



**Regular Meeting Agenda
Planning Commission**

JOSEPH MUELLER - CHAIR

LIAM DOWNEY - PLANNING COMMISSIONER

WAYNE TANDA - PLANNING COMMISSIONER

MOHAMMAD HABIB - PLANNING COMMISSIONER

PAUL LAKE - PLANNING COMMISSIONER

MALISHA KUMAR - PLANNING COMMISSIONER

Tuesday, July 26, 2022 7:00 PM

Virtual Meeting

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice.

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 that would like to participate in the meetings remotely may do so by join the virtual meeting at:

<https://bit.ly/PlanningCommissionMtg> or by calling in to: (669) 900-9128, then enter the webinar ID#: 862 0324 6251.

Public comment may be provided in the following ways:

- Join the virtual Planning Commission meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and *6 when called upon to speak for up to 3 minutes
- Send public comments in writing to the Minutes Clerk at pcpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered public comment.

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. June 14, 2022 Meeting Minutes

Recommendation:

1. Accept Minutes

2. June 28, 2022 Meeting Minutes

Recommendation:

1. Accept Minutes

PUBLIC HEARINGS

3. UP2020-0009/EA2020-0018: PEAK - AMAS: A REQUEST FOR A CONDITIONAL USE PERMIT TO ADD TWO BEDROOMS (4-BEDS) TO THE EXISTING VILA MONTE SENIOR CARE FACILITY AND EXPAND SERVICES INTO A NEW 8,171 SQUARE FOOT MULTI-STORY BUILDING CONSISTING OF 48 BEDROOMS (96-BEDS) WITH ANCILLARY COMMUNAL SPACE.

Recommendation:

1. Open/close public hearing; and
2. Adopt a Resolution approving a Conditional Use Permit for the expansion of the Senior Care Facility.

4. **PUBLIC REVIEW OF THE DRAFT CITY OF MORGAN HILL 2023-2031 HOUSING ELEMENT UPDATE**

Recommendation:

1. Planning Commission to review the Draft City of Morgan Hill 2023-2031 Housing Element Update and adopt the Resolution recommending that the City Council direct the City to submit the Draft 2023-2031 Housing Element to the California Department of Housing and Community Development for review.

OTHER BUSINESS

5. **SELECTION OF PLANNING COMMISSION CHAIRPERSON AND VICE CHAIR**

Recommendation:

1. Planning Commission to select a Chairperson and Vice Chair.

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**

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

Tuesday, June 14, 2022 7:00 PM

Virtual Meeting

CALL TO ORDER

Vice-Chair Mueller called the meeting to order at 07:00 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Jenna Luna called the roll at 07:02 p.m.

STATUS	ATTENDEES
PRESENT	Joseph Mueller, Mohammad Habib, Liam Downey, Paul Lake
ABSENT	Wayne Tanda
EXCUSED	Malisha Kumar

DECLARATION OF POSTING

Minutes Clerk Luna declared the posting of the agenda at 07:03 p.m.

PLEDGE OF ALLEGIANCE

Planning Commissioner Habib led the Pledge of Allegiance at 7:03 p.m.

PUBLIC COMMENT

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

ORDERS OF THE DAY

No changes were made.

CONSENT AGENDA

MOTION:

Accept the Consent Agenda

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

1. May 10, 2022 Meeting Minutes

Recommendation:

1. Accept Minutes

2. May 24, 2022 Meeting Minutes

Recommendation:

1. Accept Minutes

PUBLIC HEARINGS

3. SIGN2022-0007: THIRD - LIN (SUNSWEET): MASTER SIGN PROGRAM FOR THE COMMERCIAL SPACE LOCATED ON THE FIRST FLOOR OF THE EXISTING MIXED-USE BUILDING. THE PROPERTY, IDENTIFIED BY ASSESSOR PARCEL NUMBER 726-13-058, IS LOCATED ON THE SOUTHWEST QUADRANT OF THIRD STREET AND DEPOT STREET (SUNSWEET MORGAN HILL, LLC, OWNER).

Recommendation:

1. Open/close public hearing; and

2. Adopt a Resolution approving a Master Sign Program.

Senior Planner, Tiffany Brown, presented the Staff Report at 7:07 p.m.
Vice-Chair Mueller opened the Public Hearing at 7:15 p.m. The following individuals were called to speak:

- Peter Lin

Vice-Chair Mueller closed the Public Hearing at 7:17 p.m.

MOTION:

Adopt a Resolution approving a Master Sign Program.

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

4. **UP2021-0007/EA2021-0007: BARRETT - CATALYST KIDS: CONDITIONAL USE PERMIT TO ALLOW FOR A NEW 8,420 SQUARE FOOT CHILDCARE FACILITY THAT INCLUDES EIGHT CLASSROOMS, AN OUTDOOR PLAYGROUND, OFFICES, AND STORAGE SPACE. THE PROPERTY, IDENTIFIED BY ASSESSOR PARCEL NUMBER 817-30-080, IS LOCATED ON THE NORTHWEST CORNER OF BARRET AVENUE AND BUTTERFIELD BOULEVARD (Atam Sandhu, Owner).**

Recommendation:

1. Open/close public hearing; and
2. Adopt the Resolution approving a Conditional Use Permit for a new childcare facility.

Senior Planner, Tiffany Brown, presented the Staff Report at 7:22 pm.
Vice-Chair Mueller opened the Public Hearing at 7:42 p.m. The following people were called to speak:

- Robert Del Rio
- Alyssa

- Kathy

Hearing no further requests to speak, the Public Hearing was closed at 8:11 p.m.

Vice-Chair Mueller called on the applicants to address questions. The following individuals addressed the Planning Commission at 8:17 p.m.

- Kathy
- Robert Del Rio

MOTION:

Adopt the Conditional Use Permit as Amended - Replace the language in Condition C2 of Exhibit A to state: "Prior to the Design Permit approval, the applicant shall provide a parking management program to minimize the number of vehicles on-site at any given time."

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

The Planning Commission Meeting recessed at 8:31 p.m.

The Planning Commission reconvened at 8:36 p.m.

5. **ZA2022-0003 AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING A NEW SECTION 18.92.115 ("OUTDOOR DINING") TO CHAPTER 18.92 ("SUPPLEMENTAL STANDARDS") OF TITLE 18 ("ZONING") OF THE MORGAN HILL MUNICIPAL CODE ESTABLISHING STANDARDS FOR RESTAURANTS TO UTILIZE AN ADJACENT SIDEWALK/PATIO (SIDEWALK CAFÉ), OR PARKING AREA (PARKLET), FOR THE PURPOSES OF OUTDOOR DINING.**

Recommendation:

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

Brittney Sherman, Economic Development Services Coordinator, gave the presentation at 8:37 p.m.

Vice-Chair Mueller opened the Public Comment Period at 9:09 p.m. The following individuals addressed the Planning Commission:

- Joe Baranowski

Hearing no further requests to speak, the Public Comment Period was closed at 9:11 p.m.

MOTION:

Adopt a Resolution recommending City Council approval of the Municipal Code Amendment.

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

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director, Jennifer Carman, made an announcement at 9:22 p.m.

ADJOURNMENT

There being no further business to discuss, Vice-Chair Mueller adjourned the meeting at 9:28 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk



**Meeting Minutes
Planning Commission**

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

Tuesday, June 28, 2022 7:00 PM

Virtual Meeting

CALL TO ORDER

Vice-Chair Mueller called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

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

STATUS	ATTENDEE
PRESENT	Mueller, Downey, Lake, Habib, Tanda
EXCUSED	Kumar

DECLARATION OF POSTING

Minutes Clerk Luna Declared the Posting of the Agenda

PLEDGE OF ALLEGIANCE

Planning Commissioner Tanda led the Pledge of Allegiance at 7:01 p.m.

PUBLIC COMMENT

Vice-Chair Mueller opened the Public Comment period at 7:03 p.m. The following

individuals were called to speak:

- Margaret McCann – Speaker’s comments are related to the item on the agenda.

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

ORDERS OF THE DAY

No changes were made.

PUBLIC HEARINGS

1. **SD2021-0005/SR2022-0002/VAR2022-0003: Juan Hernandez – Brookfield Properties (MFH CM LLC): Request for an amended Tentative Map for the medical portion, and a Vesting Tentative Map, Design Permit, and Minor Exception for the development of the residential portion, also referred to as “Rosewood”, of the Lillian Commons medical campus mixed-use project. The amending Tentative Parcel Map will amend the approved Tentative Parcel Map SD2019-0007. The proposed Vesting Tentative Map and Design Permit are for the development of a 120-unit residential project that consists of 34 single-family attached duet homes, 86 townhome-style condominiums, associated utilities and infrastructure, and approximately 1.98-acres of park space within the project boundaries. The Minor Exception request is to allow a maximum building height of 38 feet 6 inches. The properties, identified by Assessor Parcel Numbers 817-09-039 thru 041, are located on the southeast quadrant of Juan Hernandez Drive and Barrett Avenue (BFH CM LLC, Owner).**

Recommendation:

1. Open/close public hearing;
2. Adopt a Resolution approving amendments to Tentative Parcel Map SD2019-0007; and,
3. Adopt a Resolution approving a Vesting Tentative Map, Design Permit, and Minor Exception

Associate Planner, Joey Dinh, presented the Staff Report at 7:07 p.m.

Vice-Chair Mueller opened the Public Hearing at 7:46 p.m. The following individuals were called to speak:

- Joe Guerra
- Cecily Murray
- Mandi
- Joe Baranowski

Hearing no further requests to speak, the Public Hearing was closed at 8:36 p.m.

MOTION:

Adopt a resolution approving the Tentative Parcel Map.

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

MOTION:

Adopt a Resolution approving the Vesting Tentative Map, Design Permit, and the Minor Exception.

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

DIRECTOR'S REPORT/ANNOUNCEMENTS

Community Development Director Jennifer Carman and Assistant City Manager for Community Development Edith Ramirez made an announcement at 8:47 p.m.

ADJOURNMENT

There being no further business to discuss, Vice-Chair Mueller adjourned the meeting at 8:58 p.m.

MINUTES PREPARED BY:

Jenna Luna, Minutes Clerk

PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 26, 2022

PREPARED BY:

Tiffany Brown, Associate Planner

APPROVED BY: Jennifer Carmen

UP2020-0009/EA2020-0018: PEAK - AMAS: A REQUEST FOR A CONDITIONAL USE PERMIT TO ADD TWO BEDROOMS (4-BEDS) TO THE EXISTING VILA MONTE SENIOR CARE FACILITY AND EXPAND SERVICES INTO A NEW 8,171 SQUARE FOOT MULTI-STORY BUILDING CONSISTING OF 48 BEDROOMS (96-BEDS) WITH ANCILLARY COMMUNAL SPACE.

RECOMMENDATION(S)

1. Open/close public hearing; and
2. Adopt a Resolution approving a Conditional Use Permit for the expansion of the Senior Care Facility.

LOCATION MAP/PROJECT INFORMATION:



- | | | |
|----|---------------|-------------------------------------|
| 1. | Location: | 17090 Peak Avenue (APN: 767-03-017) |
| 2. | Site Area: | 1.94 - Acres |
| 3. | General Plan: | Residential Attached Medium (RAM) |
| 4. | Zoning: | Residential Attached Medium (RAM) |
| 5. | Request: | Conditional Use Permit |

BACKGROUND:

The 2008 Municipal Code designated the project site as Medium Density Residential with combining Conditional (C) district zone. The intent of the Conditional district zone was to limit the uses permitted in the underlying zoning district. The use limitation was required to be consistent with the General Plan and was intended to assure land use compatibility between neighboring properties which might otherwise be in jeopardy to any use in the underlying zoning category. At that time, Special Residential Care Facilities were a permitted use within the Medium Density Residential zoning district and with the Conditional district zone, the property was approved for a 28-bed Senior

Care facility known as Vila Monte.

In February of 2016, the City Council adopted an Ordinance (Ord. No. 2186) amending the zoning for the project site from Medium Density Residential - Conditional (C) to Medium Density Residential (R3). In coordination with the rezone of the property, the property owner recorded a deed restriction against the property limiting the use of the subject property to a State Licensed Residential Care Facility for the Elderly, which requires the owner/ business operator to file for a Conditional Use Permit (CUP) for the continued operation of the facility. Consistent with the deed restriction, the property owner came in for a CUP that same year. The use permit request included the existing facility plus an expansion of a second building that would be constructed adjacent to West Dunne Avenue. The Planning Commission approved the application on August 23, 2016. At the time, due to the costs associated with the project, the applicant chose not to move forward with the project and the CUP expired in 2018.

