



**Regular Meeting Agenda
Planning Commission**

LIAM DOWNEY - CHAIR

PAUL LAKE - VICE-CHAIR

MOHAMMAD HABIB - PLANNING COMMISSIONER

MALISHA KUMAR - PLANNING COMMISSIONER

JAMES WILSON - PLANNING COMMISSIONER

JOSEPH MUELLER - PLANNING COMMISSIONER

WAYNE TANDA - PLANNING COMMISSIONER

Tuesday, August 27, 2024 7:00 PM

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

MEETING PARTICIPATION

Morgan Hill Planning Commission meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the City's website, Facebook page, and Channel 17.

Those wishing to participate in the meetings remotely must register in advance at <https://bit.ly/PlanningCommissionMtg>. Additionally, Zoom participants must be running the latest version or will be required to update to the latest version before being able to join the meeting remotely.

Remote participation is also available by calling (669) 900-9128 and entering webinar id: 862 0324 6251#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

PUBLIC COMMENT

Public comment may be offered verbally at the meeting or in writing before the meeting. Those attending remotely may only offer public comment for items on the agenda in any of these four categories:

- Consent Calendar
- Other Business
- Public Hearings
- Closed Session

Public comment will be heard from those attending in person first with the submission of a speaker card. Once that is complete, we will move to those on Zoom that have their hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Remote public comment for items not on the agenda will not be accepted.

Written public comment may be submitted to the Planning Office:

- In person at the Planning Commission Meeting;
- Via email to pcpubliccomment@morganhill.ca.gov; or
- Hand delivered or mailed to the Planning Division at 17575 Peak Avenue, Morgan Hill, CA 95037

Please email your comments to the Planning Office no later than 3:00 p.m. on Monday (the day before the Planning Commission meeting) so that your comments can be submitted to the members of the Planning Commission with sufficient time to review them. You may continue to provide written comments up to noon on Tuesday (the day of the meeting), although Planning Commissioners may not have sufficient time to review them before the meeting. Public comments submitted to the Planning Division after noon (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. It is recommended that you do not include any personal information that you do not want to be posted on the web. Please be advised that communications directed to the Planning Commission are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions and will be printed/posted as submitted.

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 Planning Office at (408) 310-4709 or by email at planning@morganhill.ca.gov. Requests must be made as early as possible and at least two full business days before the start of the meeting.

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. MAY 14, 2024 MEETING MINUTES

Recommendation:

1. Accept Meeting Minutes

PUBLIC HEARINGS

2. GPA2024-0001: REQUEST FOR A GENERAL PLAN AMENDMENT OF THE TEXT OF THE MORGAN HILL 2035 GENERAL PLAN TO ELIMINATE THE FLOOR AREA RATIO AND MODIFY THE DENSITY RANGE FOR THE MIXED USE FLEX LAND USE DESIGNATION.

Recommendation:

1. Open/Close Public Hearing; and
2. Adopt resolution recommending City Council approval of the amendment to the text of the Morgan Hill 2035 General Plan to eliminate the Floor Area Ratio for the Mixed Use Flex land use designation.

DIRECTOR'S REPORT/ANNOUNCEMENTS

ADJOURNMENT

NOTICE

August 27, 2024

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.



**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, May 14, 2024 7:00 PM

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Planning Commissioner Downey led the Pledge of Allegiance at 7:00 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Luna called the attendance at 7:02 p.m.

PRESENT	Wayne Tanda, Liam Downey, Mohammad Habib, Paul Lake, James Wilson, Joseph Mueller
EXCUSED	Malisha Kumar

Planning Commissioner Habib joined the meeting at 7:03 p.m.

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 7:03 p.m.

PUBLIC COMMENT

Chair Tanda opened the Public Comment Period at 7:03 p.m. Hearing no requests to speak, the Public Hearing was closed.

ORDERS OF THE DAY

There were no changes made.

