



**Regular Meeting Agenda
Planning Commission**

*WAYNE TANDA - CHAIR
LIAM DOWNEY - VICE-CHAIR
MOHAMMAD HABIB - PLANNING COMMISSIONER
PAUL LAKE - PLANNING COMMISSIONER
MALISHA KUMAR - PLANNING COMMISSIONER
JAMES WILSON - PLANNING COMMISSIONER
JOSEPH MUELLER - PLANNING COMMISSIONER*

Tuesday, November 14, 2023 7:00 PM

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

Morgan Hill Planning Commission meetings are held in person with the option for the public to attend in-person or view by teleconference/video conference. Information on how the public may observe and participate in the meeting is located below.

MEETING PARTICIPATION AND PUBLIC COMMENT

Planning Commission meetings will be live-streamed on Channel 17, on the City's website, and on the City's Facebook page.

Those members of the community who would like to view the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/PlanningCommissionMtg> or by calling: (669) 900-9128, then enter the webinar ID#: 862 0324 6251#. Or on our website at <https://www.morganhill.ca.gov/2101/Agendas-Minutes>. Public comment may be provided in the following ways:

- In-person at the Planning Commission Meeting
- In writing
 - Via email to pcpubliccomment@morganhill.ca.gov
 - Hard Copy hand delivered or by mail to the Planning Division at 17575 Peak Avenue, Morgan Hill, CA 95037.

Please email your comments to the Planning Division no later than 3:00 p.m. on Monday (the day before the Planning Commission meeting) for your comments to be submitted to the members of the Planning Commission with sufficient time to review the comments. You may continue to provide written comments up to noon on Tuesday (the day of the meeting) although Planning Commission Members may not have sufficient time to review them before the meeting. Public comments submitted to the Planning Division after 12:00 p.m. the day of the meeting will be provided to the Planning Commission as time allows.

Written comments WILL NOT be read aloud during the Planning Commission Meeting. Please note that written comments are posted on the City's website, so do not include any personal information you do not want to be posted on the web.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING

Pursuant to Government Code Section 54954.2

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

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 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

CONSENT AGENDA

1. SEPTEMBER 12, 2023 MEETING MINUTES

Recommendation:

1. Accept Meeting Minutes

PUBLIC HEARINGS

2. **UP2023-0004: DEPOT – SILO RESTAURANT REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE ON-SITE SALE OF ALCOHOLIC BEVERAGES (TYPE 47 LIQUOR LICENSE) AT A "BONA FIDE EATING PLACE" LOCATED AT 17480 DEPOT ST. (APN: 726-14-075).**

Recommendation:

1. Open/close public hearing; and
2. Adopt Resolution approving a Conditional Use Permit.

CONTINUED PUBLIC HEARINGS

3. **RECOMMEND APPROVAL OF VEHICLE SALES OVERLAY ZONE (VS) AND VEHICLE SALES DESIGN GUIDELINES (CONTINUED FROM OCTOBER 24, 2023)**

Recommendation:

1. Continue the public hearing.
2. Adopt Resolution recommending City Council approval of the Municipal Code Amendment.

OTHER BUSINESS

DIRECTOR'S REPORT/ANNOUNCEMENTS

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the Planning Commission less than 72 hours prior to an open meeting, will be made available for public inspection at the front counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Planning 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 Planning Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council 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 Planning Commission, but it is very helpful. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Planning 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 Planning Commission.

Persons interested in proposing an item for the Planning 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 Planning's action, your request may be placed on the next appropriate agenda. Planning 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.



Meeting Minutes
Planning Commission

WAYNE TANDA - CHAIR
LIAM DOWNEY - VICE-CHAIR
MOHAMMAD HABIB - PLANNING COMMISSIONER
PAUL LAKE - PLANNING COMMISSIONER
MALISHA KUMAR - PLANNING COMMISSIONER
JAMES WILSON - PLANNING COMMISSIONER
JOSEPH MUELLER - PLANNING COMMISSIONER

Tuesday, September 12, 2023 7:00 PM

Council Chambers
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Chair Tanda called the meeting to order 7:00 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the attendance at 7:00 p.m.

DECLARATION OF POSTING

Minutes Clerk Luna Declared the Posting of the Agenda at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Planning Commission Habib led the Pledge of Allegiance at 7:01 p.m.

PUBLIC COMMENT

Chair Tanda opened the Public Comment Period at 7:02 p.m. Hearing no requests to speak, the Public Comment Period was closed.

ORDERS OF THE DAY

There were no changes made.

CONTINUED PUBLIC HEARING

1. **SD2022-0001/EA2022-0001: EDES - ALCINI (TTLC MORGAN HILL) - REQUEST FOR A TENTATIVE SUBDIVISION MAP AND ENVIRONMENTAL ASSESSMENT TO ESTABLISH 7 LOTS WHERE THE APPLICANT WOULD DEVELOP A RESIDENTIAL PROJECT THAT CONSISTS OF 21 TOWNHOME-STYLE CONDOMINIUMS AND ASSOCIATED IMPROVEMENTS.**

Recommendation:

1. Open/close public hearing; and
2. Adopt a resolution approving a Tentative Subdivision Map

Associate Planner, Joey Dinh, presented the Staff Report at 7:04 p.m.

Chair Tanda opened the Public Hearing at 7:16 p.m. The following people were called to speak:

- Kelley Rutchena, The True Life Companies, Applicant
- Travis Brooks, Representative of the Applicant

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

MOTION:

Adopt the Resolution approving the Tentative Subdivision Map.

RESULT:	Passed
MOVER:	Planning Commissioner Mueller
SECONDER:	Planning Commissioner Wilson
AYES:	Tanda, Mueller, Habib, Wilson
NAYS:	Downey
ABSTAIN:	None
ABSENT:	Lake, Kumar

PUBLIC HEARINGS

2. **SR2023-0018: MONTEREY – GLENROCK: REQUEST FOR A PRELIMINARY REVIEW FOR A GENERAL PLAN AMENDMENT AND ZONING AMENDMENT TO CHANGE THE LAND USE DESIGNATION AND ZONING DISTRICT FROM RESIDENTIAL DETACHED MEDIUM AND LOW TO MIXED-USE FLEX FOR A**

**FUTURE ZONING AMENDMENT TO CREATE A PLANNED DEVELOPMENT
THAT WOULD INCLUDE: RENTAL AND FOR-SALE SINGLE-FAMILY
HOUSING, OPEN SPACE, AND RETAIL AND RECREATION USES.**

Recommendation:

1. Open and close the public hearing for the Planning Commission to provide input on the proposed General Plan Amendment and Zoning Amendment. This is a Preliminary Plan Review application. No action will be taken on the project as this is advisory only.

Development Services Director, Jennifer Carman, presented the Staff Report at 7:38 p.m.

Chair Tanda opened the Public Hearing at 7:50 p.m. The following people were called to speak:

- Rocke Garcia, Applicant
- John Moniz

The Planning Commission meeting recessed at 7:58 p.m.

The Planning Commission meeting reconvened at 8:02 p.m.

Chair Tanda continued the Public Hearing at 8:02 p.m. The following individuals addressed the Planning Commission:

- Rocke Garica, Applicant
- John Moniz

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

No action was taken. The Planning Commission provided feedback on the General Plan Amendment and Zoning Amendment.

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Director Jennifer Carman made an announcement at 8:56 p.m. The Planning Commission appointed Planning Commissioners Mueller and Tanda to serve in the Transportation Master Plan Stakeholder Group with Planning Commission Wilson as an alternative.

ADJOURNMENT

There being no further business to discuss, Chair Tanda Adjourned the meeting at 9:12 p.m.

MINUTES PREPARED BY:
Jenna Luna, Minutes Clerk

PLANNING COMMISSION STAFF REPORT

MEETING DATE: November 14, 2023

PREPARED BY:

Rich Buikema, Contract Planner

APPROVED BY: Jennifer Carman

UP2023-0004: DEPOT – SILO RESTAURANT REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE ON-SITE SALE OF ALCOHOLIC BEVERAGES (TYPE 47 LIQUOR LICENSE) AT A "BONA FIDE EATING PLACE" LOCATED AT 17480 DEPOT ST. (APN: 726-14-075).

RECOMMENDATION(S)

1. Open/close public hearing; and
2. Adopt Resolution approving a Conditional Use Permit.

LOCATION MAP/PROJECT INFORMATION:



- | | | |
|----|---------------|--|
| 1. | Location: | East side of Depot Street, 225 feet south of East Main Street (17480 Depot St., APN: 726-14-075) |
| 2. | Site Area: | 1.12 Acres |
| 3. | General Plan: | Mixed Use |
| 4. | Zoning: | Downtown Mixed Use (MU-D) |
| 5. | Request: | Conditional Use Permit to allow for the on-site general sale of alcoholic beverages (Type 47 liquor license) at a "bona fide eating place" within an existing 1464 square foot building. |

BACKGROUND:

On August 28, 2023, the City received an application for a Conditional Use Permit to allow for the full range of alcoholic beverages in conjunction with a restaurant within a newly constructed 1464-square-foot building. The restaurant offers alcoholic beverage service beyond beer and wine; therefore, a Conditional Use Permit is required in accordance with the Morgan Hill Downtown Specific Plan. This is not required of restaurants located outside of downtown.

Specifically, the applicant will be subject to the limitations of the “Type 47” liquor license from the California Department of Alcohol Beverage Control (ABC) that authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. It must be operated and maintained as a bona fide eating place that has suitable kitchen facilities and makes actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.



Site Description

The 1.12 project site is a part of the recently completed Granary District expansion project that includes the 1464 square-foot building and the adjacent 3700 square-foot commercial building. In total, the Granary District site has approximately 31,000 square feet of occupied space. Uses in the Granary District include:

- F45 Fitness Studio
- Running Shops and Hops (Tap Room)
- Bike Therapy Bike shop
- Barrel & Bean Coffee shop
- Odeum Restaurant
- Depot Street Pizza
- Design Matters (Interior Design Studio)
- Miscellaneous Office Uses

12 parking stalls are provided on-site with other parking available on-street or at the adjacent city-owned parking lots.

Surrounding Uses

	General Plan Land Use	Zoning	Existing Use
North	Mixed Use	MU-D	Multi-Family Residential
South	Mixed Use	MU-D	Parking Lot
East	Residential Downtown	RAH (RPD)	Multi-Family Residential
West	Mixed Use	MU-D	Single Family Residential

The site abuts the Union Pacific and Caltrain rail tracks to the east. Multi-family residential development is on the opposite side of the railroad tracks. To the south of the site is a parking lot for the Morgan Hill Caltrain Station and the Downtown district. To the west are multifamily residential dwelling units (duplexes and triplexes) on small lots. To the north is a multi-family residential project.

PROJECT DESCRIPTION:

The proposed project is to allow the service of a full range of alcoholic beverages in conjunction with a new restaurant in a newly constructed 1464 square-foot building with approximately 52 seats inside and an additional 27 within an existing outdoor patio area, to be shared with the neighboring Odeum restaurant. The newly constructed building abuts four 40 foot-tall silos remaining from the original granary operation.

As described in the applicant's "Statement of Proposed Operations" (Attachment 1), the proposed hours are from 4 p.m. to midnight on Wednesday through Sunday with the outdoor patio closing at 11 p.m.

Type 47 is typical of other restaurants in the Downtown. Use Permits were most recently issued in April 2022 (UP2022-0001) to MOHI Farm at 90 E. Thirds Street, and in January 2022 (UP2021-0012) to Giorgio's located at 17380 Monterey Road. Other Use Permits approved for alcohol sales include Betto's Bistro located at 17385 Monterey Road (UP-16-03) and Willard Hicks and Opa located at 17290, 17280, and 17270 Monterey Road (UP-16-04) to allow a full range of alcoholic beverages. The restaurants downtown that have been providing full alcohol service prior to the adoption of the Morgan Hill Downtown Specific Plan in 2007 are legal-nonconforming and did not require a Conditional Use Permit.

The proposed restaurant is considered a "sit-down restaurant" as defined by the Zoning Ordinance as the principal business is the sale of food, desserts, and beverages and includes a bar serving alcoholic beverages. The newly constructed 1464 square-foot building has approximately 52 seats inside and an additional 27 within an existing outdoor patio area, to be shared with the neighboring Odeum restaurant. The newly constructed building abuts four 40 foot-tall silos remaining from the original granary operation.

PROJECT ANALYSIS AND FINDINGS:

ANALYSIS

The proposed project was analyzed with respect to conformance with 1) Morgan Hill 2035 General Plan; 2) Downtown Specific Plan; 3) Zoning Ordinance and 4) California Environmental Quality Act:

Consistency with Adopted Plans and Policies

The proposed project was analyzed with respect to consistency with the: 1) General Plan; 2) Downtown Specific Plan; 3) Zoning Ordinance; and 4) other applicable policies.

1) General Plan Consistency

The Site has a General Plan designation of Downtown Mixed Use (MU-D) and is located within the Downtown Specific Plan Area. This designation is intended to encourage a mixture of commercial and residential uses. The proposed use would be commercial, consistent with this designation as further discussed below.

The use is consistent with the following General Plan goals and policies:

GOAL ED-5 A downtown where residents and visitors of all ages can live, work, meet, shop, dine, participate in public celebrations, discover the story and past of our city, and share in the richness of Morgan Hill's community life.

GOAL ED-7 Thriving stores, restaurants, and shopping centers that meet local residents' shopping needs and attract regional shoppers and tourists.

Policy ED-5.4 Downtown as Cultural Center. Position downtown as the local focal point for fine dining, arts, culture, history, entertainment, and boutique retail activity.

Policy CNF-15.1 Mix of Commercial Uses. Encourage a variety of commercial and office development to meet the needs of City residents.

The proposed restaurant will serve to both keep and attract people downtown. A new restaurant will contribute further towards making downtown the focal point of the community.

2. Downtown Specific Plan

The site is located within the Downtown Specific Plan that covers 18 blocks and approximately 110 acres. Downtown Morgan Hill is centered on Monterey Road and is bound by Main Avenue, Butterfield Boulevard, Dunne Avenue, and Del Monte Avenue. The Downtown Core is generally defined by Main Avenue, the railroad tracks, Dunne Avenue, and Del Monte Avenue.

The vision statement of the Downtown Specific Plan is: "Strengthening Downtown as the gathering place, a connecting force, the social and activity heart of Morgan Hill, is the overriding aspiration of the Plan - a place where residents from all segments of the community can live, work, meet, shop, dine and participate in public celebrations, and share in the richness of Morgan Hill's community life. It will be a place like nowhere else - a place with its own scale, character and uses." Consistent with this vision, the Specific Plan identifies that the downtown "will offer needed goods and services as well as provide a congenial home for new and unique businesses".

Since the project is located within the Downtown Specific Plan, the listed permitted and conditionally permitted uses within the Specific Plan supersede the Morgan Hill Zoning Ordinance and provide the primary tool for the Plan's implementation. The service of a full range of alcoholic beverages in conjunction with a new restaurant requires the approval of a Conditional Use Permit (Figure 8, Permitted Uses—Morgan Hill Downtown Specific Plan) and can be appropriate provided that it meets the City's standards for conditional uses.

Land Use Goals and Objectives

- Encourage a diverse mix of uses emphasizing specialty retail, restaurant, entertainment, residential, and commuter-serving uses.

The project will be a part of the larger Granary District that includes a mix of commercial, dining and office uses.

Policies

- Encourage land uses that have weekend and evening peak demands to better accommodate shared parking.

The proposed restaurant includes night and weekend hours, which is consistent with this policy.

3. Zoning Code Consistency

Zoning Code Conditional Use Permit Findings (Section 18.108.030(E))

1. The proposed use is allowed in the applicable district.

The zoning designation for the site is Downtown Mixed Use (MU-D). The purpose of the Downtown Mixed Use (MU-D) zoning district is to preserve and enhance Downtown as the heart of Morgan Hill and the center of the community. New development supports a walkable Downtown district with active storefronts and a diversity of commercial, residential, and public uses. The MU-D zoning district implements the community's vision for Downtown Morgan Hill as described in the Downtown Specific Plan. The permitted land uses in the MU- D zoning district are identified in Figure 8 in the Downtown Specific Plan. While the restaurant is a permitted use, a bar is a Conditional Use and requires a Conditional Use Permit.

2. The proposed use is consistent with the general plan, zoning code, and any applicable specific plan or area plan adopted by the city council.

As discussed, the proposed commercial use is consistent with the Mixed Use General Plan designation, MU-D zoning district, and the Downtown Specific Plan.

3. The site is suitable and adequate for the proposed use.

The site is located in the downtown core, identified as Central Business District (CBD) within the Downtown Specific Plan. The use will be located amongst a number of other restaurant and commercial uses. While on-site parking is not required given the site's proximity to the train station there are 12 onsite parking stalls that are shared with other tenants. The 1.12-acre project site on the east side of Depot Street is suitable and adequate for the proposed restaurant.

4. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the property.

The proposed restaurant is in Downtown Morgan Hill, which is the primary district for dining and entertainment, and will add to the variety of available dining options.

5. The proposed use will not be detrimental to public health, safety, and welfare.

As conditioned and as regulated by state and local laws, the project's operations would not

adversely affect peace, health, safety, or welfare of persons residing or working in surrounding areas. The proposed use is part of a coordinated development scheme (Granary District) for the east side of Depot Street, including other commercial uses, and condominium development. The design of these uses was coordinated by a single developer/architect with the intent of providing positive interfaces between the uses and connecting them to each other in a cohesive, coordinated manner so that the proposed uses would support other commercial activity and provide an amenity for the area. Implementation of the project would also include compliance with building codes.

6. The proposed use would not have a substantial adverse effect in traffic circulation and on the planned capacity of the street system.

Development of the project is consistent with the General Plan land use and zoning designations, so the associated effects on local transportation facilities have already been anticipated by the city within the General Plan Circulation Element.

7. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.

The proposed use is located within the city limits and utilities, such as gas, water, sewer, and electricity, and public services are available at the site and are adequately sized to support the use at the proposed location.

Public convenience or necessity

Alcohol licenses are issued under the authority of the State's Department of Alcoholic Beverage Control (ABC). Each census tract has a limited number of licenses that can be issued based on the population within the census tract and crime rates. Additional licenses can be issued if findings for "public convenience or necessity" (PCN) are made by the ABC. While an application for a liquor license has not yet been submitted, the ABC has determined with past applications that this census tract (5123.14) has an undue concentration of licenses under State Business & Professions Code Section 23958.4. While this PCN finding is determined by the ABC alone for Type 47 licenses, the allowance for alcohol sales is consistent with the City's General Plan goals of providing thriving restaurants and bars that meet local residents' needs and attract tourists. Such a concentration is typical and considered appropriate for a downtown area that contains multiple dining and drinking establishments. Therefore, findings for public convenience or necessity are included in the project's Use Permit resolution for Commission consideration.

CONCLUSION:

As discussed in this report, the City is able to make the required findings for approval of the requested Conditional Use Permit for the restaurant. Approval is recommended subject to the findings and conditions contained in the attached resolution.

CEQA (California Environmental Quality Act):

Categorical Exemption

The project is categorically exempt from environmental review under Section 15301 of the CEQA Guidelines - Existing Facilities. The project includes interior renovations and use of an existing building.

COMMUNITY ENGAGEMENT:

The proposed project was publicly noticed (mailing to property owners within 300 feet of the project and newspaper legal noticing) for the minimum 10-day period and a sign has been posted at the proposed business location per the Planning Division requirements.

ATTACHMENTS:

1. Statement of Operations
2. Planning Commission Resolution
3. Conditional Use Permit Plans

Statement Of Proposed Operations

4pm-12am Wednesday-Sunday
(patio closes at 11pm)

Number of employees: 8

Number of average daily trips generated: 75

Type of equipment or processes used: Oven, refrigerator

Use of hazardous materials N/A

Silo is a small plate and craft cocktail restaurant in Morgan Hill that offers a unique and upscale dining experience. With a diverse menu of small plates made from seasonal, high-quality ingredients, guests can enjoy a communal dining experience with a variety of flavors. Silo's craft cocktails are expertly crafted using premium spirits and fresh ingredients, providing a sophisticated beverage experience. In addition to dine-in services, Silo also offers take-out options for convenience. The classy and inviting interior creates a welcoming atmosphere for guests to relax and enjoy their culinary journey. Silo aims to be the go-to destination for individuals seeking an exceptional mixology and small plates experience in Morgan Hill.

RESOLUTION NO. 23-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL APPROVING A CONDITIONAL USE PERMIT (UP2023-0004), TO ALLOW THE FULL SERVICE OF ALCOHOLIC BEVERAGES (TYPE 47) IN CONJUNCTION WITH A RESTAURANT ON THE EAST SIDE OF DEPOT STREET (APN 726-14-075)

WHEREAS, on August 28, 2023, an application was submitted by Weston Miles Architects on behalf of Ross Hanson for the request of a conditional use permit to allow the full service of alcoholic beverages in conjunction with a restaurant within an approximately 1464 square foot existing building.

WHEREAS, such a request was considered by the Planning Commission at its regular meeting of November 14, 2023; and

WHEREAS, pursuant to the Morgan Hill Municipal Code Section 18.136.050.A, the Director of Development Services determined the project exempt from the California Environmental Quality Act (CEQA) as it is a minor modification to an existing facility. (Guidelines Section 15301).

WHEREAS, testimony was received at the duly noticed public hearing, along with exhibits and drawings and other materials on November 14, 2023.

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the Planning Commission is the decision-making body for the proposed Project; and

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

SECTION 1. The Project approved pursuant hereto is exempt from the California Environmental Quality Act (CEQA) as under Section 15301 of the CEQA Guidelines - Existing Facilities. The project includes interior renovations and use of an existing building.

SECTION 2. The approved Conditional Use Permit has been found consistent with the Findings of approval contained in Section 18.108.030 of the Zoning Code. The basis for the findings is set forth in the staff report for the Planning Commission meeting of November 14, 2023, and hereby adopted.

SECTION 3. The California Department of Alcohol Beverage Control (ABC) has determined with previous Type 47 liquor license applications, that the Census Tract within which the proposed restaurant is located (5123.14) has an overconcentration of liquor licenses. As such, a determination of

Public Convenience or necessity finding will be required from the ABC prior to the issuance of the Type 47 license. While this finding is determined by ABC alone, the Planning Commission has reviewed the permit request and determined that such a concentration is typical and considered appropriate for a downtown area that contains multiple dining and drinking establishments. The allowance for alcohol sales is typical of most restaurants in the Downtown that operate with a Type 47 license and will be consistent with the City's General Plan Goals by providing thriving restaurants and bars that meet local resident's needs and attract tourists.

SECTION 4. The Planning Commission hereby approves the Conditional Use Permit subject to the conditions set forth in Exhibit A attached hereto and incorporated herein this reference. Any expansion, intensification, or changes to the use approved under this conditional use permit deemed major by the Development Services Director shall be permitted only upon amendment of this Conditional Use Permit or approval of a separate Conditional Use Permit application.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023, 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

WAYNE TANDA, Chair

EXHIBIT "A" **STANDARD CONDITIONS**

APPLICATION NO: UP2023-0004

THE FOLLOWING APPROVAL REQUIREMENTS AND ANY SPECIAL CONDITIONS SHALL BE APPLIED THROUGH THE DEVELOPMENT APPROVAL PROCESS.

Legend

MHMC= Morgan Hill Municipal Code

MHARH= Morgan Hill Architectural Review Handbook

CMH= City of Morgan Hill

CFC= California Fire Code

I. PROJECT DESCRIPTION

The proposed project includes a Conditional Use Permit to allow the service of a full range of alcoholic beverages in conjunction with a new restaurant in an existing 1464-square foot building on a 1.12-acre site.

II. PROJECT CONDITIONS OF APPROVAL

It shall be the responsibility of the Owner to ensure that any changes or modifications to the Project is in compliance with the original City Conditions of Approval of the Project, which are hereby incorporated herein as set forth in full.

PLANNING DIVISION

- A. **Conditional Use Permit.** This Conditional Use Permit approval is limited to the Project Description above and the plan set on file (UP2023-0004) with the Development Services Department. Any expansion, intensification, or changes to the uses approved under this Conditional Use Permit shall be permitted only upon amendment of this Conditional Use Permit or approval of a separate Conditional Use Permit.
- B. **Time Limits:** The conditional use permit approval granted pursuant to this Resolution shall remain in effect for two years from approval date. Failure to exercise this use within this term shall result in termination of approval unless an extension of time is granted with a showing of just cause prior to the expiration date. **(MHMC 18.108.040 and 18.104.210).**
- C. **Defense and Indemnity.** As part of, and in connection, with this application to the City of Morgan Hill, Applicant agrees to defend, indemnify, and hold harmless the City of Morgan Hill, its officers, agents, employees, officials and representatives (Indemnitees) from and against any and all claims, actions, or proceedings arising

from any suit for damages or for equitable or injunctive relief which is filed against City to attack, set aside, void or annul its approval of this application or any related decision, or the adoption of any environmental documents which relates to said approval. The City shall promptly notify the Applicant of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. In the event that Applicant is required to defend Indemnitees in connection with the proceeding, Indemnitees shall retain the right to approve (a) the counsel to so defend Indemnitees; (b) all significant decisions concerning the manner in which the defense is conducted; and (c) any and all settlements, which approval shall not be unreasonably withheld. This indemnification shall include but is not limited to, (a) 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; (b) reasonable internal City administrative costs, including but not limited to staff time and expense spent on the litigation, after tender is accepted; and (c) all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision. City may, in its sole discretion, participate in the defense of such action; but such participation shall not relieve Applicant of its obligations under this condition. The undersigned hereby represents that they are the Applicant or are fully empowered by the Applicant 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.

ENGINEERING DIVISION

- A. Project will be subject to impact fees prior to issuance of any future building permit for tenant improvements.

BUILDING DIVISION

- A. The following items need to be incorporated into the design and will be verified at Building Permit application plan review:
 - 1. Project shall be designed to comply with the current edition of the California Codes of Regulations as amended by the Morgan Hill Municipal Code Title 15.
 - 2. A separate submittal, fee and permit is required to Santa Clara County Environmental Health for food preparation.