On July 27, 2016, the City completed a comprehensive update to the City's General Plan and to the City's zoning code (ZA2016-0006) on June 6, 2018. The comprehensive updates renamed the land use designation and zoning from Medium Density Residential (R3) to Residential Attached Medium. The Residential Attached Medium zoning allows for Residential Care Facilities - small (6 beds or less) by right and Residential Care Facilities with a CUP. The zoning ordinance provides the following definitions for residential care facilities:

Residential Care Facility

1. A state licensed facility providing twenty-four-hour-a-day non-medical residential living accommodations pursuant to the uniform building, housing and fire codes. Care and supervision shall include, but not be limited to, any one or more of the following activities provided by a person or facility to meet the needs of the residents:

- a. Assistance in dressing, grooming, bathing and other personal hygiene;
- b. Assistance with taking medication and central storing and distribution of medications;
- c. Arrangement of and assistance with medical and dental care;
- d. Maintenance of house rules for the protection of residents;
- e. Supervision of resident schedules and activities;
- f. Maintenance and supervision of resident monies or property;
- g. Monitoring food intake and special diets.

2. Individual sleeping quarters with no more than half kitchens, a common dining facility which provides a sit-down dining service at two distinct times per day and recreational features such as a lounge or recreation room shall be provided. Safety features designed for the needs of the elderly, such as emergency call systems which are linked to on-site staff which are available twenty-four hours per day, grab bars and handrails, special door hardware, cabinets, appliances and doorways designed to accommodate wheel chairs, and social services for residents which must also include at least three of the following: transportation services provided by the facility, housekeeping, facility provided linen/laundry, and organized social and recreational activities. Such facilities may have up to two manager's units which contain full kitchen facilities. Residential care facilities include, but is not limited to, health facilities as defined in California Health and Safety Code (H&SC) Section 1250 et seq., Community Care Facilities (H&SC Section 1500 et seq.), Residential Care Facilities for the Elderly (H&SC Section 1569 et seq.), or Facilities for the Mentally Disordered or otherwise handicapped defined in California Welfare and Institutions Code (W&I Code Section 5000 et seq.), alcoholism or drug abuse recovery or treatment facilities (H&SC Section 11834.02), and other similar care facilities.

PROJECT DESCRIPTION:

Consistent with the deed restriction on the subject site, the property owner submitted an application for a CUP for the existing 14-room/28-bed Vila Monte Senior Care facility with the request to add

two new bedrooms within the existing building footprint for a total of 16 rooms/32-beds. The use permit request includes further expansion of the Care facility by constructing a new 8,171 square foot, multi-story building that would consist of 48 bedrooms/96-beds with ancillary communal space and property improvements.

The facility provides 24-hour care and supervision 7-days a week to adults who are dual diagnosed as seriously mentally ill (SMI) in combination with some medical conditions that preclude them from being placed in a regular independent residential care facility. The facility will provide the following services for the residents: meal service, laundry service, cleaning service, plan/arrange or provide transportation, planned activities, on-site nursing services, and other personal services as needed. The facility will include a full-service kitchen, communal space, a laundry area with washer and dryer, and required equipment like wheel chairs, walkers, etc.

Site Description

The 1.94-acre project site is located at 17090 Peak Avenue, at the intersection of Peak Avenue and West Dunne Avenue. The site contains a 28-bed single story residential care facility with two associated storage sheds, includes a parking lot, and landscaping. The property is accessed through a private driveway off Peak Avenue. The southern boundaries of the project site adjacent to West Dunne Avenue include a cut-out area that borders an existing one-story single-family residence on three sides.

Surrounding Uses

	General Plan Land Use	Zoning	Existing Use
North	Residential Attached Medium	Residential Attached Medium	Pacific Hills Manor Residential Care Facility (99-beds)
South	Commercial / Residential Attached Low	Commercial / Residential Attached Low	A single-family home with Morgan Hill Masonic Center across West Dunne Avenue
East	Residential Attached Medium/ Residential Attached Low- RPD	Residential Attached Medium/ Residential Attached Low-RPD	Undeveloped land near Hale Avenue Extension and Multi-Family Residential
West	Residential Detached Medium	Residential Detached Medium	Single Family Homes

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 site land use designation is Residential Attached Medium, 16-24 dwelling units to the acre. This designation allows attached housing types including townhomes, garden apartments, condos, and stacked flats. This designation is frequently found near commercial areas that in part serve the adjacent residents. The proposed project is consistent with but not limited to the following General plan policies:

Policy CNF-2.1 Orderly Development. Promote the orderly development of the City, with concentric growth and infill of existing developed areas.

The project is considered infill development and will expand a compatible use adjacent to another residential care facility, a Masonic Center, multi-family, and single-family homes.

Policy CNF-2.3 Quality of Life. Maintain Morgan Hill's high quality of life for existing and future residents.

To allow the continued use of the residential care facility with new expansion will allow for ongoing high quality services for existing and future residents of Morgan Hill.

Policy CNF-2.4 Changing Demographics. When considering future urban development, look at least five to ten years into the future to take into account changing local and regional demographics.

The expansion of the residential care facility will accommodate existing and future needs for current and/or new residents within our City.

Policy CNF-8.3 Changes in Building Scale. Discourage abrupt changes in building scale. A gradual transition between low-rise to mid-rise buildings should be achieved by using the low-rise buildings at the edge of the project site. Consider the relationship of buildings to the street, to one another and to adjacent structures and land uses.

The RAM zoning Designation allows building heights up to 3-stories or 40-feet in height. The new proposed building includes a one-story portion with the majority of the building being 3-stories. The property owner worked with the City on a site plan that reduces the massing of the main new building by reducing the total number of bedrooms from the original proposal, and setting back the main 3-story building by placing the one-story portion of the new proposed building in front facing East Dunne. Access will still be granted through the existing Peak Avenue driveway. This also reduces the height transition from the adjacent existing single-family home and will meet all the development standards required by the zoning.

2. Zoning Ordinance Consistency

The Zoning Code Implements the General Plan. The project site is zoned Residential Attached Medium (RAM) and allows for Residential Care Facilities as a conditionally permitted use. The purpose of a conditional use permit is to require land uses that are generally appropriate within a district, but potentially undesirable on a particular parcel or in large numbers. A conditional use permit is a discretionary action that enables the Planning Commission to ensure that a proposed use is consistent with the General Plan and will not create a negative impact to the adjacent properties or the general public by meeting the required Findings.

3. Findings

Pursuant to Morgan Hill Municipal Code Section 18.108.030 E. Findings, the Planning Commission shall review the proposal and make all the following findings for approval:

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

A residential care facility is conditionally allowed use within the Residential Attached Medium zoning district.

b. The proposed use is consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council.

The use is consistent with the General Plan, specifically but not limited to Policy CNF-2.1, CNF-2.3, CNF-2.4, and CNF-8.3. It is a conditionally allowed use within the RAM zoning district, and if approved, will build the facility to meet all the development standards and parking requirements.

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

The site is flat near the west and south borders adjacent to the fronting streets and slopes up a hill as it gets to the Hale Avenue Extension project to the north and east. The existing building is situated on top of the hill toward the northeast portion of the site and the building footprint will not change. The proposed new building will be placed on the flatter portion of the site adjacent to East Dunne Avenue which significantly reduces the amount of cut and fill that could be required to develop the site. The conceptual site plan demonstrates the project can meet all the development standards within the RAM zoning designation.

d. 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 use is a compatible use with the existing adjacent uses in that the care facility is the residence for the patients and has a condo or apartment type of characteristic. That characteristic is similar in nature to the existing adjacent uses that include a residential care facility, a church and school, multi-family and single-family residential with the Masonic Center south of West Dunne Avenue. The site plan reduces the massing of the new 3-story structure by setting the building back against the hill and designing a one-story portion for the facility to be located adjacent to the existing single-family home and fronting West Dunne Avenue. Access to the facility will continue to be off Peak Avenue with new associated landscaping. The proposal will meet all the RAM development standards.

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

This is a State Licensed Facility which ensures the facility will meet the established health and safety standards for California. The new construction will meet all current building code requirements and therefore will not be detrimental to the public health, safety, and welfare.

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

The estimated daily and peak hour trips for the project are based on Institute of Transportation Engineers (ITE) trip rate data. The trip rates are used to quantify if a project would have traffic and circulation impacts beyond what is anticipated within the Morgan Hill General Plan EIR. Any project/development that generates over 100 or more net new peak hour trips is deemed significant and would require further study of a Traffic Impact Analysis (TIA). Based on the trip generation rates for assisted living and the project size (beds), the proposed project would generate less than 100 trips and therefore will not have a substantial adverse effect on traffic and circulation beyond what was planned for the capacity of the current street system.

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

The proposed expanded use at the proposed location introduces a compatible use to the existing adjacent uses. Pursuant to the general plan, there are sufficient services and infrastructure to support the expansion of the residential care facility.

CONCLUSION:

The proposed use will not adversely impact the public health, safety, or general welfare of the project site or surrounding properties. The new facility will meet all development standards and as conditioned will not have an adverse impact on surrounding traffic and circulation. The project is consistent with the General Plan and Zoning Ordinance.

CEQA (California Environmental Quality Act):

An Initial Study was completed and determined the proposed project to be exempt from the California Environmental Quality Act (CEQA), consistent with CEQA guidelines Section 15332, In-Fill Development Projects. None of the exceptions to categorical exemptions identified by CEQA Guidelines Section 15300.2 are applicable to the proposed project.

COMMUNITY ENGAGEMENT:

The proposed project was publicly noticed (mailing to property owners within 300-feet of the project, newspaper legal notice, and site posted) for the minimum 10-day period.

ATTACHMENTS:

1. Planning Commission Resolution and Conditions
2. Statement of Proposed Operations
3. Project Plans
4. Peak Avenue Assisted Living Initial Study with Appendices

RESOLUTION NO. 22-14

**A RESOLUTION OF THE PLANNING
COMMISSION OF THE CITY OF MORGAN HILL
APPROVING A CONDITIONAL USE PERMIT TO
ALLOW FOR A 32-BED AND 96-BED
RESIDENTIAL CARE FACILITY WITH ANCILLARY
COMMUNAL SPACE AND PROPERTY
IMPROVEMENTS LOCATED AT 17090 PEAK
AVENUE (APN 767-03-017)**

WHEREAS, an application was submitted by Michael De Castro representing Vila Monte Kezia Nelly Amas (owner), for the request of a conditional use permit to add two bedrooms (4-beds) to the existing Vila Monte senior care facility and expand services into a new approximate 8,171 square foot multi-story building consisting of 48 bedrooms (96-beds) with ancillary communal space and associated property improvements. The property, identified by Assessor Parcel Number 767-03-017, is located at 17090 Peak Avenue, north of the Peak Avenue and West Dunne Avenue intersection (Kezia Nelly Amas, Property Owner).

WHEREAS, such request was considered by the Planning Commission at their regular meeting of July 26, 2022; and

WHEREAS, based upon the Initial Study concluding qualification of a Categorical Exemption, the Development Services Director has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332, Class 32; and has further determined that none of the exceptions to the exemption apply;

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

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

SECTION 1. The Conditional Use Permit is consistent with the Zoning Ordinance and the General Plan.

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 and hereby adopted:

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

A residential care facility is conditionally allowed use within the Residential Attached Medium zoning district.

- b. The proposed use is consistent with the General Plan, Zoning Code, and any applicable specific plan or area plan adopted by the City Council.**

The use is consistent with the General Plan, specifically but not limited to Policy CNF-2.1, CNF-2.3, CNF-2.4, and CNF-8.3. It is a conditionally allowed use within the RAM zoning district, and if approved, will build the facility to meet all the development standards and parking requirements.

- c. The site is suitable and adequate for the proposed use.**

The site is flat near the west and south borders adjacent to the fronting streets and slopes up a hill as it gets to the Hale Avenue Extension project to the north and east. The existing building is situated on top of the hill toward the northeast portion of the site and the building footprint will not change. The proposed new building will be placed on the flatter portion of the site adjacent to East Dunne Avenue which significantly reduces the amount of cut and fill that could be required to develop the site. The conceptual site plan demonstrates the project can meet all the development standards within the RAM zoning designation.

- d. 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 use is a compatible use with the existing adjacent uses in that the care facility is the residence for the patients and has a condo or apartment type of characteristic. That characteristic is similar in nature to the existing adjacent uses that include a residential care facility, a church and school, multi-family, and single-family residential with the Masonic Center south across West Dunne Avenue. The site plan reduces the massing of the new 3-story structure by setting the building back against the hill and designing a one-story portion for the facility to locate adjacent to the existing single-family home and fronting West Dunne Avenue. Access to the facility will continue to be off Peak Avenue with new associated landscaping. The proposal will meet all the RAM development standards.

- e. The proposed use will not be detrimental to the public health, safety, and welfare.**

This is a State Licensed Facility which ensures the facility will meet the established health and safety standards for California. The new construction will meet all current building code requirements and therefore will not be detrimental to the public health, safety, and welfare.