PUBLIC HEARINGS

1. **UP2024-0002: MONTEREY - DJT ENTERPRISES LLC (MCCRANIE) 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" AND ART GALLERY LOCATED WITHIN THE DOWNTOWN ON THE SOUTHWEST CORNER OF MONTEREY ROAD AND 2ND STREET.**

Recommendation:

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

Senior Planner, Tiffany Brown presented the Staff Report at 7:03 p.m.

Chair Tanda opened the Public Hearing at 7:09 p.m. Hearing no requests to speak, the Public Hearing was closed.

MOTION:

Adopt a Resolution approving a Conditional Use Permit with a modification to the resolution, Section 3, change the wording from "permit" to "Conditional Use Permit" to clarify the type of permit the Planning Commission reviews.

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

OTHER BUSINESS

2. TRANSPORTATION MASTER PLAN UPDATE AND REVIEW OF DRAFT GOALS

Recommendation:

1. Accept presentation by Staff regarding the City's Transportation Master Plan Update and review, discuss, and provide feedback on draft Transportation Master Plan goals.

Public Services Director Chris Ghione introduced the item and Robert Del Rio with Hexagon Transportation Consultants, Inc., gave a presentation at 7:19 p.m.

Chair Tanda opened the Public Comment Period at 7:52 p.m. The following individuals addressed the Planning Commission:

- Doug Muirhead

Hearing no further request to speak, Chair Tanda called for a short recess.

The Planning Commission meeting recessed at 7:55 p.m.

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

Planner Ellie Gertler with Toole Design responded to the Planning Commissioner's questions at 8:27 p.m.

MOTION:

No action was taken. The Planning Commission reviewed, discussed, and provided feedback on the draft Transportation Master Plan Goals.

3. REVIEW FY 24/25 TO 29/30 DRAFT CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE GENERAL PLAN

Recommendation:

1. Receive report on proposed FY 24/25 through FY 29/30 Capital Improvement Program (CIP); and
2. Adopt Resolution accepting CIP and make a Finding of Consistency with the General Plan for FY 24/25 and FY 2025/26.

Public Services Director Chris Ghione gave the staff presentation at 8:54 p.m. and Senior Project Manager Yat Cho continued the presentation at 8:57 p.m.

Chair Tanda opened the Public Comment Period at 9:05 p.m. Hearing no requests to speak, the Public Comment Period was closed.

Principal Planner Adam Paszkowski addressed the Planning Commission's questions at 8:17 p.m.

MOTION:

Adopt the Resolution accepting the Capital Improvement Program (CIP) and make the finding of consistency with the General Plan for FY 2024/25 and FY 2025/2026.

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

DIRECTOR'S REPORT/ANNOUNCEMENTS

Development Services Director Jennifer Carman made an announcement at 9:28 p.m.

ADJOURNMENT

There being no further business to discuss, Chair Tanda adjourned the meeting at 9:32 p.m.

MINUTES PREPARED BY:
Jenna Luna, Minutes Clerk

PLANNING COMMISSION STAFF REPORT

MEETING DATE: August 27, 2024

PREPARED BY:

Andrew Crabtree, Development Services Consultant

APPROVED BY: Jennifer Carman

GPA2024-0001: REQUEST FOR A GENERAL PLAN AMENDMENT OF THE TEXT OF THE MORGAN HILL 2035 GENERAL PLAN TO ELIMINATE THE FLOOR AREA RATIO AND MODIFY THE DENSITY RANGE FOR THE MIXED USE FLEX LAND USE DESIGNATION.

RECOMMENDATION(S)

1. Open/Close Public Hearing; and
2. Adopt resolution recommending City Council approval of the amendment to the text of the Morgan Hill 2035 General Plan to eliminate the Floor Area Ratio for the Mixed Use Flex land use designation.