POLICE DEPARTMENT

- A. Entertainment as defined in Section 5.28 of the Morgan Hill Municipal Code may not be conducted unless an Entertainment Permit is approved by the Police Department.

Item 2
Attachment 3

CODE COMPLIANCE



SHEET LEGEND

ARCHITECTURAL	A0.1	TITLE SHEET
	A1.0	OVERALL SITE PLAN
	A2.1	FLOOR PLANS
	A2.3	FINISH & EQUIPMENT PLANS
	A2.4	EGRESS PLAN
	A3.1	EXTERIOR ELEVATIONS
	A7.1	DETAILS

NOTE: PROJECT WILL OBTAIN HEALTH DEPARTMENT APPROVAL
PRIOR TO TUBITTING FOR BUILDING PERMIT

BUILDING & SITE DATA

ZONING:	DOWNTOWN MIXED USE MU-D
GENERAL PLAN:	MIXED USE
PROPOSED OCCUPANCY TYPE:	A2
NUMBER OF STORIES:	1
TYPE OF CONSTRUCTION:	5-B
APN #	726-14-075
ACRES	1.11

CONTACTS

TRUE NORTH

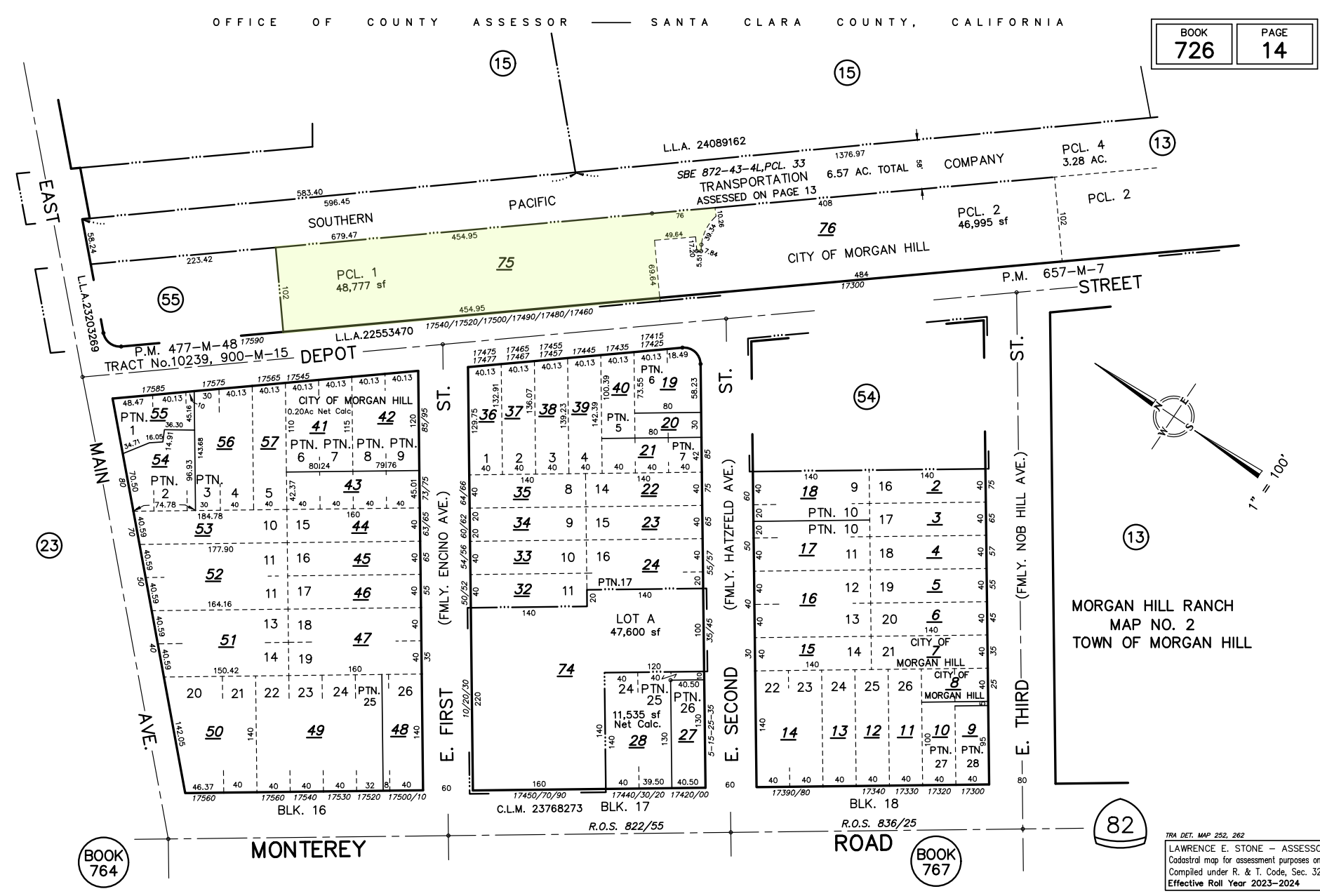
NORTH REF.

NORTH ARROW

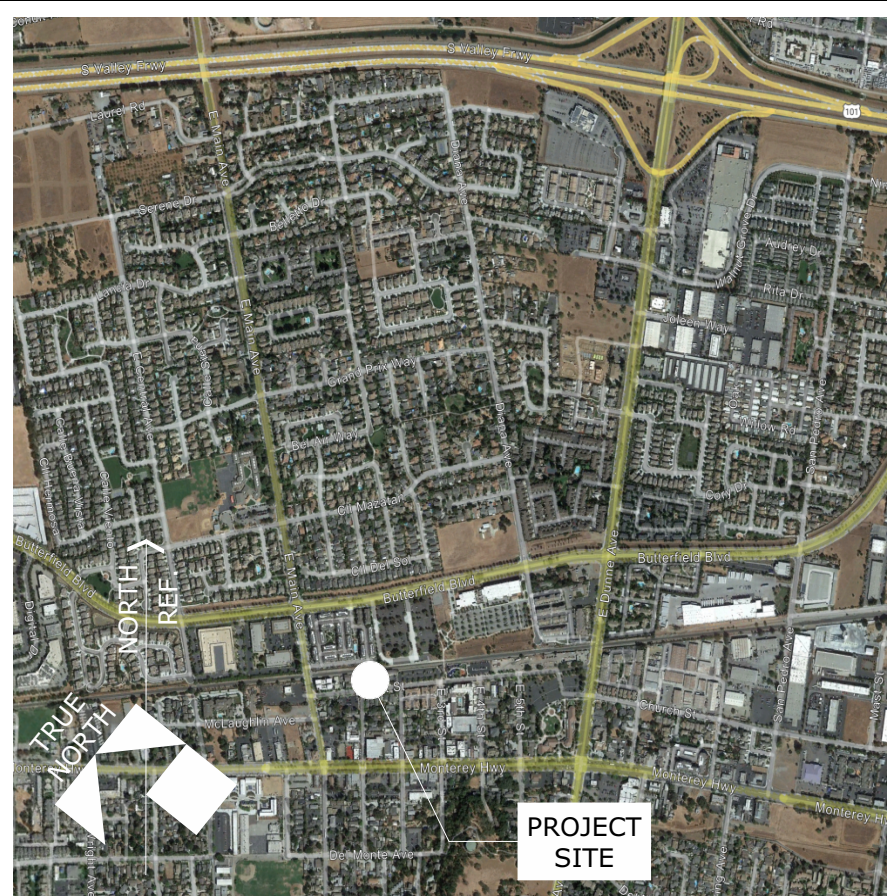
ARCHITECT WESTON MILES ARCHITECTS, INC.
17500 DEPOT STREET, SUITE #200
MORGAN HILL, CA 95037

ATTN: CHARLES WESTON, A.I.A.
PHONE: 1-408-779-6686
CHARLES@WMARCHITECTS.COM

APN MAP



VICINITY MAP



TITLE SHEET

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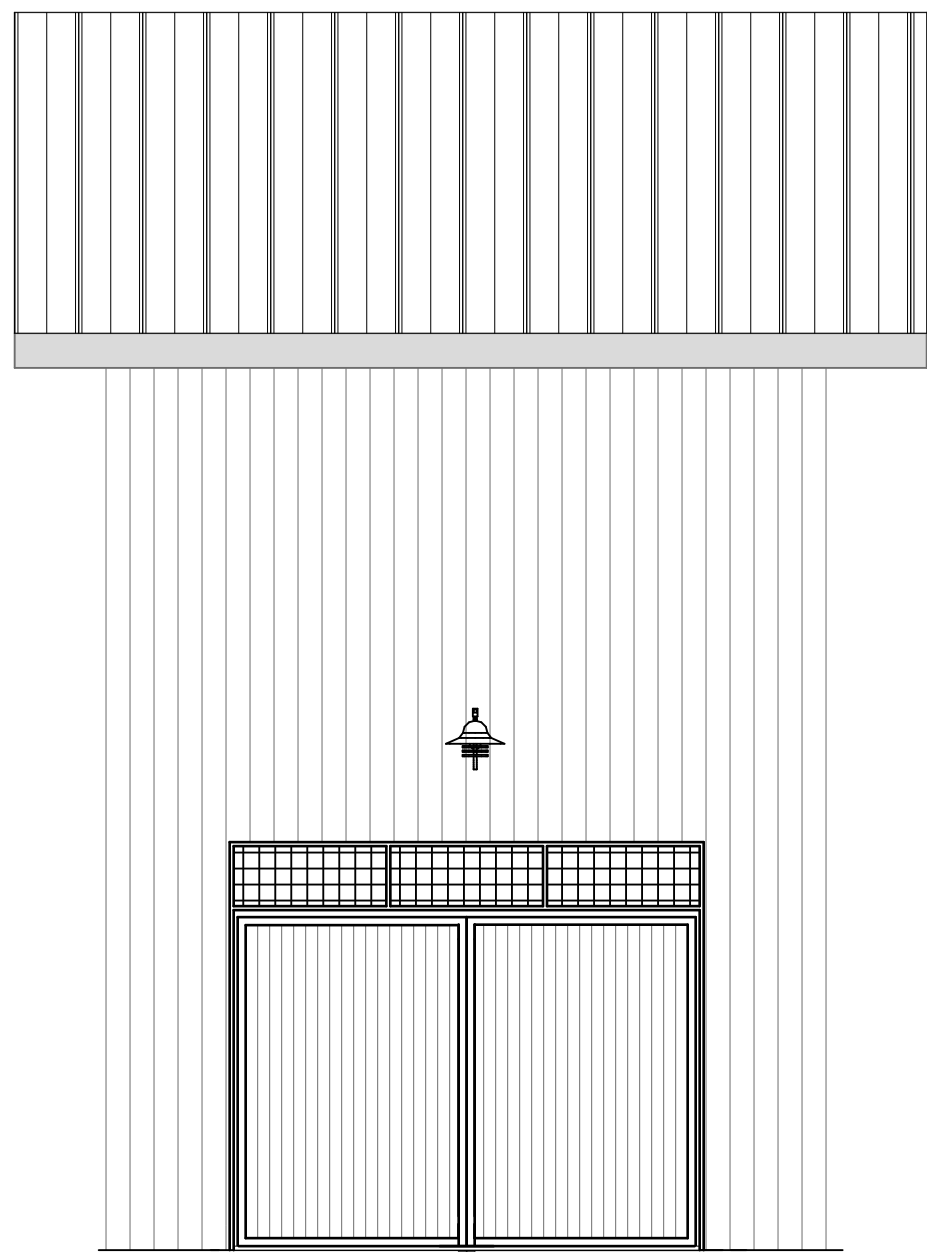
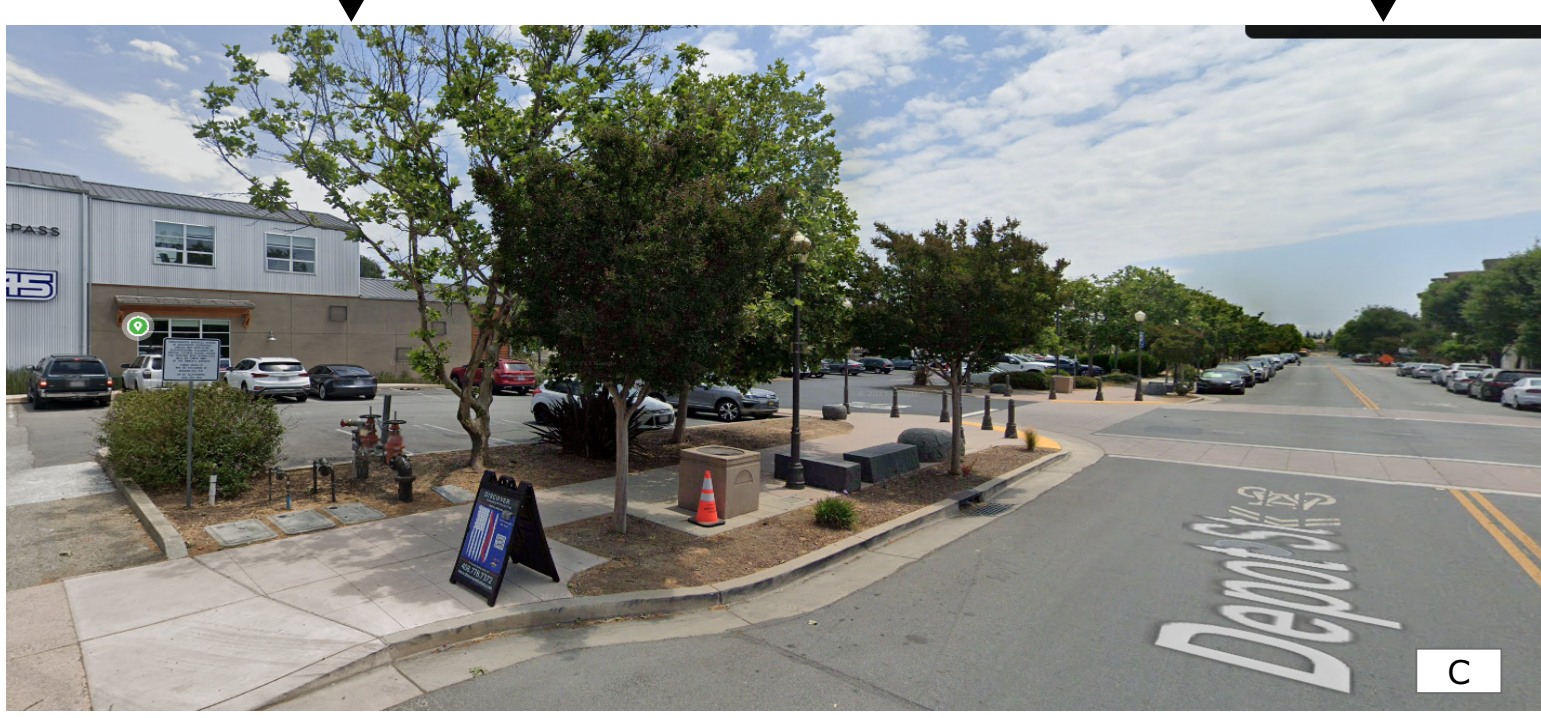
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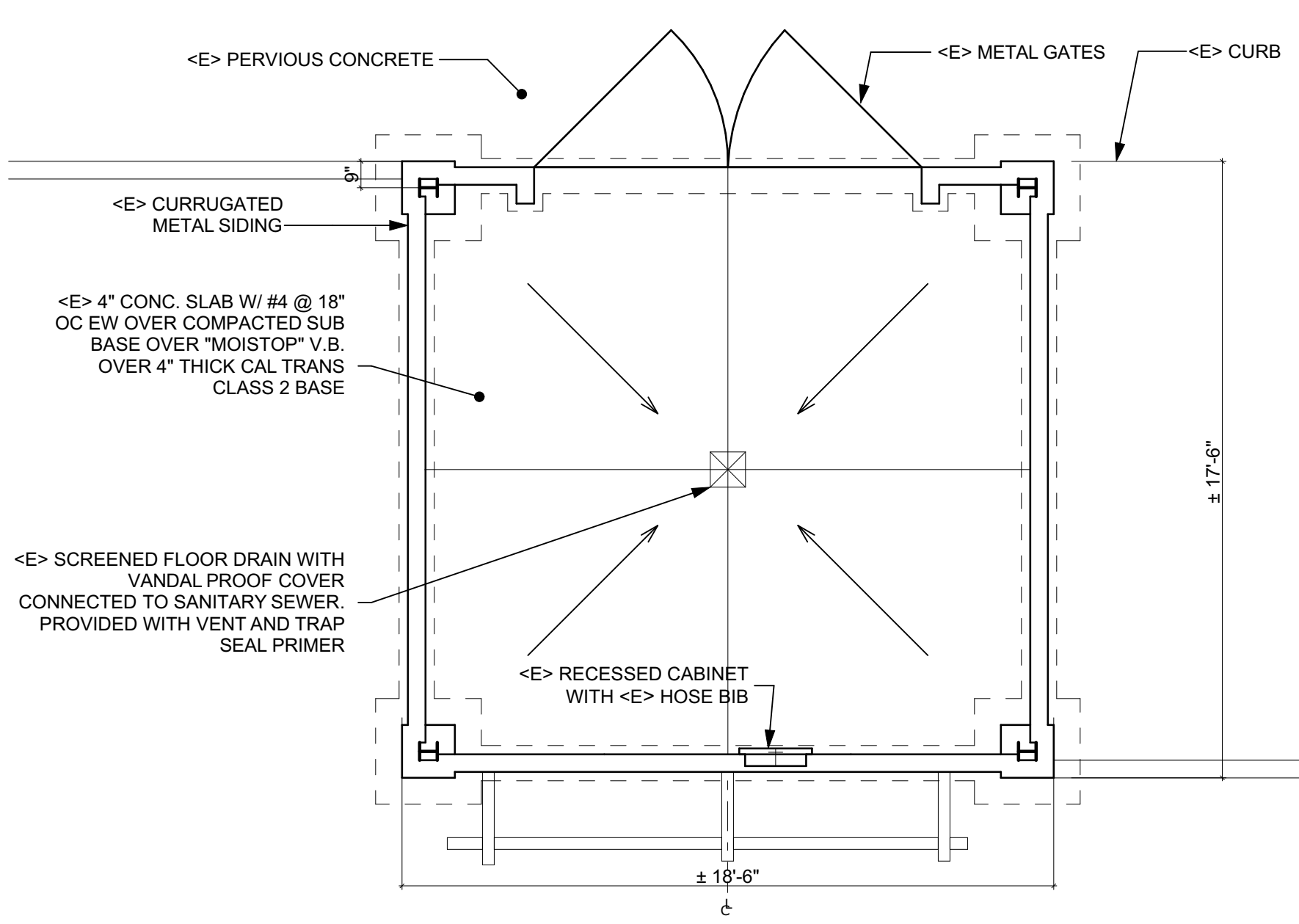
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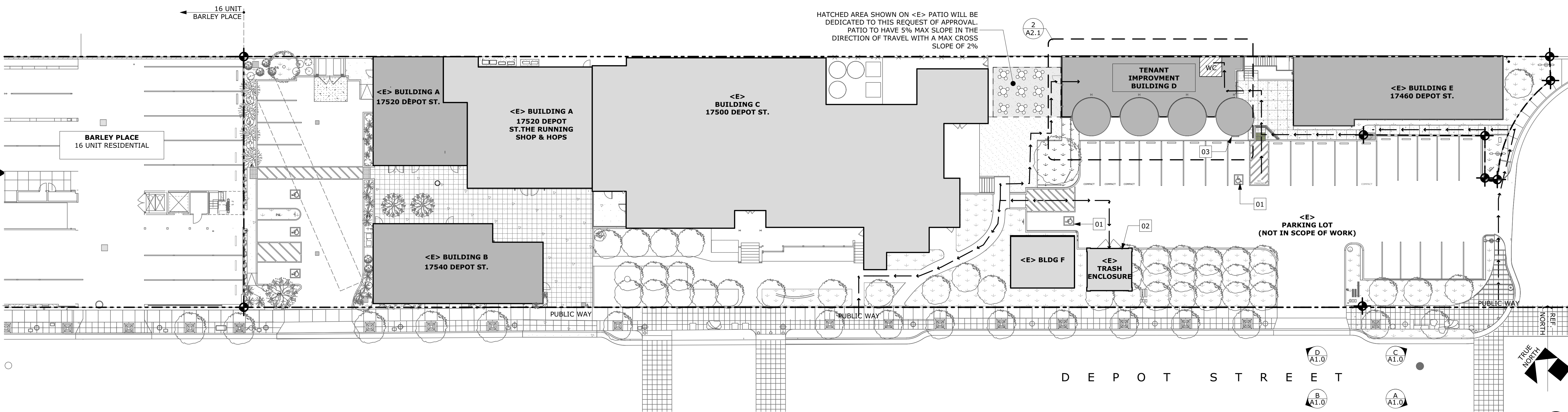
A0.1



<E> TRASH ENCLOSURE ELEVATION
SCALE: 1/4" = 1'-0"



<E> TRASH ENCLOSURE PLAN
SCALE: 1/4" = 1'-0"



KEYNOTES

- 01 <E> ACCESSIBLE PARKING
02 <E> TRASH ENCLOSURE SEE 2 & 3/A1.0
03 PUBLIC NOTICE SIGN SEE DETAIL 13/A7.1

SYMBOL LEGEND

- PROPERTY LINE
→ ACCESSIBLE PATH OF TRAVEL
ADA BATHROOMS LOCATED WITHIN BLDG

ACCESSIBILITY NOTES

- PEDESTRIAN PATH OF TRAVEL (P.O.T.) INDICATED AS A BARRIER FREE, COMMON, ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES EXCEEDING 1/2" BEVELED AT 1:2 MAXIMUM SLOPE, EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL. THE PATH'S SURFACE SHALL BE AT LEAST 48" WIDE, SLIP RESISTANT, STABLE, FIRM AND SMOOTH. PASSING SPACES (CBC 11B-403.5.3) SHALL BE AT LEAST 60" X 60" ARE LOCATED NOT MORE THAN 200' APART. PARTS OF POT W/CONTINUOUS GRADIENTS SHALL HAVE 60" LEVEL AREAS (CBC 11B-403.7) NOT MORE THAN 400' APART. THE CROSS SLOPE SHALL OT EXCEED 2% AND THE SLOPES IN THE DIRECTION OF TRAVEL THAT EXCEED 5% SHALL BE CONSTRUCTED AS ACCESSIBLE RAMPS. THE P.O.T. SHALL BE FREE OF OVERHEAD OBSTRUCTIONS UP TO 80" MINIMUM (CBC 11B-307.4). OBJECTS PROJECTING FROM WALLS W/LEADING EDGES BETWEEN 27" AND 80" A.F.F. SHALL NOT PROTRUDE MORE THAN 4" FROM THE WALL (CBC 11B-307). THE P.O.T. SHALL COMPLY W/CBC 11B-403.
- ARCHITECT AND CONTRACTOR TO VERIFY THAT ALL BARRIERS IN THE PATH OF TRAVEL HAVE BEEN REMOVED PER SECTION 11B-403.
- ACCESSIBLE PATH OF TRAVEL SHALL BE SLIP RESISTANT.
- ACCESSIBLE GROUND FLOOR ENTRY/ EXITS SHALL COMPLY WITH: CBC 11B-404.2.4.
 - 24" STRIKE SIDE CLEARANCE AT EXTERIOR PULL SIDE OF DOORS
 - 60" MIN LEVEL AREA (2% MAX SLOPE) PERPENDICULAR TO DOOR @ EXTERIOR & INTERIOR
 - LEVEL LANDING AREA CONNECTED TO ACCESSIBLE ROUTE THROUGHOUT SITE.