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

The estimated daily and peak hour trips for the project are based on the Institute of Transportation Engineers (ITE) trip rate data. The trip rates are used to quantify if a project would have traffic and circulation impacts beyond what is anticipated within the Morgan Hill General Plan EIR. Any project/development that generates over 100 or more net new peak hour trips is deemed significant and would require further study of a Traffic Impact Analysis (TIA). Based on the trip generation rates for assisted living and the project size (beds), the proposed project would generate less than 100 trips and therefore will not have a substantial adverse effect on traffic and circulation beyond what was planned for the capacity of the current street system.

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

The proposed expanded use at the proposed location introduces a compatible use to the existing adjacent uses. Pursuant to the general plan, there is sufficient services and infrastructure to support the expansion of the residential care facility.

SECTION 3. 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 Serviced 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 26th DAY OF JULY 2022, 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

JOSEPH MULLER, Chair

EXHIBIT "A"
STANDARD CONDITIONS

APPLICATION NO: UP2020-0009
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

Conditional Use Permit to add two bedrooms (4-beds) to the existing Villa Monte Senior Care Facility and expand services into a new approximate 8,171 square foot multi-story building consisting of 48 bedrooms (96-beds) with ancillary communal space. The property, identified by assessor parcel number 767-03-017 is located on the northeast corner of West Dunne Avenue and Peak Avenue at 17090 Peak Avenue (Kezia Nelly Amas, Owner). The project is categorically exempt pursuant to Section 15332, In-Fill Development Project.

II. PROJECT CONDITIONS OF APPROVAL

It shall be the responsibility of the Owner to ensure that any changes or modifications to the Project are 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 conceptual plan set on file (UP2020-0009) with the Development Services Department. The proposal will require approval of a Design Permit prior to submittal of a building permit. The approved building plans and landscape plans must be in substantial conformance with the approved Use Permit and future Design Permit plans as determined by the Development Services Director.
- B. **Design Permit.** The applicant shall submit for a Design Permit for the review of the future approximate 8,171 square foot building. The site design shall comply with all applicable development standards within the Zoning Chapter of the Municipal Code including the Residential Attached Medium Zoning designation.

- C. **Residential Care Facility.** This conditional use permit is for a residential care facility which is defined per the Municipal Code as a State licensed facility providing twenty-four-hour non-medical residential living accommodations pursuant to the uniform building, housing, and fire codes. Care and Supervision shall include but not be limited to any one or more of the following activities provided by a person or facility to meet the needs of the residents:
- a. Assistance in dressing, grooming, bathing, and other personal hygiene;
 - b. Assistance with taking medication and central storing and distribution of medications;
 - c. Arrangement of and assistance with medical and dental care;
 - d. Maintenance of house rules for the protection of residents;
 - e. Supervision of resident's schedules and activities;
 - f. Maintenance and supervision of resident monies or property; and
 - g. Monitoring food intake and special diets.
- D. **Residential Care Facility Standards.** The new facility will need to meet the minimum following standards and incorporate any design features within the Design Permit:
- a. Individual sleeping quarters with no more than half kitchens, a common dining facility which provides a sit-down dining service at two distinct times per day, and recreational features such as a lounge or recreation room shall be provided.
 - b. Safety features designed for the needs of the elderly, such as emergency call systems which are linked to on-site staff which are available twenty-four hours per day, grab bars and handrails, special door hardware, cabinets, appliances, and doorways designed to accommodate wheelchairs, and social services for residents which must also include at least three of the following: transportation services provided by the facility, housekeeping, facility provided linen/laundry, and organized social and recreational activities.
 - c. Such facilities may have up to two manager's units which contain full kitchen facilities.
 - d. Residential care facility includes, but is not limited to, health facilities as defined in California Health and Safety Code (H&SC) Section 1250 et seq., Community Care Facilities (H&SC Section 1500 et seq.), Residential Care Facilities for the Elderly (H&SC Section 1569 et seq.), or Facilities for the Mentally Disordered or otherwise handicapped defined in California Welfare and Institutions Code (W&I Code Section 5000 et seq.), alcoholism or drug abuse recovery or treatment facilities (H&SC Section 11834.02), and other similar care facilities.
- E. **Time Limits.** The conditional use permit approval granted pursuant to this Resolution shall remain in effect for two years from the approval date. Failure to obtain a design permit within this term shall result in termination of approval unless

an extension of time is granted with a showing of just cause prior to expiration date.
(MHMC 18.108.040)

- F. **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 as their agent to agree to provide the indemnification, defense and hold harmless obligations, and the signature below represents the unconditional agreement by Applicant to be bound by such conditions.

ENGINEERING DIVISION

- A. The Design Permit will be reviewed for compliance with the Municipal Code including but not limited to the on and off-site improvements and stormwater control plan.
- B. Project will be subject to impact fees prior to issuance of any future building permit.

ENVIRONMENTAL SERVICES

- A. The Design Permit landscaping shall comply with the Morgan Hill Municipal Code (MHMC) 18.148 – Water Conservation.

BUILDING DIVISION

- A. The following items need to be incorporated into the design and will be verified at Building Permit application plan review:
1. The Accessible parking spot shall be connected to the accessible path of travel that leads to the main entrance and to the public right of way.
 2. The trash enclosure should be designed to be in compliance with recently passed City of Morgan Hill Ordinance 2328. <https://www.morgan-hill.ca.gov/DocumentCenter/View/40220/Ordinance-2328-Refuse-and-Recycle-Enclosures?bidId=>. All trash enclosures not compliant with this ordinance will be required to be in compliance by 1/1/2030, therefore it is recommended to design the trash enclosure for compliance. Provide trash enclosure designs to verify compliance. Note: This ordinance requires a pedestrian entrance this pedestrian entrance shall be accessible and connected to the accessible path of travel.
 3. On-site parking and paths shall comply with the lighting requirements of MHMC 15.40 Building Security. Provide a Photometric plan to show compliance. https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.40BUSE. Photometric plans were not provided as indicated in the response letter.
 4. 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.
 5. Project is in a Geological Hazard Area and shall comply with MHMC 18.70. Plan review by the City Geologist is required at time of Building Permit Application. This review requires additional time. https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIZOCO_CH18.70GEHA
 6. Project shall comply with the Morgan Hill Municipal Code (MHMC) including but not limited to:
 - i. MHMC 15.65 Sustainable Building Regulations. (Project is required to score LEED Silver)
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.65SUBURE
 - ii. MHMC 18.72.040 C. Electric Vehicle Charging.
 - iii. MHMC 15.40 Building Security
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.40BUSE

- iv. MHMC 18.148 Water Conservation
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodelid=TIT18ZO_DIVIIDECO_CH18.148WACO
- v. MHMC 15.63 Prohibition of Natural Gas Infrastructure in New Buildings (GAS IS PROHIBITED)
https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodelid=TIT15BUO_CH15.38WATHPR

7. An acoustical analysis report shall be submitted with the building permit documents showing interior and exterior noise mitigations for compliance to the MHMC, California Building Code and CALGreen Code.

8. A Geotechnical Report is required for this project at time of Grading Permit or Building Permit Application, whichever is first.

FIRE DIVISION

- A. **Preliminary Review Only:** The requirements and conditions stated in this review are preliminary and are intended to be used for the purposes of project planning. An official Fire Department review of the project will be conducted upon receipt of a complete plan submittal application that clearly shows all intended grading, demolition, construction or building modifications.

Prior to Design Permit submittal, provide Fire Apparatus turning template to show onsite access, turning, radius and if access exceeds 150-feet and approved fire apparatus turn around.

- B. Fire Apparatus (Engine) Access Roads Required: Prior to the commencement of combustible construction, an access roadway with a paved all-weather surface and a minimum unobstructed width of 20 feet, vertical clearance of 13 feet, 6 inches shall be provided, with minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15%, unless otherwise approved in writing by the Fire Marshal. Installations shall conform to the City of Morgan Hill Standard Details and Specifications 11-B. (CFC Section 503 as amended by MHMC 15.44.140)
- C. Review of the conceptual plans do not release the developer, architect, or contractor of the responsibility for the corrections of mistakes, errors or omissions contained therein.

POLICE DEPARTMENT

- A. **Safety and Security Plan.** The Police Department shall review and approve a safety and security plan for the facility including a security camera plan prior to the

issuance of a building permit or site development permit, whichever one is issued first.

- B. **Camera Access.** The Police department will require access to camera feed and camera recordings to be able to view real time and recorded footage if/when required.

Statement of Proposed Operations: Vila Monte Care Facility

The new 98 beds Vila Monte Care Facility (VMCF) aims to expand the current services provided by the facility. The Vila's have been providing care and supervision since 1992 to adults and older adults of Santa Clara County who are dual diagnosed as seriously mentally ill (SMI) in combination with some medical conditions that preclude them from being placed in a regular, independent RCF in the least restrictive environment in the community. VMCF has been providing culturally and linguistically client centered services that integrate or directly provide full range of services to SMI clients whose level of functioning, symptoms, and psychiatric history necessitate service interventions to maintain them in community settings which include individuals who may suffer from an institutionalized syndrome.

The proposed new facility will operate 24 hours 7 days a week and manned by 12 staffs daily (3 shifts/day). The facility will provide the following services for the residents: meal service (full-service kitchen facility); on site laundry; cleaning services; plan, arrange or provide transportation; planned activities; on-site nursing services; on-site medical services; and other personal services as needed. The facility will have elevator; laundry equipment like washers and dryers; kitchen equipment like refrigerator, freezer, oven, cooktop, fryer, range hood, dishwasher; and medical equipment like mobile oxygen, wheelchairs and walkers. The facility will not use any hazardous materials.

Prepared By:

Michael De Castro: Project Manager- HGCI

Date: 6/22/2022

VILA MONTE CARE FACILITY

17090 PEAK AVENUE, MORGAN HILL, CA 95037

Attachment 3

112 SPAULDING STREET, SUITE A
SAN ANSELMO, CA 94960
T: 415.597.6880 F: 925.558.4814



VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



STAMP

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REVISIONS

12.30.2021	4	CUP: 3RD COMMENT RESPONSE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

TITLE SHEET

SHEET TITLE

A0.0

SHEET NO.

