastructure, such as streets, sewers, schools, and public safety. The RDCS helps meter growth to keep pace with available infrastructure while the City seeks financing mechanisms to provide necessary services to its residents.

J. The City Council of the City of Morgan Hill believes the State should provide more incentives and financial support for the development of affordable housing, and has offered suggestions to legislators regarding land dedication requirements for affordable housing production and additional funding for communities, such as Morgan Hill, that develop affordable housing but lose critical property tax revenue because of tax-exempt housing development.

K. The City Council of the City of Morgan Hill continues to be opposed to the loss of local control implemented through SB 330, and has serious concerns that the Housing Crisis Act will result in unintended consequences by incentivizing market rate housing development without making a meaningful contribution to the need for more affordable housing; but, the City Council recognizes that the cost to litigate against the State of California, and the significant challenges of successful litigation, would jeopardize the City's financial sustainability.

L. The City Council of the City of Morgan Hill will continue to invest City resources, including staff time, in discussions with the California Department of Housing and Community Development for additional guidance about how to best comply with state law requirements while advancing the goal of developing more affordable housing in the City and implementing the City's policies as adopted by a vote of the people to the greatest extent permissible under state law.

M. This Ordinance amends Title 18 (Zoning) of the City's Municipal Code to establish procedures for the limited enforcement or non-enforcement of the RDCS while the Housing Crisis Act is in effect.

N. The Planning Commission held a duly noticed public hearing as prescribed by law to consider adoption of this Ordinance on March 10, 2020.

O. On March 10, 2020, by Resolution No. [____], the Planning Commission recommended that the City Council adopt this Ordinance.

P. On [Month] [Day], 2020 and [Month] [Day], 2020, the City Council held two duly noticed public hearing to consider this Ordinance.

Q. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to the commonsense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines. The common sense exemption provides that CEQA applies to projects that have the potential for causing a significant effect on the environment, and thus where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the City’s action simply confirms that the City will review and process housing development projects in the manner prescribed by California law. Government Code Section 66300 would preempt enforcement of the RDCS even if the City did not adopt this Ordinance, and the City’s action does not approve any particular project or action that would have physical effects. Housing development projects will continue to be analyzed in compliance with CEQA as individual projects are proposed. The City’s adoption of the Ordinance has no direct or indirect physical impacts and simply conforms the City’s procedures to requirements defined by State law; therefore, it can be seen with certainty that the City’s action here will have no significant effect on the environment, and adoption of the Ordinance is exempt from CEQA.

R. Alternatively, the adoption of the Ordinance is a ministerial action that is not subject to CEQA in accordance with Public Resources Code Section 21080(b)(1). Under CEQA Guidelines Section 15002(f), CEQA only applies in situations where the City can use its judgment in deciding whether and how to carry out or approve a project; when the law requires the City to act in a set way without allow the City to use its own judgement, the project is ministerial and CEQA does not apply. Government Code Section 66300 requires the City to act on housing development projects without applying the RDCS. Because the City has no discretion to refuse compliance with Government Code Section 66300 and the law precludes the City from applying its own judgement, compliance with Government Code Section 66300 is ministerial. Therefore, this Ordinance enacted to comply with Government Code Section 66300 is not subject to CEQA.

Section 2. Findings for Approval. In addition to the findings set forth in Section 1, Morgan Hill Municipal Code Section 18.114.060 includes three findings for the City Council to make in connection with text amendments to the City’s zoning code: that the proposed amendment is consistent with the general plan; that the proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and that the proposed amendment is internally consistent with other applicable provisions of the zoning code. The City Council finds that Government Code section 66300 has preempted the City’s ability to enforce its policies with respect to managing growth as set forth in the General Plan and zoning code. The City Council further finds that; accordingly, state law preempts the City’s ability to make findings as set forth in Municipal Code Section 18.114.060; however, state law requires that the City review and approve projects in a manner consistent with this proposed amendment.

Section 3. Section 18.156.180 (Enforcement) is hereby added to Chapter 18.156 (Residential Development Control System) of Title 18 (Zoning) to read as follows:

18.156.180 – Enforcement.

- A. Purpose. This Section 18.156.180 establishes procedures (1) to comply with the Housing Crisis Act by determining not to enforce the City’s Residential Development Control System set forth in this Chapter 18.156 that conflict with Government Code Section 66300(b)(1)(D), and (2) for the processing and review of housing development projects while Government Code Section 66300 is in effect.
- B. As required by Government Code Section 66300(b)(1)(D)(iii), unless the housing development project is located within a very high fire hazard severity zone as defined in Government Code Section 51177, the City shall not deny an application for a housing development project on the basis of that project causing the City’s population to exceed the limit established in Section 18.156.040.
- C. As required by Government Code Section 66300(b)(1)(D)(i), unless the housing development project is located within a very high fire hazard severity zone as defined in Government Code Section 51177, the City shall not require a residential allotment to apply for land use entitlements or to construct a housing development project.
 - 1. The number of available allotments specified in Section 18.156.110 shall not limit the City’s ability to review or approve housing development projects, unless the housing development project is located within a very high fire hazard severity zone as defined in Government Code Section 51177.
 - 2. Unless the housing development project is located within a very high fire hazard severity zone as defined in Government Code Section 51177, an applicant shall not be required to submit an RDCS application under Section 18.156.120 or a pre-application under Section 18.156.130 prior to submitting an entitlement application for a housing development project.
- D. In lieu of applying standards in an RDCS competition manual developed pursuant to Section 18.156.100, all residential projects requiring a Design Permit under Section 18.108.040 shall be subject to the Residential Development Design and Development Standards set forth in Resolution No. [____] adopted by the City Council on December 18, 2019, as such may be amended from time to time by the City Council.
- E. Effective Dates and Repeal. This Section 18.156.180 shall take effect on [Month] [Day], 2020 and remain in effect so long as Chapter 12 of Division 1 of Title 7 of the California Government Code (the Housing Crisis Act of 2019) is in effect. This Section 18.156.180 is repealed and shall be of no further force and effect as of the date that the Housing Crisis Act of 2019 is repealed or otherwise invalidated by a court of competent jurisdiction in its entirety, or in part if Government Code Section 66300(b)(1)(D) is repealed, amended to permit implementation of the RDCS, or otherwise invalidated.

Section 4. **CEQA Compliance.** After reviewing and considering information in the record, including the staff report on this item, correspondence submitted to the City Clerk, and testimony at the public hearings on this item, and without limiting the City Council's findings that CEQA does not apply to the adoption of this Ordinance under Public Resources Code Section 21080(b)(1) because the City's compliance with the Housing Crisis Act of 2019 is a ministerial action, the City Council concluded that adoption of this Ordinance is exempt from CEQA under CEQA Guidelines Section 15061(b)(3). The City Council directs the City Manager to cause a Notice of Exemption to be filed with the Santa Clara Recorder in accordance with CEQA and the CEQA Guidelines.