GENERAL NOTES

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING:
 - APPLICABLE SECTIONS OF THE STATE OF CALIFORNIA'S DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, LATEST EDITION, HEREINAFTER CALLED "CALTRANS";
 - CALIFORNIA PLUMBING CODE AND CALIFORNIA BUILDING CODE PROVISIONS;
 - AWWA STANDARD SPECIFICATIONS;
 - CITY/COUNTY DESIGN STANDARDS WHERE APPLICABLE;
 - STANDARDS OF THE UNITED STATES DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, OFFICE OF STANDARDS AND RULES OF THE STATE DIVISION OF INDUSTRIAL SAFETY;
 - THESE PLANS AND DETAILS SHOWN HEREON. WHERE CONFLICTS EXIST BETWEEN ANY OF THE ABOVE LISTED SPECIFICATIONS THE MOST STRINGENT SPECIFICATION SHALL PREVAIL.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL <E> ABOVE GROUND UTILITIES AND PROVIDE FOR THEIR TEMPORARY DISCONNECTION, PROTECTION, REMOVAL AND/ OR STORAGE AS MAY BE REQUIRED DURING CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE COUNTY/DISTRICT TO DETERMINE WHETHER TEMPORARY SERVICES ARE NECESSARY.
- ALL SPOILS, DEBRIS, AND INCIDENTAL ITEMS SHALL BE HAULED OFF SITE BY CONTRACTOR AND BE DISPOSED OF IN A LAWFUL MANNER AS IT ACCUMULATES.
- CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE IN ANY WAY, ANY EXISTING ELEMENTS NOT DESIGNATED FOR REMOVAL. SUCH DAMAGE IS THE RESPONSIBILITY OF THE CONTRACTOR AT NO ADDITIONAL COST TO THE COUNTY/DISTRICT.
- COORDINATE SHUT-OFF OF ALL UTILITIES PRIOR TO ANY DEMOLITION.
- CONTRACTOR IS TO PROTECT AND KEEP <E> TREES NOT MARKED FOR RELOCATION OR REMOVAL.
- THE SITE MUST BE CLEANED AT THE END OF EACH BUSINESS DAY.
- CONTRACTOR TO MAINTAIN A SAFE, SECURE SITE.
- THIS DRAWING IS TO OUR BEST KNOWLEDGE AND REFLECTS THE <E> SITE CONDITIONS.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE ALL PERMITS NECESSARY TO PERFORM THE WORK, INCLUDING BUT NOT LIMITED TO WORK IN THE PUBLIC RIGHT-OF-WAY, TREE REMOVAL, AND UTILITY MODIFICATIONS.
- ALL KNOWN EXISTING UTILITY LINES ARE SHOWN FOR INFORMATION ONLY. CONTRACTOR SHALL EXERCISE ALL NECESSARY CAUTION TO AVOID DAMAGE TO ANY EXISTING UTILITY LINES OR FACILITIES TO REMAIN IN PLACE. WHETHER OR NOT SUCH LINES OR FACILITIES ARE SHOWN ON THESE PLANS, AND SHALL BEAR FULL RESPONSIBILITY FOR ANY DAMAGE THERETO. CONTRACTOR IS ADVISED TO CONTACT UNDERGROUND SERVICE ALERT (USA) AT (800) 642-2444 OR A PRIVATE UNDERGROUND LOCATER SERVICE (AT CONTRACTOR'S EXPENSE) AND THE AFFECTED UTILITY COMPANY FOR MARKING UNDERGROUND LINES PRIOR TO BEGINNING WORK.
- TO REDUCE CONSTRUCTION DUST THESE CONTROL MEASURES SHALL BE REQUIRED DURING DEMOLITION/CONSTRUCTION
 - WATER ALL ACTIVE CONSTRUCTION AREAS AT LEAST TWICE DAILY
 - COVER ALL TRUCKS HAULING SOIL, SAND, OR LOOSE MATERIALS OR REQUIRE ALL TRUCKS TO MAINTAIN AT LEAST TWO FEET OF FREEBOARD.
 - SWEEP STREET DAILY (WITH WATER SWEEPERS) IF VISIBLE SOIL MATERIAL IS CARRIED INTO ADJACENT PUBLIC STREETS.
 - ENCLOSE, COVER, WATER TWICE DAILY OR APPLY NON-TOXIC SOIL BINDERS TO EXPOSED STOCKPILES (DIRT, SAND, ETC.)
- BUILDING ADDRESS SHALL BE PROVIDED ON THE BUILDING IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET PER CBC SECTION 501.2

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OVERALL SITE PLAN
SILOS CRAFT COCKTAIL LOUNGE

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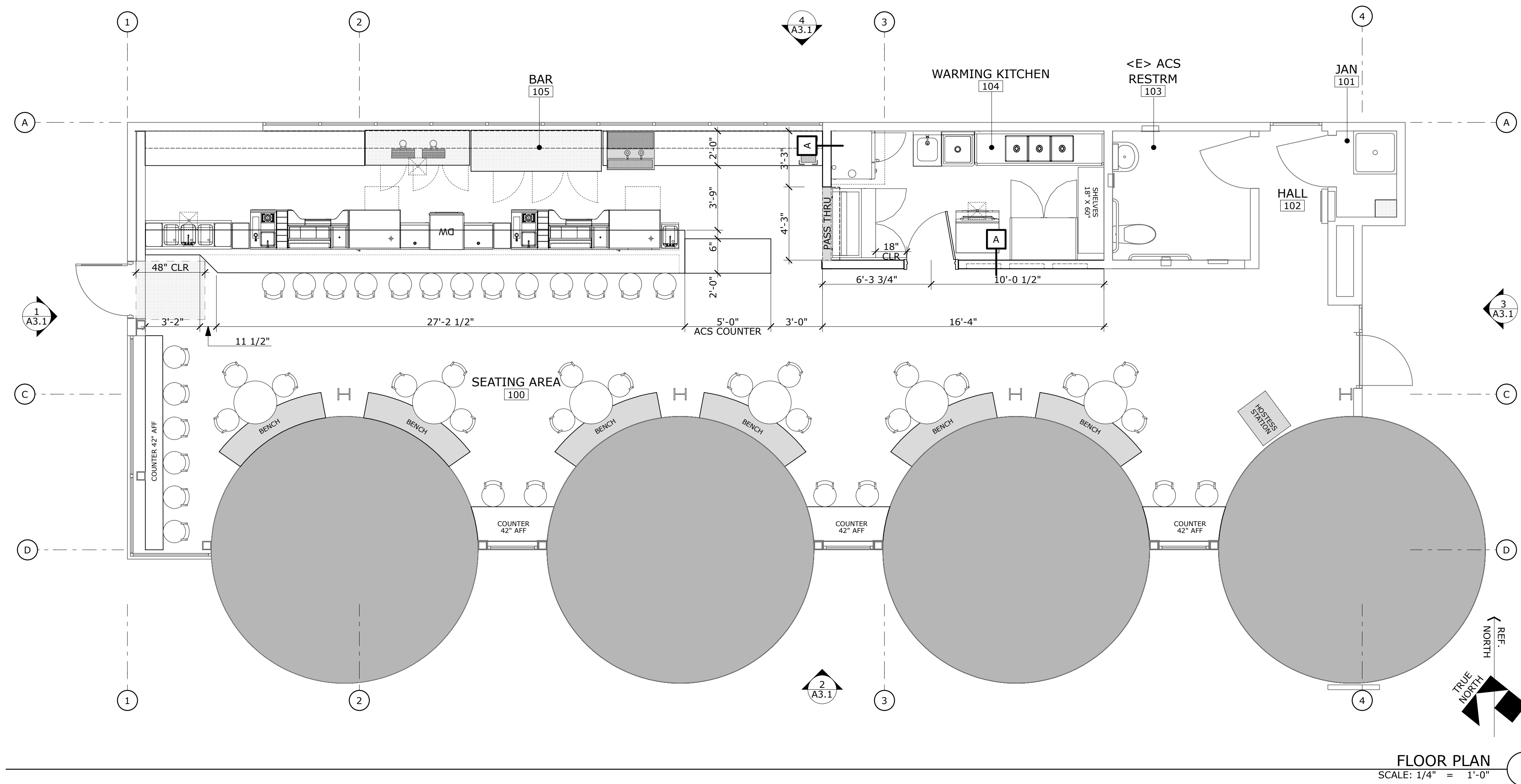
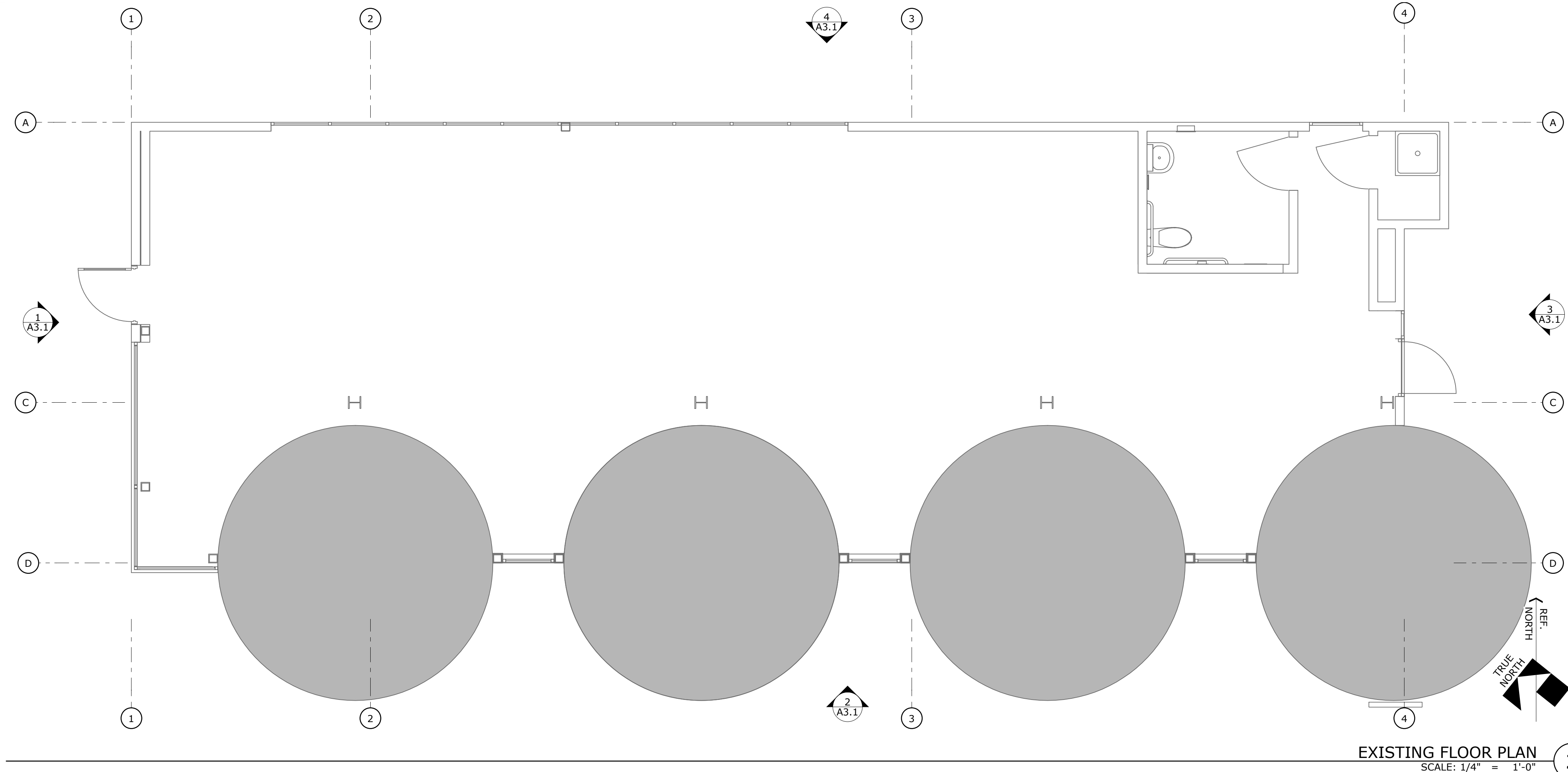
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DATE: 8/24/2023

JOB NO: 23010

A1.0

17480 DEPOT STREET • MORGAN HILL, CA 95037



GENERAL NOTES

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL <E> UTILITIES PRIOR TO ANY EXCAVATION FOR DEMOLITION.
2. CONTRACTOR SHALL VERIFY LOCATION OF ALL <E> ABOVE GROUND UTILITIES AND PROVIDE FOR THEIR TEMPORARY DISCONNECTION, PROTECTION, REMOVAL AND/OR STORAGE AS MAY BE REQUIRED DURING CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE OWNER TO DETERMINE WHETHER TEMPORARY SERVICES ARE NECESSARY.
3. ALL SPOILS, DEBRIS, AND INCIDENTAL ITEMS REMOVED FROM THE DEMOLITION WORK SHALL BE HAULED OFF SITE BY CONTRACTOR AND BE DISPOSED OF IN A LAWFUL MANNER AS IT ACCUMULATES. EXCAVATED, CLEAN FILL MAY BE USED IN CONSTRUCTION IF APPROVED BY THE OWNER'S REPRESENTATIVE.
4. CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE IN ANY WAY, ANY EXISTING ELEMENTS NOT DESIGNATED FOR REMOVAL. SUCH DAMAGE IS THE RESPONSIBILITY OF THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
5. SHUT OFF ALL WATER, GAS, & ELECTRIC AT STREET PRIOR TO ANY DEMOLITION.
6. CONTRACTOR IS TO PROTECT AND KEEP <E> TREES, U.N.O.
7. THE SITE MUST BE CLEANED AT THE END OF EACH BUSINESS DAY.
8. CONTRACTOR TO MAINTAIN A SAFE, SECURE SITE WHILE UNATTENDED OR PERFORMING ANY OPERATIONS OF THIS PROJECT. INCLUDING, BUT NOT LIMITED TO TEMPORARY SHORING TO PROJECT PERSONNEL, STRUCTURES, ONGOING ACTIVITIES AND/OR OPERATIONS AND UTILITIES REMAINING IN TACT.
9. THIS DRAWING IS TO OUR BEST KNOWLEDGE, AND REFLECTS THE <E> CONDITIONS
10. THROUGHOUT CONSTRUCTION THE CONTRACTOR SHALL MAINTAIN AND MAKE AVAILABLE A LIST OF ITEMS FOR RELOCATION NOTING WHERE EACH ITEM IS REINSTALLED. BY THE END OF CONSTRUCTION, THE CONTRACTOR SHALL REVIEW THE LIST WITH THE ARCHITECT AND EITHER STORE OR DISPOSE OF EACH ITEM REMAINING UNINSTALLED AS DIRECTED.
11. SEE A2.3 FINISH & EQUIPMENT PLAN FOR KITCHEN AND BAR EQUIPMENT INFORMATION

KEYNOTES

01 NONE

SYMBOL LEGEND

< WALL TYPES SEE SHEET A7.1

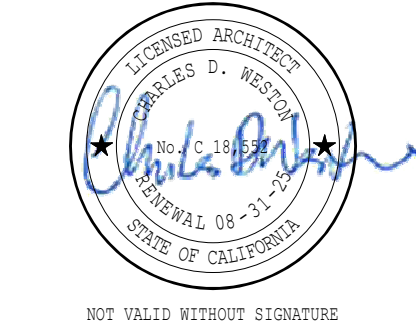
FIRE MARSHALL NOTES

1. EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY, THUMB TURN, OR ANT SPECIAL KNOWLEDGE OR EFFORT, MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE NOT PERMITTED UNLESS ITS A MAIN EXIT THEN A SIGN MUST BE PROVIDED ON OR NEXT TO THE EXIT DOOR STATING " THIS DOOR TO REMAIN UNLOCKED DURING BUISNESS HOURS.
2. INTERIOR WALL AND CEILING FINISH SHALL COMPLY WITH CHAPTER 8
3. COMMERCIAL HOODS AND KITCHEN VENTILATION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 5 & 6 OF THE 2019 MECHANICAL CODE
4. EACH SINGLE SYSTEM PROVIDING HEATING OR COOLING AIR IN EXCESS OF 2,000 CUBIC FEET PER MINTUER SHALL BE EQUIPPED WITH AN AUTOMATIC SHUT OFF ACTIVATED BY SMOKE DETECTORS.
5. APPROVED NUMBERS OR ADDRESSES SHALL BE PLACED ON ALL NEW AND EXISTING BUILDINGS IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. SAID NUMBERS SHALL CONTRACT WITH THEIR BACKGROUND. SEE EXTERIOR ELEVATIONS ON A3.1 FOR LOCATION

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FLOOR PLANS

SILOS CRAFT COCKTAIL LOUNGE

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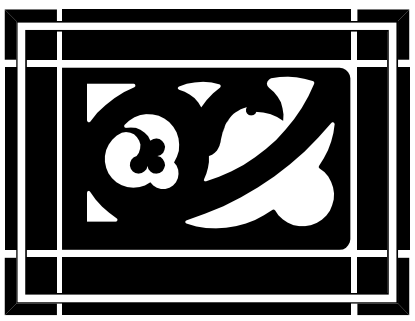
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A2.1



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EXTERIOR ELEVATIONS

SILOS CRAFT COCKTAIL LOUNGE - SUITE #100
TENANT IMPROVEMENT

17480 DEPOT STREET , MORGAN HILL, CA 95037

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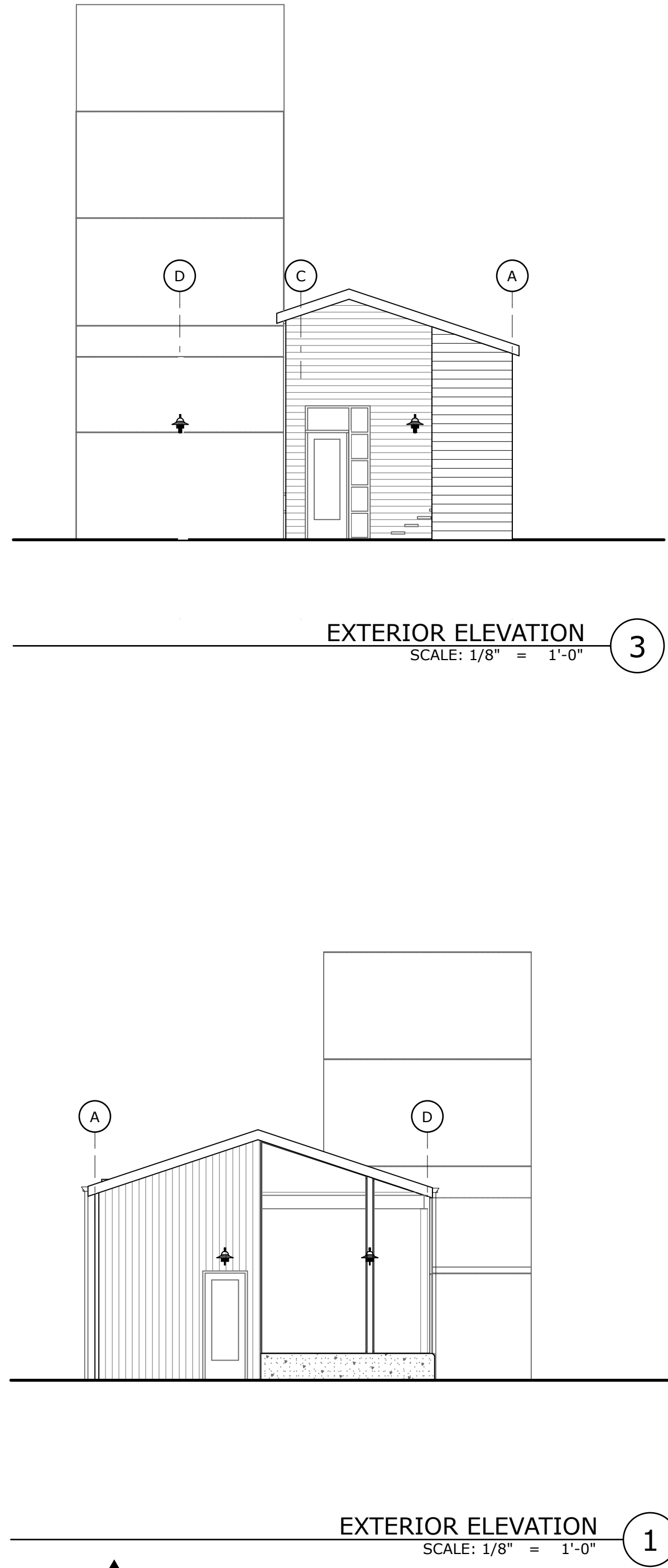
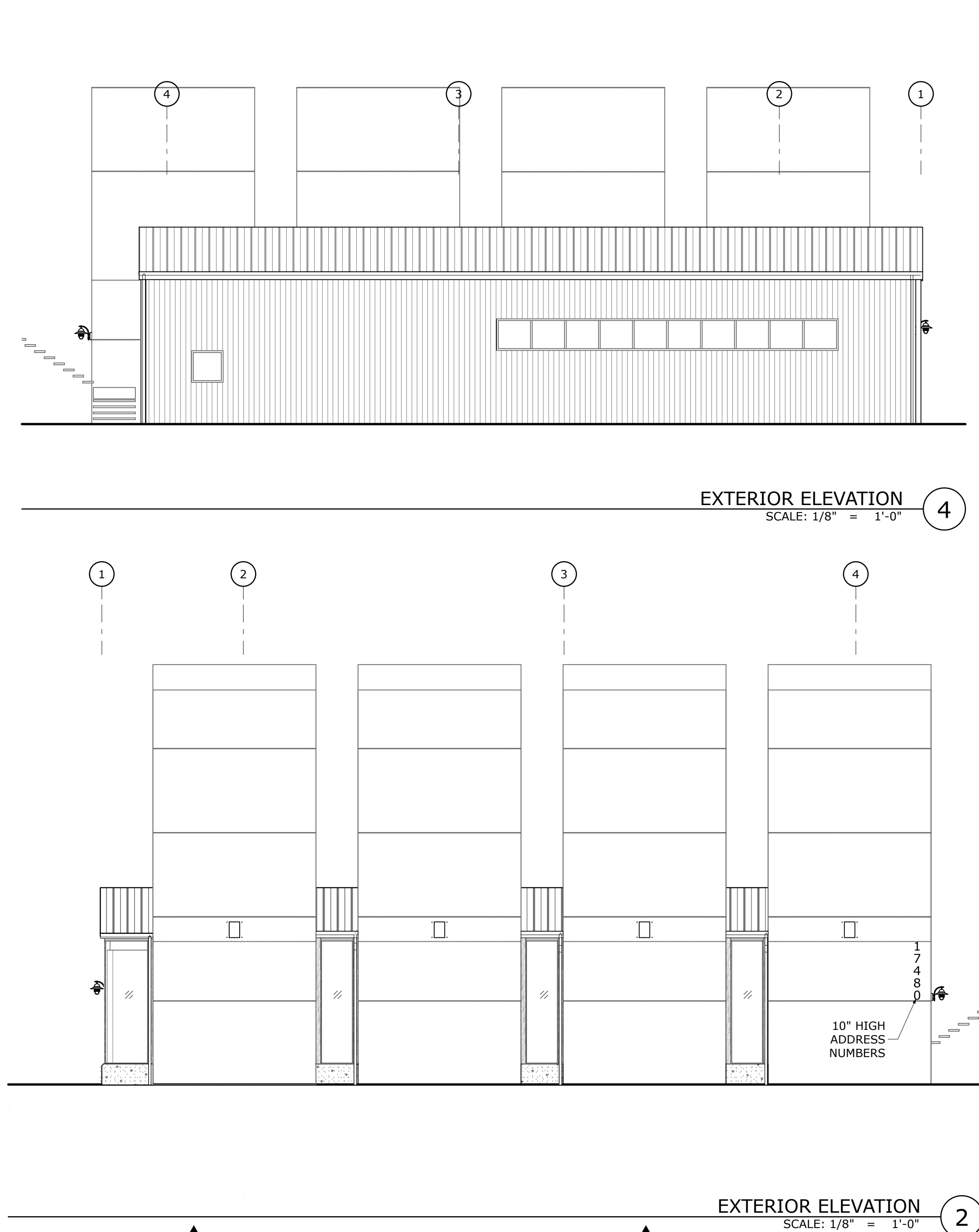
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A3.1



PLANNING COMMISSION STAFF REPORT

MEETING DATE: November 14, 2023

PREPARED BY:
Matthew Mahood, Economic Development Director
APPROVED BY: Jennifer Carman

RECOMMEND APPROVAL OF VEHICLE SALES OVERLAY ZONE (VS) AND VEHICLE SALES DESIGN GUIDELINES (CONTINUED FROM OCTOBER 24, 2023)

RECOMMENDATION(S)

1. Continue the public hearing.
2. Adopt Resolution recommending City Council approval of the Municipal Code Amendment.

LOCATION MAP/PROJECT INFORMATION:



- | | | |
|----|---------------|--|
| 1. | Location: | Location Description/Address: (APN) 72831017, APN 72831018, and (APN) 72831019. Three parcels located at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive comprised of approximately 27.89 acres. |
| 2. | Site Area: | 27.89 acres |
| 3. | General Plan: | Commercial |
| 4. | Zoning: | Commercial Highway, Administrative Office |
| 5. | Request: | Request for an ordinance to establish the Vehicle Sales Overlay Zone (-VS) to allow vehicle-related uses and other compatible |

uses.

BACKGROUND:

The General Fund supports most of the City's major services, including police, fire, recreation, street maintenance, municipal governance, and administrative services. The two largest contributors to the General Fund are Property Tax and Sales Tax. Property Tax collections make up 33% of the General Fund while Sales Tax collections make up 24% of the General Fund. Within the Sales Tax number, the Autos and Transportation tax group accounts for 35% of the Sales Tax collected.

Sales Tax generating retail is one of the four key industries identified in the City's 2017 Economic Blueprint that support the City's long term economic sustainability. In recognition of the substantial reliance on sales tax to support the basic City services, in 2022 the City adopted and implemented the Auto Dealer Incentive Program and made the recruitment and expansion of new auto dealers a priority in the Economic Development work plan. Since that time, the City Council has successfully utilized the Auto Dealer Incentive Program's incentives to help attract and/or support the expansion of three auto dealers in the City. An auto dealership can generate enough sales tax on an annual basis to support the salaries of two and one-half police officers. The only other use that could generate more tax revenue for the City per acre is an upper midscale hotel.

In addition to generating sales tax, retail provides retail goods and amenities for the community, generates jobs and fosters place making. Retail requires careful planning, land use flexibility, and a proactive approach to secure adequate market share and capitalize on market trends. The City's Economic Development team invests significant time, energy, and resources working with local property owners, potential developers, and potential users to identify opportunities for new commercial and retail investment that will support the continued growth and sustainability of the General Fund.

Auto dealers, and similar businesses, locate in high visibility locations, typically either freeway facing or immediately adjacent to the freeway. And while some of this available freeway facing land in the City of Morgan Hill is designated for commercial use in the General Plan, the specific uses related to an auto dealership are currently not permitted on commercial land zoned Administrative Office (CO). Although Administrative Office (CO) zoning supports the future development of professional, general commercial, and medical office; the existing CO zoning district provides very limited flexibility and very little opportunity to generate significant sales tax revenue.

While the City's 2002 Auto Dealer Incentive Program identified a revenue sharing incentive program to support the high costs of Greenfield development and also identified preferred auto dealer sites, the City never updated the zoning code to make the sites easier for development. This work has been done on a case by case basis based on market demand.

In May and June 2023, the City staff brought forward a proposal to amend Section 18.24.020 (Land Use Regulations) of Chapter 18.24 (Commercial Zoning Districts) of the Zoning Code to allow vehicle-related uses as well as other compatible uses within the Administrative Office (CO) zoning district consistent with the Commercial (C) General Plan land use designation. The zoning amendments were approved by the Planning Commission on May 9, 2023. The City Council approved the amendments at the first reading on June 21, 2023 with the direction to return to City Council with Design Guidelines for Vehicle Sales uses. On August 23, 2023, the proposed zoning amendments were returned for a second reading and approval. The Vehicle Sales Use Design Guidelines were organized as a later item on the agenda. The proposed zoning amendments were not approved during the second reading and the Design Guideline item was not presented and deferred to a later meeting. City Council directed staff to return with a new proposal for Vehicle Sales uses based on feedback provided by the City Council and the community. This item was heard by the Planning Commission on October 24, 2023 and continued. A redline of the draft

ordinance is included in the attachments with Commissioners' comments noted throughout the document.