CONTACT INFORMATION	PROJECT DATA	SHEET INDEX
OWNER'S REPRESENTATIVE: Vila Monte RCFE (Care Home) KeziaNelly Amas PO Box Z San Jose, CA 95151 p: 408.993.92.68 c: 408.386.64.74 e: metrostation439@yahoo.com GENERAL CONTRACTOR: Huston General Contracting Inc. (HGCI) James Huston 112 Spaulding Street, Unit A San Anselmo, CA 94960 p: 415.597.6880 c: 415.509.0304 e: jh@hgci.com ARCHITECT: Huston General Contracting Inc. (HGCI) Nathan Watkins 112 Spaulding Street, Unit A San Anselmo, CA 94960 p: 415.597.6880 c: 415.300.6392 e: nathanw@hgci.com CIVIL: Talus Engineering Inc. Easton C. McAllister 811 San Ramon Valley Blvd, #201 Danville, CA 94526 p: 415.948.0440 e: easton@talus-eng.com	ADDRESS:17090 PEAK AVE MORGAN HILL, CA, 95037 A.P.N. :767-03-017 LOT SIZE :87,170 SF OR 1.94 ACRE TYPE OF CONSTRUCTION:TYPE V-A: PROTECTED WOOD FRAME OCCUPANCY TYPE:GROUP R2.1 FIRE SPRINKLERS:YES - WATER/STANDPIPE FIRE ALARM:TBD STORIES:3 STORIES FLOOR AREA:GRD FLR: 8,171.4830 SF 2ND FLR: 5,987.4524 SF 3RD FLR: 5,987.4524 SF TOTAL: 20,146.3878 SF APPLICABLE CODES ALL CONSTRUCTION SHALL CONFORM TO THE FOLLOWING CODES OR THE MOST RECENT CODE ADOPTED BY THE JURISDICTION: - 2019 CALIFORNIA BUILDING CODE (CBC) - 2019 CALIFORNIA RESIDENTIAL CODE (CRC) - 2019 CALIFORNIA MECHANICAL CODE (CMC) - 2019 CALIFORNIA PLUMBING CODE (CPC) - 2019 CALIFORNIA ELECTRICAL CODE (CEC) - 2019 CALIFORNIA ENERGY CODE - 2019 CALIFORNIA GREEN BUILDING STANDARDS (CALGREEN) - 2019 CALIFORNIA FIRE CODE (CFC) - CITY OF MORGAN HILL MUNICIPAL CODE DEFERRED SUBMITTALS 1. FIRE SPRINKLER SYSTEM 2. FIRE ALARM SYSTEM 3. TRUSS DESIGN AND CALCULATION 4. RETAINING WALL DESIGN LOCATION MAP NTS	ARCHITECTURAL A-0.0 TITLE SHEET A-0.1 GENERAL NOTES A-0.2 ASSESSORS MAP A-1.0 OVERVIEW MAP A-1.1 EXISTING CONDITIONS AND NEARBY PROPERTIES PHOTOS 1/2 A-1.2 EXISTING CONDITIONS AND NEARBY PROPERTIES PHOTOS 2/2 A-1.3 DEMOLITION SITE PLAN A-1.3a (E) RCF FLOOR PLAN A-1.4 SITE PLAN A-1.5 (N) RCF GROUND FLOOR PLAN A-1.6 (N) RCF SECOND FLOOR PLAN A-1.7 (N) RCF THIRD FLOOR PLAN A-1.8 (N) RCF ROOF PLAN A-2.0 (N) RCF SOUTH & EAST ELEVATIONS A-2.1 (N) RCF NORTH & WEST ELEVATIONS CIVIL C1.0 TITLE SHEET C2.0 PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN C3.0 CROSS SECTIONS C4.0 STORM WATER CONTROL PLAN LANDSCAPE L0.0 CONCEPTUAL LANDSCAPE PLAN
SCOPE OF WORK		
1. (N) 3 STORY RESIDENTIAL CARE FACILITY (RCF) 2. (N) PARKING SPACES TO SERVICE BOTH (N) AND (E) RESIDENTIAL CARE FACILITY 3. SITE WORK FOR DRIVEWAY, TRASH ENCLOSURES & LANDSCAPE		
PROJECT DESCRIPTION		
THE PROPOSED PROJECT IS TO EXPAND THE OPERATIONS OF THE EXISTING RESIDENTIAL CARE FACILITY TO 140 BEDS FROM THE PREVIOUSLY APPROVED 84 BEDS AND FROM THE CURRENT 32 BEDS TO SERVE THE INCREASING NEED FOR AN AFFORDABLE RESIDENTIAL CARE FACILITY OF THE CITY OF MORGAN HILL. THE PROPOSED PLANS WOULD ADD 1 NEW BUILDING (48 BEDROOM/ 96 BEDS) OF APPROXIMATELY 20,146 SQUARE FEET (THREE STORY) TO THE EXISTING 5,770 SQUARE FOOT SINGLE STORY BUILDING ON THE SITE. THE EXISTING PARKING LOT AND ROAD DRIVEWAY WILL BE UPGRADED TO CODE AND FOR INTER CIRCULATION, FIRE DEPARTMENT TURNAROUND, STORM WATER RETENTION, LANDSCAPING AND OTHER ON-SITE IMPROVEMENTS. THE NEW FACILITY WILL HAVE THE FOLLOWING SERVICES FOR THE RESIDENTS: MEAL SERVICE (FULL-SERVICE KITCHEN FACILITY); ON-SITE LAUNDRY; CLEANING SERVICES; ON-SITE MEDICAL SERVICES; AND OTHER PERSONAL SERVICES AS NEEDED. THE FACILITY WILL BE STAFFED 24 HOURS A DAY AND A MANAGER UNIT IS NOT BEING PROPOSED AT THIS TIME. SOUTHWEST PART OF THE EXISTING 1 STORY RCF WILL BE ALLOCATED FOR A FUTURE 6 BEDROOM (12 BEDS) RCF FOR FUTURE USE.		

APN 767-03-017

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



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CONSENT OF HUSTON GENERAL CONTRACTING, INC. ALL RIGHTS
RESERVED.

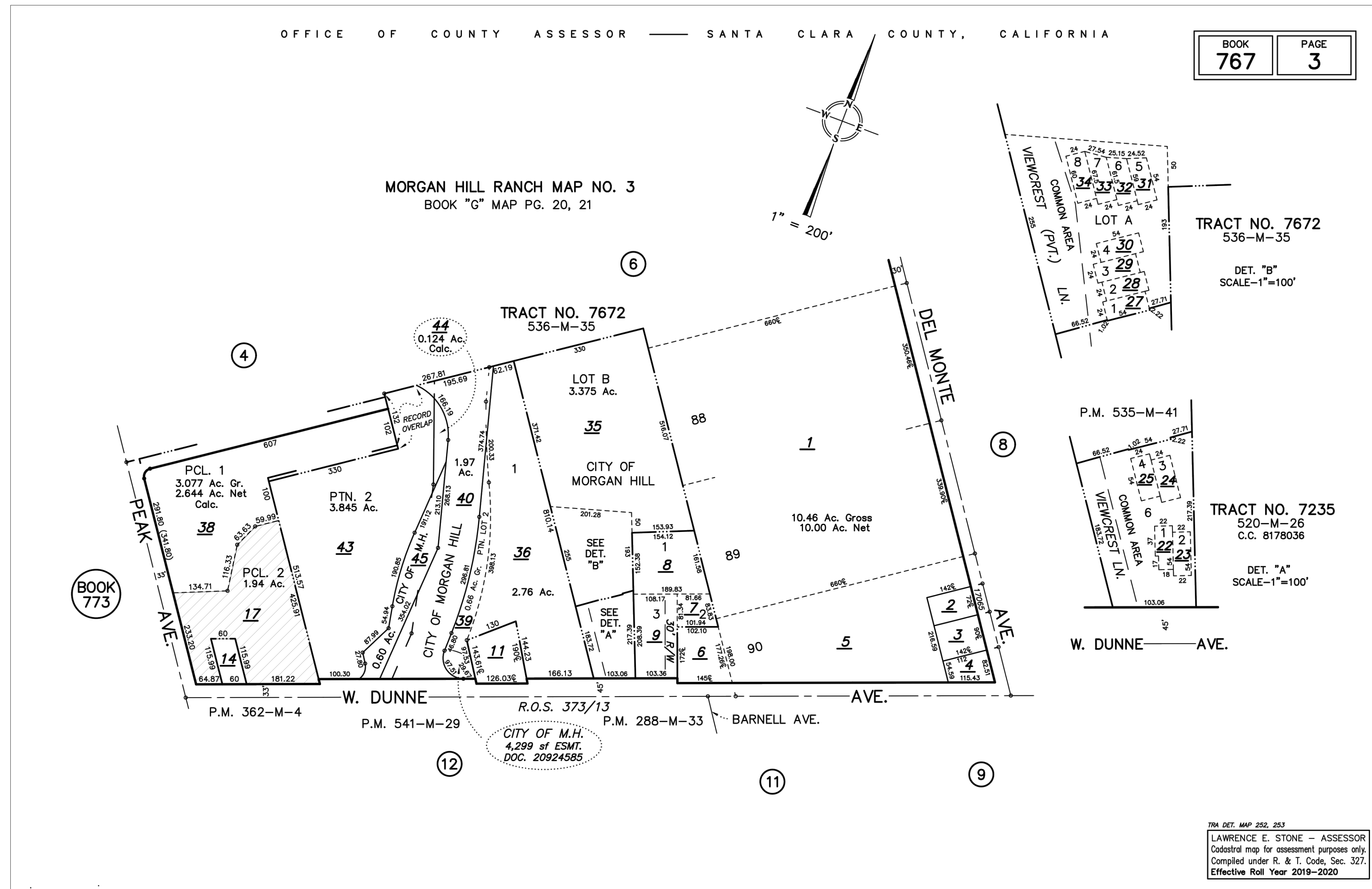
REVISIONS

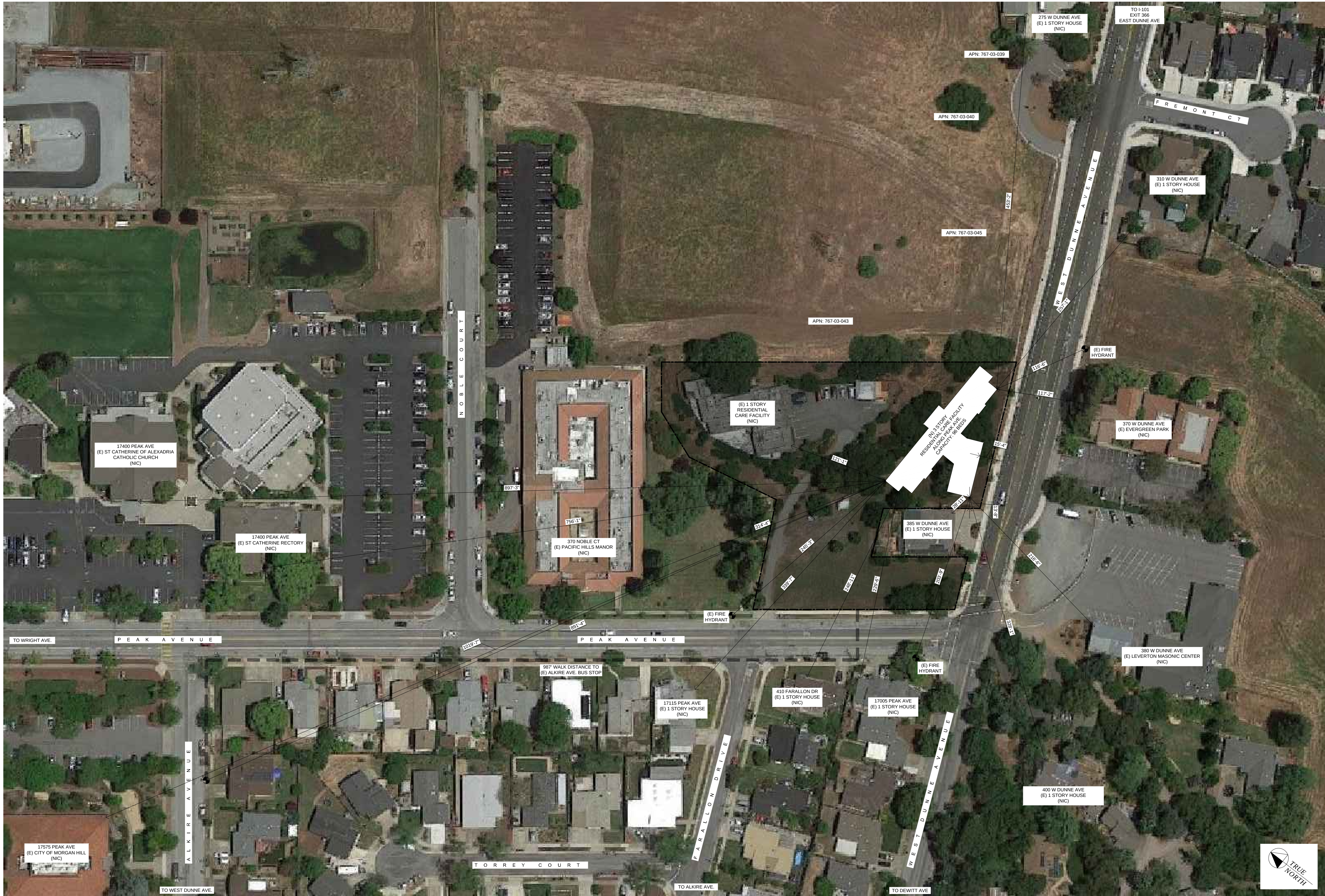
[illegible]

ASSESSORS MAP

SHEET NO. _____

A0.2





1

OVERVIEW MAP

SCALE: 1/16" = 1'

112 SPAULDING STREET, SUITE A
SAN ANSELMO, CA 94960
T: 415.597.6860 F: 925.556.4814

HGCI

DESIGN | CONSTRUCT | WORK | LIVE

VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



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REVISIONS		
12.30.2021	4	CUP: 3RD COMMENT RESPONSE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