Section 5. **Severability.** Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 6. **Effective Date; Posting.** This Ordinance shall take effect on [Month] [Day], 2020. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

Section 7. **Notice Pursuant to Government Code Section 65009.** Notice is given, pursuant to Government Code Section 65009, that any challenge of the Ordinance in court may be limited to raising only those issues raised by at the public hearings held on [Month] [Day], 2020 and [Month] [Day], 2020, or in written correspondence delivered to the City Council at, or prior to the public hearings on this Ordinance. The time within which judicial review must be sought of the action by the City Council enacting this Ordinance is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: March 10, 2020

PREPARED BY: Adam Paszkowski, Principal Planner

APPROVED BY: Jennifer Carman, Community Development Director

SENATE BILL 743 (SB 743) LEVEL-OF-SERVICE (LOS) TO VEHICLE-MILES-TRAVELED (VMT) PRESENTATION

RECOMMENDATION(S)

Accept presentation by Staff and Nelson\Nygaard Consulting Associates, Inc. regarding the City's implementation of State Senate Bill 743 (SB 743) transition from Level-of-Service (LOS) to Vehicle-Miles-Traveled (VMT) metric for transportation analysis under the California Environmental Quality Act (CEQA).

BACKGROUND:

On September 27, 2013, Senate Bill 743 (Steinberg) was signed by then Governor Jerry Brown. This legislation directed the Governor's Office of Planning and Research (OPR) to develop alternative metrics to replace the use of vehicular "Level of Service" (LOS) for evaluating transportation impacts under the California Environmental Quality Act (CEQA). Currently, environmental review of transportation impacts under CEQA focuses on the delay that vehicles experience at intersections and on roadway segments, measured by a metric known as "Level of Service" or LOS. Traffic mitigation for increased delay usually involves increasing roadway width or the size of the intersection which may increase vehicle use and emissions and discourage alternative forms of transportation.

SB 743 changes the focus of transportation analysis prepared for projects in accordance with CEQA from LOS to "Vehicle Miles Traveled" or VMT. The VMT metric measures the amount and distance people drive by motorized vehicle to a destination. Other relevant considerations include the effects of the project on transit, bicycle and pedestrian modes, and the safety of all travelers.

The shift to VMT will align CEQA analysis more closely with other State goals, most particularly greenhouse gas emission reduction goals. The shift is also intended to promote the development of multimodal transportation networks (i.e., networks that serve a variety of users including pedestrians, bicyclists, transit riders and drivers) and diversity of land uses. The City of San José was the first in Santa Clara County to switch to the VMT metric. Oakland, San Francisco, and other California cities have already transitioned to this new metric. All cities are required to switch to this metric by July 1, 2020.

Nelson\Nygaard Consulting Associates, Inc. is contracted with the City to assist in the

transition from LOS-to-VMT. A presentation has been prepared by the City's consultant to inform and educate the Planning Commission and the public regarding the transition from LOS-to-VMT.

LINKS/ATTACHMENTS:

1. PowerPoint Presentation

SB 743 Implementation

City of Morgan Hill

Planning Commission
March 10, 2020



WE PUT PEOPLE FIRST

Developing transportation systems to promote broader community goals of mobility, equality, economic development, and healthy living.



TRANSIT



CITIES AND STREETS



ACTIVE
TRANSPORTATION
AND SAFETY



MOBILITY MANAGEMENT



PARKING AND DEMAND
MANAGEMENT



EMERGING MOBILITY AND
ON-DEMAND SERVICES



ENGINEERING DESIGN
AND DEVELOPMENT



PARATRANSIT AND
COMMUNITY
TRANSPORTATION



CAMPUS MOBILITY



TRANSIT CORRIDORS

AGENDA

Senate Bill 743

Comparison of LOS and VMT

Mitigations

Implementation

Questions and Discussion

SENATE BILL 743

SB 743 CHANGES THE REQUIREMENTS FOR HOW TO MEASURE TRANSPORTATION IMPACTS IN CEQA

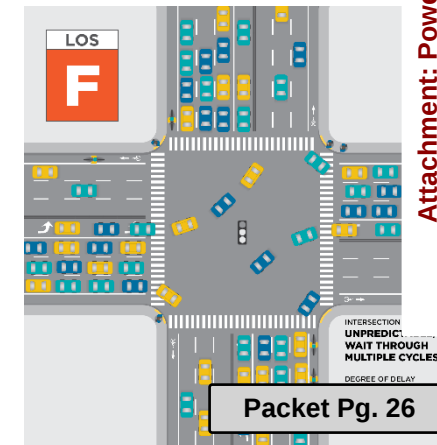
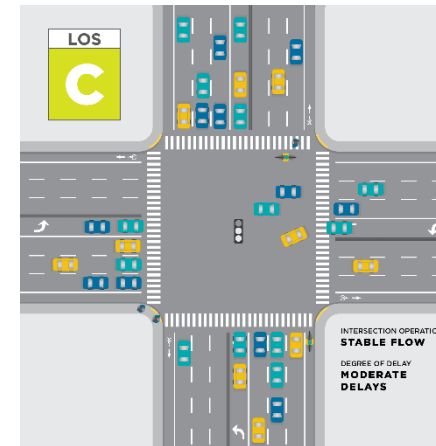
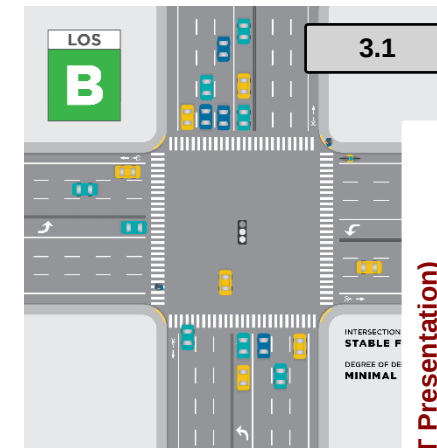
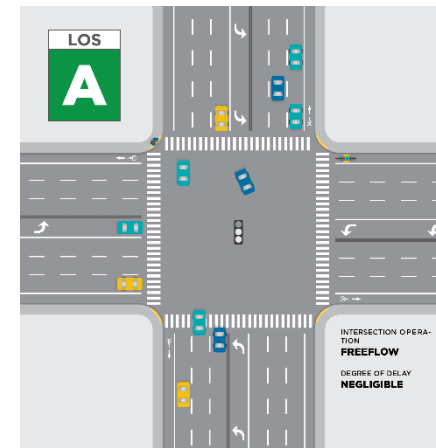
- CEQA requires analysis of a project's environmental impacts, including transportation.
- SB 743 requires cities to evaluate transportation impacts with metrics to support a reduction of greenhouse gas emissions, development of multimodal transportation networks, and diversification of land uses.
- Cities have until July 1, 2020 to comply with SB 743.
- Level of Service (LOS), the current metric, can no longer be used to measure transportation impacts under CEQA.
- Governor's Office of Planning and Research (OPR) has recommended that lead CEQA agencies replace LOS with Vehicle Miles Traveled (VMT) per capita.
- Other cities have adopted this such as: Pasadena, San Francisco, Oakland, San Jose, and Los Angeles.