To address community feedback, City staff is returning to the Planning Commission with a new proposal to create a Vehicle Sales (-VS) overlay zone to allow vehicle sales in different parts of the City on parcels that can support such a use. City staff is proposing that the overlay zone also incorporate specific design elements for future dealerships that align with design goals in the General Plan and that have been previously discussed with the Planning Commission. The initial applicability of the -VS overlay zone applies to the three parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive, comprising approximately 27.89 acres.

On October 11, 2023, Trammell Crow and High Street Northern California Development, Inc. submitted an SB330 Preliminary Application using the Builder's Remedy for 151 housing units across 13.83 acres within the Administrative Office (CO) zoned property within the proposed -VS area. The SB330 preliminary application locks regulations and fees at the time of application and provides for 180 days for the applicant to file a final Design Review application. Builder's Remedy does not exempt applications from environmental review. Upon submission of a final Design Review application that conforms to SB330 requirements, an environmental review process will start parallel to application processing.

While the timing of the SB330 application creates some uncertainty as to the future use of the properties in question, City staff believes that the best path forward to protect the property from future housing development is to increase the flexibility of the commercial uses on the property, which includes the proposed overlay proposal.

PROJECT DESCRIPTION:

The City proposes establishing Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of the Zoning Code to allow vehicle-related uses as well as other compatible uses in different parts of the City that can support such a use. The following amendments within Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of the Municipal Code are proposed:

Purpose of Vehicle Sales Overlay Zone. The purpose of the Vehicle Sales (-VS) overlay zone is to allow vehicle sales in different parts of the City on parcels that can support such a use. This overlay zone also incorporates specific design elements for future dealerships that align with design goals in the General Plan.

Applicability. The -VS overlay zone applies to parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive comprising of approximately 27.89 acres.

Land Use Regulations. In addition to the uses allowed pursuant to the underlying base zoning district, the following uses are also allowed:

- a. Allow "Restaurants, Fast Food" as a permitted use.
- b. Allow "Restaurants, Sit-Down" as a permitted use.
- c. Allow "Tasting Rooms" as a permitted use.
- d. Allow "Convenience Market with Fuel and Service Station" as a conditional use.
- e. Allow "General Retail" as a permitted use.
- f. Allow "Fuel and Service Stations" as a conditional use.
- g. Allow "Vehicle Rentals" as a permitted use.
- h. Allow "Vehicle Repair and Maintenance, Minor" as a permitted use when associated with an on-site or off-site automotive manufacturer.

- i. Allow "Vehicle Sales and Leasing" as a permitted use.
- j. Allow "Vehicle Washing" as a conditional use.

Development Standards. The development standards that apply in the -VS overlay zone shall be the same as the underlying base zone with the exception of the following:

1. Vehicle Sale uses cannot utilize more than eighty (80) percent of the total acreage available within the overlay zone, preserving 20 percent of the total acreage for non-vehicle sales uses.

Design Guidelines for the Vehicle Sales (-VS) Overlay Zone. Vehicle Rentals, Vehicle Repair and Maintenance, Vehicle Sales and Leasing, and Vehicle Washing uses shall substantially comply with the following design guidelines and shall be reviewed through a design permit as required by Section 18.108.040 (Design Permit):

Site Design

- a. Site frontages of highways and public streets should minimize the number of visible vehicles in exterior display areas.
- b. Showrooms are encouraged over exterior vehicle display areas that front onto a public street. Interior vehicle display should be limited to ground level and second floor only.
- c. To enhance the visual prominence of the dealership building, interior vehicle showrooms should be located on the front portion of the site and oriented towards the street.
- d. To reduce the visual presence of vehicle maintenance areas, vehicle service entrances and service bays should be integrated within the design of the main building, when possible, be less prominent than the main building, and screened from public right-of-way vantage points.
- e. For contiguous dealerships, dealerships should be designed to provide cohesive vehicular and pedestrian access and connectivity between dealerships and other adjacent uses for ease of customer accessibility.
- f. Onsite circulation should include efficient space to support vehicular deliveries and auto service access to reduce overflow to off-site parking.
- g. To improve the visual aesthetics of contiguous dealerships, large expanses of exterior vehicle display and storage areas should be divided into smaller areas with landscaping.
- h. Vehicle exterior display areas, which are elevated above grade (i.e., display pedestals of any type), and exterior display areas with automated movement are prohibited unless specifically approved within the design permit for the site.
- i. Outdoor amenities, including seating, tables, and covered areas with shade, are encouraged.
- j. Accessory structures, including charging stations for electric vehicles, should be consistent with the overall design of the dealership, especially for contiguous dealerships.

2. Building Design

- a. A compatible architectural design is encouraged for contiguous dealerships in order to create a visually unified and attractive environment.
- b. Dealership buildings should have high quality architectural designs with recessed windows and entries that include large display windows.
- c. All sides of a building that are visible from public right-of-way vantage points should have a consistent architectural quality, design, and use of materials. When adjacent to the

freeway or between two streets, buildings should consider two frontages or 360-degree architectural design.

- d. Parked and stored vehicles in a building should be screened from view except in ground or second level showrooms.
- e. Service bay entrances should be designed to minimize sight lines into the interior of service bays and parts departments.
- f. Accessory and ancillary structures should be architecturally compatible with the overall design of the dealership.

3. Landscaping

- a. Landscape buffers should be incorporated along frontages of highways and public streets.
- b. Large stormwater retention and treatment basins should be located away from public streets, when possible.
- c. Accent paving such as stamped concrete or pavers is encouraged at main entrances.
- d. For contiguous dealerships, landscaping, screening walls, and fences should be complementary amongst dealerships.

4. Parking

- a. Customer and employee parking and storage of vehicles for dealerships should be accommodated within the boundaries of each dealership and not on public or private streets.
- b. Structured parking is encouraged. Vehicle parking and storage within structures or on the roofs of buildings should not be visible from ground level vantage points.

5. Lighting

- a. Parking areas should have lighting capable of providing adequate illumination for security and safety.
- b. Lighting should be energy-efficient and have brightness and color necessary for the use of the on-site vehicles and structures, as well as for the needs of pedestrians.
- c. Lighting levels of interior and exterior vehicle display areas should be minimized after normal business hours.
- d. Lighting levels need to be in conformance with the City of Morgan Hill performance standards.
- e. Lighting should have fixtures that shield direct light from visibility from neighboring properties and from public streets.
- f. Lighting sources should not have motion, such as search lights that are aimed at the sky.
- g. Building illumination and architectural lighting should be indirect in character (light sources should be minimally visible). Indirect wall lighting or “wall washing”, exterior overhead down lighting, or interior indirect illumination that spills outside the building is encouraged. Architectural lighting should articulate and animate building design and provide functional lighting for the safety and clarity of pedestrian movement.

PROJECT ANALYSIS AND FINDINGS:

ANALYSIS

The proposed project was analyzed with respect to conformance with: 1) Morgan Hill 2035 General Plan; 2) Zoning Ordinance 3) Findings and 4) California Environmental Quality Act:

1. General Plan Land Use Consistency

The proposed zoning amendment is consistent with the General Plan as the amendments implement the General Plan and the 2017 Morgan Hill Economic Blueprint.

2. Zoning Ordinance Consistency

The purpose of the Zoning Code is to implement the General Plan and to protect the public health, safety, and welfare. The City may approve a Zoning Amendment only if the following findings are made:

a. The proposed amendment is consistent with the General Plan and any applicable specific plan as provided by Government Code Section 65860.

Consistent

The proposed text amendments are consistent with the General Plan as the amendments implement the General Plan and the 2017 Morgan Hill Economic Blueprint.

b. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

Consistent

The proposed overlay district implements the General Plan and the 2017 Morgan Hill Economic Blueprint and does not propose any new uses that were not analyzed in the Morgan Hill 2035 Environmental Impact Report, and, therefore, will not be detrimental to the City.

c. The proposed amendment is internally consistent with other applicable provisions of the zoning code.

Consistent

The proposed revisions will implement the General Plan and the 2017 Morgan Hill Economic Blueprint, and, therefore, are internally consistent with the overall zoning code

CONCLUSION:

The proposed Vehicle Sales Overlay Zone (VS) with the corresponding Design Guidelines are based on input received from both the City Council and the community heard during previous zoning amendment considerations. The overlay approach addresses concerns that 100% of the applicable parcels of land not be used for Vehicle Sales. And at the same time, the design of any future auto dealership(s) or auto mall will exceed the design standards that have been applied to previous vehicle sales uses. The proposed Overlay Zone provides increased flexibility for a future developer and decreases the likelihood that the property will be developed as housing using new State laws that supersede existing zoning. Lastly, the Vehicle Sales Overlay Zone and corresponding Design Guidelines further support Morgan Hill's 2017 Economic Blueprint in the area of retail development and providing additional land use flexibility that is critical to the City's future economic vitality and sustainability. Therefore, staff recommends the Planning Commission adopt the Resolution recommending City Council approval of the Vehicle Sales Overlay Zone as proposed. The ordinance will be heard at the City Council meeting on November 15, 2023.

CEQA (California Environmental Quality Act):

There are no new significant environmental impacts or previously identified significant impacts associated with the Project. Therefore, the City determined that an Addendum to the Morgan Hill 2035 General Plan Final Environmental Impact Report (EIR) is the appropriate California Environmental Quality Act (CEQA) document to address project modifications in accordance with CEQA Guidelines Section 15164. CEQA Guidelines Section 15164(c) provides that an addendum need not be circulated for public review.

COMMUNITY ENGAGEMENT:**Inform/Engage**

A 10-day public hearing notice was published on Friday, October 13, 2023 in the edition of the Morgan Hill Times pursuant to Government Code Sections 65090-65096. Notices were also provided on the City's 411, City's website, and via social media for the October 24, 2023 Planning Commission meeting. On October 24, the public hearing was opened, public comment was received, and the hearing was continued.

On October 12, 2023, the City's Economic Development team provided an update to the Morgan Hill Chamber of Commerce's Economic Development Committee that the City will be bringing forward a proposed Vehicle Sales Zoning Overlay (-VS) with Design Guidelines (for the property bounded by Cochrane on the north, Depaul on the East, Hwy101 on the West and approximately 1,800 feet from Cochrane Rd to the South) for consideration at the October 24, 2023 Planning Commission and the November 15 City Council meeting.

ATTACHMENTS:

1. Planning Commission Resolution
2. Vehicle Sales Overlay Zone Draft Ordinance
3. Vehicle Overlay Zone Ordinance-redlines
4. Initial Study/Addendum
5. Staff Presentation
6. Public Comment

RESOLUTION NO. 23-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF A ZONING AMENDMENT ADDING SECTION 18.30.070 (VEHICLE SALES OVERLAY ZONE (-VS)) OF CHAPTER 18.30 (OVERLAY ZONES AND COMBINING DISTRICTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING THE VEHICLE SALES OVERLAY ZONE (-VS) TO ALLOW VEHICLE-RELATED USES AND OTHER COMPATIBLE USES

WHEREAS, this proposed Ordinance was considered by the Planning Commission of the City of Morgan Hill at its regular meeting of October 24, 2023 and the public hearing was continued;

WHEREAS, the Planning Commission has reviewed recommendations contained in the October 24, 2023, staff report on this item;

WHEREAS, the amendments proposed by this Ordinance are necessary to implement the City of Morgan Hill 2035 General Plan and the 2017 Morgan Hill Economic Blueprint;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Program Environmental Impact Report (EIR) (SCH No. 2015022074) for the Morgan Hill 2035 General Plan Update was prepared and certified by the City of Morgan Hill in July 2016;

WHEREAS, the City of Morgan Hill acting as a lead agency has completed an environmental analysis and determined that there are no new significant environmental impacts or previously identified significant impacts made more severe by project modifications, new circumstances, or new information associated with the project. Therefore, the City has determined that an Addendum to the Morgan Hill 2035 General Plan Update Final Environmental Impact Report (EIR) is the appropriate CEQA document to address project modifications in accordance with CEQA Guidelines Section 15164. CEQA Guidelines Section 15164(c) provides that an addendum need not be circulated for public review;

WHEREAS, copies of the environmental document were made available for public inspection at the Development Services Center located at 17575 Peak Ave., Morgan Hill, CA Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.;

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. The proposed amendment is consistent with the General Plan and any applicable specific plan as provided by Government Code Section 65860.

The proposed text amendments are consistent with the General Plan in that it implements the General Plan and the 2017 Morgan Hill Economic Blueprint as it allows vehicle-related uses, as well as other compatible uses, on parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive comprising of approximately 29.6 acres consistent with the Commercial (C) General Plan land use designation.

SECTION 2. The proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed text amendment consists of implementing the General Plan and the 2017 Morgan Hill Economic Blueprint and does not propose any new uses that were not analyzed in the Morgan Hill 2035 Environmental Impact Report, and, therefore, will not be detrimental to the City.

SECTION 3. The proposed amendment is internally consistent with other applicable provisions of the zoning code.

The proposed revisions will implement the General Plan and the 2017 Morgan Hill Economic Blueprint, and, therefore, are internally consistent with the overall zoning code.

SECTION 4. The Planning Commission hereby recommends approval of changes to the text of the Morgan Hill Municipal Code adding Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of Title 18 (Zoning) of the Municipal Code. All text amendments recommended to be made as shown in the attached draft ordinance.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2023, 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

WAYNE TANDA, Chair

ORDINANCE NO. , NEW SERIES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ADDING SECTION 18.30.070 (VEHICLE SALES OVERLAY ZONE (-VS)) OF CHAPTER 18.30 (OVERLAY ZONES AND COMBINING DISTRICTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING THE VEHICLE SALES OVERLAY ZONE (-VS) TO ALLOW VEHICLE-RELATED USES AND OTHER COMPATIBLE USES IN DIFFERENT PARTS OF THE CITY THAT CAN SUPPORT SUCH A USE

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

Section 1. Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of Title 18 (Zoning) is hereby established to read as follows:

18.30.070 Vehicle Sales Overlay Zone (-VS).

- A. Purpose of Vehicle Sales Overlay Zone. The purpose of the Vehicle Sales (-VS) overlay zone is to allow vehicle sales in different parts of the City on parcels that can support such a use. This overlay zone also incorporates specific design elements for future dealerships that align with design goals in the General Plan.
- B. Applicability. The -VS overlay zone applies to parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive comprising of approximately 27.89 acres.
- C. Land Use Regulations. In addition to the uses allowed pursuant to the underlying base zoning district, the following uses are also allowed:
 - 1. Allow "Restaurants, Fast Food" as a permitted use.
 - 2. Allow "Restaurants, Sit-Down" as a permitted use.
 - 3. Allow "Tasting Rooms" as a permitted use.
 - 4. Allow "Convenience Market with Fuel and Service Station" as a conditional use.
 - 5. Allow "General Retail" as a permitted use.
 - 6. Allow "Fuel and Service Stations" as a conditional use.
 - 7. Allow "Vehicle Rentals" as a permitted use.
 - 8. Allow "Vehicle Repair and Maintenance, Minor" as a permitted use when associated with an on-site or off-site automotive manufacturer.

9. Allow "Vehicle Sales and Leasing" as a permitted use.
 10. Allow "Vehicle Washing" as a conditional use.
- D. Development Standards. The development standards that apply in the -VS overlay zone shall be the same as the underlying base zone with the exception of the following:
1. Vehicle Sale uses cannot utilize more than eighty (80) percent of the total acreage available within the overlay zone, preserving 20 percent of the total acreage for non-vehicle sales uses.
- E. Design Guidelines for the Vehicle Sales (-VS) Overlay Zone. Vehicle Rentals, Vehicle Repair and Maintenance, Vehicle Sales and Leasing, and Vehicle Washing uses shall substantially comply with the following design standards and shall be reviewed through a design permit as required by Section 18.108.040 (Design Permit):
1. Site Design
 - a. Site frontages of highways and public streets should minimize the number of visible vehicles in exterior display areas.
 - b. Showrooms are encouraged over exterior vehicle display areas that front onto a public street. Interior vehicle display should be limited to ground level and second floor only.
 - c. To enhance the visual prominence of the dealership building, interior vehicle showrooms should be located on the front portion of the site and oriented towards the street.
 - d. To reduce visual presence of vehicle maintenance areas, vehicle service entrances and service bays should be integrated within the design of the main building, when possible, be less prominent than the main building, and screened from public right-of-way vantage points.
 - e. For contiguous dealerships, dealerships should be designed to provide cohesive vehicular and pedestrian access and connectivity between dealerships and other adjacent uses for ease of customer accessibility.
 - f. Onsite circulation should include efficient space to support vehicular deliveries and auto service access to reduce overflow to off-site parking.
 - g. To improve the visual aesthetics of contiguous dealerships, large expanses of exterior vehicle display and storage areas should be divided into smaller areas with landscaping.
 - h. Vehicle exterior display areas, which are elevated above grade (i.e., display pedestals of any type), and exterior display areas with automated movement are prohibited unless specifically approved within the design permit for the site.
 - i. Outdoor amenities, including seating, tables, and covered areas with shade, are encouraged.

- j. Accessory structures, including charging stations for electric vehicles, should be consistent with the overall design of the dealership, especially for contiguous dealerships.
- 2. Building Design
 - a. A compatible architectural design is encouraged for contiguous dealerships in order to create a visually unified and attractive environment.
 - b. Dealership buildings should have high quality architectural designs with recessed windows and entries that include large display windows.
 - c. All sides of a building that are visible from public right-of-way vantage points should have a consistent architectural quality, design, and use of materials. When adjacent to the freeway or between two streets, buildings should consider two frontages or 360-degree architectural design.
 - d. Parked and stored vehicles in a building should be screened from view except in ground or second level showrooms.
 - e. Service bay entrances should be designed to minimize sight lines into the interior of service bays and parts departments.
 - f. Accessory and ancillary structures should be architecturally compatible with the overall design of the dealership.
- 3. Landscaping
 - a. Landscape buffers should be incorporated along frontages of highways and public streets.
 - b. Large stormwater retention and treatment basins should be located away from public streets, when possible.
 - c. Accent paving such as stamped concrete or pavers is encouraged at main entrances.
 - d. For contiguous dealerships, landscaping, screening walls, and fences should be complementary amongst dealerships.
- 4. Parking
 - a. Customer and employee parking and storage of vehicles for dealerships should be accommodated within the boundaries of each dealership and not on public or private streets.
 - b. Structured parking is encouraged. Vehicle parking and storage within structures or on the roofs of buildings should not be visible from ground level vantage points.
- 5. Lighting
 - a. Parking areas should have lighting capable of providing adequate illumination for security and safety.
 - b. Lighting should be energy-efficient and have brightness and color necessary for the use of the on-site vehicles and structures, as well as for the needs of pedestrians.
 - c. Lighting levels of interior and exterior vehicle display areas should be minimized after normal business hours.
 - d. Lighting levels need to be in conformance with the City of Morgan Hill performance standards.
 - e. Lighting should have fixtures that shield direct light from visibility from

- neighboring properties and from public streets.
- f. Lighting sources should not have motion, such as search lights that are aimed at the sky.
 - g. Building illumination and architectural lighting should be indirect in character (light sources should be minimally visible). Indirect wall lighting or “wall washing”, exterior overhead down lighting, or interior indirect illumination that spills outside the building is encouraged. Architectural lighting should articulate and animate building design and provide functional lighting for the safety and clarity of pedestrian movement.

Section 2. 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 3. Effective Date; Posting. This Ordinance shall take effect on _____, 20____. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 20____, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____, 20____, AND SAID ORDINANCE WAS DULY PASSES AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

CERTIFICATE OF THE CITY CLERK

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. , New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the ____ day of _____, 2023.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

ORDINANCE NO. , NEW SERIES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ADDING SECTION 18.30.070 (VEHICLE SALES OVERLAY ZONE (-VS)) OF CHAPTER 18.30 (OVERLAY ZONES AND COMBINING DISTRICTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING THE VEHICLE SALES OVERLAY ZONE (-VS) TO ALLOW VEHICLE-RELATED USES AND OTHER COMPATIBLE USES IN DIFFERENT PARTS OF THE CITY THAT CAN SUPPORT SUCH A USE

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

Section 1. Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of Title 18 (Zoning) is hereby established to read as follows:

18.30.070 Vehicle Sales Overlay Zone (-VS).

- A. Purpose of Vehicle Sales Overlay Zone. The purpose of the Vehicle Sales (-VS) overlay zone is to allow vehicle sales in different parts of the City on parcels that can support such a use. This overlay zone also incorporates specific design elements for future dealerships that align with design goals in the General Plan.
- B. Applicability. The -VS overlay zone applies to parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the zoning map extending approximately 1,800 feet south of Cochrane Road between Hwy 101 and DePaul Drive comprising of approximately 27.89 acres. (Should parcel numbers be noted here)
- C. Land Use Regulations.

Permitted Land Uses. Table 18.30-2 identifies land uses permitted in the Vehicle Sales Overlay Zone (-VS) in addition to the uses allowed pursuant to the underlying base zoning district.

Table 18.30-2 Permitted Land Uses in the Vehicle Sales Overlay District

Key	
P Permitted Use	
C Conditional Use Permit required	
Commercial Uses	
General Retail	P
Eating and Drinking Uses	
Restaurants, Fast Food	P
Restaurants, Sit-Down	P

Tasting Rooms	P
Vehicle-Related Uses	
Vehicle Sales and Leasing [1]	P
Convenience Market with Fuel and Service Station	C
Fuel and Service Stations	C
Vehicle Rentals [2]	P
Vehicle Repair and Maintenance, Minor [3]	P
Vehicle Washing	C

Notes:

[1] Allowed except for “used car sales” limited to the same property as an original equipment manufacturer.

[2] Allowed only when associated with an on-site original equipment manufacturer.

[3] Allowed only when associated with an on-site or off-site original equipment manufacturer.

D. Development Standards

The development standards that apply in the -VS overlay zone shall be the same as the underlying base zone with the exception of the following:

1. Vehicle Sale uses cannot utilize more than (45-100) eighty (80) percent of the total acreage available within the overlay zone, preserving 20 percent of the total acreage for non-vehicle sales uses.

E. Design Guidelines for the Vehicle Sales (-VS) Overlay Zone. Vehicle Rentals, Vehicle Repair and Maintenance, Vehicle Sales and Leasing, and Vehicle Washing uses shall substantially comply with the following design standards and shall be reviewed through a design permit as required by Section 18.108.040 (Design Permit):

1. Site Design

- a. Site frontages of highways and public streets should minimize the number of visible vehicles in exterior display areas.
- b. Showrooms are encouraged over exterior vehicle display areas that front onto a public street. Interior vehicle display should be limited to ground level and second floor only.
- c. To enhance the visual prominence of the dealership building, interior vehicle showrooms should be located on the front portion of the site and oriented towards the street.
- d. To reduce visual presence of vehicle maintenance areas, vehicle service entrances and service bays should be integrated within the design of the main building, when possible, be less prominent than the main building, and screened from public right-of-way vantage points.
- e. For contiguous dealerships, dealerships should be designed to provide cohesive vehicular and pedestrian access and connectivity between dealerships and other adjacent uses for ease of customer accessibility.
- f. Onsite circulation should include efficient space to support vehicular deliveries and auto service access to reduce overflow to off-site parking.

- g. To improve the visual aesthetics of contiguous dealerships, large expanses of

exterior vehicle display and storage areas should be divided into smaller areas with landscaping.

- h. Vehicle exterior display areas, which are elevated above grade (i.e., display pedestals of any type), and exterior display areas with automated movement are prohibited unless specifically approved within the design permit for the site.
- i. Outdoor amenities, including seating, tables, and covered areas with shade, are encouraged.
- j. Accessory structures, including charging stations for electric vehicles, should be consistent with the overall design of the dealership, especially for contiguous dealerships.
- k. Noise on dealership sites from a public address system, from service departments, or other sources should be minimized.

2. Building Design

- a. A compatible architectural design is encouraged for contiguous dealerships in order to create a visually unified and attractive environment.
- b. Dealership buildings should have high quality architectural designs with recessed windows and entries that include large display windows.
- c. All sides of a building that are visible from public right-of-way vantage points should have a consistent architectural quality, design, and use of materials. When adjacent to the freeway or between two streets, buildings should consider two frontages or 360-degree architectural design.
- d. Parked and stored vehicles in a building should be screened from view except in ground or second level showrooms.
- e. Service bay entrances should be designed to minimize sight lines into the interior of service bays and parts departments.
- f. Accessory and ancillary structures should be architecturally compatible with the overall design of the dealership.

3. Landscaping

- a. Landscape buffers should be incorporated along frontages of highways and public streets.
- b. Large stormwater retention and treatment basins should be located away from public streets, when possible.
- c. Accent paving such as stamped concrete or pavers is encouraged at main entrances.
- d. For contiguous dealerships, landscaping, screening walls, and fences should be complementary amongst dealerships.

4. Parking

- a. Customer and employee parking and storage of vehicles for dealerships should be accommodated within the boundaries of each dealership and not on public or private streets.
- b. Structured parking is encouraged. Vehicle parking and storage within structures or on the roofs of buildings should not be visible from ground level vantage points.

5. Lighting

- a. Parking areas should have lighting capable of providing adequate illumination for security and safety.
- b. Lighting should be energy-efficient and have brightness and color

necessary for the use of the on-site vehicles and structures, as well as for the needs of pedestrians.

- c. Lighting levels of interior and exterior vehicle display areas should be minimized after normal business hours.
- d. Lighting levels need to be in conformance with the City of Morgan Hill performance standards.
- e. Lighting should have fixtures that shield direct light from visibility from

- neighboring properties and from public streets.
- f. Lighting sources should not have motion, such as search lights that are aimed at the sky.
 - g. Building illumination and architectural lighting should be indirect in character (light sources should be minimally visible). Indirect wall lighting or “wall washing”, exterior overhead down lighting, or interior indirect illumination that spills outside the building is encouraged. Architectural lighting should articulate and animate building design and provide functional lighting for the safety and clarity of pedestrian movement.