OVERVIEW MAP

SHEET TITLE

4
SHEET NO.

A1.0



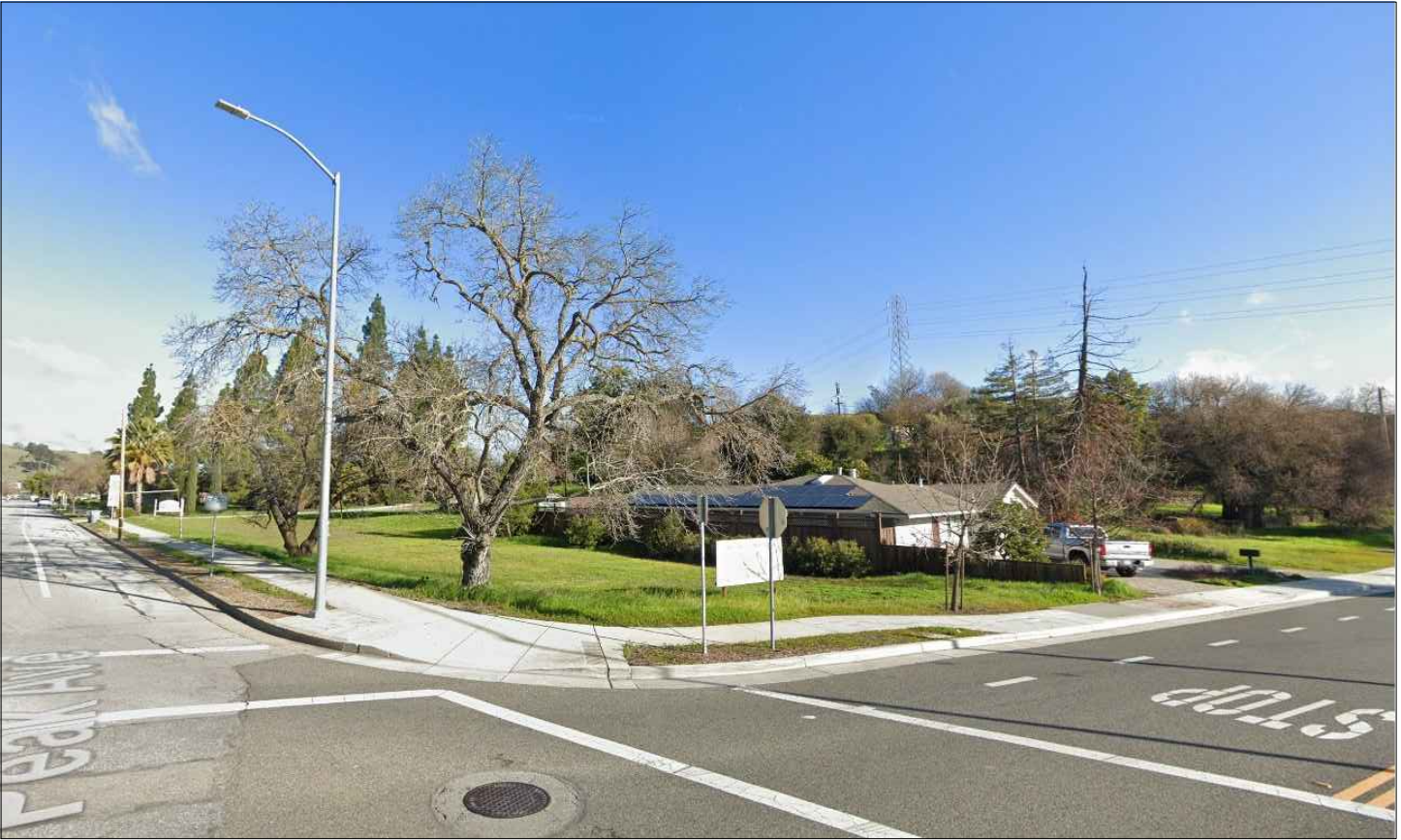
1
-
EXISTING CONDITION:
NW APPROACH ALONG PEAK AVE
SCALE: N/A



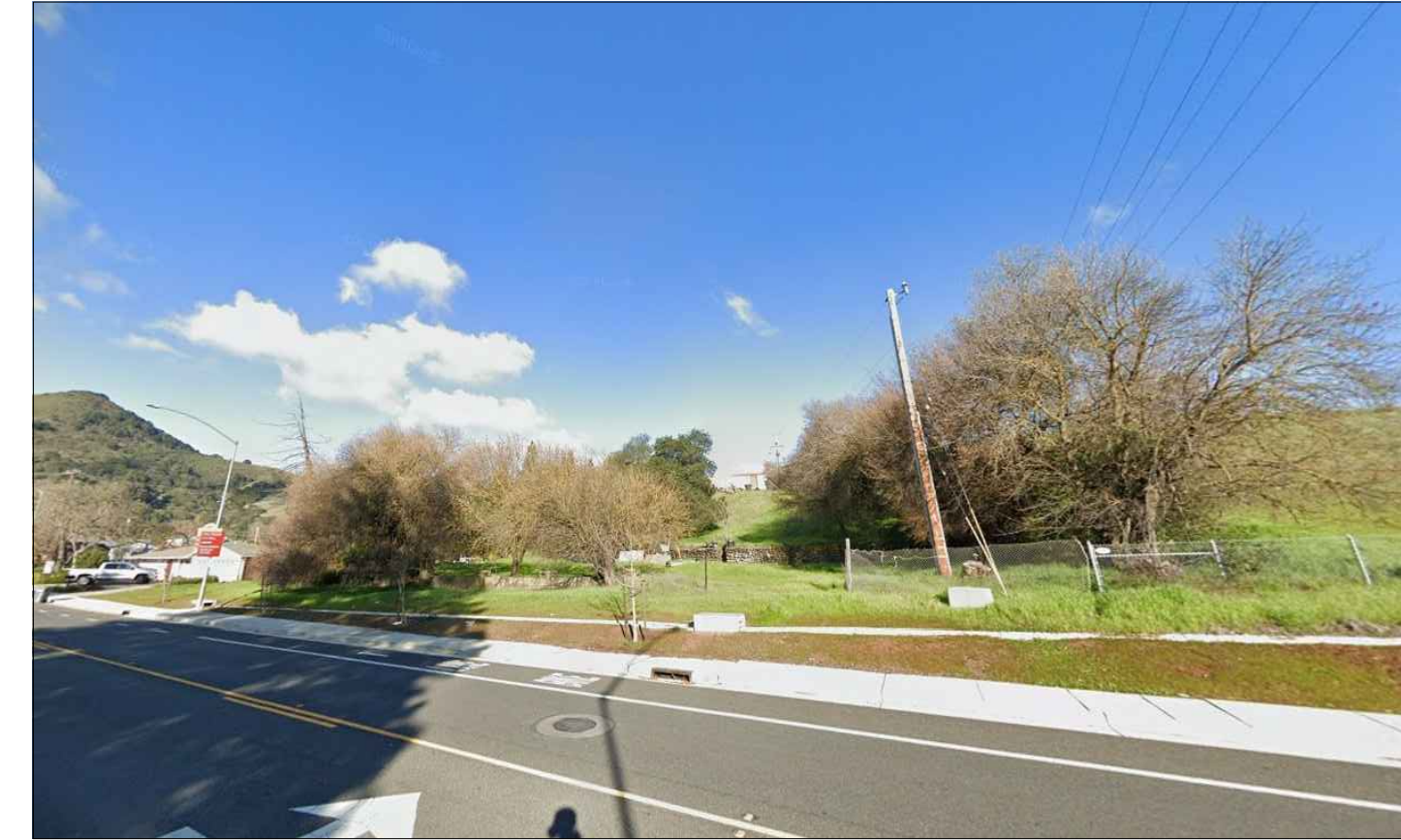
2
-
EXISTING CONDITION:
ENTRANCE DRIVEWAY ALONG PEAK AVE
SCALE: N/A



3
-
EXISTING CONDITION:
ALONG PEAK AVENUE
SCALE: N/A



4
-
EXISTING CONDITION:
PEAK AVE - W DUNNE AVE INTERSECTION
SCALE: N/A



5
-
EXISTING CONDITION:
ALONG W DUNNE AVE
SCALE: N/A



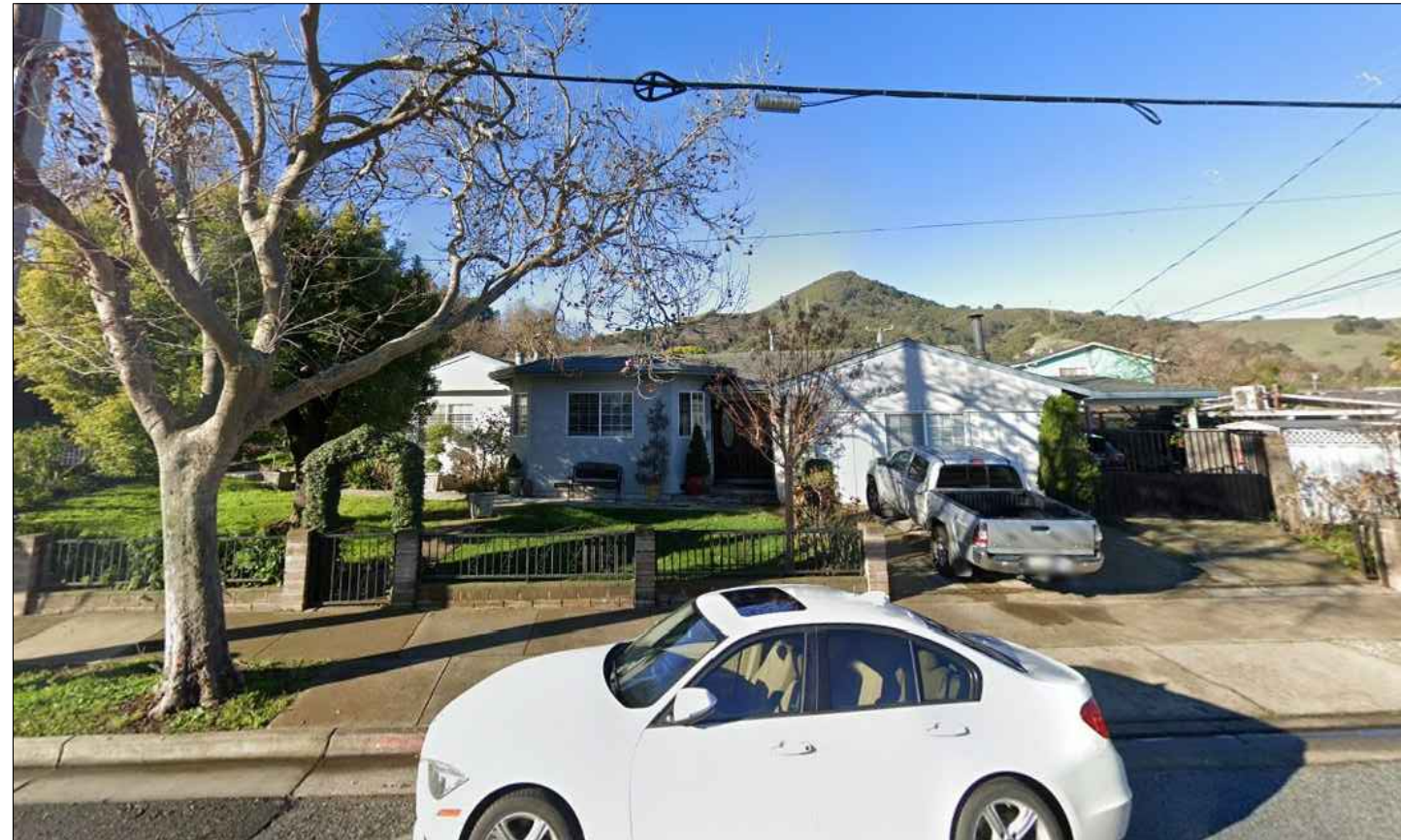
6
-
NEARBY PROPERTY:
370 NOBLE CT- PACIFIC HILLS MANOR
SCALE: N/A



7
-
NEARBY PROPERTY:
17115 PEAK AVE- 1 STORY HOUSE
SCALE: N/A



8
-
NEARBY PROPERTY:
410 FARALLON DR- 1 STORY HOUSE
SCALE: N/A



9
-
NEARBY PROPERTY:
17005 PEAK AVE- 1 STORY HOUSE
SCALE: N/A

VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



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REVISIONS	

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

EXISTING CONDITIONS
AND NEARBY PROPERTIES
PHOTOS 1/2

SHEET TITLE



NEARBY PROPERTY:
400 W DUNNE AVE- 1 STORY HOUSE
SCALE: N/A



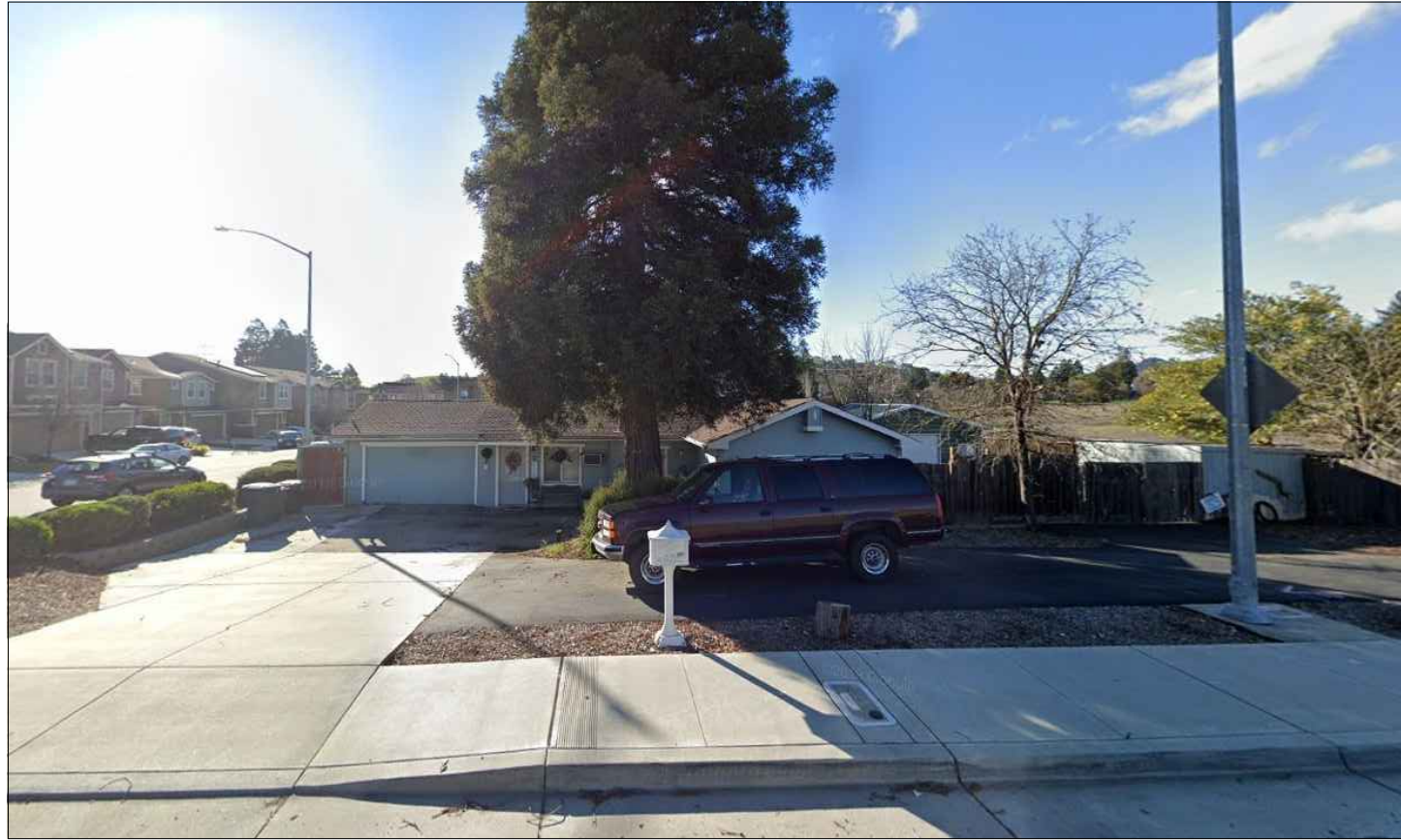
NEARBY PROPERTY:
380 W DUNNE AVE- LEVERTON MASONIC CENTER
SCALE: N/A



NEARBY PROPERTY:
385 W DUNNE AVE- 1 STORY HOUSE
SCALE: N/A



NEARBY PROPERTY:
370 W DUNNE AVE- EVERGREEN PARK
SCALE: N/A



NEARBY PROPERTY:
310 W DUNNE AVE- 1 STORY HOUSE
SCALE: N/A



NEARBY PROPERTY:
275 W DUNNE AVE- 1 STORY HOUSE
SCALE: N/A

112 SPAULDING STREET, SUITE A
SAN ANSELMO, CA 94960
T: 415.597.8860 F: 925.558.4814

HGCI
DESIGN|CONSTRUCT|WORK|LIVE

VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



STAMP

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REVISIONS

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

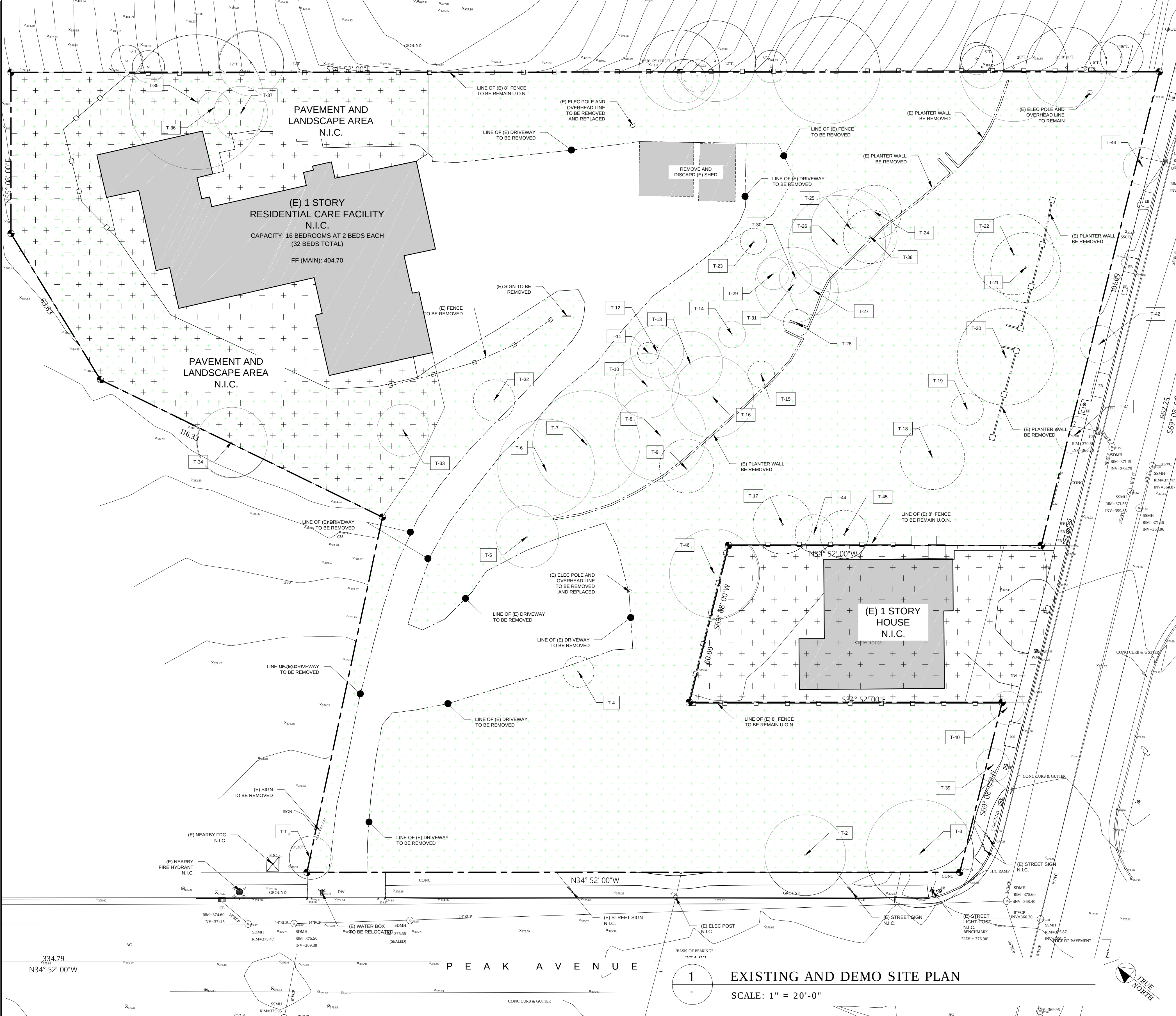
EXISTING CONDITIONS
AND NEARBY PROPERTIES
PHOTOS 2/2

SHEET TITLE

A1.2

SHEET NO.

EXISTING TREE SCHEDULE						
#	BOTANICAL NAME	COMMON NAME	DBH	APPX. HEIGHT	REMAIN/ REMOVE	SPECIFIC REMARKS
T-1	ARECACEAE	PALM TREE	(2) 20"	10'	REMAIN	PROTECT DURING CONSTRUCTION.
T-2	JUGLANS REGIA	WALNUT TREE	(3) 10"	20'	REMAIN	PROTECT DURING CONSTRUCTION.
T-3	JUGLANS REGIA	WALNUT TREE	30"	10'	REMAIN	PROTECT DURING CONSTRUCTION
T-4	ARECACEAE	PALM TREE	14"	10'	REMOVE	
T-5	PRUNUS DULCIS	ALMOND TREE	(5) 7"	10'	REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-6	GREVELLIA ROBUSTA	SILK OAK	18"	20'	REMAIN	PROTECT DURING CONSTRUCTION
T-7	QUERCUS AGRIFOLIA	COAST LIVE OAK	24"	20'	REMAIN	PROTECT DURING CONSTRUCTION
T-8	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(2) 12"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-9	PRUNUS DULCIS	ALMOND TREE	(4) 7"		REMOVE	
T-10	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(3) 10"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-11	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	6"		REMOVE	
T-12	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(2) 8"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-13	QUERCUS AGRIFOLIA	COAST LIVE OAK	7"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-14	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(2) 8"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-15	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	5"		REMOVE	