LOCATION MAP/PROJECT INFORMATION:

BACKGROUND:

Background

The City adopted a comprehensive update of the City's General Plan in 2016 which established the Mixed Use Flex land use designation primarily along the Monterey Road corridor, north and south of Downtown. The General Plan vision for the Monterey Corridor is as follows:

"North and south of Downtown will transform from its current predominantly strip commercial character to a vibrant mixed use corridor that encourages walking and biking. Buildings will front onto the street and a range of commercial and office uses will be located within close proximity to attached residential units. Density will decrease with distance from Downtown."

In January 2017, the City of Morgan Hill contracted with Lisa Wise Consulting, Inc. for the preparation of a market and land use capacity study for the Monterey Road corridor. The resulting Market Analysis Report provided a summary of demographic and socio-economic conditions in the City of Morgan Hill as they relate to economic performance, as well as a high-level analysis of the commercial market, and a land use capacity assessment for the corridor. Based upon the recommendations of the Report, the City undertook the preparation of a Form-Based Code for the Monterey Corridor as a primary tool to implement the City's General Plan.

As part of the Plan Bay Area 2050, on December 18, 2019, the City Council adopted a resolution to expand the City of Morgan Hill's existing Priority Development Area (PDA) beyond Downtown, along the Monterey Corridor north and south of Downtown. The purpose of designating a Priority Development Area is to focus both on housing and job growth within a quarter mile of transit, expressing a local government's priorities for growth in jobs and housing and inform regional agencies that jurisdictions want and need assistance, specifically to complete planning actions that will provide for and foster quality design adjacent to transportation. A Priority Development Area provides the opportunity for the City to pursue planning grant funds through Bay Area Metro should they become available. On February 14, 2020, ABAG approved the City's PDA expansion.

On August 23, 2023, the City Council adopted the Monterey Corridor Form-Based Code as the primary land use tool to implement the City's General Plan vision for the corridor. The intent of the

Form-Based Code is to create a vibrant mixed-use corridor that encourages walking and biking north and south of Downtown, from approximately Main Avenue north to Burnett Avenue and from approximately Dunne Avenue south to Rome Avenue.

PROJECT DESCRIPTION:

Staff is proposing a General Plan text amendment to better align the intensity of allowed land uses within the Mixed Use Flex designation with recent changes in State law, the Monterey Corridor Form Based Code and the overall goals of the General Plan.

Proposed Text Amendment:

Amend page CNF-13 description of Mixed Use Flex Designation as follows;

Mixed Use Flex. The Mixed Use Flex designation, which is primarily applied to properties along the Monterey Road corridor north and south of downtown, allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another). Density should transition from higher to lower at the ends of Monterey corridor. The Mixed Use Flex designation allows 7 to 24 units per acre. ~~and a maximum FAR of 0.5. Prior to development of Residential or Mixed Use projects within the Mixed Use Flex designation a block level master plan is required to identify how commercial uses will be incorporated within the development of the block and how individual development projects will connect with each other. Commercial development may proceed without preparation of a block level master plan consistent with the Commercial designation.~~

PROJECT ANALYSIS AND FINDINGS: ANALYSIS

Currently, the Mixed Use Flex designation limits new development to 7 to 24 units per acre or a maximum Floor Area Ratio (FAR) of 0.5. For residential projects, this density range corresponds to single-family detached and/or townhouse development. A low-density apartment building is theoretically possible, but unlikely, given the greater economic viability for townhouse development at this density and the infeasibility of low intensity apartment development. Projects utilizing density bonus law will be able to exceed the 24 units per acre. The current FAR limitation of 0.5 would generally be applicable to commercial development, but as stated, also applies to residential or mixed-use development. To achieve a 0.5 FAR, development would be limited to one-story for half of the site, two-story for one quarter of the site, and so on, with a ratio of total building area no more than 50% of the total site area. For commercial development, this would correspond to auto-oriented, low-intensity commercial uses which maintain a significant portion of the site as surface parking and/or landscaping.