Section 2. 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 3. Effective Date; Posting. This Ordinance shall take effect on _____, 20__. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE ____ DAY OF ____, 20__, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE __ DAY OF _____, 20__, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

MARK TURNER, Mayor

MICHELLE BIGELOW, City Clerk

CERTIFICATE OF THE CITY CLERK

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. , New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the ____ day of _____, 2023.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

City of Morgan Hill

Addendum to the Morgan Hill 2035 Environmental Impact Report (SCH# 2015022074)

for the Administrative Office (CO) Zoning Text Amendment

April 19, 2023



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SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY/ADDENDUM

This document is an Addendum to the Environmental Impact Report (EIR) for the City of Morgan Hill's Morgan Hill 2035 Project, State Clearinghouse (SCH) No. 2015022074, certified on July 27, 2016 ("Certified EIR"). The project analyzed in the Certified EIR and adopted by the City of Morgan Hill is the Morgan Hill 2035 General Plan and Residential Development Control System, or RDCS ("Approved Project"). This Addendum serves as the environmental review for the proposed Administrative Office (CO) Zoning Text Amendment ("proposed project"), prepared pursuant to the provisions of the State California Environmental Quality Act (CEQA) Guidelines Section 15164.

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a 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 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; 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 Section 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. Pursuant to CEQA Guidelines §15164(d), the Lead Agency shall consider the addendum with the Final EIR prior to making a decision on the project.

This Addendum relies on the attached environmental analysis, which addresses environmental checklist issues section by section. This Addendum reviews the changes proposed by the proposed project and examines whether, as a result of any changes or new information, any new or worsened impacts could occur that were not identified in the Certified EIR. In accordance with the CEQA Guidelines, the City has determined that an Addendum to the Certified EIR is the appropriate environmental clearance for the proposed project.

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Administrative Office (CO) Zoning Text Amendment

2.2 LEAD AGENCY CONTACT

City of Morgan Hill
Adam Paszkowski, Principal Planner
17575 Peak Avenue
Morgan Hill, CA 95037
Phone: (408) 310-4635
Email: adam.paszkowski@morganhill.ca.gov

2.3 PROJECT LOCATION

Morgan Hill is a city of 13 square miles located in the southern part of Santa Clara County. The City is located approximately 20 miles south of downtown San José and approximately 13 miles north of Gilroy.

Regional and planning boundaries maps of the City are shown on Figure 2.4-1 and Figure 2.4-2, respectively.

2.4 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

The project would require the following discretionary approvals from the City of Morgan Hill:

- Adoption of the Administrative Office (CO) Zoning Text Amendment Ordinance
- Adoption of the Administrative Office (CO) Zoning Text Amendment Initial Study/Addendum

Figure 2.4-1: Regional Map of the City of Morgan Hill and Surrounding Area

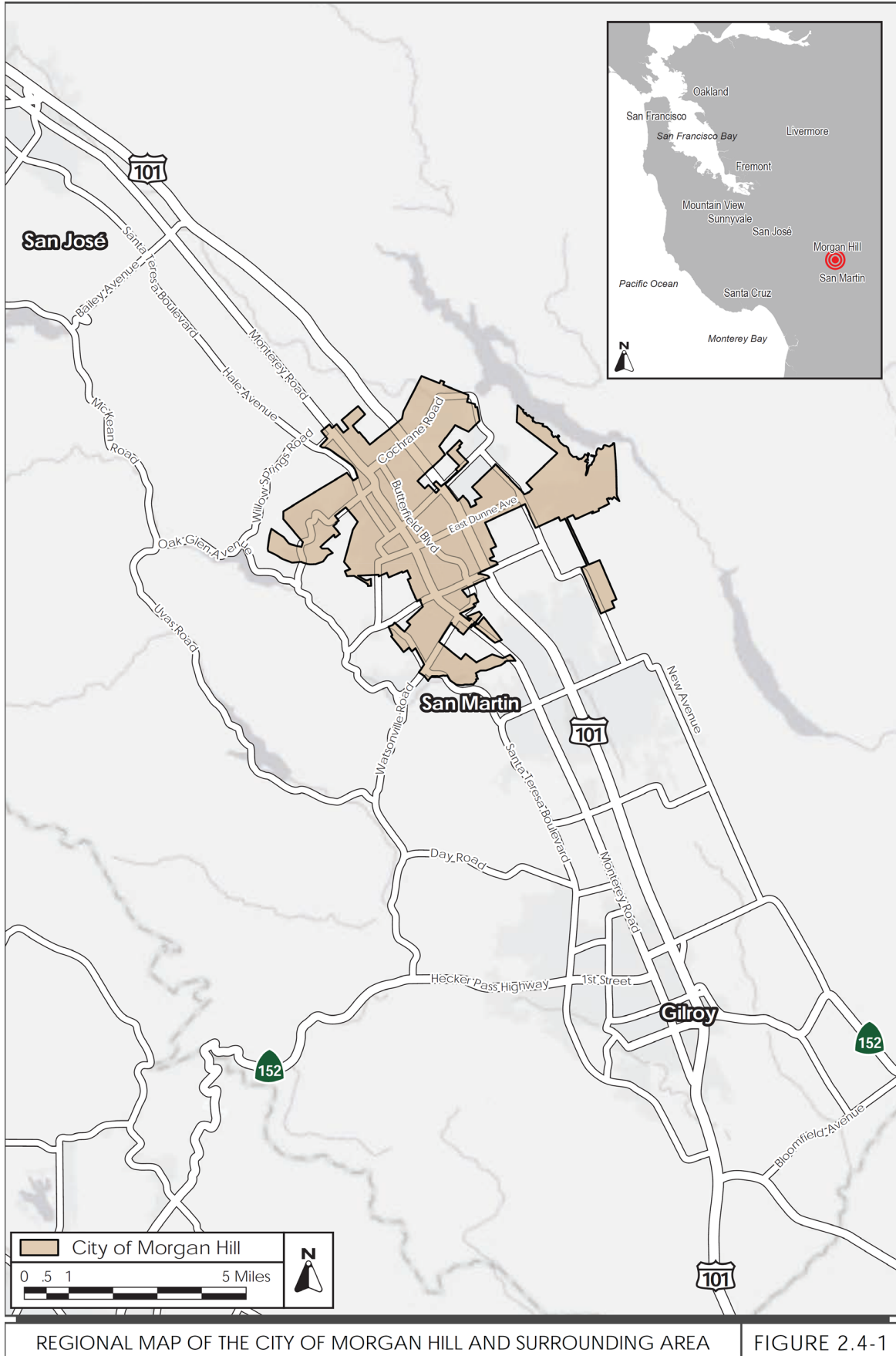
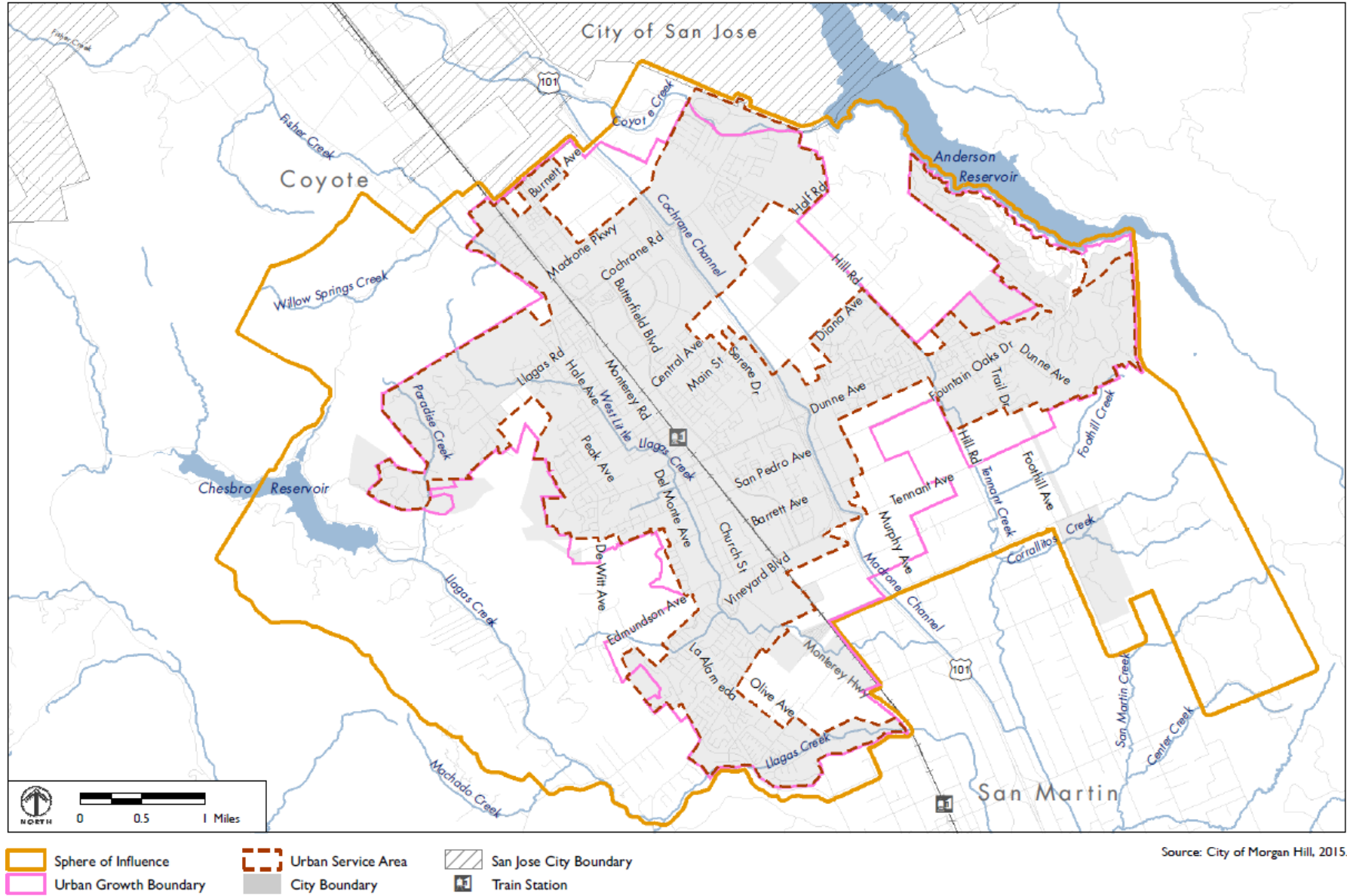


Figure 2.4-2: City of Morgan Hill Planning Boundaries



2.5 PROJECT DESCRIPTION

2.5.1 Detailed Project Description

The Administrative Office (CO) Zoning Text Amendment project proposes to amend Table 18.24-1 (Permitted Land Uses in the Commercial Zoning Districts) within Section 18.24.020 (Land Use Regulations) of Chapter 18.24 (Commercial Zoning Districts) of the Zoning Code (Title 18) to allow vehicle-related uses as well as other compatible uses on lots sized one-acre or greater within the CO zoning district consistent with the Commercial (C) General Plan land use designation.

The following amendments to Table 18.24-1 (Permitted Land Uses in the Commercial Zoning Districts) within Section 18.24.020 (Land Use Regulations) of Chapter 18.24 (Commercial Zoning Districts) of the Municipal Code are proposed for the Administrative Office (CO) zoning district:

- A. Allow “Restaurants, Fast Food” as a permitted use.
- B. Allow “Restaurants, Sit-Down” as a permitted use.
- C. Allow “Tasting Rooms” as a permitted use.
- D. Allow “Convenience Market with Fuel and Service Station” as a conditional use.
- E. Allow “General Retail” as a permitted use.
- F. Allow “Fuel and Service Stations” as a permitted use.
- G. Allow “Vehicle Rentals” as a permitted use.
- H. Allow “Vehicle Repair and Maintenance, Minor” as a permitted use.
- I. Allow “Vehicle Sales and Leasing” as a permitted use.
- J. Allow “Vehicle Washing” as a conditional use.
- K. Allow all of the above uses only on a lot sized one-acre or greater.

2.5.2 Project Background

Since 1969, the State of California has required all California cities and counties to have a General Plan (California Government Code Section 65300). The General Plan is a state-required legal document that each planning agency in California prepares and the legislative body of each county and city adopts to provide a comprehensive, long-term plan for the physical development of the county or city. A General Plan must include the following seven mandatory elements specified in Government Code Section 65302: a) land use, b) circulation, c) housing, d) conservation, e) open space, f) noise, and g) safety. The General Plan is the City’s official policy for its future character, form, and quality of development. The General Plan describes the amount, type and phasing of development needed to achieve the City’s social, economic, and environmental goals. It is the policy framework for decision making on both private development projects and City capital expenditures. The current General Plan (“2035 General Plan”) was adopted by the City Council in 2016.

Following the adoption of the 2035 General Plan, the City of Morgan Hill prepared a Comprehensive Zoning Code Update and an Addendum to the Morgan Hill 2035 Environmental Impact Report for the Zoning Code Update, adopted June 6, 2018, to ensure that the Zoning Code conforms to the adopted 2035 General Plan and allow development intensities and uses that are consistent with the adopted General Plan.

As part of the 2035 General Plan and the 2018 Comprehensive Zoning Code Update, it was envisioned to remove the Administrative Office (CO) zoning district and designate all properties zoned Administrative Office (CO) with the Commercial land use. Therefore, the Certified Morgan Hill 2035 Environmental Impact Report (Certified EIR) for the 2035 General Plan and the Addendum to the Morgan Hill 2035 Environmental Impact Report for the 2018 Comprehensive Zoning Code Update analyzed and evaluated all parcels zoned Administrative Office (CO) to have their land use designation changed to Commercial and a corresponding General Commercial

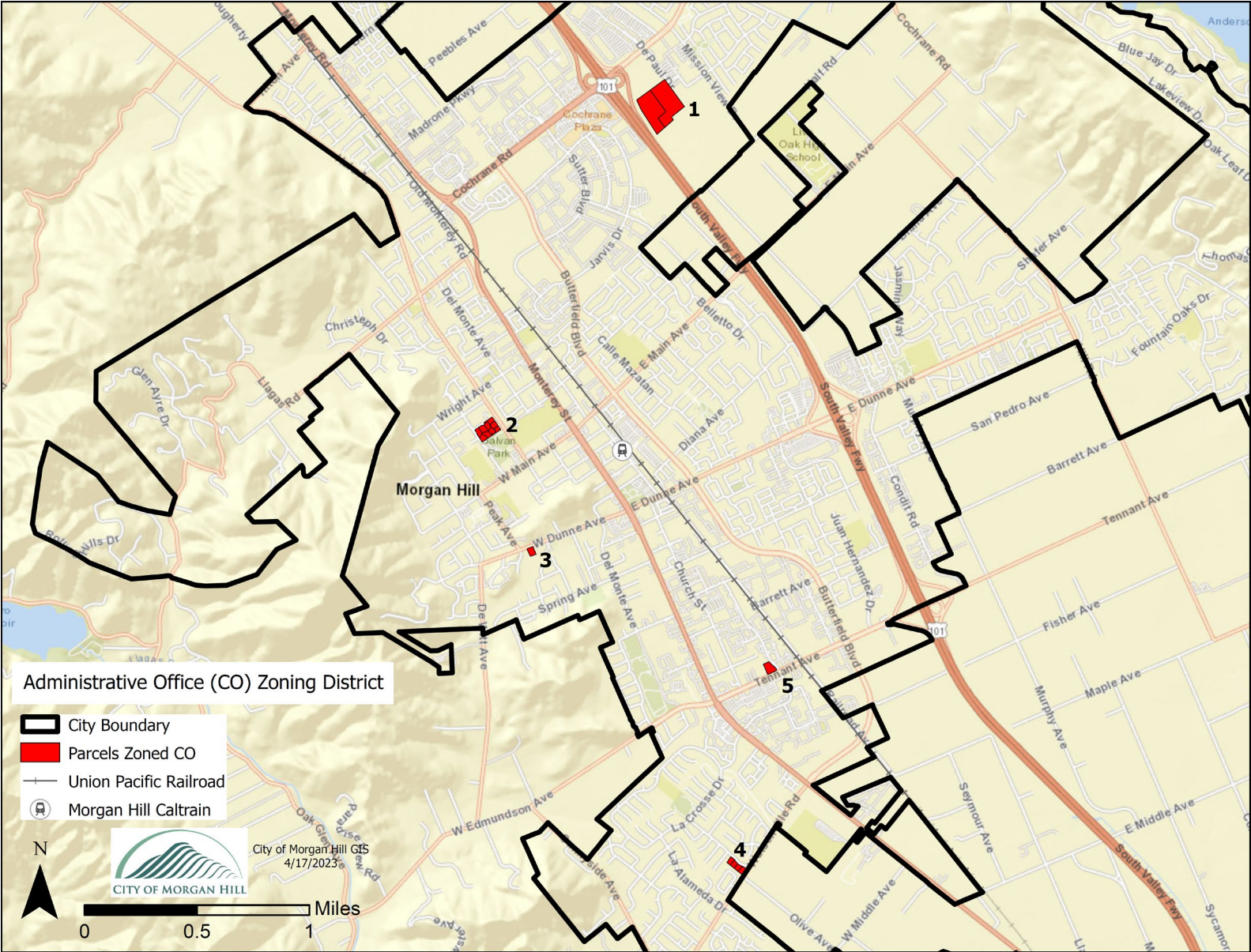
(CG) or Neighborhood Commercial (CN) zoning district. As such, all of the uses proposed by the Administrative Office (CO) Zoning Text Amendment were evaluated and proposed as part of the Certified Morgan Hill 2035 Environmental Impact Report (Certified EIR) for the 2035 General Plan and the Addendum to the Morgan Hill 2035 Environmental Impact Report for the 2018 Comprehensive Zoning Code Update.

However, as part of the public hearing process for the 2018 Comprehensive Zoning Code Update, the Planning Commission recommended, and the City Council adopted, to retain the Administrative Office (CO) zoning district, which included several properties that were proposed to be rezoned to another commercial zoning district, to remain zoned Administrative Office (CO). In addition, during the 2018 Comprehensive Zoning Code Update public hearings, the Planning Commission recommended, and the City Council adopted, that Assessor's Parcel Number 817-05-041 (275 Tennant Avenue), which included an existing multi-tenant professional office building, to change the proposed zoning district from General Commercial (CG) to Administrative Office (CO). Therefore, the following properties, as identified in Table 2.5-1 and on Figure 2.5-1, retained or were rezoned to Administrative Office (CO).

Map ID	APN	Address	Zoning	Size in Acres
1	728-310-17	Cochrane Rd	CO	9.30
1	728-310-19	1040 Cochrane Rd	CO	8.00
2	764-190-16	17705 I Hale Ave	CO	0.50
2	764-190-17	17705 H Hale Ave	CO	0.47
2	764-190-18	17705 F Hale Ave	CO	0.25
2	764-190-19	17705 G Hale Ave	CO	0.25
2	764-190-20	17705 D Hale Ave	CO	0.40
2	764-190-21	17705 E Hale Ave	CO	0.50
2	764-190-22	17705 A Hale Ave	CO	0.30
2	764-190-23	17705 B Hale Ave	CO	0.25
2	764-190-24	17705 C Hale Ave	CO	0.25
3	767-120-22	370 W Dunne Ave	CO	0.68
4	767-240-18	15345 Calle Enrique	CO	0.42
4	767-240-25	15335 Calle Enrique	CO	0.42
4	767-240-26	15325 Calle Enrique	CO	0.40
4	767-240-27	15305 Watsonville Rd	CO	0.40
5	817-050-41	275 Tennant Ave	CO	1.24

As indicated in Table 2.5-1, three existing parcels (APN's 728-310-17, 728-310-19, and 817-050-41) would be affected by the proposed project, due to the three parcels being one-acre in size or larger. However, only two parcels (APN's 728-310-17 and 728-310-19) are currently vacant. As mentioned above, APN 817-050-41 (275 Tennant Ave), is currently developed with a multi-tenant professional office building. In addition, all of the other parcels smaller than one-acre in size (except for APN 764-190-20) are also currently developed with active uses.

Figure 2.5-1: Administrative Office (CO) Zoning District



SECTION 3.0 ENVIRONMENTAL ANALYSIS

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

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

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.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project's impact on the environmental subject as related 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 to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section. This Initial Study/Addendum evaluates the potential environmental impacts of the proposed Administrative Office (CO) Zoning Text Amendment (as described in Section 3.0 Project Description) to determine whether the Project is within the scope of the development program described in the 2035 General Plan and evaluated in the Morgan Hill 2035 FEIR, and to determine whether the project has the potential to result in any new or substantially more severe environmental impacts.

3.1 AESTHETICS

	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
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? ¹ If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	☐

Impact AES-1: The project would not have a substantial adverse effect on a scenic vista.
[Same Impact as Approved Project (Less than Significant Impact)]

As identified in the Certified EIR, neither the California Scenic Highway Program nor the adopted General Plan designates official scenic view corridors or vistas Morgan Hill. However, the adopted General Plan recognizes that undeveloped hillsides visible from the valley floor are scenic characteristics of the area, and that views of prominent hillsides should be preserved. Throughout the low-lying area of Morgan Hill, scenic views are generally intermittent and partially obscured by existing development and trees. Uninterrupted scenic vistas to the surrounding hillsides exist throughout the city, primarily in agricultural areas, open spaces, and other areas that remain largely undeveloped. Much of the new development allowed under the adopted General Plan would be on lands that are already developed or on lands contiguous to urban uses and major roadways. Given the location of the urban uses and the presence of similar neighboring uses, little to no impact on views of hillsides or El Toro Mountain is anticipated in these areas. However, some future development would have the potential to partially or fully block scenic vistas where currently undeveloped lands would be designated for development. These sites include some large areas of existing vacant or agricultural uses where westward and eastward scenic views are relatively uninterrupted, including the area east of 101. The Morgan Hill 2035 FEIR concluded that with implementation of General Plan goals, policies, and actions (Goal NRE-1, Policy NRE-1.1, Goal NRE-2, Policy NRE-2.1, Policy NRE-2.2, Policy NRE-2.3, Policy NRE-2.4, Action NRE-2.A, Action NRE-2.B, Action NRE-2.E, Policy NRE-5.3, and Action NRE-5.B) that would protect scenic views and other scenic resources, impacts on scenic vistas would be less than significant. Development consistent with the Administrative Office (CO) Zoning Text Amendment would be

¹ Public views are those that are experienced from publicly accessible vantage points.

designed consistent with these goals, policies, and actions in that none of the project locations are on or near El Toro Mountain or other hillside areas of the City. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to scenic vistas than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. [Same Impact as Approved Project (No Impact)]
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As identified in the Certified EIR, there are no designated State scenic highways in Morgan Hill. Therefore, the proposed Administrative Office (CO) Zoning Text Amendment would have *no impact*. **[Same Impact as Approved Project (No Impact)]**

Impact AES-3:	The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. [Same Impact as Approved Project (Less than Significant Impact)]
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As identified in the Certified EIR, currently undeveloped sites that are designated for development under the adopted General Plan would be the locations with the greatest potential for a change in visual character. Undeveloped sites include some large areas of existing vacant land or agricultural uses. Architectural styles, building heights, and new parking and landscaping on parcels throughout the city where new development or redevelopment would occur would affect the overall visual character of the city as a whole and of areas around development sites. New development would be consistent with surrounding existing commercial areas.

The design of future development would be subject to General Plan goals, policies, and actions promoting high-quality design, as well as to the City's design review process, as required. Therefore, the project would not weaken the design review process or limit its applicability. The City's design review process would continue to apply to new development, significant expansion or modification to the exterior of an existing building, development on sensitive sites, and other projects. Therefore, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to the existing visual character. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. [Same Impact as Approved Project (Less than Significant Impact)]
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The Morgan Hill 2035 FEIR found that significant light or glare impacts would result if new development would create new sources of light or glare that would adversely affect day or nighttime views. New lighting from new development allowed by the General Plan would come mainly from commercial areas, safety lighting, building-mounted lights, illuminated signage, parking lot and streetlights, and traffic on major arterials. New glare would come mainly from building materials and parked cars. Future development allowed by the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would also incrementally increase glare due to the new building surfaces and parked cars.

The General Plan policies and actions related to minimizing glare from nighttime lighting would remain in place. The City's design review process would continue to apply to new development, significant expansion or modification to the exterior of an existing building, development on sensitive sites, and other projects. Development would also be required to be consistent with the

California Building Code standards for outdoor lighting, which are intended to reduce light pollution and glare by regulating light power and brightness, shielding, and sensor controls. Adherence to these standards and guidelines would ensure that lighting is shielded to avoid glare and light spillage and incorporates technologies such as timers to avoid excessive lighting. For these reasons, in addition to the fact that the Administrative Office (CO) Zoning Text Amendment does not propose development on any parcels that are not currently designated for Commercial under the Morgan Hill 2035 General Plan, the Administrative Office (CO) Zoning Text Amendment would not create a new source of substantial light or glare than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.2 AGRICULTURE AND FORESTRY RESOURCES

	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
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?	☐	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
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))?	☐	☐	☐	☒	☐
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

Impact AG-1:	The project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. [Same Impact as Approved Project (Significant and Unavoidable Impact)]
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The Morgan Hill 2035 FEIR identified that implementation of the General Plan would result in conversion of 504 acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. Given that the only way to fully avoid agricultural impacts associated with General Plan buildout is to not allow development in such areas, mitigation is infeasible and the impact is significant and unavoidable, and the City Council adopted a statement of overriding considerations in approving the 2035 General Plan Update.

The proposed Administrative Office (CO) Zoning Text Amendment would allow development consistent with the uses analyzed in the Certified EIR on approximately 12.8 acres on lands east of Highway 101 and west of De Paul Drive that contain Unique Farmland. The Morgan Hill 2035 FEIR found that impacts associated with the conversion of important farmland to non-agricultural use would be significant and unavoidable. This zoning amendment would not identify additional lands for potential conversion of result in any new or more severe impacts than those already analyzed in the Certified EIR. Therefore, the Administrative Office (CO) Zoning Text Amendment would have a significant and unavoidable impact on parcels identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, consistent with the 2035 General Plan. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts than identified in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Significant and Unavoidable)]**

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. [Less Impact than Approved Project (Less than Significant Impact)]
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The proposed Administrative Office (CO) Zoning Text Amendment does not change any existing zoning for agricultural use.