T-16	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	12", 13"	15'	REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-17	QUERCUS AGRIFOLIA	COAST LIVE OAK	10"		REMOVE	
T-18	SEQUOIA SEMPERVIRENS	RED WOOD	(2) 10", 12", 30"	45'	REMOVE	DEAD
T-19	ACACIA	ACACIA	6"	30'	REMOVE	
T-20	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	17", 24"	30'	REMOVE	
T-21	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(4) 6"	30'	REMOVE	
T-22	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(4) 10", 15"	30'	REMOVE	
T-23	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(3) 8"	20'	REMOVE	
T-24	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	9"	20'	REMOVE	
T-25	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	10"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-26	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	(2) 24", 10"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-27	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	9"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-28	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	6"		REMOVE	
T-29	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	8"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-30	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	6"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-31	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	9"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-32	PRUNUS DULCIS	ALMOND TREE	(2) 6", (2) 7"		REMOVE	
T-33	PRUNUS DULCIS	ALMOND TREE	(4) 6"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-34	PRUNUS DULCIS	ALMOND TREE	6", 9"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-35	QUERCUS LOBATA	VALLEY OAK	36"		REMAIN	PROTECT DURING CONSTRUCTION
T-36	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	6"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-37	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	6", 8"		REMAIN	PROTECT DURING CONSTRUCTION. MULTI TRUNK
T-38	QUERCUS AGRIFOLIA	COAST LIVE OAK	6"		REMOVE	
T-39	PISTACIA CHINESIS	CHINESE PISTACHE	6", 8"	15'	REMAIN	PROTECT DURING CONSTRUCTION
T-40	PISTACIA CHINESIS	CHINESE PISTACHE	6", 8"	15'	REMAIN	PROTECT DURING CONSTRUCTION
T-41	PISTACIA CHINESIS	CHINESE PISTACHE	4"	15'	REMAIN	PROTECT DURING CONSTRUCTION
T-42	PISTACIA CHINESIS	CHINESE PISTACHE	4"	15'	REMAIN	PROTECT DURING CONSTRUCTION
T-43	PISTACIA CHINESIS	CHINESE PISTACHE	4"	15'	REMAIN	PROTECT DURING CONSTRUCTION
T-44	CITRUS LEMON	LEMON TREE	7", 10"	12'	REMOVE	DEAD
T-45	CITRUS LEMON	LEMON TREE	6", 8"	12'	REMOVE	DEAD
T-46	SCHINUS TEREBINTHIFOLIUS	BRAZILLIAN PEPPER	12", 13"	15'	REMAIN	PROTECT DURING CONSTRUCTION



EXISTING AND DEMO SITE PLAN

SCALE: 1" = 20'-0"

DEMOLITION GENERAL NOTES:

- 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 FACILITIES ARE NECESSARY.
- ALL SPOILS, DEBRIS, AND INCIDENTAL ITEMS SHALL BE HAULED OFFSITE BY THE 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.
- COORDINATE SHUT-OFF OF ALL UTILITIES PRIOR TO ALL DEMOLITION.
- CONTRACTOR TO PROTECT AND KEEP (E) TREES UNLESS OTHERWISE NOTED TO BE REMOVED IN THIS DEMOLITION PLAN.
- THE (E) RESIDENTIAL CARE FACILITY SHALL REMAIN IN USE DURING CONSTRUCTION.
- THE SITE MUST BE CLEANED AT THE END OF EACH BUSINESS DAY.
- CONTRACTOR TO MAINTAIN SAFE AND SECURE SITE.
- SEE ARCHITECTURAL, CIVIL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS FOR ADDITIONAL DEMOLITION NOTES.