LOS AND VMT

MEASURING TRANSPORTATION: LEVEL OF SERVICE

Level of service (LOS) measures the convenience of traveling in an automobile.

- Measures the number of seconds vehicles are delayed at intersections, as well as the reductions in free-flow speed that may occur as the result of other vehicles.



MEASURING TRANSPORTATION: VEHICLE MILES TRAVELED

Vehicle miles traveled (VMT) measures the total amount of driving over a given area.

- Based on geographic travel patterns, which reflect transportation infrastructure, transit service, and land use.
- Better connects environmental impact measurement to State greenhouse gas emissions reduction goals.

Calculating Household VMT per Capita

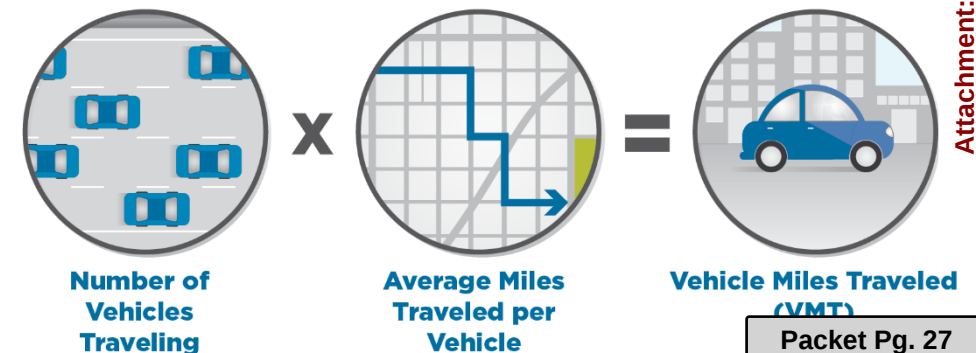
3.1



Calculating Employment VMT per Capita



Calculating Vehicle Miles Traveled (VMT)



WHY ADOPT VMT?

- Removes barriers to infill development, supports local development goals defined in the General Plan and Downtown Specific Plan
- Sees the big picture and measures regional impacts, not just local impacts
- Can be easier to model than LOS
- Already used in project analysis (e.g. for GHG emissions assessments)
- Provides a more accurate measure of transportation impacts
- Mitigation reduces maintenance costs and does not induce more vehicle travel
- Supports a strong multimodal network and a diversity of land uses

CITIES CAN STILL USE LOS OUTSIDE OF CEQA

- LOS can be included in the City's development review process.
- LOS can still be used to ensure site access and optimize traffic operations.

Example

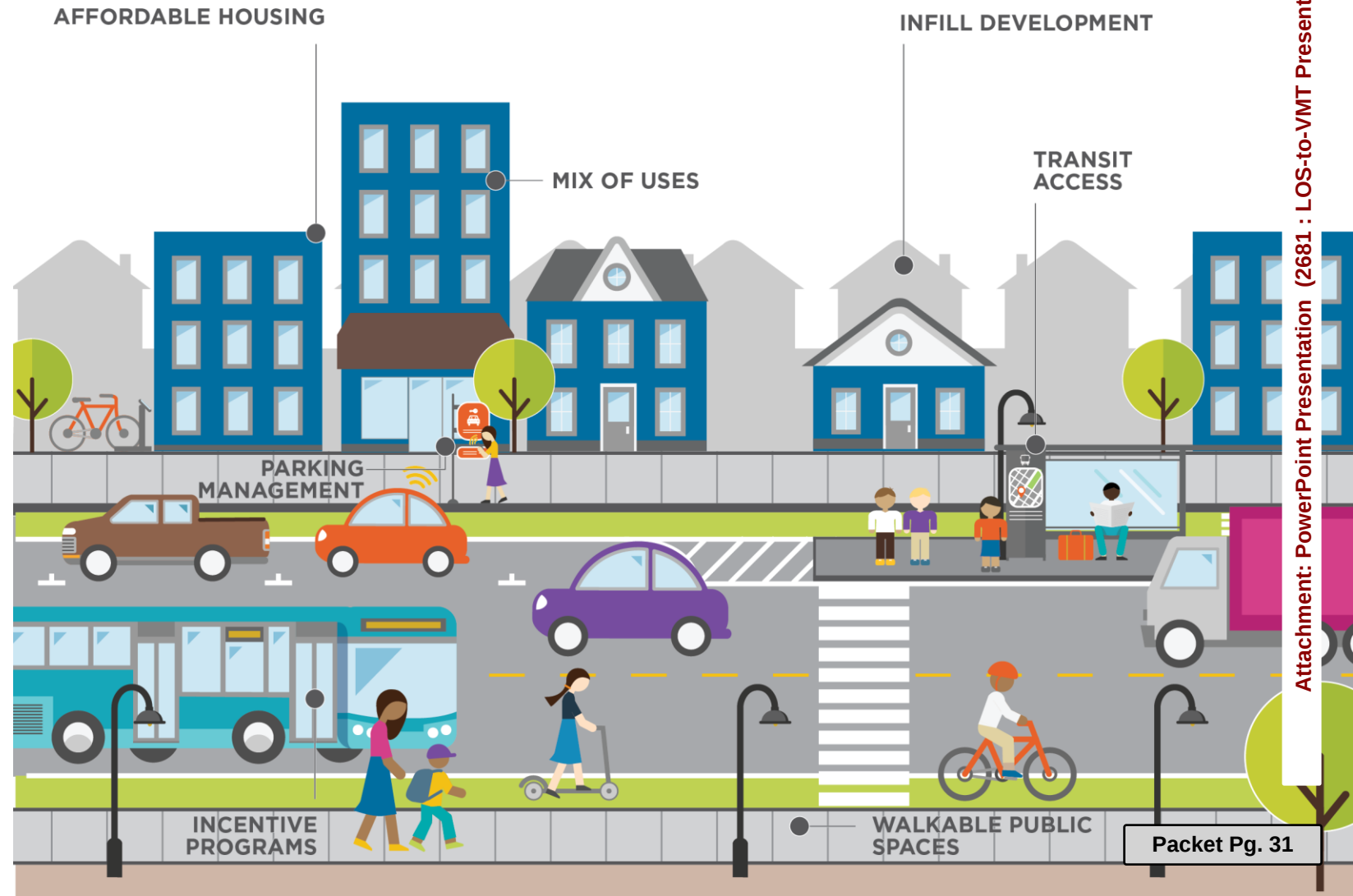
San José requires a “Local Transportation Analysis” for developments that includes LOS analysis of nearby intersections to ensure traffic signal operations are functional.