The proposed Administrative Office (CO) Zoning Text Amendment does not involve any amendments that would increase development potential on parcels under Williamson Act contracts. The Morgan Hill 2035 FEIR identified one 16-acre parcel outside of the City limits where the General Plan designation would conflict with the Williamson Act contract on that site. However, the proposed Administrative Office (CO) Zoning Text Amendment applies only within City limits and would not affect the identified parcel. Other Williamson Act contract parcels within the City limits are designated for agricultural use under the General Plan and have a corresponding Open Space zoning designation.

Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR, and the proposed project would result in a lesser impact than identified in the Morgan Hill 2035 FEIR. **[Less Impact than Approved Project (Less than Significant Impact)]**

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. [Same Impact as Approved Project (No Impact)]
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The Morgan Hill Municipal Code does not have zoning districts for forestland or timberland; therefore, the Morgan Hill 2035 FEIR concluded that there would be no impacts. This same conclusion would apply to the Administrative Office (CO) Zoning Text Amendment. **[Same Impact as Approved Project (No Impact)]**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. [Same Impact as Approved Project (Less than Significant Impact)]
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As identified in the Certified EIR, isolated woodlands that could meet the definition of “forest land” under the Public Resources Code are located in the city limits, primarily in the hillsides to the east and west near Chesbro Reservoir and Anderson Reservoir. The proposed project would not change the development potential of any lands that currently contain forest resources or

woodlands. In addition, the Morgan Hill 2035 FEIR concluded that Policies CNF-7.1 and CNF-11.7 would reduce impacts related to forestry resources and impacts would be reduced to less than significant. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to forestland than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact AG-5:	The project would not 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. [Same Impact as Approved Project (Less than Significant Impact)]
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As discussed in the Morgan Hill 2035 FEIR, the buildout of the General Plan would not create incompatible urban uses adjacent to forestland, but buildout could result in potentially incompatible urban uses next to agriculture uses. The following General Plan policies would enforce the preservation of active agricultural lands: Policy CNF-7.1, Policy CNF-7.4, Policy CNF-7.5, and Policy CNF-11.7. Division B29, Agriculture and Resource Management, Chapter 1, Agricultural Rights, Disclosure and Dispute Resolution, of the Santa Clara County Code would also serve to protect agricultural resources by not allowing residential or commercial land uses, adjacent to agricultural lands, to restrict the agricultural operations or have the agriculture use deemed a nuisance if the agriculture use is in compliance with local regulations and was not considered a nuisance before the development of the residential or commercial land use. Therefore, the Morgan Hill 2035 FEIR concluded that impacts would be less than significant with implementation of the General Plan Policies and local code.

As discussed under Impact AG-1, consistent with the uses analyzed in the certified EIR, development occurring on Administrative Office (CO) zoned property could convert parcels designated Unique Farmland to non-agricultural use and would be required to incorporate policies and ordinances to offset impacts to Farmland, although those impacts would remain significant and unavoidable even with compliance. Aside from the physical conversion of land, the proposed Administrative Office (CO) Zoning Text Amendment would not result in other changes in the existing environment which could result in the conversion of agricultural land or forest land. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts due to the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.3

AIR QUALITY

	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
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒	☐

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. **[Same Impact as Approved Project (No Impact)]**

The Morgan Hill 2035 FEIR concluded that buildout of the General Plan would not conflict with the 2010 Bay Area Clean Air Plan, which was the latest Clean Air Plan at the time the EIR was adopted. The General Plan goals, policies, and actions would be consistent with control measures from the 2010 Bay Area Clean Air Plan; therefore, not hindering BAAQMD from implementing the 2010 Bay Area Clean Air Plan. In addition, it was demonstrated that the projected VMT increase generated from future development of the General Plan would be less than the projected population increase. Daily VMT from the General Plan would increase at a lower rate of 38 percent compared to the proposed population growth of 51 percent.

Implementation of the Administrative Office (CO) Zoning Text Amendment would also not conflict or hinder BAAQMD from implementing the 2010 Clean Air Plan since future developments would be subject to the goals, policies, and actions in the General Plan in addition to being required to implement the CALGreen and Building Energy Efficiency standards, including those conditions recommended by the BAAQMD to decrease construction impacts. As identified in the Morgan Hill 2035 FEIR, future development would need to comply with Mitigation Measures AQ-2a-1, AQ-2a-2, and AQ-2b. Adherence to these standards and the General Plan, would ensure that development consistent with the Administrative Office (CO) Zoning Text Amendment is also

consistent with the 2010 Bay Area Clean Air Plan.² The projected VMT and population growth from development under the Administrative Office (CO) Zoning Text Amendment were also accounted for in the Morgan Hill 2035 FEIR. The Administrative Office (CO) Zoning Text Amendment would not generate new daily VMT or population growth beyond what has been disclosed in the Morgan Hill 2035 FEIR. In addition, the VMT associated with future developments would be evaluated at a project-level as individual projects are submitted. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not create conflict or obstruct implementation of the applicable air quality plan as disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (No Impact)]**

Impact AIR-2:	The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. [Same Impact as Approved Project (Significant and Unavoidable)]
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The Morgan Hill 2035 FEIR found that buildout of the General Plan would result in a cumulatively considerable net increase of criteria pollutants even with implementation of General Plan policies and actions that would reduce criteria air pollutants because emissions generated from the new development allowed by the General Plan would exceed the BAAQMD project-level thresholds for construction and operation. The proposed Administrative Office (CO) Zoning Text Amendment would not result in more development than analyzed in the Certified EIR and would therefore not generate additional increases in criteria air pollutant emissions from construction and operational activities beyond those analyzed in the Certified EIR. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts than identified in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Significant and Unavoidable)]**

Impact AIR-3:	The project would not expose sensitive receptors to substantial pollutant concentrations. [Same Impact as Approved Project (Less than Significant Impact)]
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The proposed Administrative Office (CO) Zoning Text Amendment would not increase traffic congestion or change the land use patterns analyzed in the Certified EIR. Therefore, the proposed project would remain consistent with VTA's 2013 Congestion Management Program and would not generate new or worsened carbon monoxide (CO) hotspots. The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. Therefore, the proposed project would not introduce new or worsened toxic air contaminants (TACs) beyond those analyzed in the Certified EIR. Because land use patterns under the proposed project would be consistent with those analyzed in the Certified EIR, the proposed project would not expose additional sensitive receptors to TACs. Therefore, operational TAC impacts from the implementation of the Administrative Office (CO) Zoning Text Amendment would result in the same impacts as disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

² Since the publication of the Morgan Hill 2035 FEIR, BAAQMD adopted an updated version of the Clean Air Plan – 2017 Clean Air Plan. The 2017 Clean Air Plan is a multi-pollutant plan that builds upon the 2010 Clean Air Plans goals and control measures with a stronger emphasis on reducing GHG emissions in 2030 and 2050 to protect the climate. The adoption 2017 Clean Plan does not constitute itself as new information that requires a new analysis be prepared.

Impact AIR-4: The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR concluded the buildout of the General Plan would not result in objectionable odor impacts because Policy NRE-14.1 and Policy NRE-14.2 would minimize new odor sources and siting sensitive land uses in proximity to odors, respectively

The types of land uses and land use patterns allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. Therefore, the proposed project would not introduce new odors than were analyzed in the Certified EIR or expose additional sensitive receptors to odors beyond those analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.4 BIOLOGICAL RESOURCES

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporat ed	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
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)?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☐	☒
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, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

Impact BIO-1: The project would not 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 CDFW or USFWS. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, special-status species occurrences have been mapped in the city limits, primarily in the northwestern quadrant of the city. Future development consistent with the Administrative Office (CO) Zoning Text Amendment would comply with the detailed development standards for sites already designated for urban uses in the adopted General Plan and would not result in the conversion of any new lands to urban uses. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations protecting special-status species and would not interfere with General Plan policies intended to protect special-status species. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts on any species identified as a candidate, sensitive, or special status species than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-2: The project would not 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, there are six natural communities within the city and Sphere of Influence (SOI), including grassland, oak woodland, chaparral and coastal scrub, riparian forest and scrub, wetland, and open water. Sensitive natural communities in the city limits are located primarily in the northwestern edge of the city, and riparian habitat is located primarily to the southwest and northeast of the city. The proposed Administrative Office (CO) Zoning Text Amendment would not result in the conversion of any new lands to urban uses. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations protecting riparian habitat and sensitive natural communities and would not interfere with General Plan policies intended to protect these biological resources. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts on any riparian habitat or other sensitive natural community than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-3: The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **[Less Impact than Approved Project (No Impact)]**

All sites of mapped wetlands are designated either Open Space or Rural County in the adopted General Plan. The proposed Administrative Office (CO) Zoning Text Amendment would not result in the conversion of any new lands to urban uses; in addition, none of the Administrative Office (CO) zoned parcels contain wetlands. Regardless, new development in the City under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations protecting wetlands and would not interfere with General Plan policies intended to protect wetlands. Therefore, the Administrative Office (CO) Zoning Text Amendment would have a lesser impact than disclosed in the Morgan Hill 2035 FEIR. **[Less Impact than Approved Project (No Impact)]**

Impact BIO-4: The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **[Same Impact as Approved Project (No Impact)]**

As identified in the Certified EIR, there are five riverine habitats within the city and SOI, mostly located outside of the city limit. Given the urbanized context of the city, opportunities for wildlife movement are limited. The proposed Administrative Office (CO) Zoning Text Amendment would not result in the conversion of any new lands to urban uses. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations protecting migratory wildlife and wildlife corridors, including provisions described under Impacts BIO-2 and BIO-3 above, and would not interfere with General Plan policies intended to minimize impacts to wildlife corridors. Therefore, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (No Impact)]**

Impact BIO-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **[Same Impact as Approved Project (Less than Significant Impact)]**

As determined in the Morgan Hill 2035 FEIR, future developments under the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would not conflict with local policies or ordinances protecting biological resources since all development would be subject to the existing ordinances (City of Morgan Hill Municipal Code Chapter 12.32, Santa Clara Valley Habitat Conservation Plan, Morgan Hill Burrowing Owl Mitigation Plan).

Future development consistent with the Administrative Office (CO) Zoning Text Amendment may require tree removal. The City's Municipal Code (Chapter 12.32) requires acquisition of a tree removal permit for the removal of any significant trees from the Community Development Department. The permit would be reviewed and approved by the Community Development Director based on the information provided, a site inspection, and the criteria contained in Section 12.32.070 of the Municipal Code, including suitable replacement planting. With adherence to existing regulations, General Plan policies, and the City's Municipal Code, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-6: The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

The City of Morgan Hill adopted the Santa Clara Valley Habitat Plan (Habitat Plan) in 2012 and incorporated the Habitat Plan into the City of Morgan Hill Municipal Code as Chapter 18.132.020.³ Future developments under the General Plan (including the Administrative Office (CO) Zoning

³ Note the Morgan Hill 2035 FEIR referenced the chapter as Chapter 18.69. The chapter numbering has changed since the publication of the Morgan Hill 2035 FEIR.

Text Amendment) are required to pay mitigation fees to the City and implement applicable mitigation measures identified in Chapter 6 of the Habitat Plan. As a result, the Morgan Hill 2035 FEIR concluded that future buildout of the General Plan would not conflict with the goals of the Habitat Plan. Future development under the Administrative Office (CO) Zoning Text Amendment would be required to pay mitigation fees and implement applicable mitigation measures, as described above. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR.

[Same Impact as Approved Project (Less than Significant Impact)]

3.5 CULTURAL RESOURCES

	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
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒	☐
Impact CUL-1:	The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. [Same Impact as Approved Project (Less than Significant Impact)]				

Pursuant to CEQA Guidelines Section 15064.5 (b)(1), a “substantial adverse change” in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. The buildout of the General Plan would allow for new denser infill development potentially in proximity to historic properties, which could lead to incompatibility or impacts on the historical resources. The Morgan Hill 2035 FEIR concluded that future developments under the General Plan would be subject to individual environmental review pursuant with CEQA and the developments would need to comply with the Morgan Hill Municipal Code Chapter 18.60, which protects cultural and historical resources within the city. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations protecting historical resources. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact CUL-2:	The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. [Same Impact as Approved Project (Less than Significant Impact)]
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As identified in the Certified EIR, historical and pre-contact archaeological deposits that meet the definition of archeological resources under CEQA could be damaged or destroyed by ground-disturbing activities associated with future development in the city. The adopted General Plan calls for concentric growth and infill of existing developed areas, which would reduce the potential for disturbing archaeological deposits since ground disturbing activities have already taken place

in developed areas, and the proposed Administrative Office (CO) Zoning Text Amendment would not change the land use patterns analyzed in the Certified EIR. In addition, future development under the proposed project would be required to comply with applicable regulations protecting archaeological resources in the event that they are discovered. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact CUL-3:	The project would not disturb any human remains, including those interred outside of dedicated cemeteries. [Same Impact as Approved Project (Less than)]
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As discussed in Impact CUL-2, the buildout of the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would involve ground-disturbance, primarily during construction. The discovery of human remains is always a possibility during ground disturbing activities. However, the Morgan Hill 2035 FEIR determined that impacts related to the disturbance of human remains would be less than significant because projects would be required to comply with the State of California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e). In addition, projects permitted by the City of Morgan Hill are required to follow the standard conditions of approval required by Section 18.60.090(b) of the Morgan Hill Municipal Code to further mitigate potential impacts to buried human remains.⁴ With adherence to these state laws, future development under the Administrative Office (CO) Zoning Text Amendment would reduce impacts related to the discovery of human remains. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts than identified in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than)]**

⁴ The Morgan Hill 2035 FEIR identifies the section as 18.75.110 but the section numbering has changed since the publication of the FEIR.

3.6 ENERGY

	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
Would the project:					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒	☐

Impact EN-1: The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **[Same Impact as Approved Project (Less than Significant Impact)]**

The construction and operation of future development under the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would result in increased short-term and long-term energy consumption. In addition, construction activities associated with development require the use of energy (e.g., electricity and fuel) for various purposes such as the operation of construction equipment and tools, as well as excavation, grading, demolition, and construction vehicle travel. The proposed increase in development would result in a long-term increase in energy demand associated with the operation of lighting and space heating/cooling in the added building space, and vehicle travel. As noted in the Morgan Hill 2035 FEIR, new development would be constructed using energy efficient modern building materials and construction practices in accordance with CalGreen Building Code, CPUC's Long Term Energy Efficiency Strategic Plan (2008), and Chapters 15.08, 15.65, 17.32, and 18.156 of the City's Municipal Code, which contain a range of energy conservation and renewable energy measures. Under these requirements, future development under the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would use recycled construction materials, environmentally sustainable building materials, building designs that reduce the amount of energy used in building heating and cooling systems as compared to conventionally built structures, and landscaping that incorporates water efficient irrigation systems, all of which would conserve energy. California's CALGreen standards (California Code of Regulations Title 24, Part 11) require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. The General Plan also includes goals, policies, and actions to further conserve energy resources (Goal NRE-16, Policy NRE-16.1, Policy NRE-16.2, Policy NRE-16.3, Policy NRE-16.4, Policy NRE-16.5, Policy NRE-16.6, Policy NRE-16.7, Policy NRE-16.8, Policy NRE-16.9, Action NRE-16.A, Action NRE-16.B, Action NRE-16.C, and Action NRE-16.D). The Morgan Hill 2035 FEIR determined that with the implementation of the above General Plan policies and the applicable state energy efficiency standards that significant energy conservation and savings would be realized by future development under the General Plan (including the Administrative Office (CO) Zoning Text

Amendment). In addition, consistent with Ordinance No. 2306, future housing development would not use natural gas. For these reasons, and because no changes are proposed to the General Plan Land Use diagram, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [Same Impact as Approved Project (Less than Significant Impact)]
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Future development under the Administrative Office (CO) Zoning Text Amendment would be subject to current energy efficiency standard set forth in Title 24 and CALGreen. In addition, electricity for all future development would be provided by Silicon Valley Clean Energy (SVCE). SVCE sources the electricity and PG&E delivers it to customers over their existing utility lines. Customers are automatically enrolled in the GreenStart plan, which generates its electricity from 100 percent carbon free sources, with 50 percent from solar and wind sources and 50 percent from hydroelectric. Customers have the option to enroll in the GreenPrime plan, which generates its electricity from 100 percent renewable sources, such as wind and solar. Future development under the Administrative Office (CO) Zoning Text Amendment would be completed in compliance with the current energy efficiency standards set forth in Title 24, CALGreen, and the City's Municipal Code. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not conflict with or obstruct state or local plans for renewable energy or energy efficiency. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.7

GEOLOGY AND SOILS

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporate d	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
– Rupture of a known earthquake fault, as delineated 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)?	☐	☐	☐	☒	☐
– Strong seismic ground shaking?	☐	☐	☐	☒	☐
– Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐
– Landslides?	☐	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒	☐
d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☐	☒	☐

Impact GEO-1: The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, the city is subject to several seismic-related hazards. Several faults have been identified within the city. The California Geological Survey (CGS) has designated most of the northern part of the city and SOI as a seismically-induced liquefaction hazard zone, with the mapped zone spanning the width of the valley and generally extending northwest from Cochrane Road where it joins Highway 101. Mapping available from the CGS shows isolated, small seismic-induced landslide hazard areas in the city and SOI, with most of these zones found in the northeast part of the city and SOI beyond Hill Road where they are almost exclusively limited to steeper hillsides. Landslides are not an issue in the majority of the city, where the topography is flat. The proposed Administrative Office (CO) Zoning Text Amendment would not result in the conversion of any new lands to urban uses. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with the California Building Code (CBC) and all applicable regulations intended to reduce the effects of seismic and natural hazards, and would not interfere with General Plan policies intended to reduce these hazards. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil. **[Same Impact as Approved Project (Less than Significant Impact)]**

Construction of future developments proposed under the General Plan (including the Administrative Office (CO) Zoning Text Amendment) would likely include grading and earthwork activities that would disturb topsoil with the potential for substantial soil erosion. The Morgan Hill 2035 FEIR concluded that compliance with federal (National Pollutant Discharge Elimination System [NPDES] General Construction Permit) and local regulations (City of Morgan Hill Urban Storm Water Quality Management and Discharge Control Ordinance and City-approved best management practices) would reduce impacts related to soil erosion or topsoil loss to less than significant through the implementation of best management practices (BMPs) to control sedimentation, erosion, and stormwater water runoff. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be designed to comply with these federal and local regulations described above. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe soil erosion impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-3: The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **[Same Impact as Approved Project (Less than Significant Impact)]**

As described under Impact GEO-1, the city contains areas mapped as susceptible to landslide and liquefaction. New development in the city under the proposed Administrative Office (CO)

Zoning Text Amendment would be required to comply with the CBC and all applicable regulations intended to reduce the effects of seismic and natural hazards, and would not interfere with General Plan policies intended to reduce these hazards, and would clarify and expand provisions requiring geologic investigation through the citywide Geologic Hazard provisions. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to geologic instability. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-4: The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **[Same Impact as Approved Project (Less than Significant Impact)]**

As determined in the Morgan Hill 2035 FEIR, impacts related to expansive soils would be less than significant since future developments would be designed in compliance with the California Building Code and the Morgan Hill Building Code. General Plan Policy SSA-2.11 also requires a geotechnical investigation be completed proper to construction to identified potential hazards that can be mitigated.

Future development under the Administrative Office (CO) Zoning Text Amendment would be subject to the same regulations and provisions in the California Building Code, the Morgan Hill Building Code, and the General Plan, which would ensure risks due to expansive soils would be less than significant. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to expansive soils. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-5: The project would not 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. **[Less Impact than Approved Project (Less than Significant Impact)]**

The buildout of the General Plan would be generally within City limits with connection access to the public sewer system. However, septic tank systems are allowed in cases where connection to the public sewer system is not available. As described in the Morgan Hill 2035 FEIR, future developments that install septic systems would be subject to the requirements of Chapter 13.24 of the Morgan Hill Municipal Code, which includes a permitting process to review the design and compatibility of the septic tank. This process would ensure no negative environmental impacts would occur.

Future development under the Administrative Office (CO) Zoning Text Amendment would connect to the existing public sewer system. Therefore, the Administrative Office (CO) Zoning Text Amendment would have no impact on soils due to the use of septic tanks and impacts would be less than the impacts disclosed in the Morgan Hill 2035 FEIR. **[Less Impact than Approved Project (Less than Significant Impact)]**

Impact GEO-6: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **[Same Impact as Approved Project (Less than Significant Impact)]**

No paleontological resources have been identified in the City of Morgan Hill.⁵ However, the possibility that construction of new development may uncover paleontological resources exists. The Morgan Hill 2035 FEIR concluded that potential impacts related to paleontological resources would be less than significant through the implementation of standard conditions of project approval and through individual project-specific review pursuant to CEQA.

Future development under the Administrative Office (CO) Zoning Text Amendment would be subject to project-specific environmental review and would be required to implement standard conditions of project approval to mitigate potential impacts to the greatest extent feasible. For this reason, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to paleontological resources. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁵ City of Morgan Hill. *Morgan Hill 2035 DEIR*. Page 4.5-17. January 2016.

3.8 GREENHOUSE GAS EMISSIONS

	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
Would the project:					
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?	☐	☐	☐	☒	☐

Impact GHG-1: The project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **[Same Impact as Approved Project (Significant and Unavoidable)]**

The Morgan Hill 2035 FEIR analyzed a net growth of 6,861 residences in addition to 755,550 square feet of new retail, 628,700 square feet of new office space, 1,777,400 square feet of new industrial space, 417,600 square feet of new service space, and 287,400 square feet of new public facilities space. The forecasted 2035 GHG emissions generated from the buildout of the General Plan were estimated to be 3.6 metric tons of CO₂e (MT CO₂e) per service population per year, which would exceed the 2035 plan-level efficiency target of 3.3 MT CO₂e per service population per year. However, implementation of GHG reduction goals and policies from the General Plan focused on reducing energy, transportation, water, and solid waste GHG emissions would reduce the 2035 service population emissions to 3.2 MT CO₂e per service population per year, which is below the 2035 efficiency target.

The buildout of the General Plan would achieve the 2035 performance criteria described in the Morgan Hill 2035 FEIR. Further, Future development consistent with the Administrative Office (CO) Zoning Text Amendment would comply with the detailed development standards for sites already designated for urban uses in the adopted General Plan and would not result in the conversion of any new lands to urban uses and would not result in more development than analyzed in the Certified EIR. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Significant and Unavoidable)]**

Impact GHG-2: The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR concluded that goals, policies, and actions included in the General Plan that focus on reducing energy, water, transportation and solid waste sources of GHG

emissions are consistent with the CARB Scoping Plan, and the General Plan would be consistent with Plan Bay Area. In addition, buildings constructed as part of the General Plan buildout would be designed in a manner to conserve water (Policy NRE-7.1 and Policy NRE-7.3), to support multi-modal transportation by accommodating bicycle and pedestrian facilities (Policy CNF-11.8 and Policy CNF-11.28), to promote reduced vehicle trips through sustainable land use planning (Policy NRE-15.4, Policy NRE-15.6, and Policy NRE- 15.8), to conserve energy by complying with CalGreen (Policy NRE-15.11 and Policy NRE-16.8), and to reduce waste through recycling (Policy SSI-17.12 and Action SSI-17.A).

All future development would comply and be designed consistent with the policies in the General Plan, which support the goals and measures in the CARB Scoping Plan and Plan Bay Area. In addition, the Administrative Office (CO) Zoning Text Amendment would not interfere with measures or General Plan policies intended to reduce GHG emissions. Therefore, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts related to applicable GHG plans, policies, or regulations.
[Same Impact as Approved Project (Less than Significant Impact)]

3.9

HAZARDS AND HAZARDOUS MATERIALS

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporate d	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐
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, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐
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, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒	☐

Impact HAZ-1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, commercial and industrial uses allowed under the adopted General Plan could use, store, or generate hazardous materials for research, manufacturing, cleaning, or other commercial uses, and the adopted General Plan would allow agricultural uses that may also use or transport hazardous materials, such as pesticides. The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations intended to reduce potential hazards associated with the transport, use, and disposal of hazardous materials. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-2: The project would not 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, new development in the city could occur on properties that possibly are contaminated and inactive, undergoing evaluation, and/or undergoing corrective action. In addition, construction of new buildings and improvements could have the potential to release potentially hazardous soil-based materials into the environment during site grading, excavation, demolition, and operation. The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations intended to reduce potential hazards associated with the accidental release of hazardous materials, including requirements of proposed Section 18.76.070 regulating hazardous materials. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR determined that the future development under the General Plan may result in locating land uses associated with hazardous material within a quarter mile of existing or proposed schools. However, impacts would be less than significant due to compliance with applicable federal, state, local laws and regulations and adherence to the General Plan policies. Future developments consistent with the Administrative Office (CO) Zoning Text Amendment would comply with the applicable federal, state, and local laws to ensure hazardous emissions are not emitted within a quarter mile of schools and impacts would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-4: The project would not 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, create a significant hazard to the public or the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

As described in the Morgan Hill 2035 FEIR, the city contains a number of hazardous materials sites that are listed on databases compiled pursuant to Government Code Section 65962.5. New development under the proposed project would be required to comply with all applicable regulations related to hazardous materials. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-5: The project would not be 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. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **[Same Impact as Approved Project (Less than Significant Impact)]**

As described in the Morgan Hill 2035 FEIR, a small portion of the southern Morgan Hill SOI extends into the South County Airport Influence Area (AIA), but no portions of the SOI are within the airport's safety or noise contours. The Morgan Hill 2035 FEIR concluded that based on the distance from the safety and noise contours there would be no significant impacts, but General Plan policies Policy SSI-7.1 and Policy SSI-7.2 would further ensure that future developments are consistent with the South County Airport Comprehensive Land Use Plan. Therefore, impacts related to safety hazard or excessive noise from an airport would be less than significant and the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-6: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, the City of Morgan Hill Office of Emergency Services is responsible for coordinating agency response to disasters or other large-scale emergencies in the City of Morgan Hill with assistance from the Santa Clara County Office of Emergency Services and the Santa Clara County Fire Department (SCCFD). The Morgan Hill Emergency Operations Plan (EOP) establishes policy direction for emergency planning, mitigation, response, and recovery activities within the city. The proposed Administrative Office (CO) Zoning Text Amendment would not interfere with General Plan policies intended to ensure adequate access and prompt response time, and would not allow any features or uses that would interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-7: The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, the Fire Severity Zones mapped by the California Department of Forestry and Fire Protection (CAL FIRE) within the city range from moderate to high. Areas

with high or very high fire hazard severity are located along the eastern and western edges of the city in the upland areas of the city. The proposed Administrative Office (CO) Zoning Text Amendment would not increase development potential in these areas of the city. Future development under the proposed project would be required to comply with the California Fire Code, and would be subject to General Plan policies intended to reduce wildlife hazards. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.10

HYDROLOGY AND WATER QUALITY

	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
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒	☐
– result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒	☐
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒	☐
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒	☐
– impede or redirect flood flows?	☐	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒	☐

Impact HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or

ground water quality. **[Same Impact as Approved Project (Less than Significant Impact)]**

As identified in the Certified EIR, future development in the city could affect drainage patterns and increase the overall amount of impervious surfaces, thus creating changes to stormwater flows and water quality. The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. New development in the city under the proposed Administrative Office (CO) Zoning Text Amendment would be required to comply with all applicable regulations intended to reduce and control runoff, and with General Plan policies intended to reduce water quality impacts. The requirements of Municipal Code Chapter 13.30, Urban Storm Water Quality Management & Discharge Control, would remain unchanged. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-2: The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR concluded that impacts related to groundwater would be less than significant since there is sufficient water supply for normal and multiple-dry year scenarios through the year 2035 and future developments would comply with General Plan Policies that reduce impacts to groundwater. Additionally, new developments would be required to implement site design measures, which includes infiltration features (such as detention basins) that would contribute to groundwater recharge.