112 SPAULDING STREET, SUITE A
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VILA MONTE CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



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REVISIONS

12.30.2021 4 CUP: 3RD COMMENT RESPONSE

DATE 11.02.2020

SCALE AS NOTED

PROJECT ID 19037

DRAWN BY MDC

CHECKED BY AS

DEMOLITION SITE PLAN

SHEET TITLE

4
SHEET NO.

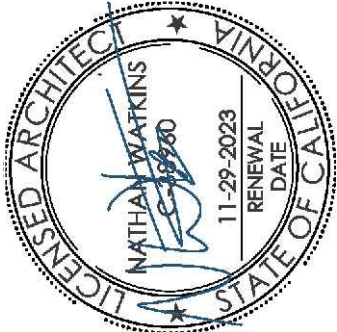
A1.3

VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

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REVISIONS

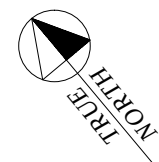
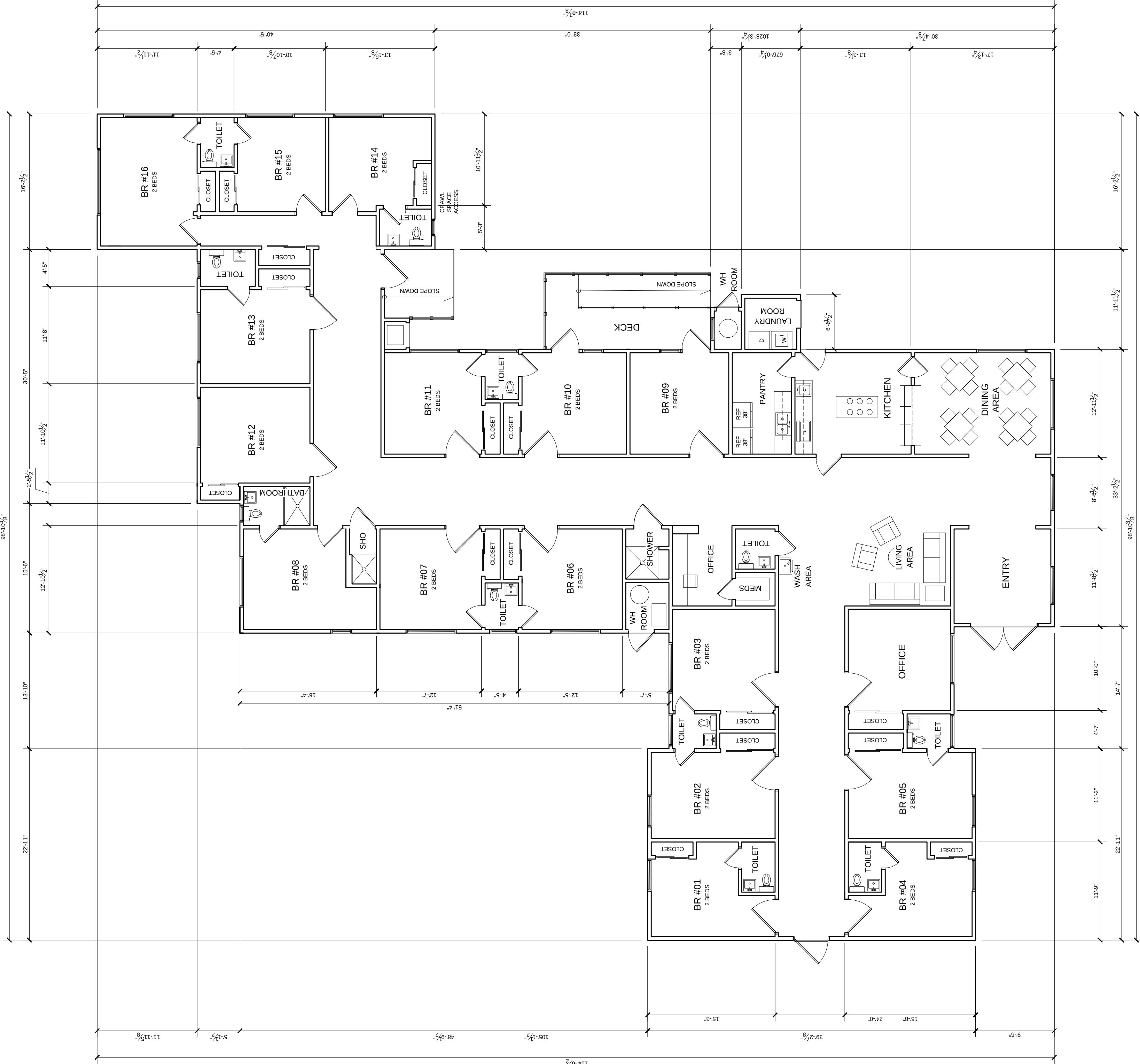
DATE	12.30.2021
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	JH

(E) RCF FLOOR PLAN

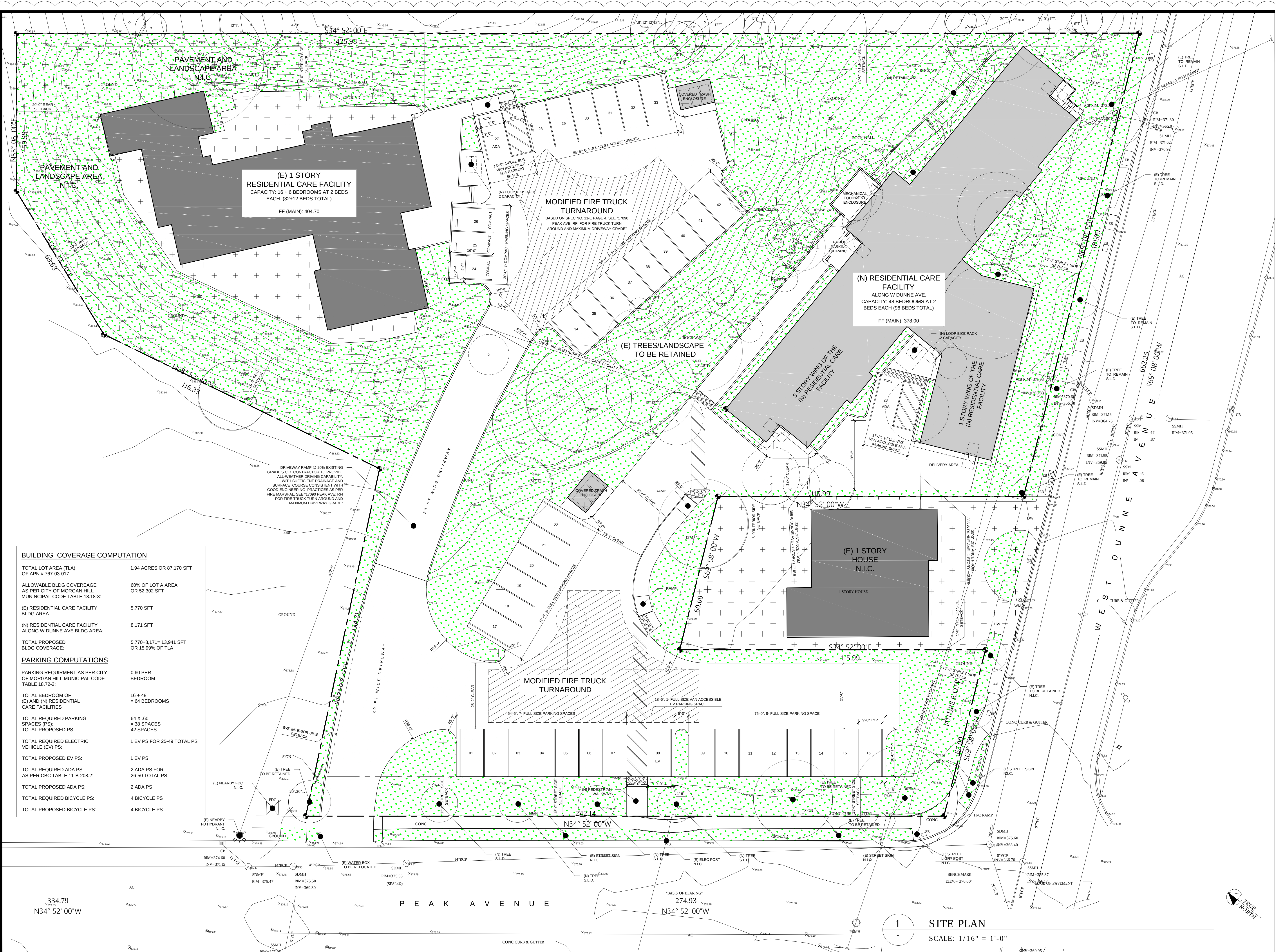
SHEET TITLE

SHEET NO.

A1.3a



1 (E) RCF FLOOR PLAN
SCALE: 1/8" = 1'-0"



BUILDING COVERAGE COMPUTATION	
TOTAL LOT AREA (TLA) OF APN # 767-03-017:	1.94 ACRES OR 87,170 SFT
ALLOWABLE BLDG COVERAGE AS PER CITY OF MORGAN HILL MUNICIPAL CODE TABLE 18.18.3:	60% OF LOT A AREA OR 52,302 SFT
(E) RESIDENTIAL CARE FACILITY BLDG AREA:	5,770 SFT
(N) RESIDENTIAL CARE FACILITY ALONG W DUNNE AVE BLDG AREA:	8,171 SFT
TOTAL PROPOSED BLDG COVERAGE:	5,770+8,171= 13,941 SFT OR 15.99% OF TLA
PARKING COMPUTATIONS	
PARKING REQUIREMENT AS PER CITY OF MORGAN HILL MUNICIPAL CODE TABLE 18.72-2:	0.60 PER BEDROOM
TOTAL BEDROOM OF (E) AND (N) RESIDENTIAL CARE FACILITIES	16 + 48 = 64 BEDROOMS
TOTAL REQUIRED PARKING SPACES (PS):	64 X .60 = 38 SPACES
TOTAL PROPOSED PS:	42 SPACES
TOTAL REQUIRED ELECTRIC VEHICLE (EV) PS:	1 EV PS FOR 25-49 TOTAL PS
TOTAL PROPOSED EV PS:	1 EV PS
TOTAL REQUIRED ADA PS AS PER CBC TABLE 11-B-208.2:	2 ADA PS FOR 26-50 TOTAL PS
TOTAL PROPOSED ADA PS:	2 ADA PS
TOTAL REQUIRED BICYCLE PS:	4 BICYCLE PS
TOTAL PROPOSED BICYCLE PS:	4 BICYCLE PS

117 SPALDING STREET, SUITE A
SAN ANSELMO, CA 94060
T: 415.597.6880 F: 925.556.4814

HGCI

DESIGN|CONSTRUCT|WORK|LIVE

VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437

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REVISIONS		
03.01.2021	2	CUP: 1ST COMMENT RESPONSE
04.29.2021	3	CUP: 2ND COMMENT RESPONSE
12.30.2021	4	CUP: 3RD COMMENT RESPONSE
03.14.2022		SITE PLAN UPDATE
06.22.2022		SITE PLAN UPDATE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

SITE PLAN

SHEET TITLE

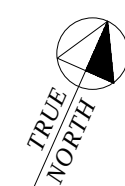
1234

SHEET NO.

A1.4



1 (N) RCF GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



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SAN ANSELMO, CA 94960
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REVISIONS

03.20.2021	2	CUP: 1ST COMMENT RESPONSE
12.30.2021	4	CUP: 3RD COMMENT RESPONSE

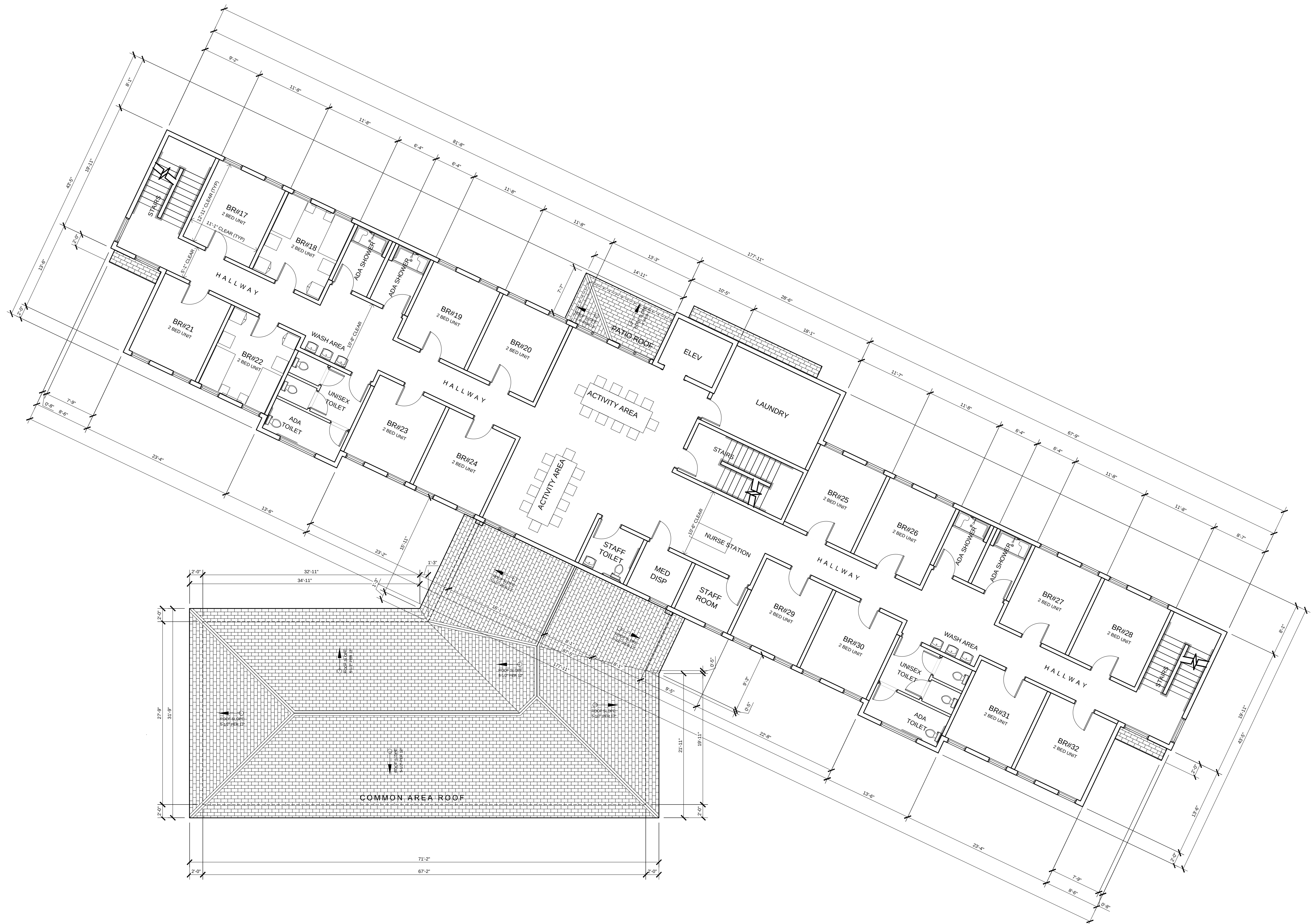
DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