MITIGATIONS

VMT MITIGATIONS: LONG-TERM MANAGEMENT OF VMT LEADS TO SMART GROWTH

- Transportation Demand Management (TDM)
- Land Use Changes
- Parking Management

Long term management of VMT leads to Smart Growth



TDM MITIGATIONS



Increasing mix of uses



Improving multimodal network



Transit passes or other incentives



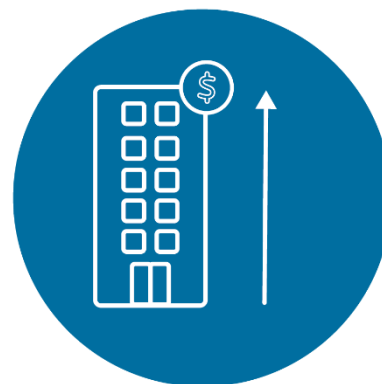
Priced parking



Last mile shuttle



Transit improvements



Increasing affordable housing



Commute trip reduction program

IMPLEMENTATION

HOW MUST THE CITY COMPLY WITH SB 743?

In CEQA, the City will need to:

- Select new metrics to analyze impacts
- Establish screening processes and thresholds of significance
- Identify mitigation measures

Outside of CEQA, the City will need to:

- Revise the process for analyzing mobility conditions
- Determine what metrics to maintain for non-CEQA local analysis purposes
- Consider complementary policy changes to parking and TDM ordinances

SB 743 IMPLEMENTATION PROCESS AND SCHEDULE

Review existing legal framework, policies, and goals.
Coordinate across City departments – *January-February*

Review VMT analysis tools and case studies – *March*

Define new transportation analysis approach, including
metrics and thresholds of significance – *April/May*

April/May
Planning
Commission

Develop Policy Revisions and Guidelines – *May/June*

Consider complementary policy changes around parking
and transportation demand management

QUESTIONS?

APPENDIX

WHY STOP USING LOS?

WHAT'S IMPORTANT DEPENDS UPON PERSPECTIVE



Traffic engineer:

F

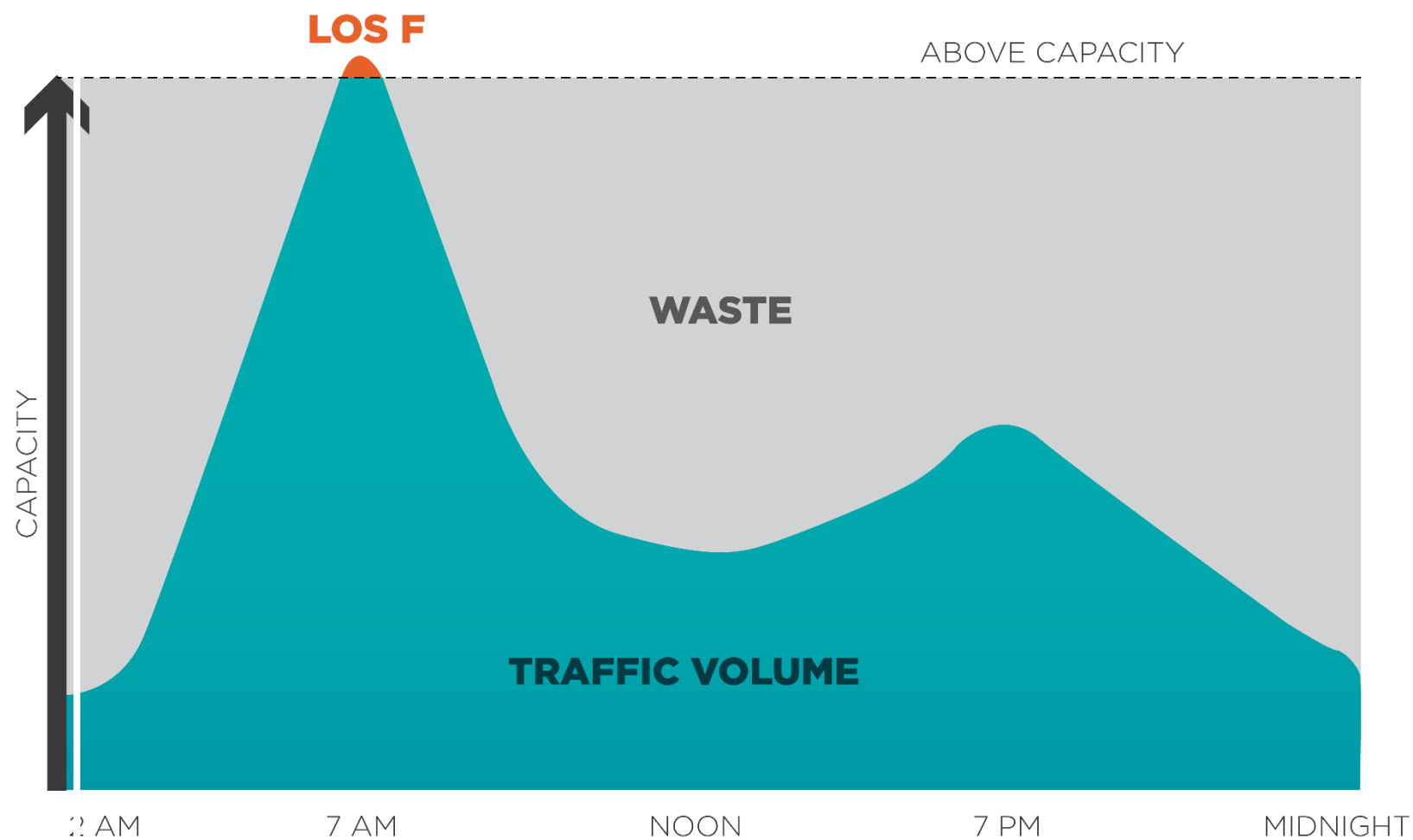
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Economist:

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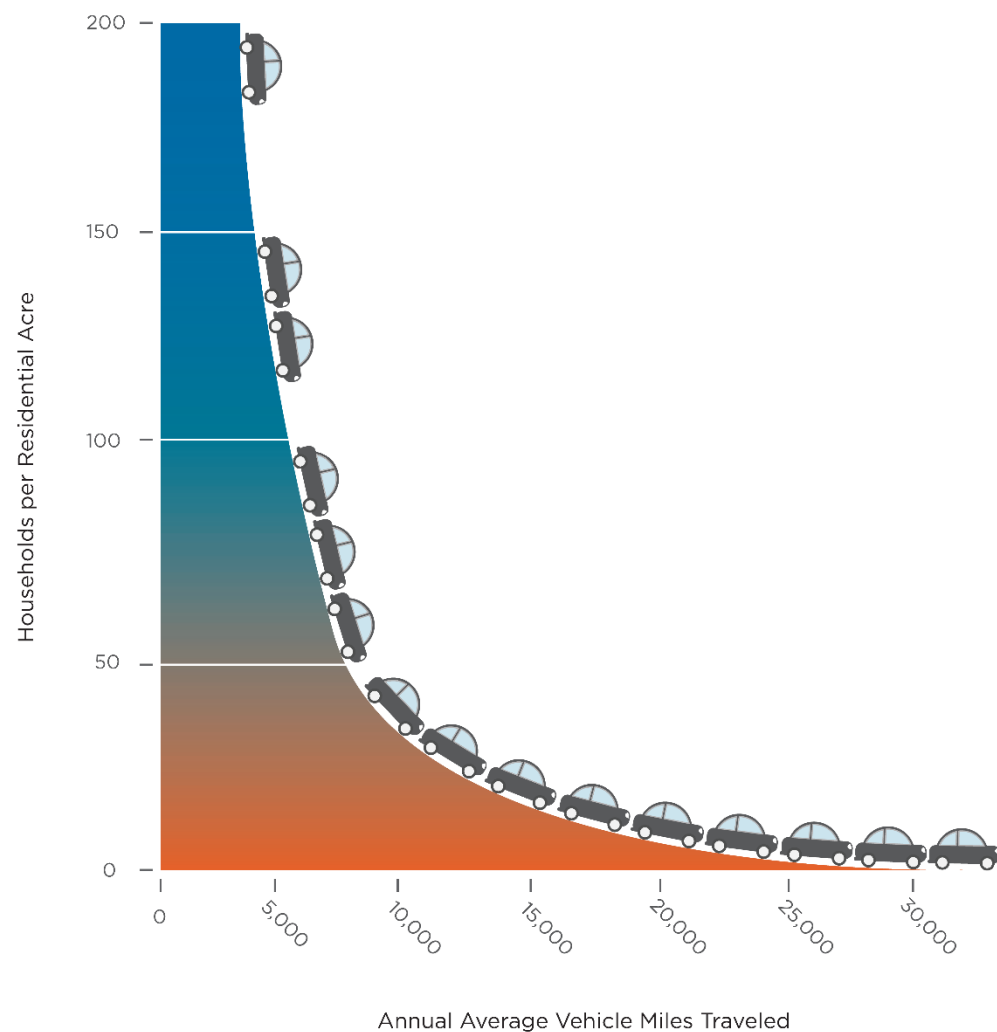
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TRAFFIC ECONOMICS



HOW DOES TDM REDUCE VMT?

RELATIONSHIP BETWEEN LAND USE AND VMT



- As density increases, the average VMT decreases since destinations are closer together making trips shorter on average. Fewer trips are taken by car.

TRANSPORTATION DEMAND MANAGEMENT (TDM)

TDM programs support a range of travel options to reduce VMT

Subsidize non-auto travel options



Provide new transportation options



Incentivize alternative travel behavior

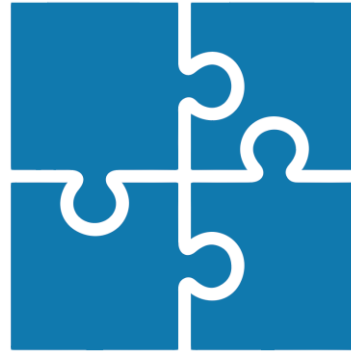


TRANSPORTATION DEMAND MANAGEMENT (TDM)

TDM success depends on good management



**Success is iterative,
and flexibility is an
asset**



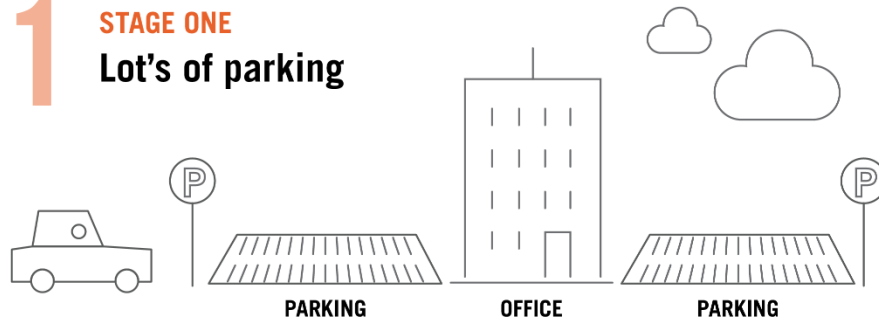
**TDM should prioritize
the whole over the
parts**



**Research quantifying
VMT reductions is
ongoing**

STAGES OF TDM AND LAND USE STRATEGIES

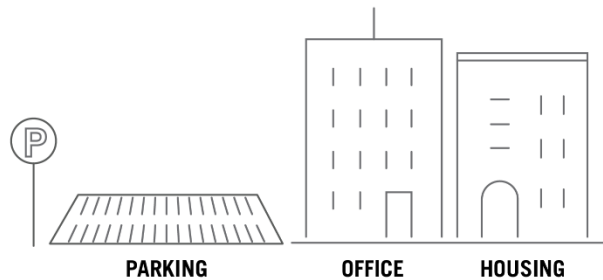
1 STAGE ONE Lot's of parking



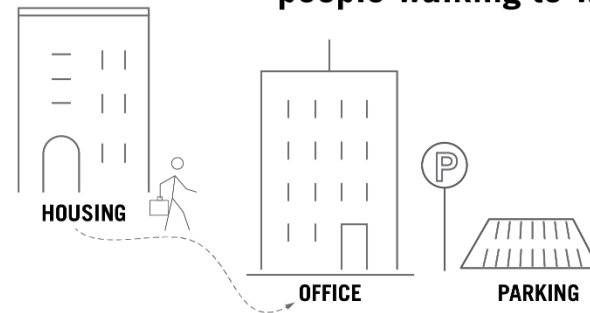
2 STAGE TWO Taking the shuttle



3 STAGE THREE Less parking, more housing



4 STAGE FOUR Even less parking, people walking to work





PLANNING COMMISSION STAFF REPORT

MEETING DATE: March 10, 2020

PREPARED BY: Adam Paszkowski, Principal Planner

APPROVED BY: Jennifer Carman, Community Development Director

GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT (APR) 2019

RECOMMENDATION(S)

Accept the 2019 General Plan and Housing Element Annual Progress Report (APR).