Staff is recommending that the Mixed Use Flex land use designation be amended to remove the FAR in order to: 1) align with what State regulations promoting housing development already allow; 2) align with the development standards recently adopted through the Monterey Corridor Form-Based Code; and 3) provide equitable conditions for commercial and residential development.

1. Alignment with State regulations

The State has recently adopted a series of legislation intended to promote the development of housing by overriding local land use controls. Two recent legislative acts are specifically relevant to the Monterey Corridor: AB 2011, effective July 1, 2023, that promotes housing development along commercial corridors; and AB 1287, effective January 1, 2024, an update to the Density Bonus

provisions included in State law. As a result of this legislation, housing developers are granted the ability to gain waivers or exceptions from the City's local land use control, including limitations on height and density. New residential projects will thus not need to and are unlikely to conform to the current density limit in the General Plan and will use waivers or concessions to nullify the FAR requirement. The proposed text amendment will address this change in context by removing a standard that is no longer an effective limitation. This removes a potential point of confusion.

2. Alignment with the Monterey Corridor Form-Based Code

The current General Plan FAR corresponds to the typical density for a townhouse-style development. In contrast, the Monterey Corridor Form-Based Code supports slightly higher-density multifamily development at specific locations. The Monterey Form-Based Code divides the corridor into three sub-areas, each with a different density level. Of the three, only the first (Neighborhood Form-Based) is intended to support single-family or townhouse development. The development intensity as described and depicted in the Monterey Corridor Form-Based Code for the other two sub-areas would exceed the density range indicated in the current Mixed Use Flex General Plan text. Removing the FAR from the General Plan text will remove an inconsistency between that text and the Monterey Form-Based Code.

3. Equitable conditions for residential and commercial development.

Because State law allows higher densities of residential development along the Monterey Corridor than originally envisioned in the General Plan, it is necessary to make similar allowance for mixed-use and/or commercial development to achieve the overall vision for the corridor. If higher-density residential is allowed while commercial is constrained, market conditions will strongly favor residential over commercial use and over time the corridor will become completely residential. In contrast, the City's vision is that the corridor would have both residential and commercial uses. The proposed text amendment will grant commercial development the same density allowances as residential to provide equitable conditions for the two land uses.

General Plan Consistency

General Plan amendments should be evaluated for consistency with the overall goals of the General Plan. As stated in the General Plan, the Monterey Corridor is intended to be redeveloped as a "vibrant mixed-use corridor that encourages walking and biking" where "a range of commercial and office uses will be located within close proximity to attached residential units". The General Plan also calls for the subsequent adoption of implementation actions, which was achieved through the adoption of the Monterey Corridor Form-Based Code. The current density range stated in the General Plan will not support the achievement of the walkable, mixed-use corridor and so the proposed text amendment will better align the text of the General Plan with the City's overarching vision.

CONCLUSION:

The proposed text change can be considered routine in that it brings the General Plan into alignment with residential densities already allowed through State law and/or the Monterey Corridor Form-Based Code, which was recently adopted by the City Council. It is also important in that it provides clarity and equitable conditions for residential and commercial development and thereby helps the City to achieve its vision for the Monterey Corridor to be a "vibrant mixed-use corridor" as stated in the General Plan.

CEQA (California Environmental Quality Act):

The proposed Amendment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed project is covered by the common-sense exemption that CEQA applies only to projects that have the potential to cause a significant effect on the environment. Where it can be seen with

certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project will not result in any direct impact upon the physical environment. Any development that occurs in the future subject to such standards will undergo an independent analysis per the requirements of CEQA.

The Environmental Impact Report (EIR) for the Morgan Hill 2035 General Plan, which envisioned the transformation of the Monterey Corridor north and south of Downtown into a vibrant mixed-use corridor, was prepared in accordance with CEQA and certified by the Morgan Hill City Council on July 27, 2016 (SCH#2015022074).