The proposed Administrative Office (CO) Zoning Text Amendment would not change the land use patterns analyzed in the Certified EIR, and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be within the amount analyzed in the Certified EIR. In addition, future development would be required to implement site design measures, low-impact development (LID) methods, and best management practices (BMPs), which include infiltration features such as detention and retention basins, that will contribute to groundwater recharge and minimize stormwater runoff, and with General Plan policies intended to reduce groundwater impacts. Therefore, the proposed project would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-3: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR concluded that buildout of the General Plan would increase impervious surfaces, thereby increasing stormwater runoff volumes and velocities. These impacts

would be reduced through compliance with the Construction General Permit and City's Erosion and Sediment Control Ordinance, both of which require the implementation of best management practices to reduce stormwater pollutants and erosion. Future development would also be required to submit an Erosion and Sediment Control Plan for review and approval by the Director of Public Works prior to the issuance of a grading permit. Following construction, buildout under the General Plan that would create or replace 2,500 square feet or more of impervious surface would be required to comply with the Central Coast RWQCB's Post Construction Requirements or be required to comply with the San Francisco Bay RWQCB Municipal Regional Permit Provision C.3. Additionally, compliance with the General Plan policies and actions would reduce impacts regarding erosion and siltation.

Future development under the Administrative Office (CO) Zoning Text Amendment would be subject to the federal and local regulatory requirements described above, which would require adherence to the City's required best management practices, preparation of a SWPPP, and submittal of an Erosion and Sediment Control Plan. For these reasons, Administrative Office (CO) Zoning Text Amendment, would not result in new or more severe impacts to drainage pattern and runoff. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. [Same Impact as Approved Project (Less than Significant Impact)]
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Flooding

As described in the Morgan Hill 2035 FEIR, implementation of the General Plan buildout could result in development located within an existing FEMA 100-year floodplain, which is a special flood hazard area. Pursuant with Morgan Hill Municipal Code 15.80, Flood Damage Prevention, the plans for future developments within a 100-year flood plain would be reviewed by the City prior to receiving building permits to ensure the building is consistent with the construction requirements. General Plan Policies would also require specific design features, which has requirements for the lowest floor elevation. Compliance with the Morgan Hill Municipal Code and General Plan policies would reduce impacts to less than significant. For future development sites located in a FEMA 100-year flood zone, where there is a 1 percent annual chance of flooding, the future development would need to comply with the City's Municipal Code Chapter 15.80, *Flood Damage*, to minimize flood hazard risks. General Plan policies and actions would also reduce potential impacts for residences located within the 100-year flood zone.

Adherence to the Morgan Hill Municipal Code (Chapter 15.80) and General Plan policies, would ensure that developments are designed to reduce potential risk from flood, both by elevating development above the based flood elevation and by ensuring development does not redirect, impede, or displace floodwaters in a manner that would impact surrounding properties and improvements. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to flood hazards. **[Same Impact as Approved Project (Less than Significant Impact)]**

Tsunami and Seiche Risk

As described in the Morgan Hill 2035 FEIR, there is no potential that the General Plan buildout would be impacted by a tsunami due to the distance of the Morgan Hill SOI and the Pacific Ocean.

Anderson Dam is temporarily drained (limited to about three percent of its capacity) while the Anderson Dam Seismic Retrofit Project is underway.⁶ Upon completion of the retrofit, there would be low potential for a seiche to form on the Anderson Reservoir, thus the flooding impacts from a seiche are highly unlikely. Impacts related to tsunamis and seiche risk would be less than significant. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to tsunami and seiche risk. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-5:	The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [Same Impact as Approved Project (Less than Significant Impact)]
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As described in Impacts HYD-1 through HYD-4, buildout under the General Plan must comply with federal and local regulations that address construction- and operational-related surface runoff quality. Thus, the Administrative Office (CO) Zoning Text Amendment would not conflict with or obstruct implementation of the Central Coast Basin Plan.

Implementation of the Administrative Office (CO) Zoning Text Amendment would not interfere with any actions set forth by Valley Water in its GWMP in regards to groundwater recharge, transport of groundwater, and/or groundwater quality. In addition, as discussed under Impact HYD-2, the Administrative Office (CO) Zoning Text Amendment would not substantially decrease groundwater supplies or interfere with groundwater recharge. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁶ Valley Water. “Anderson Dam Seismic Retrofit Project.” Accessed April 2023.
<https://www.valleywater.org/project-updates/c1-anderson-dam-seismic-retrofit>

3.11 LAND USE AND PLANNING

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporate d	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐

Impact LU-1: The project would not physically divide an established community. **[Same Impact as Approved Project (Less than Significant)]**

A significant impact would occur if new development would physically divide an established community by constructing a physical feature (such as a wall, roadway, or railroad track) or by removing a mean of access (such as a local roadway or bridge) that would impair mobility within an existing community or between communities. As described in the Morgan Hill 2035 FEIR, buildout of the General Plan Buildout would not include roadways or dividing infrastructure. Future development would be required to be consistent with General Plan policies that promote compatible neighborhoods. Adherence to these General Plan policies would ensure that developments proposed under the Administrative Office (CO) Zoning Text Amendment would not divide existing residential neighborhood or communities. In addition, the proposed project would not change the land use patterns analyzed in the Certified EIR. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts as disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant)]**

Impact LU-2: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **[Same Impact as Approved Project (Less than Significant)]**

Land use conflicts can arise from a new development or land use that would cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere. 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 Morgan Hill 2035 FEIR concluded that implementation of the General Plan and its policies would not conflict with any land use plan, policy or regulation (including Plan Bay Area, the Santa Clara County General Plan, San County Airport Land Use Compatibility Plan, and the Santa Clara Valley Water District Resources Protection Collaborative Guidelines and Standards for Land Use near Streams).

The Administrative Office (CO) Zoning Text Amendment is consistent with the Commercial General Plan land use designation. No General Plan Amendments to the Land Use Diagram are proposed as part of the project. There are no additional policies pertaining specifically to land use and planning that were adopted for the purpose of avoiding or mitigating an environmental effect. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not create a significant environmental impact or create a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts as disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant)]**

3.12

MINERAL RESOURCES

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporat ed	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
Impact MIN-1:	The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. [Same Impact as Approved Project (No Impact)]				
Impact MIN-2:	The project would not 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. [Same Impact as Approved Project (No Impact)]				

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

As mandated by SMARA, the CGS has classified lands within the San Francisco-Monterey Bay region into Mineral Resource Zones (MRZs) based on the California State Mining and Geology Board guidelines. Areas with an MRZ-1 designation have sufficient information available indicating that there is little to no likelihood of significant mineral deposits. MRZ-2 areas are areas where adequate information indicates that significant deposits are present. Areas classified as MRZ-3 contain mineral deposits, but their significance cannot be evaluated from available data. Areas are classified as MRZ-4 where available information is inadequate for assignment to any other MRZ category.⁷

⁷ California Department of Conservation. *Guidelines for Classification and Designation of Mineral Lands*. N.d.

There are three areas within Morgan Hill classified as MRZ-3 zones, including the flood plains of Coyote Creek, the Franciscan Complex greenstone located at two small knolls near Anderson dam and an area near Coyote Creek, and two-small areas that lie on each side of a northwest-trending ridge that forms the western bank of Anderson Lake. None of the Administrative Office (CO) Zoning Text Amendment project locations are located in these areas. In addition, the Administrative Office (CO) Zoning Text Amendment is consistent with the Commercial General Plan land use designation and the proposed project would not change the land use patterns analyzed in the Certified EIR. For these reasons, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to mineral resources than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (No Impact)]**

3.13 NOISE

	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
Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or 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, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐

Impact NOI-1: The project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **[Same Impact as Approved Project (Significant and Unavoidable)]**

Construction Noise

Construction of future developments proposed under the General Plan would result in temporary or periodic increases in ambient noise levels. The Morgan Hill 2035 FEIR concluded impacts would be less than significant because future developments would be subject to Morgan Hill Municipal Code Section 8.28.040(D) and Policies SSI-8.2, SSI-8.6, and SSI-9.5. The City's Municipal Code restricts construction activities within the allowable hours of 7:00 a.m. and 8:00 p.m., Monday through Friday and between the hours of 9:00 a.m. to 6:00 p.m. on Saturday. Further, General Plan Policy SSI-8.2 requires project-specific noise studies to be prepared for future developments. Adherence to the Morgan Hill Municipal Code and the General Plan policies specific to noise would ensure that new development consistent with the Administrative Office (CO) Zoning Text Amendment would have a less than significant temporary construction noise impact. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts in relation to ambient noise levels from temporary activities. **[Same Impact as Approved Project (Less than Significant)]**

Operational Noise

The Morgan Hill 2035 FEIR concluded that the buildout of the General Plan would result in substantial permanent increases to the ambient noise level due to increased vehicular traffic on local roadways. While there are General Plan policies to reduce traffic noise (Policies SSI-9.1 and TR-2.2) and to construct sound walls to reduce traffic noise (Policies SSI-9.2 and SSI-9.3), the construction of sound walls or berms would not be practical or appropriate for all locations. As a result, the Morgan Hill 2035 FEIR concluded that there was no feasible mitigation to reduce impacts to a less than significant level; therefore, impacts were determined to be significant and unavoidable.

Future development consistent with the Administrative Office (CO) Zoning Text Amendment would contribute to the increased traffic noise in the Morgan Hill SOI and would combine with other growth from General Plan buildout to cause a permanent increase in ambient noise levels. Therefore, the Administrative Office (CO) Zoning Text Amendment would contribute to the significant and unavoidable impacts previously disclosed in the Morgan Hill 2035 FEIR. However, the Administrative Office (CO) Zoning Text Amendment does not propose any change in the location or density currently allowed under the General Plan, and so the future trips from new development would be in keeping with what was evaluated and disclosed in the Morgan Hill 2035 FEIR. These impacts are not new or substantially more severe than the impacts disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Significant and Unavoidable)]**

Impact NOI-2:	The project would not result in generation of excessive groundborne vibration or groundborne noise levels. [Same Impact as Approved Project (Less than Significant)]
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The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR and therefore noise- and vibration-related impacts would be similar to those discussed in the Certified EIR. As identified in the Certified EIR, vibration impacts related to the construction of future development would be short-term, temporary, and generally restricted to the areas in the immediate vicinity of active construction equipment. Compliance with policies in the City's General Plan would serve to ensure that construction activities do not result in sustained levels of vibration that could result in architectural damage or ongoing annoyance. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts in relation to vibration impacts. **[Same Impact as Approved Project (Less than Significant)]**

Impact NOI-3:	The project would not be located within the vicinity of a private airstrip or 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. The project would not expose people residing or working in the project area to excessive noise levels. [Same Impact as Approved Project (No Impact)]
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The Morgan Hill SOI is not within the vicinity of a private airstrip or an airport land use plan. The nearest public airport is the South County Airport of Santa Clara County in San Martin, located approximately 1.5 miles southeast of SOI. As described in the Morgan Hill 2035 FEIR, a small portion of the southern Morgan Hill SOI extends into the South County Airport Influence Area (AIA) but no portions of the SOI are within the airport's safety or noise contours. The Morgan Hill 2035 FEIR concluded that based on the distance from the safety and noise contours there would be no significant impacts but General Plan policies Policy SSI-7.1 and Policy SSI-7.2 would further

ensure that future developments are consistent with the South County Airport Comprehensive Land Use Plan. Therefore, impacts related to safety hazard or excessive noise from an airport would not result in any new or more severe impacts than those already analyzed in the Certified EIR. **[Same Impact as Approved Project (No Impact)]**

3.14 POPULATION AND HOUSING

	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
Would the project:					
a) Induce substantial unplanned 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)?	☐	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐

Impact POP-1: The project would not induce substantial unplanned 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). **[Same Impact as Approved Project (Less than Significant Impact)]**

The Morgan Hill 2035 FEIR projected that buildout of the General Plan would result in a total population of 68,057 residents with the net growth being 21,130 residents. It was concluded that while the anticipated population growth would exceed ABAG projections, impacts would be less than significant because the growth calculated did not account for residential development control system (RDSCS) utilized by the City of Morgan Hill and policies from the General Plan would provide the framework for controlled growth. The RDSCS has been pre-empted by the Housing Crisis Act. Therefore, population growth within the City of Morgan Hill would need to be evaluated in light of the availability and capacity of public infrastructure, as buildout gets closer to the population cap of 58,200 that was evaluated by the Morgan Hill 2035 FEIR.

The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. In addition, the Administrative Office (CO) Zoning Text Amendment does not propose any new residential development. Therefore, the Administrative Office (CO) Zoning Text Amendment would not induce population growth that has not already been accounted for in the Morgan Hill 2035 FEIR. For this reason, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to population growth. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact POP-2: The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **[Same Impact as Approved Project (Less than Significant Impact)]**

The types of land uses, amount of development, and land use patterns allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with those analyzed in the Certified EIR. Therefore, the proposed project would not result in displacement-related impacts not already analyzed in the Certified EIR. The Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to the existing people or housing. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.15

PUBLIC SERVICES

	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
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:	☐	☐	☐	☒	☐
a) Fire Protection?	☐	☐	☐	☒	☐
b) Police Protection?	☐	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒	☐
d) Parks?	☐	☐	☐	☒	☐
e) Other Public Facilities?	☐	☐	☐	☒	☐

Impact PS-1:

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 fire protection services, police protection services, schools, parks, or other public facilities. **[Same Impact as Approved Project (Less than Significant Impact)]**

The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. Therefore, the proposed project would not generate population growth not already analyzed in the Certified EIR and would subsequently not increase demands for public services beyond those analyzed in the Certified EIR. In addition, future development would be required to pay all required impact fees and would be subject to General Plan policies intended to ensure adequate service provision. For these reasons, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to fire protection services. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.16

RECREATION

	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
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 would occur or be accelerated?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

Impact REC-1: The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **[Same Impact as Approved Project (Less than Significant Impact)]**

The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. Therefore, the proposed project would not increase demands for parks and recreational facilities beyond those analyzed in the Certified EIR and would not increase the use of parks and recreational facilities such that these facilities would physically deteriorate beyond levels discussed in the Certified EIR. In addition, the General Plan policies intended to ensure that parkland goals are met would remain in effect. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact REC-2: The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

The types of land uses and amount of development allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with the uses analyzed in the Certified EIR. Therefore, the proposed project would not increase demands for parks and recreational facilities beyond those analyzed in the Certified EIR and the proposed project would not increase facility use beyond the City's ability to maintain acceptable facility conditions. In addition, the General Plan policies intended to protect the public's investment in recreational facilities would remain in effect. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.17 TRANSPORTATION

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporate d	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
Would the project:					
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒	☐

Impact TRN-1: The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **[Same Impact as Approved Project (Less than Significant Impact)]**

The types of land uses, amount of development, and land use patterns allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with those analyzed in the Certified EIR. Therefore, development allowed under the proposed project would not generate additional vehicle trips or different traffic patterns from those analyzed in the Certified EIR. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts than disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact TRN-2: The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **[Same Impact as Approved Project (Less than Significant Impact)]**

This CEQA checklist item was added to the Guidelines in 2018 and did not exist in 2016 when the Morgan Hill 2035 FEIR was certified. Nonetheless, the Morgan Hill 2035 FEIR included a comparative evaluation for the existing VMT conditions versus the 2035 buildout VMT conditions to determine the effects of the proposed General Plan on existing travel patterns within the City. The Morgan Hill 2035 FEIR concluded that VMT per service population would decrease under the 2035 buildout horizon when compared with existing conditions.

As shown in Table 4.14-8 of the Morgan Hill 2035 FEIR, the VMT per service population is expected to decrease with the construction of the General Plan buildout. The existing VMT per service population is 29.3 and with the General Plan Buildout, the VMT per service population would decrease to 26.7.⁸ The types of land uses, amount of development, and land use patterns allowed under the proposed Administrative Office (CO) Zoning Text Amendment would be consistent with those analyzed in the Certified EIR. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to VMT. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). [Same Impact as Approved Project (Less than Significant Impact)]
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As described in the Morgan Hill 2035 FEIR, the buildout of the General Plan would increase both residential and non-residential development that could result in new or modifications to existing roadways. However, these roadways would be designed and reviewed in accordance with City design standards and incompatible uses would be discouraged. Further, future development would comply with General Plan policies (Policy TR-1.3, Policy TR-3.2, Policy TR-3.8, Policy TR-3.21, and Policy TR-3.16) that require the incorporation of safe transportation design features, monitoring of congestion and safety to identify potential improvements, and review of speed limits. Compliance with the City's standards and policies would reduce impacts related to hazardous roadway design to less than significant. Future development consistent with the Administrative Office (CO) Zoning Text Amendment would be required to be designed in accordance with the City's standards and the above-mentioned General Plan policies. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts than those analyzed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact TRN-4:	The project would not result in inadequate emergency access. [Same Impact as Approved Project (Less than Significant Impact)]
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The Morgan Hill 2035 FEIR found that compliance with the General Plan policies and actions (Policy SSI-12.4, Policy SSI-12.5, Policy SSI-12.6, and Action SSI-12.A) and the City's Design Standards and Standard Details for Construction would ensure that future development under the General Plan would not result in inadequate emergency access. Future development consistent with the Administrative Office (CO) Zoning Text Amendment would be designed in accordance with the City's standards and the above-mentioned General Plan policies. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts related to emergency access. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁸ City of Morgan Hill. Morgan Hill 2035 DEIR. Table 4.14-8. January 2016.

3.18

TRIBAL CULTURAL RESOURCES

	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
Would the project 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:					
a) 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)?	☐	☐	☐	☒	☐
b) 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 the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒	☐

Impact TCR-1: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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). **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact TCR-2: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

Assembly Bill 52 (AB 52), effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
 - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
 - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

AB 52 applies to non-exempt projects that are subject to a Notice of Intent (NOI) to Adopt a Negative Declaration or Notice of Availability (NOA) of a Draft EIR. A project eligible for an Addendum to an adopted Negative Declaration or certified EIR is not subject to AB 52 given an Addendum is not subject to a NOI or NOA.

For the Morgan Hill 2035 FEIR, the City of Morgan Hill prepared a notification letter to the NAHC-recommended list of tribes pursuant to AB 52. Consultation letters were submitted to the Muwekma Ohlone Indian Tribe, Ohlone Indian Tribe, Amah Mutsun Tribal Band, and the Indian Canyon Mutsun Band of Costonoan tribe. Responses were not received from any of the listed tribes. As noted above, the Administrative Office (CO) Zoning Text Amendment is not subject to AB 52 consultation requirements given the project is eligible for an Addendum to the Morgan Hill 2035 FEIR, which has already complied with AB 52. However, in July 2021, pursuant to AB 52, the Tamien Nation tribe submitted a request to be notified of all projects within the City. Subsequently, the Tamien Nation and the City developed a standard conditions of approval list for reducing impacts to archaeological/tribal cultural resources, including requiring a tribal monitor on-site during construction. Future development consistent with the Administrative Office (CO) Zoning Text Amendment will be subject to these standard conditions.

As discussed in Section 3.5 *Cultural Resources*, since construction of developments implemented under the General Plan (including the Administrative Office (CO) Zoning Text Amendment) involves ground disturbance, there is the possibility of encountering undisturbed subsurface archaeological resources, which includes tribal cultural resources, during construction of the project. The Morgan Hill 2035 FEIR concluded that compliance with the provisions of the Morgan Hill Municipal Code and individual project-level environmental review of each development pursuant to CEQA would result in less than significant impacts. Therefore, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to tribal cultural resources. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.19

UTILITIES AND SERVICE SYSTEMS

	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
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒	☐
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒	☐
e) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

Impact UTL-1: The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **[Same Impact as Approved Project (Less than Significant Impact)]**

Water Facilities

As discussed in the Morgan Hill 2035 FEIR, it is possible that existing local distribution lines within the City may be undersized for future development under the General Plan and improvements may be needed to replace existing lines with larger diameter pipes. Any new or expanded local water supply and distribution facilities would require permitting and review in accordance with CEQA, which would ensure environmental impacts are disclosed and mitigated to the extent possible. Future development would be reviewed in accordance with CEQA. For these reasons, any future installation or upgrade to any water facilities would be reviewed pursuant to CEQA to analyze potential significant environmental effects. Therefore, in accordance with the Morgan Hill 2035 FEIR, impacts related to the construction or expansion of water facilities or infrastructure would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

Wastewater Treatment Facilities

As described below under Impact UTL-3, following the completion of the WWTP Facility Expansion Project in the year 2024, there would be adequate wastewater treatment capacity to serve the Administrative Office (CO) Zoning Text Amendment. Therefore, in accordance with the Morgan Hill 2035 FEIR, impacts related to the construction or expansion of wastewater facilities or infrastructure would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

Storm Drainage

As described in Section 3.10 Hydrology and Water Quality, the General Plan buildout would increase impervious surface area in the General Plan area, which would increase runoff. Buildout under the General Plan, which includes the Administrative Office (CO) Zoning Text Amendment, would connect to the existing storm drainage systems. To ensure that the existing storm drainages would be able to adequately serve future developments, all developments would need to adhere to the City's Stormwater Management Guidance Manual for Low Impact Development, Post-Construction Requirements and Storm Drainage Master Plan. The City would then review the drainage system designs for each individual project prior to project approval. Future developments would be subject to this review process, which will identify if developments would be required to relocate or construct new storm drainage facilities. For these reasons, the Administrative Office (CO) Zoning Text Amendment, would not result in new or more severe impacts to the storm drainage system. **[Same Impact as Approved Project (Less than Significant Impact)]**

Electric Power, Natural Gas, and Telecommunication Facilities

New development under the General Plan would continue to be served by PG&E. Future development associated with the General Plan would connect to existing electric power and telecommunication lines in the area. The proposed buildings would connect to existing electrical lines and other utilities such as fiber optic, telephone, and cable. The Morgan Hill 2035 FEIR concluded that the buildout of the General Plan would not require or result in the construction of new or expended electric power, natural gas, or telecommunications facilities. As described in Section 3.6 Energy, developments under the General Plan, which includes development consistent with the Administrative Office (CO) Zoning Text Amendment, would also be constructed and designed in a manner to conserve energy use, which would reduce the increased need on existing energy facilities. Therefore, the Administrative Office (CO) Zoning Text Amendment would not result in a significant environmental effect from the construction or relocation of natural gas, electricity, or telecommunication utilities. The Administrative Office (CO) Zoning Text Amendment would not result in new or more severe impacts to the electric power,

natural gas, and telecommunication facilities. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. [Same Impact as Approved Project (Less than Significant Impact)]
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As identified in the Certified EIR, sufficient water supplies would be available to serve the development under the adopted General Plan from existing entitlements and resources and new or expanded entitlements would not be required during single- and multiple-dry years. The types and amount of development allowed under proposed project would be consistent with the uses and within the amount analyzed in the Certified EIR. Therefore, the proposed project would not increase water demands above those analyzed in the Certified EIR. In addition, development under the proposed project would be required to comply with all applicable regulations and water conservation policies in the adopted General Plan. Therefore, implementation of the Administrative Office (CO) Zoning Text Amendment would not result in new or substantially more severe impacts to tribal cultural resources. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. [Same Impact as Approved Project (Less than Significant Impact)]
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The City of Morgan Hill sewer collection system consists of approximately 160 miles of four-inch through 30-inch diameter sewers, three miles of force mains, and 14 sewage lift stations. The "backbone" of the system consists of the trunk sewers, generally 12-inches in diameter and larger, that convey the collected wastewater flows south to the South County Regional Wastewater Authority (SCRWA) Wastewater Treatment Plant.^{9,10} The 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 Central Coast RWQCB to treat up to 8.5 mgd.¹¹ Currently, Morgan Hill is allocated 42 percent of the treatment plant's 8.5 mgd capacity, amounting to 3.6 mgd. In 2016, the ADFW in the City was 2.8 mgd, leaving approximately 0.8 mgd of allowable growth within the City's General Plan before capacity at the plant is reached.¹²

The SCRWA estimated in 2017 that the Wastewater Treatment Plant (WWTP) will reach capacity in 2025. The SCRWA is currently undergoing a WWTP Facility Expansion Project that will expand

⁹ City of Morgan Hill. *Sewer System Master Plan*. October 2017.

¹⁰ City of Morgan Hill. *City Council State Report 2163: Accept Report Regarding Wastewater System Needs and Rate Study Schedule*. May 18, 2019.

¹¹ Santa Clara Valley Water District. *US Bureau of Reclamation WaterSMART Title XVI Water Reclamation and Reuse Program Funding FY 2017, FOA BOR-DO-17-F002. South Santa Clara County Recycled Water Project (Phases 1B and 2A)*. December 15, 2016. Accessed April 2023.