BACKGROUND:

California Government Code Section 65400 mandates that all 58 counties and non-charter cities, including the City of Morgan Hill, submit an Annual Progress Report (APR) on the status of the General Plan and progress made regarding its implementation. The APR must be submitted to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year. APRs must also be presented to the local legislative body for review and acceptance, as a consent or discussion item on a regular agenda.

ANALYSIS:

The APR for 2019 (Attachment 1), includes implementation highlights of the Morgan Hill 2035 General Plan and lists applications submitted in 2019 for General Plan Land Use Map amendments.

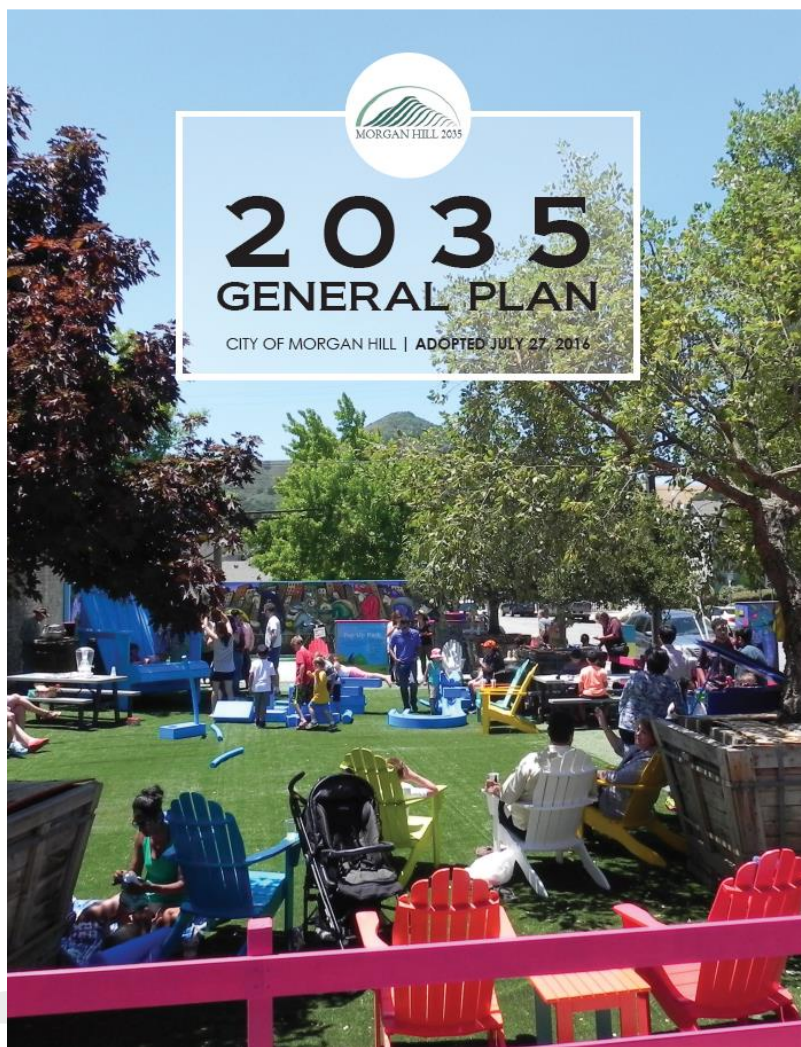
The Housing Element implementation portion of the APR is reported on separate forms adopted by HCD. These completed forms are attached (Attachment 2) to the APR and provide information regarding the City's progress towards meeting its "fair share" of Regional Housing Needs Allocation (RHNA) goals and compliance with State Housing Law.

California Environmental Quality Act (CEQA):

Pursuant to CEQA Guidelines Section 15378(b)(5), the Morgan Hill 2035 APR is not considered a "project" in that it is considered an administrative activity of government that will not result in direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. 2019 Annual Progress Report (APR)
2. HCD 2019 Annual Progress Report Tables (Weblink)
3. PC Staff Presentation



Annual Progress Report

2019

March 18, 2020

City Council Resolution No. 20-0xx

1. Introduction

On July 27, 2016 the Morgan Hill 2035 General Plan was adopted by City Council [Resolution No. 16-128](#). The Morgan Hill 2035 General Plan is a comprehensive update of the City's 2001 General Plan.

The General Plan incorporates the City's Housing Element, which was adopted by City Council on February 18, 2015 and certified by the State Housing and Community Development Department (HCD) in April 2015.

With voter approval of Measure S, the City's Residential Development Control System (RDCS) on November 8, 2016, the RDCS Ordinance (Ordinance No. 2229 New Series) became effective. The RDCS Ordinance amended the General Plan text to be consistent with the provisions of Measure S.

On December 6, 2017 the City Council adopted [Resolution No. 17-098](#) approving General Plan Land Use and Text Amendments (File Nos. GPA2017-0001 and GPA2017-0002) to correct miscellaneous Land Use Map, figure, and text errors.

Government Code Section 65400 mandates that certain cities and all 58 counties submit an annual progress report (APR) on the status of the General Plan and progress on its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1 of each year.

APRs must be presented to the local legislative body for its review and acceptance, usually as a consent or discussion item on a regular agenda.

2. Implementation Highlights by General Plan Element

CITY AND NEIGHBORHOOD FORM ELEMENT

Development Services - Planning

- Created objective criteria for implementation of SB330 prior to January 1, 2020.
- Instituted an online appointment system to assist with public counter activity.
Goal CNF-1 An improved, effective, efficient, fair, equitable, flexible, and user-friendly planning and decision-making process.
- Submitted a request for an expansion of the Downtown Priority Development Area to include an extension along Monterey Road to the north and south.
Goal CNF-2 An improved, orderly, and efficient pattern of urban development.
- Continue preparation of the “Annexation EIR”.
Goal CNF-4 Orderly and limited expansion of City boundaries.
- Completed all required ordinance changes to implement AB68 (ADUs) prior to January 1, 2020.
Goal CNF-10 A variety of housing types and densities available to all residents.