COMMUNITY ENGAGEMENT:

A 10-day public hearing notice was published in the Friday, August 16, 2024, edition of the Morgan Hill Times pursuant to Government Code Sections 65090-65096.

ATTACHMENTS:

1. GPA2024-0001 Draft Resolution
2. Staff Presentation
3. General Plan Land Use Map

RESOLUTION NO. 24-08

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF MORGAN HILL RECOMMENDING
APPROVAL OF A GENERAL PLAN AMENDMENT
GPA2024-0001 TO AMEND THE TEXT OF THE MORGAN
HILL 2035 GENERAL PLAN TO ELIMINATE THE FLOOR
AREA RATIO AND MODIFY THE DENSITY RANGE FOR
THE MIXED USE FLEX LAND USE DESIGNATION**

WHEREAS, the City proposes to amend the General Plan text to eliminate the Floor Area Ratio and modify the density range for the Mixed Use Flex land use designation to better align the intensity of allowed land uses within the Mixed Use Flex designation with recent changes in State law, the Monterey Corridor Form-Based Code and the overall goals of the General Plan; and

WHEREAS, Section 18.115.040 of the Morgan Hill Municipal Code requires that the Planning Commission make a recommendation to the City Council regarding the General Plan Amendment based on supportive reasoning; and

WHEREAS, this General Plan Amendment was found to be exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, such request was considered by the Planning Commission at its regular meeting of August 27, 2024; and

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

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

General Plan Amendment Findings

SECTION 1. The proposed General Plan Amendment is found to be consistent with the goals and policies of the Morgan Hill 2035 General Plan as described in the staff report to the Planning Commission, incorporated herein by this reference.

SECTION 2. The Planning Commission recommends that the City Council approve the General Plan Amendment application GPA2024-0001 as described in the attached Exhibit "A" and by this reference incorporated herein.

**PASSED AND ADOPTED THIS 27TH DAY OF AUGUST 2024, AT A REGULAR MEETING
OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:**

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

JENNA LUNA, Deputy City Clerk

APPROVED:

LIAM DOWNEY, Chair

Date: _____

EXHIBIT 'A'

1. Amend page CNF-7, Figure CNF-3 General Plan Land Use Map, to eliminate the Mixed Use Flex Density Range.
2. Amend page CNF-10, TABLE CNF-2 SUMMARY OF LAND USE DESIGNATIONS, to change the Mixed Use Flex Density Range to "N/A".
3. Amend page CNF-13 description of Mixed Use Flex Designation as follows; Mixed Use Flex. The Mixed Use Flex designation, which is primarily applied to properties along the Monterey Road corridor north and south of downtown, allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another). Density should transition from higher to lower at the ends of Monterey corridor. The Mixed Use Flex designation allows 7 to 24 units per acre and a maximum FAR of 0.5. ~~Prior to development of Residential or Mixed Use projects within the Mixed Use Flex designation a block level master plan is required to identify how commercial uses will be incorporated within the development of the block and how individual development projects will connect with each other. Commercial development may proceed without preparation of a block level master plan consistent with the Commercial designation.~~



General Plan Amendment GPA2024-0001



Proposed Amendment



General Plan text amendment to align the intensity of allowed land uses within the Mixed Use Flex (MUF) designation with recent changes in:

- State law
- Monterey Corridor Form-Based Code
- Overall goals of the General Plan

Background



- 2016: MH2035 General Plan established the Mixed Use Flex designation primarily along the Monterey Road corridor, north and south of Downtown.
- January 2017: City of Morgan Hill contracted with Lisa Wise Consulting, Inc. for the preparation of a market and land use capacity study for the Monterey Road corridor.
- December 2019: City Council adopted a resolution to expand the City of Morgan Hill's existing Priority Development Area (PDA) beyond Downtown as part of the Plan Bay Area 2050
- September 2023: City Council adopted the Monterey Corridor Form-Based Code as the primary land use tool to implement the City's General Plan vision for the corridor.