<https://www.usbr.gov/watersmart/title/docs/applications/authorized/2017/F002-007santaclara.pdf>

¹² City of Morgan Hill. *Sewer System Management Plan*. Page 53. February 2018.

the existing WWTP capacity from 8.5 mgd to 11 mgd.¹³ The project is estimated for completion by 2024. Project-level CEQA review for the project was completed by SCRWA in August 2020.

The City of Morgan Hill has recently completed significant capital upgrades to increase the capacity of the existing sewer system and reduce overflows. The City completed construction of the Highland Avenue Sewer Upgrade project to provide additional trunk capacity near the intersection of Harding and Highland Avenues in 2018. The City is facilitating infiltration and inflow reduction projects to reduce the amount of rainwater infiltrating the sewer collection system. In addition, a second trunk sewer line is planned to extend from the Highland/Harding intersection in Morgan Hill to Renz Road in Gilroy, which would allow for additional wastewater deliveries to the SCRWA Wastewater Treatment Plant. The trunk sewer line is expected to start construction in the next two years.¹⁴

The Morgan Hill 2035 FEIR concluded that buildout of the General Plan would require expansion of the SCRWA WWTP. As discussed above, the SCRWA is currently undergoing a WWTP Facility Expansion Project that will expand the existing WWTP capacity from 8.5 mgd to 11 mgd. The project is estimated for completion by 2024. Project-level CEQA review for the project was completed by SCRWA in August 2020.¹⁵ The Morgan Hill 2035 FEIR concluded that once the treatment plant expansion was complete, wastewater generated by the buildout of the General Plan would not exceed the expanded permitted treatment capacity of the SCRWA facility. Future development consistent with the Administrative Office (CO) Zoning Text Amendment would be consistent with the buildout projections of the General Plan. Since the Administrative Office (CO) Zoning Text Amendment is consistent with the land use assumptions of the General Plan and the Morgan Hill 2035 FEIR concluded that implementation of the General Plan would result in a less than significant impact related to wastewater treatment, the Administrative Office (CO) Zoning Text Amendment would not result in new or greater impacts than those disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. [Same Impact as Approved Project (Less than Significant Impact)]
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The Morgan Hill 2035 FEIR concluded that implementation of the General Plan would generate 262,129 pounds per day, or 131 tons per day of solid waste.¹⁶ The FEIR determined that the incremental solid waste generated by buildout under the General Plan is less than three percent of the City's combined daily capacity.¹⁷ As such, buildout of the General Plan would have a less-than-significant impact with regard to daily capacity at the landfill facilities. Since the Administrative Office (CO) Zoning Text Amendment is consistent with the land use assumptions of the General Plan and the Morgan Hill 2035 FEIR concluded that implementation of the General Plan would result in a less than significant impact related to solid waste reduction goals, the

¹³ City of Gilroy. South County Regional Wastewater Authority (SCRWA). Accessed April 2023. <http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authori>

¹⁴ City of Morgan Hill. City Council Staff Report 2163. February 6, 2019.

¹⁵ South County Regional Wastewater Authority. South County Regional Wastewater Authority Wastewater Treatment Plant Facility Expansion Project. Initial Study/Mitigated Negative Declaration. SCH 2020080467. August 2020.

¹⁶ City of Morgan Hill. *Morgan Hill 2035 DEIR*. Page 4.15-43. January 2016.

¹⁷ Ibid.

Administrative Office (CO) Zoning Text Amendment would not result in new or greater impacts than those disclosed in the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact UTL-5:	The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste. [Same Impact as Approved Project (Less than Significant Impact)]
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The Morgan Hill 2035 FEIR concluded that buildout of the General Plan would not impede the ability of the City to comply with applicable federal, State, and local statutes and regulations related to solid waste. The General Plan includes policies and actions (Policies SSI-17.1 through Action SSI-17.C) that promote recycling and conservation, which help to ensure adequate waste collection and disposal facilities are available in Morgan Hill. Since the Administrative Office (CO) Zoning Text Amendment is consistent with the land use assumptions and buildout projections of the General Plan, the Administrative Office (CO) Zoning Text Amendment would be consistent with the findings of the Morgan Hill 2035 FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.20

WILDFIRE

	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
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, Would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒	☐

The Morgan Hill 2035 FEIR concluded that implementation of the General Plan would have less than significant wildfire impacts. Consistent with the Morgan Hill Municipal Code (Section 15.44.190), future development in Wildland-Urban Interface areas¹⁸ would require preparation of a site-specific Fire Protection Plan. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management, evacuation routes, peak load water supply requirements, and minimum road widths, as those items relate to identified fire hazards. Compliance with applicable federal, state, local laws and regulations, combined with General Plan policies and strategies, would ensure that impacts from wildfire hazards would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

¹⁸ Wildland-Urban Interface Fire Area is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the City to be at a significant risk from wildfires.

SECTION 4.0 REFERENCES

The analysis in this Initial Study is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

Bay Area Air Quality Management District (BAAQMD). *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed April 2023. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

_____. "Williamson Act." <http://www.conservation.ca.gov/dlrp/lca>.

_____. *Guidelines for Classification and Designation of Mineral Lands*. N.d.

California Department of Transportation. "Scenic Highways." Accessed April 2023. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed April 2023. <http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

City of Gilroy, City of Morgan Hill, and County of Santa Clara. *Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements*. June 2015.

City of Gilroy. "South County Regional Wastewater Authority (SCRWA)." Accessed April 2023. <http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authori>

City of Morgan Hill. *Morgan Hill 2035 DEIR*. Figure 4.2-1. January 2016.

_____. *Morgan Hill 2035 DEIR*. Figure 4.2-1. January 2016

_____. *Morgan Hill 2035 DEIR*. Figure 4.2-3. January 2016

_____. *Morgan Hill 2035 DEIR*. Figure 4.8-2. January 2016.

_____. *Morgan Hill 2035 DEIR*. Page 4.2-11. January 2016.

_____. *Morgan Hill 2035 DEIR*. Page 4.3-17. January 13, 2016.

_____. *Morgan Hill 2035 DEIR*. Page 4.4-12. January 2016.

_____. *Morgan Hill 2035 DEIR*. Pages 4.4-10-4.4-11. January 2016.

_____. *Morgan Hill 2035 DEIR*. Page 4.5-17. January 2016.

_____. *Morgan Hill 2035 DEIR*. Pages 4.9-16 and 4.9-17. January 2016.

_____. *Morgan Hill 2035 DEIR*. Page 4.15-43. January 2016.

_____. *Morgan Hill 2035 DEIR*. Page 7-1. January 2016.

_____. *Morgan Hill 2035 DEIR*. Table 3-2. January 2016.

- _____. *Morgan Hill 2035 DEIR*. Table 4.5-1. January 2016.
- _____. *Morgan Hill 2035 EIR*. Table 4.11-5. January 2016.
- _____. *Morgan Hill 2021 Climate Action Plan*. December 15, 2021. <https://www.morgan-hill.ca.gov/DocumentCenter/View/40166/Climate-Action-Plan-Draft-December-9-2021-?bidId=>
- _____. "Fire". Accessed April 2023. Available at: <https://www.morgan-hill.ca.gov/445/Fire>
- _____. *2018 Storm Drainage System Master Plan*. September 2018.
- _____. *2020 Urban Water Management Plan*. October 2021. Page 7-4.
- _____. City Council Staff Report 2163. February 6, 2019.
- _____. *City Council State Report 2163: Accept Report Regarding Wastewater System Needs and Rate Study Schedule*. May 18, 2019.
- _____. Municipal Code Chapter 18.60 – Historic Resources.
- _____. *Sewer System Management Plan*. Page 53. February 2018.
- _____. *Sewer System Master Plan*. October 2017.

Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan Santa Clara County San Martin Airport*. Figure 5. Accessed April 2023. Available at: https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

Santa Clara Valley Water District. *US Bureau of Reclamation WaterSMART Title XVI Water Reclamation and Reuse Program Funding FY 2017, FOA BOR-DO-17-F002. South Santa Clara County Recycled Water Project (Phases 1B and 2A)*. December 15, 2016. Accessed April 2023. <https://www.usbr.gov/watersmart/title/docs/applications/authorized/2017/F002-007santaclara.pdf>

South County Regional Wastewater Authority. South County Regional Wastewater Authority Wastewater Treatment Plant Facility Expansion Project. Initial Study/Mitigated Negative Declaration. SCH 2020080467. August 2020.

SECTION 5.0 LEAD AGENCY

5.1 LEAD AGENCY

City of Morgan Hill

Development Services Department

Jennifer Carman, *Development Services Director*

Adam Paszkowski, *Principal Planner*

SECTION 6.0**ACRONYMS AND ABBREVIATIONS**

2017 CAP	2017 Clean Air Plan
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	Asbestos-Containing Material
ALUC	Airport Land Use Commission
AMI	Area Median Income
APN	Assessor's Parcel Number
ATCM	Air Toxics Control Measure
BAAQMD	Bay Area Air Quality Management District
Bay Area	San Francisco Bay Area
BMP	Best Management Practices
Btu	British Thermal Unit
CAAQS	California Ambient Air Quality Standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH ₄	Methane
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level

CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO _{2e}	Carbon Dioxide Equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DNL	Day/Night Average Sound Level
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FEIR	Final Environmental Impact Report
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
General Plan 2035	2035 General Plan City of Morgan Hill
GHG	Greenhouse Gases
GWh	Gigawatt Hour
GWP	Global Warming Potential
Habitat Plan	Santa Clara Valley Habitat Plan
HCD	California Department of Housing and Community Development
HHC	Historical Heritage Commission
HSWA	Hazardous and Solid Waste Amendments
IP	Industrial Park
Leq	Energy-Equivalent Sound/Noise Descriptor
Lmax	Maximum A-weighted noise level during a measurement period
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MHUSD	Morgan Hill Unified School District
MMI	Modified Mercalli Intensity
MMTCO _{2e}	Million Metric Tons of Carbon Dioxide Equivalent
MND	Mitigated Negative Declaration

mpg	Miles per Gallon
MSL	Mean Sea Level
MTC	Metropolitan Transportation Commission
N ₂ O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NHPA	National Historic Preservation Act of 1966
NO ₂	Nitrogen Dioxide
NOA	Notice of Availability
NOD	Notice of Determination
NOD	Notice of Determination
NO _x	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O ₃	Ozone
PCB	Polychlorinated Biphenyls
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PM	Particulate Matter
PM ₁₀	Particulate matter with a diameter of 10 microns or less
PM _{2.5}	Particulate matter with a diameter of 2.5 microns or less
PPV	Peak Particle Velocity
Preservation Program	Agricultural Lands Preservation Program
RCRA	Resource Conservation and Recovery Act
RDCS	Residential Development Control System
RHNA	Regional Housing Needs Allocation
ROG	Reactive Organic Gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SB	State Bill

SCCDEH	Santa Clara County Department of Environment Health
SCS	Sustainable Communities Strategy
SF ₆	Sulfur Hexafluoride
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SMP	Site Management Plan
SO _x	Sulfur Oxides
SRA	State Responsibility Area
SVCE	Silicon Valley Clean Energy
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
Title 24	Title 24, Part 6 of the California Code of Regulations
TSCA	Toxic Substances Control Act
UGB	Urban Growth Boundary
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
Valley Water	Santa Clara Valley Water District
VMT	Vehicle Miles Traveled
VTA	Santa Clara Valley Transportation Authority
WAS	Water Supply Assessment
Williamson Act	California Land Conservation Act
WUI	Wildland-Urban Interface



Vehicle Sales Overlay Zone & Design Guidelines



Background



- City Council has prioritized Retail as a strategic priority in the 2017 Economic Blueprint and 2022-23 Strategic Priorities.
- Grown retail offerings and strengthen commercial nodes.
- Automotive and Transportation Sales Tax accounts for 22% of all Sales Tax collected.
- Although Auto Dealers have long been identified as a preferred user of specific sites throughout the City, the City never updated the zoning to make the sites easier for development.
- Commercial and Industrial lands are under extreme pressure to successfully develop or face the potential of conversion to new State housing laws (SB330, AB2011, SB6).

Background



- On June 21, 2023, the City Council approved an ordinance amending the Administrative Office (CO) Zoning District to allow vehicle-related uses and other compatible uses on minimum one-acre lots.
- City Council directed staff to return with specific design guidelines for vehicle dealerships.
- August 8, 2023: Planning Commission held a public workshop to hear comments and gather input design guidelines for vehicle dealerships.
- On August 23, 2023, the City Council did not approve the 2nd reading of the proposed Zoning District amendment and directed staff to return with a new proposal to support Vehicle Sales based on City Council and community feedback.

Cochrane & Hwy 101

- Development interest has been expressed for Vehicle Sales.
- Creates flexibility in the CO Zoning District.
- Reduces barriers for any future development.
- Provides increased certainty for future users as the site is developed.



Vehicle Sales Overlay Zone



Project:

The City proposes establishing Section 18.30.070 (Vehicle Sales Overlay Zone (-VS)) of Chapter 18.30 (Overlay Zones and Combining Districts) of the Zoning Code to allow vehicle-related uses as well as other compatible uses in different parts of the City that can support such a use.

This overlay zone will start with the parcels at the corner of Cochrane Road, Hwy 101 and DePaul Drive as shown on the map in the staff report. Other properties can be added to the overlay as they become available.

Request:

Adopt Resolution recommending City Council approval of the Vehicle Sales Overlay Zone and Design Guidelines.

Vehicle Sales Overlay Zone



Land Use Regulations

In addition to the uses allowed in base zoning district, the following uses are proposed to be included:

- a. Allow “Restaurants, Fast Food” as a permitted use.
- b. Allow “Restaurants, Sit-Down” as a permitted use.
- c. Allow “Tasting Rooms” as a permitted use.
- d. Allow “Convenience Market with Fuel and Service Station” as a conditional use.
- e. Allow “General Retail” as a permitted use.
- f. Allow “Fuel and Service Stations” as a conditional use.
- g. Allow “Vehicle Rentals” as a permitted use.
- h. Allow “Vehicle Repair and Maintenance, Minor” as a permitted use when associated with an on-site or off-site automotive manufacturer.
- i. Allow “Vehicle Sales and Leasing” as a permitted use.
- j. Allow “Vehicle Washing” as a conditional use.

Vehicle Sales Overlay Zone



Development Standards

The development standards that apply in the -VS overlay zone shall be the same as the underlying base zone with the exception of the following:

1. Vehicle Sale uses cannot utilize more than eighty (80) percent of the total acreage available within the overlay zone, preserving 20 percent of the total acreage for non-vehicle sales uses.

Design Guidelines

Vehicle Rentals, Vehicle Repair and Maintenance, Vehicle Sales and Leasing, and Vehicle Washing uses shall substantially comply with the specific design guidelines and shall be reviewed through a design permit as required by Section 18.108.040 (Design Permit).

Design Guidelines Objectives



Provide design guidance for new vehicle dealerships to address:

- Site
- Building
- Vehicles & Parking
- Landscaping
- Lighting
- Signage
- Contiguous dealerships

Design Guidelines Objectives



Encourage:

- Buildings and showrooms to be the main emphasis on the site, not a field of vehicles.
- Orientate buildings and showrooms towards the street.
- High quality and consistent architecture.
- Buildings should consider two frontages and 360-degree architecture.
- Cohesive vehicular and pedestrian access.
- Landscaping along frontages and within vehicle display areas.
- Compatible with surrounding area.

Design Guidelines Objectives



Minimize:

- Number of vehicles in exterior display areas visible from the street/freeway.
- Large fields of parked cars.
- Views into service bays and parts departments.
- Light
- Noise
- Impacts on adjacent properties or neighborhoods
- Temporary advertising or signage
- Undesirable features

Site and Building Design

Service bay entrances should be designed to minimize sight lines into the interior of service bays and parts departments.



Showrooms

Showrooms are encouraged over exterior vehicle display areas when facing a public street.



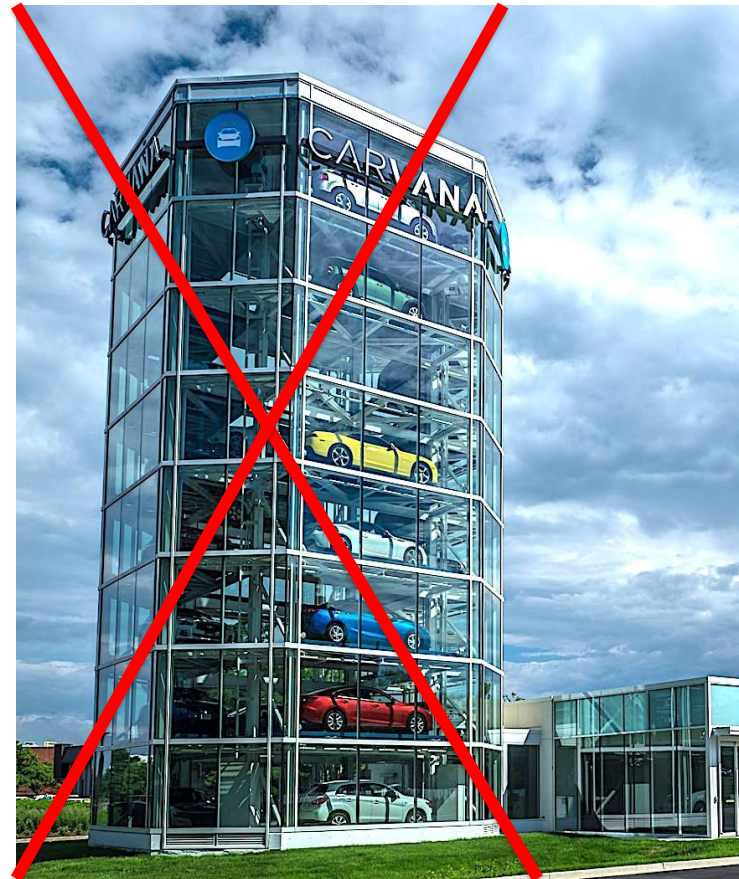
Vehicles

Site frontages of highways and public streets should minimize the number of visible vehicles in exterior display areas.



Vehicles

Parked and stored vehicles in a building should be screened from view except in ground or second level showrooms



Vehicles

Vehicle parking on the roofs of buildings should not be visible from ground level vantage points.



Landscaping

The site should include landscaping along frontages of highways and public streets.



Lighting

Lighting on site and on buildings should have fixtures that shield direct light from visibility from neighboring properties and from public streets.



Site Design

Accessory structures, including charging stations, should be consistent with overall design, especially for contiguous dealerships.



Site Design



- Customer and employee parking should be accommodated on each dealership site.
- Site circulation for vehicles and pedestrians should be efficient to support deliveries and access.
- Exterior vehicle displays that are elevated and/or moving are prohibited except where allow by the design permit.
- Outdoor amenities, including seating areas, tables and shade are encouraged.

Site Design



- Accent paving such as stamped concrete or pavers is encouraged at entrances.
- Large stormwater retention and treatment should be located away from public streets.
- Lighting on sites and on buildings should not be moving, such as search lights that are aimed at the sky.
- Items which move in the wind, such as large banners, large flags, balloons, and inflatable objects are prohibited.

Best Practices



- Develop commercial/industrial lands
- Create flexibility for desired users
- Reduce barriers
- Streamline permitting
- Incentivize preferred uses

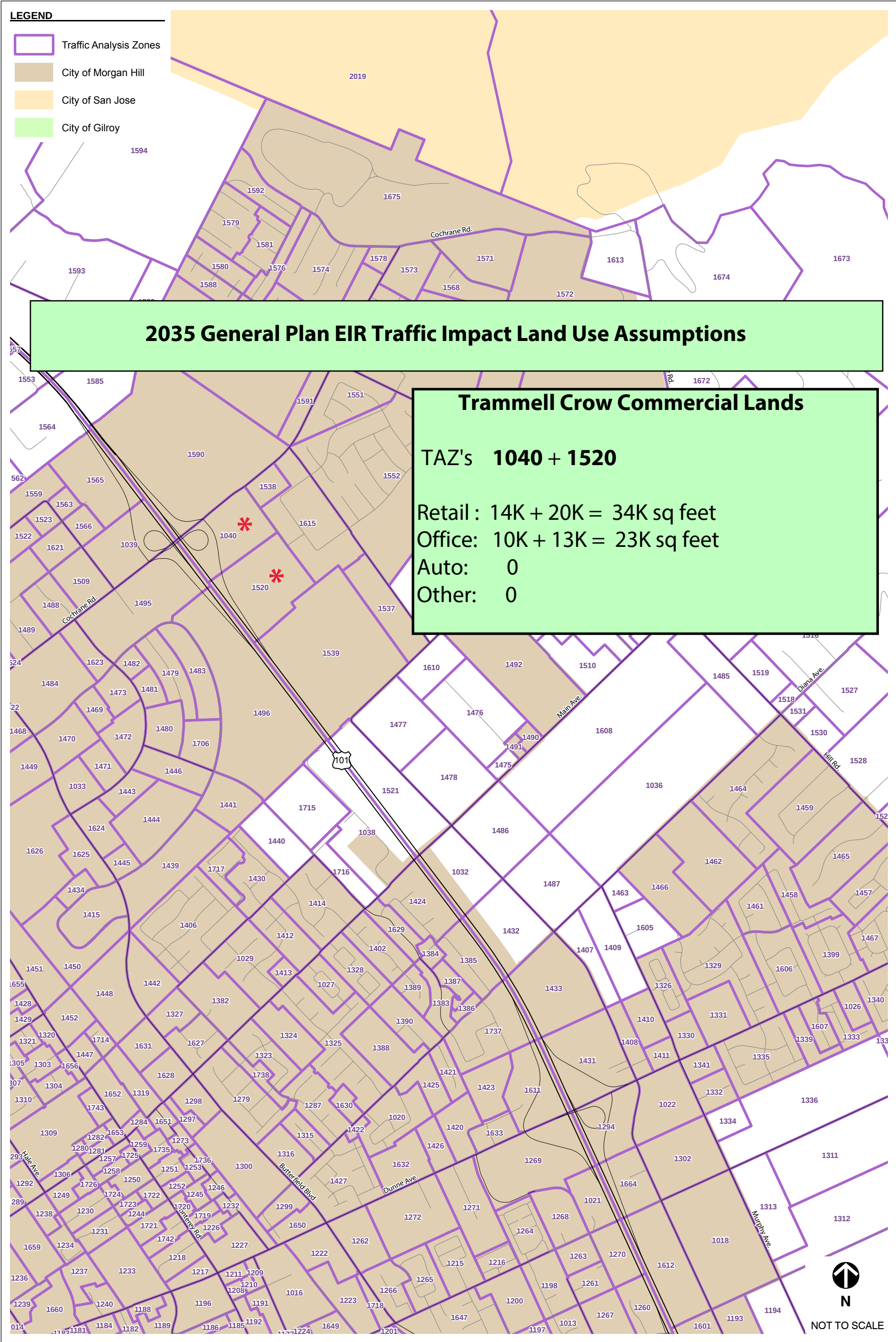
Recommendation



1. Open/close public hearing;
2. Adopt Resolution recommending City Council approval of the Municipal Code Amendment.

Questions?





TAZ	ATYPE	ATYPE_STR	SF_DU	MF_DU	SENIOR_DU	RET_KSF	SER_KSF	AUTO_KSF	MED_KSF	MOTEL_RMS	IND_RD_KSF	OFFICE_KSF	WARE_KSF	LO_PUB_KSF	HI_PUB_KSF	OPEN_ACRE	K8_STU	HIGH_STU	COLL_STU
1034	1	SOI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1035	1	SOI	0	0	0	0	0	0	0	0	134	7	0	0	0	0	0	0	0
1036	1	SOI	132	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1037	1	SOI	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1038	1	SOI	8	170	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1039	1	SOI	0	0	0	8	3	0	0	180	0	0	0	0	0	0	0	0	0
1040	1	SOI	0	0	0	13	1	0	0	0	0	10	0	0	0	0	0	0	0
1041	1	SOI	0	173	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1042	1	SOI	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1043	1	SOI	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1044	1	SOI	140	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1045	1	SOI	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1046	1	SOI	43	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1047	1	SOI	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1048	1	SOI	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1049	1	SOI	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1050	1	SOI	77	118	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2035 General Plan EIR Land Use TAZ 1040 (northern parcels TC Commercial land)

Retail : 14K sq feet
Office : 10K sq feet
Auto : 0

TAZ	ATYPE	ATYPE_STR	SF_DU	MF_DU	SENIOR_DU	RET_KSF	SER_KSF	AUTO_KSF	MED_KSF	MOTEL_RMS	IND_RD_KSF	OFFICE_KSF	WARE_KSF	LO_PUB_KSF	HI_PUB_KSF	OPEN_ACRE	K8_STU	HIGH_STU	COLL_STU
1514	1	SOI	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1515	4	SOI_East	179	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1516	1	SOI	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1517	1	SOI	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1518	1	SOI	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1519	1	SOI	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1520	1	SOI	0	0	0	18	2	0	0	0	0	13	0	0	0	0	0	0	0
1521	1	SOI	2	0	0	1	0	0	0	0	11	1	0	0	0	0	0	0	0
1522	1	SOI	0	0	0	0	0	0	0	0	201	4	120	0	0	0	0	0	0
1523	1	SOI	0	0	0	0	0	0	0	0	18	2	0	0	0	0	0	0	0
1524	1	SOI	0	0	0	0	0	0	4	0	121	8	0	0	0	0	0	0	0
1525	1	SOI	0	0	0	0	0	0	0	0	160	0	0	0	0	0	0	0	0
1526	1	SOI	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1527	1	SOI	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1528	1	SOI	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1529	1	SOI	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1530	1	SOI	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1531	1	SOI	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1532	4	SOI_East	416	55	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1533	1	SOI	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1534	1	SOI	23	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1535	1	SOI	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1536	1	SOI	19	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1537	1	SOI	0	152	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1538	1	SOI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2035 General Plan EIR Land Use TAZ 1520 (southern parcels TC Commercial land)

Retail : 20K sq feet

Office : 13K sq feet

Auto : 0