HOUSING ELEMENT

- See Attached Housing Element Annual Progress Report

Development Services - Housing

- Issued 12 BMR permits, issued 13 ADU permits, final 8 BMR's and final 15 ADU's.
- Participated in the Santa Clara County Regional Assessment of Fair Housing Draft Goals and Strategies to promote residential racial and ethnic integration and reduce displacement by increasing the supply of affordable housing in both high opportunity areas, areas with ongoing displacement, and areas that are at risk of displacement.
- Evaluated Regional Housing Needs Allocation (RHNA) goals and RDCS projects in pipeline and determined the remaining housing goal for the current Housing Element Cycle is 95 Very Low Income units.
- Received an “A-“ from the Mercury News and East Bay Times/Southern California News Group journalists for Regional Housing Needs Allocation (RHNA) production goals.
Goal HE-1 Adequate new housing to meet the full range of future community housing needs, including affordability and accessibility.

- Continued to partner with Catholic Charities with Countywide House Sharing Program, a free roommate matching program that matches community members with underutilized homes with other residents who need an affordable option, usually in need of renting a room or house sharing.
- Partnered with Rebuilding Together to help 30 households (seniors and low-income residents) with home repairs.
- BMR Homeownership activities:
 - Rehabilitated six re-sale BMR units prior to sale to new, qualified owners
 - Held 12 BMR homebuyer orientation workshops
 - Prepared ten re-subordination agreements to accommodate re-financing
 - Held 19 lotteries for sale of BMR units

Goal HE-2 Preservation and rehabilitation of the existing housing supply and Goal HE-3 Adequate housing for groups with special needs.

- Worked with Urban Housing Communities (UHC) to begin leasing 39 units in December 2019 of a 39-unit affordable family housing development, “The Crossings”, to homeless individuals and families.
- Coordinated with County Rapid Rehousing Program, a Homeless Prevention (rental assistance) Program, to target families with children in the school district at risk of homelessness.
- Continued operation of the Safe Park Program (FOCUS), a collaboration and regional partnership with City Housing and Police teammates, Santa Clara County, Gilroy Compassion Center, and faith-based community volunteers. The program provides coordinated assessments and offers overnight accommodations at a local church serving 30 people per night with meals, housing and case management.
- Assisted in 2019 Point in Time Homeless Count.

Goal HE-3 Adequate housing for groups with special needs.

ECONOMIC DEVELOPMENT ELEMENT

Administrative Services

- Implemented the increased Transient Occupancy Tax (TOT) and Tourism Business Improvement District Assessment with hotel operators.

Goal ED-2 A strong, unique, stable, and diverse economic base that supports fiscal sustainability.

Community Services

- Safely operated the Morgan Hill Aquatics Center for over 59,000 visitors during the summer of 2019.

Goal ED-4 A vibrant, enhanced, visible, and well-promoted tourist industry that draws on Morgan Hill's unique character and variety of amenities.

Economic Development

- Maintained new business attraction website, ChooseMorganHill.com
- Executed the first annual Choose Morgan Hill Speaker Series, focused on the business sectors that drive the Morgan Hill economy.
- Provided business assistance to small and large businesses by working with several existing and new companies to address City regulations, workforce development, ADA regulations and other issues.

Goal ED-3 A high-quality business community with established roots in Morgan Hill.

- Hosted the Amgen Tour of California in May 2019.

Goal ED-4 A vibrant, enhanced, visible, and well-promoted tourist industry that draws on Morgan Hill's unique character and variety of amenities.

- Revised Convenience Store Ordinance, eliminating the 300 square-foot sales area limit and the 1,000-foot separation between convenience stores.

Goal ED-7 Thriving stores, restaurants, and shopping centers that meet local resident shopping needs and also attract regional shoppers and tourists.

- Provided Development Assistance to small and large businesses by working with several existing and new commercial and industrial developments that resulted in multiple new projects that are through various stages of entitlements and construction.

Goal ED-8 Office and industrial areas that provide high-quality work locations for existing and new businesses.

- Updated the City's Wireless Ordinance to address a recent ruling by the Federal Communications Commission (FCC) requiring the City to identify Small Cell Design Standards for public right-of-way by April 15, 2019. The new ordinance supports the City's desire to increase broadband opportunities in the City and meets the FCC Order for streamlining.

Goal ED-9 Public and private infrastructure that helps make Morgan Hill a competitive business location.

Development Services - Planning

- Submitted SB2 grant for a Form-Based Code along the Monterey Road Corridor.
- Goal ED-6 A mix of uses along Monterey Corridor that supports the Downtown and encourages walking and biking.*

HEALTHY COMMUNITY ELEMENT

Community Services

- Expanded the Centennial Recreation Center Group Exercise Studio.
- Held fourth annual Summer Fun in the Park event at Galvan Park.
- Held Father Daughter Dance and Mother Son event at Community & Cultural Center.
- Held the Get Fit Family Fun Run in October 2019.
- Coordinated the planting of over 200 new trees.
- Completed numerous maintenance projects to support City infrastructure:
 - Replaced Playhouse curtain
 - Resurfaced Aquatics Center Water Slides
 - Recoated Railroad Park playground equipment
 - Installed Library Tot Lot shade structure
 - Completed the 2019 Sidewalk Repair Project, repairing 81 locations and 4,336 square feet of sidewalk, reducing trip hazards throughout the City
 - Completed the Trail Asphalt Sealing Project for the Paradise Trails, Wildlife Trail, and Butterfield Linear Park

Goal HC-3 Usable, complete, well-maintained, safe, and high-quality activities and amenities, including active and passive parks and recreational facilities, community gardens, and trails that are accessible to all ages, functional abilities, and socio-economic groups.

Economic Development

- Developed a Vaping Ordinance that bans all sales of E-cigarettes and products associated with E-cigarettes within the City's limit to combat youth smoking.

Goal HC-2 A built environment and community services that serve the special needs of youth and seniors, allowing residents to age in place.

Engineering and Utilities

- Began construction on the Centennial Recreation Center Expansion Project and the Library Addition Project.

Goal HC-3 Usable, complete, well-maintained, safe, and high-quality activities and amenities, including active and passive parks and recreational facilities, community gardens, and trails that are accessible to all ages, functional abilities, and socio-economic groups and Goal HC-5 Libraries that serve as community centers for education and cultural while preparing residents for success in school, career, and life.

TRANSPORTATION ELEMENT

Development Services - Planning

- Participated as an active member of the Valley Transportation Authority's Level-of-Service (LOS) to Vehicle-Miles-Traveled (VMT) Ad Hoc Working Group.

Goal TR-11 Coordinated transportation planning efforts with local, regional, State and federal agencies.

Engineering and Utilities

- Completed the 2019 Paving Project including repaving and sealing on Butterfield Boulevard, Cochrane Road, Depot Street, the Jackson Meadows neighborhood, and the northern end of Monterey Road.