Proposed Amendment



Proposed Text:

1. Amend page CNF-7, Figure CNF-3 General Plan Land Use Map, to eliminate the Mixed Use Flex Density Range.

Figure CNF-3 General Plan Land Use Map



Mixed Use Flex (7-24 du/ac)

Proposed Amendment



(continued):

2. Amend page CNF-10, TABLE CNF-2 SUMMARY OF LAND USE DESIGNATIONS, to change the Mixed Use Flex Density Range to “N/A”.

TABLE CNF-2 SUMMARY OF LAND USE DESIGNATIONS		
Designation	Primary Uses	Net Density Range
Mixed Use Flex	Attached homes mixed with retail, office, services	7-24 units/acre

Proposed Amendment



(continued):

3. Amend page CNF-13 description of Mixed Use Flex Designation as follows;

 **Mixed Use Flex.** The Mixed Use Flex designation, which is primarily applied to properties along the Monterey Road corridor north and south of downtown, allows for a mix of residential, commercial, and office uses applied either vertically (i.e., one structure with multiple uses) or horizontally (i.e., structures with different land uses located adjacent to one another). Density should transition from higher to lower at the ends of Monterey corridor. The Mixed Use Flex designation supports a range of densities as implemented through the Zoning Code and applicable State law. ~~allows 7 to 24 units per acre and a maximum FAR of 0.5. Prior to development of Residential or Mixed-Use projects within the Mixed Use Flex designation a block level master plan is required to identify how commercial uses will be incorporated within the development of the block and how individual development projects will connect with each other. Commercial development may proceed without preparation of a block level master plan consistent with the Commercial designation.~~

Proposed Amendment



Policy Considerations

1. Does the proposed General Plan Amendment meet the intent of the General Plan goals and policies?

Proposed Amendment



Staff is recommending the amendment in order to:

1. Align with State regulations

The proposed text amendment will address this change in context by referring to State law and by removing a standard that is no longer an effective limitation. This removes a potential point of confusion.

2. Align with the Monterey Corridor Form-Based Code

Removing the current density range from the General Plan text will remove an inconsistency between that text and the Monterey Form-Based Code.

3. Equitable conditions for residential and commercial development.

The proposed text amendment will grant commercial development the same density allowances as residential to provide equitable conditions for the two land uses.

General Plan Consistency



- Monterey Corridor is intended to be redeveloped as a “vibrant mixed-use corridor that encourages walking and biking” where “a range of commercial and office uses will be located within close proximity to attached residential units”
- General Plan also calls for the subsequent adoption of implementation actions, which was achieved through the adoption of the Monterey Corridor Form-Based Code
- The current density range stated in the General Plan will not support the achievement of the walkable, mixed-use corridor; the proposed text amendment will align the text of the General Plan with the City’s overarching vision

Recommendations

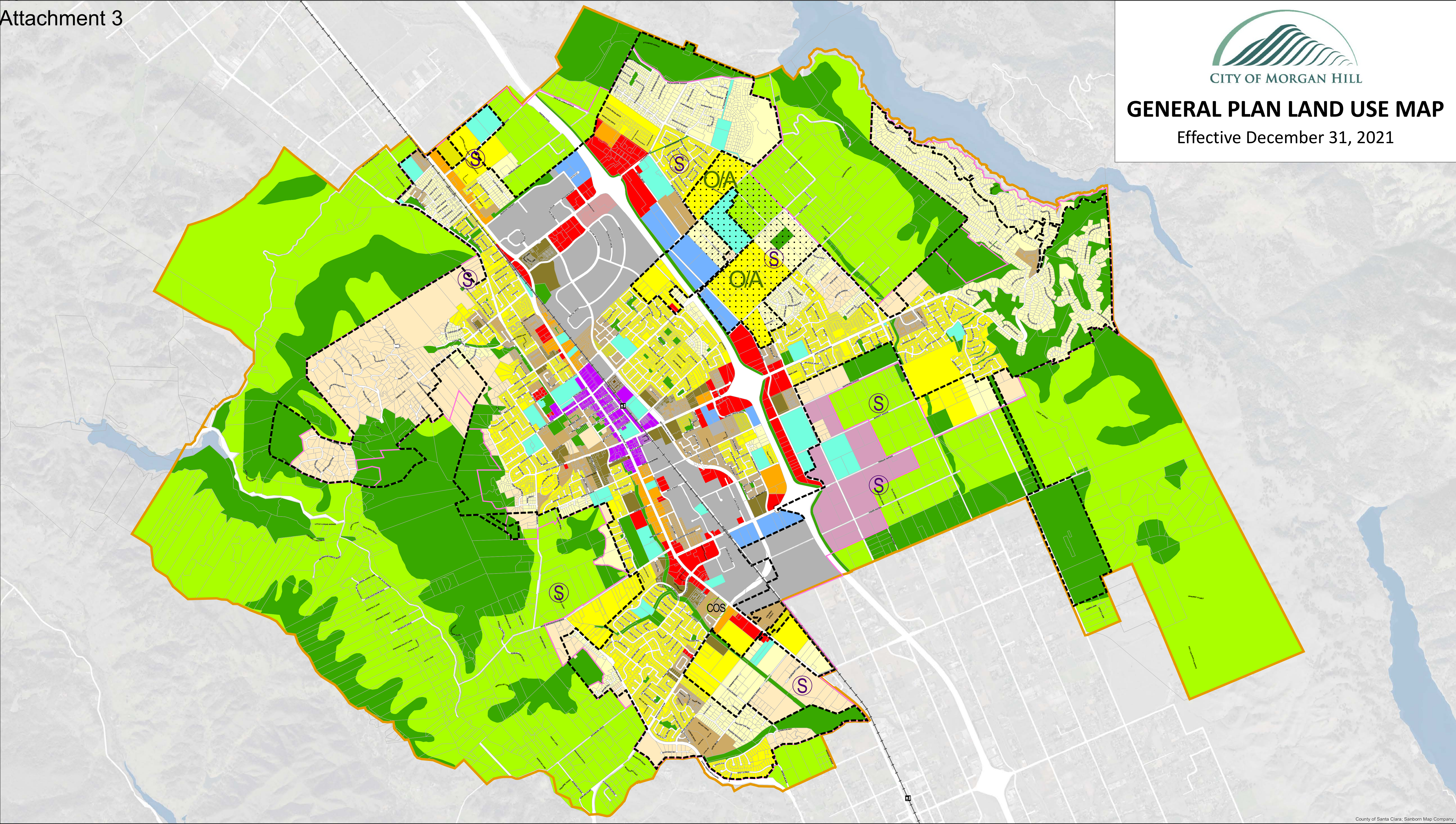
1. Open/close the public hearing;
2. Adopt a resolution recommending the City Council approve amendments to the General Plan land use designation

Questions?





GENERAL PLAN LAND USE MAP
Effective December 31, 2021



Legend

- | | | | | | |
|----------------------------|---|---|---------------------------|--------------|---|
| City Boundary | Residential Estate (up to 1 du/ac) | Residential Attached Medium (16-24 du/ac) | General Commercial | Open Space | Potential School Sites |
| Urban Growth Boundary | Residential Detached Low (up to 4 du/ac) | Residential Downtown (24-46 du/ac) | Commercial/Industrial | Rural County | Potential Open Space/Heritage Agricultural Site |
| Sphere of Influence | Residential Detached Medium (up to 7 du/ac) | Mixed Use | Industrial | Agriculture | Common Open Space |
| East 101 Area Plan Overlay | Residential Detached High (6-12 du/ac) | Mixed Use Flex (7-24 du/ac) | Public Facilities | | |
| | Residential Attached Low (6-16 du/ac) | Commercial | Sports Recreation/Leisure | | |