Goal TR-1 A balanced, safe, and efficient circulation system for all segments of the community, meeting local needs and accommodating projected regional and sub-regional traffic while protecting neighborhoods.

- Completed the Hale Avenue Extension project property acquisition.

Goal TR-4 Emphasis on transportation improvements in the Butterfield, Hale/Santa Teresa, and Monterey corridors.

NATURAL RESOURCES AND ENVIRONMENT ELEMENT

Community Services

- Permanently preserved 40 acres of agricultural lands adjacent to the City of Morgan Hill.

Goal NRE-1 Preservation of open space areas and natural features, Goal NRE-3 A stable, long-term City boundary reinforced by a greenbelt, and Goal NRE-4 A viable agricultural industry.

- Adopted new Reach Code (electrification ordinance).

Goal NRE-16 Conservation of energy resources.

Development Services - Building

- Issued 255 "same day" solar permit.

Goal NRE-16 Conservation of energy resources.

SAFETY, SERVICES, AND INFRASTRUCTURE ELEMENT

Fire

- Continued coordination between PG&E and City to reduce wildfire risks and ensure local preparedness for a blackout event.

Goal SSI-3 Minimal threat to persons, property, and the environment from fire hazards.

- Completed a three-department Fire Study and Standards of Coverage in cooperation with South Santa Clara County Fire and Gilroy Fire.

Goal SSI-11 Efficient police, fire, and emergency medical response and services, and access to local medical facilities.

- Supported development and participated in full scale EOC drills simulating a Public Safety Power Shut-off (PSPS) event within the City.
- Conducted Fire Prevention Week campaign.
- Taught Hands-Only CPR to 368 people at Mushroom Mardi Gras.

Goal SSI-12 Reduce risk to life and property associated with emergencies and natural and manmade disasters.

Administrative Services

- Continued to promote the City's [WaterSmart](#) feature, allowing customers to monitor their water consumption in real time.

Goal SSI-14 High quality water resources, managed effectively.

- Continued to promote [paperless billing and electronic payment](#) enrollment. Over 64% of Citywide accounts are now enrolled online, of which, 64% are enrolled in paperless statements and 53% are now enrolled in autopay.

Goal SSI-17 Reduced generation of solid waste and increased diversion of waste from landfills.

Geographic Information Services

- Produced maps needed to show which utilities were designated by PG&E for power shutoff during PSPS events.

Goal SSI-12 Reduce risk to life and property associated with emergencies and natural and manmade disasters.

City Manager

- Participated in the Countywide EMS 2022 Vision Group to represent the Morgan Hill and South County interest for ambulance services.

Goal SSI-11 Efficient police, fire, and emergency medical response and services, and access to local medical facilities.

Community Services

- Supported weed and brush abatement on City owned properties, limiting fire risk.
Goal SSI-3 Minimal threat to persons, property, and the environment from fire hazards.

Development Services – Land Development Engineering

- Provided annual City Council evaluation report for FY 2018-19 (Year 4) on the flood risk reduction outreach activities performed by the City and other partner agencies as part of the countywide Multi-Jurisdictional Program for Public Information (PPI)
Goal SSI-6 Adequate, safe, and environmentally responsible drainage and flood control.

Engineering and Utilities

- Planned and implemented actions that maintained water and wastewater service for Morgan Hill residents through the PSPS.
Goal SSI-12 Reduce risk to life and property associated with emergencies and natural and manmade disasters.

Police

- Implemented Text to 911 with funding from Office of Emergency Services.
- Participated in County-wide P25 Radio Migration that increased communication reliability and officer safety.
- Installation of CrimeView crime dashboard.
- Creation of bilingual PD App for enhanced reporting and community engagement.
- Assigned second SRO for Tobacco/Vaping prevention.
- Participated in successful Gun Buy Back with nearly 500 firearms recovered.
Goal SSI-11 Efficient police, fire, and emergency medical response and services, and access to local medical facilities.
- Developed PSPS advance planning and training scenario prior to actual incident.
Goal SSI-12 Reduce risk to life and property associated with emergencies and natural and manmade disasters.

3. General Plan Amendment Applications

GPA2019-0002: DE PAUL-TC MORGAN HILL VENTURE

General Plan Land Use Map Amendment – Commercial to Commercial/Industrial on the southerly 26.6 acres of an approximately 30.1-acre site located on the west side of De Paul Drive. <Pending>

GPA2019-0003: HILL-MORGAN HILL DEVCO, LLC

General Plan Land Use Map Amendment – Residential Detached Medium to Residential Attached Low and Residential Attached Medium on an approximately 64.4-acre parcel located on the northeastern intersection of Barrett Avenue and Hill Road. <Incomplete>

GPA2019-0004: E DUNNE-SERENE HILLS LLC

General Plan Land Use Map Amendment – Residential Estate to Residential Detached Low and Residential Detached Medium on approximately 21.3-acre site located at the northern terminus of Saddleback Drive. <Withdrawn January 27, 2020>

GPA2019-0005: JUAN HERNANDEZ-MH MEDICAL PROPERTIES (LILLIAN COMMONS)

General Plan Land Use Map Amendment – Commercial to Mixed-Use Flex on approximately 19.7-acre site located on the southeastern intersection of Barrett Avenue and Juan Hernandez Drive. <Pending>

GPA2019-0006: LIGHTPOST

General Plan Land Use Map Amendment – Commercial to Commercial/Industrial on an approximately 3.4-acre parcel located at the southeastern corner Madrone Parkway and Lightpost Way. <Approved December 10, 2019>



General Plan and Housing Element Annual Progress Report 2019



March 10, 2020



Background

- Morgan Hill 2035 General Plan
Adopted July 2016
- Housing Element
Adopted February 2015 / Certified April 2015
- Government Code 65400
Annual Progress Reports Due April 1

Annual Progress Report

- Implementation Highlights
 - By General Plan Element
 - Department/Division
 - General Plan Goal
 - HCD Forms
- GP Amendments
 - Filed and/or Processed in 2019



Annual Progress Report

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

		1	2									3	4
Income Level		RHNA Alloc.	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units	Total Remain. RHNA
Very Low	Deed Restricted	273	12	29		39						80	193
	Non-Deed Restricted												
Low	Deed Restricted	154	118	23	13	24	11					189	
	Non-Deed Restricted												
Mod	Deed Restricted	185	9	2	5	1						399	
	Non-Deed Restricted		98	4	4	262	14						
Above		316	647	219	192	193	142					1393	
Total RHNA		928											
Total Units			884	277	214	519	167					2061	193

Thank You