GROUND FLOOR PLAN

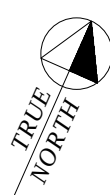
SHEET TITLE

4
SHEET NO.

A1.5



1 (N) RCF SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



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SAN ANSELMO, CA 94960
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VILA MONTE
CARE FACILITY

APN 767-03-017

PROJECT ADDRESS
17090 PEAK AVENUE,
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REVISIONS

03.01.2021	2	CUP: 1ST COMMENT RESPONSE
12.30.2021	4	CUP: 3RD COMMENT RESPONSE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

SECOND FLOOR PLAN

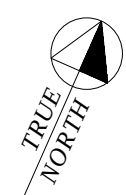
SHEET TITLE

4
SHEET NO.

A1.6



1 (N) RCF THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



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REVISIONS

03.01.2021	2	CUP: 1ST COMMENT REPOSE
12.30.2021	4	CUP: 3RD COMMENT RESPONSE

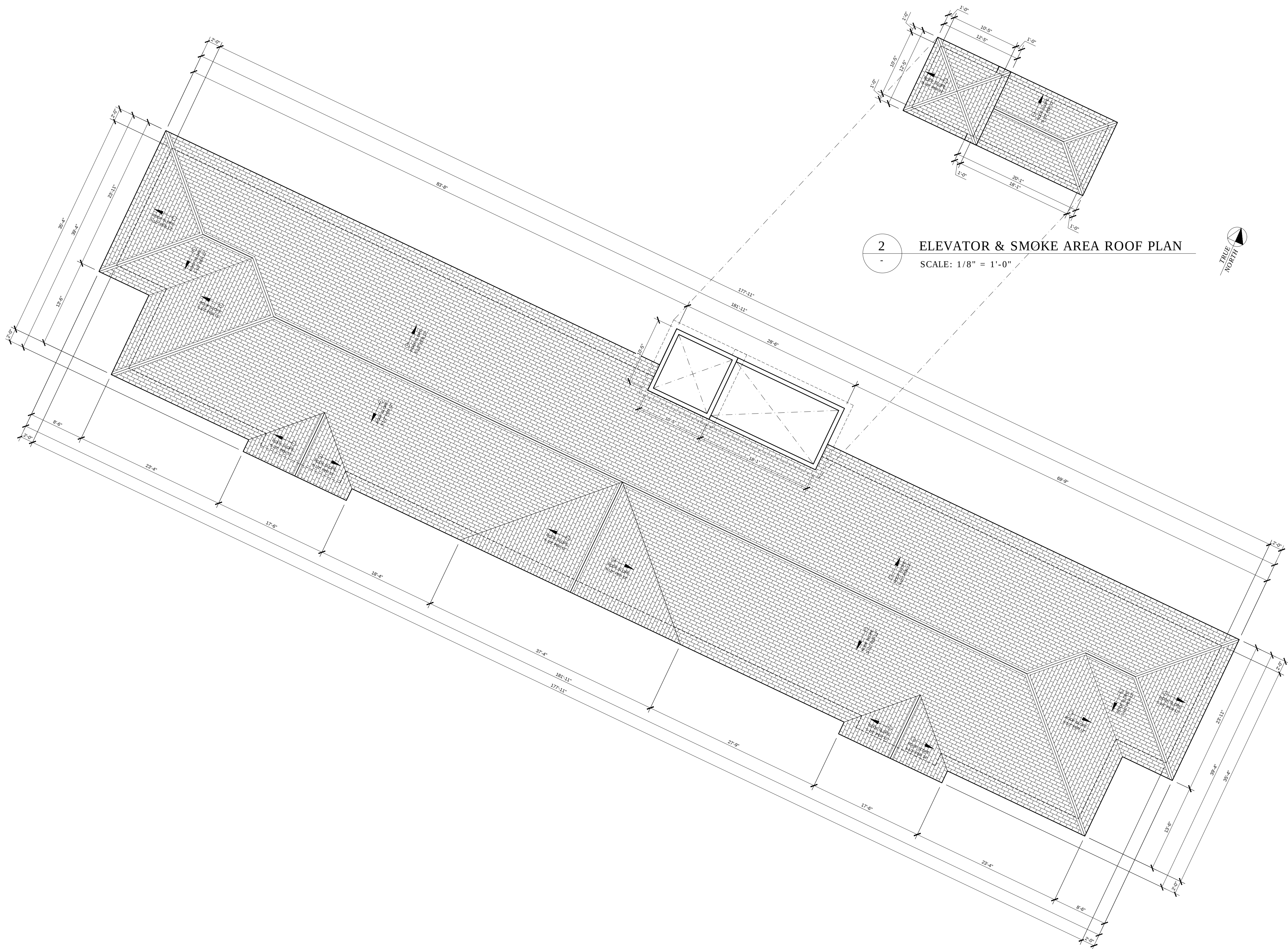
DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

THIRD FLOOR PLAN

SHEET TITLE

4
SHEET NO.

A1.7



1 MAIN ROOF PLAN
SCALE: 1/8" = 1'-0"

2 ELEVATOR & SMOKE AREA ROOF PLAN
SCALE: 1/8" = 1'-0"

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12.30.2021	4	CUP: 3RD COMMENT RESPONSE

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SCALE	AS NOTED
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DRAWN BY	MDC
CHECKED BY	AS

ROOF PLAN

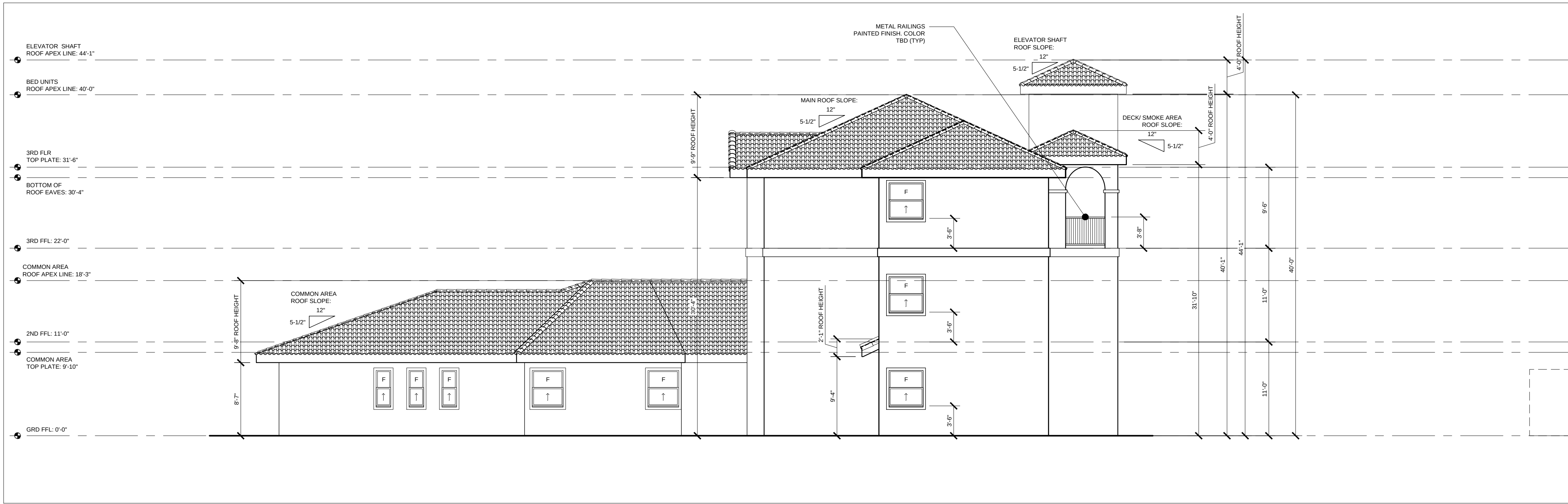
SHEET TITLE

4
SHEET NO.

A1.8



1 (N) RCF SOUTH ELEVATION: FACING W DUNNE AVE
SCALE: 1/8" = 1'-0"



2 (N) RCF EAST ELEVATION: FACING W DUNNE AVE
SCALE: 1/8" = 1'-0"

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REVISIONS

03.01.2021	2	CUP: 1ST COMMENT RESPONSE
04.29.2021	3	CUP: 2ND COMMENT RESPONSE
12.30.2021	4	CUP: 3RD COMMENT RESPONSE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	19037
DRAWN BY	MDC
CHECKED BY	AS

(N) RCF SOUTH & EAST
ELEVATIONS

SHEET TITLE

2 3 4
SHEET NO.

A2.0



PROJECT ADDRESS
17090 PEAK AVENUE,
MORGAN HILL CA, 95037

MANAGED BY: HGCI
B-GENERAL BUILDING CONTRACTOR
LIC.# 720437



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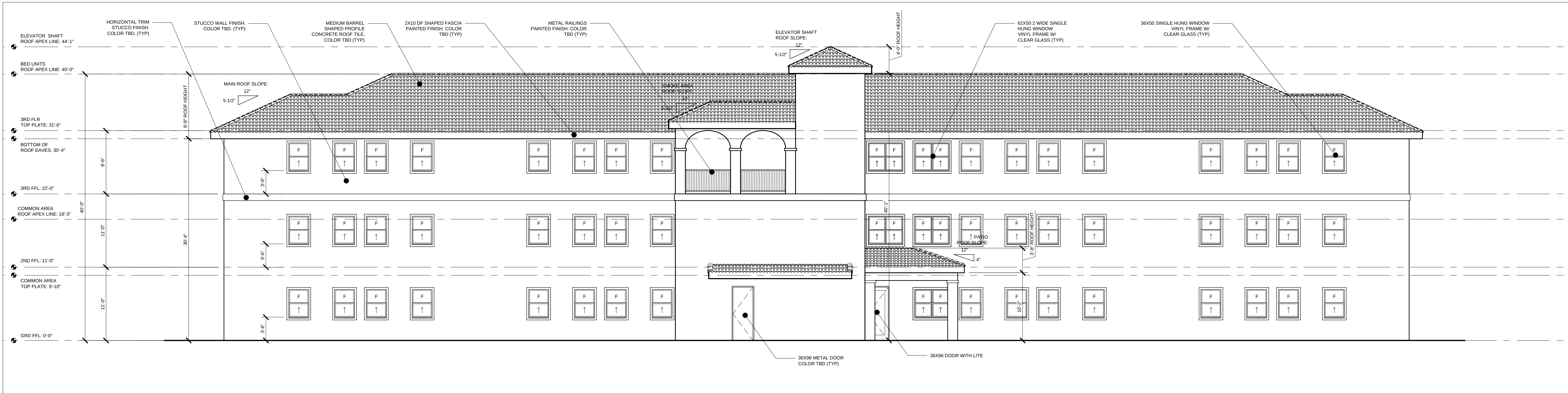
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04.29.2021	<u>3</u>	CUP: 2ND COMMENT RESPONSE
12.30.2021	<u>4</u>	CUP: 3RD COMMENT RESPONSE

DATE	11.02.2020
SCALE	AS NOTED
PROJECT ID	1903
DRAWN BY	MDG
CHECKED BY	AS

(N) RCF NORTH & WEST
ELEVATIONS

SHEET NO.

A2.1



1

(N) RCF NORTH ELEVATION: FACING (E) RCF

SCALE: 1/8" = 1'-0"



2

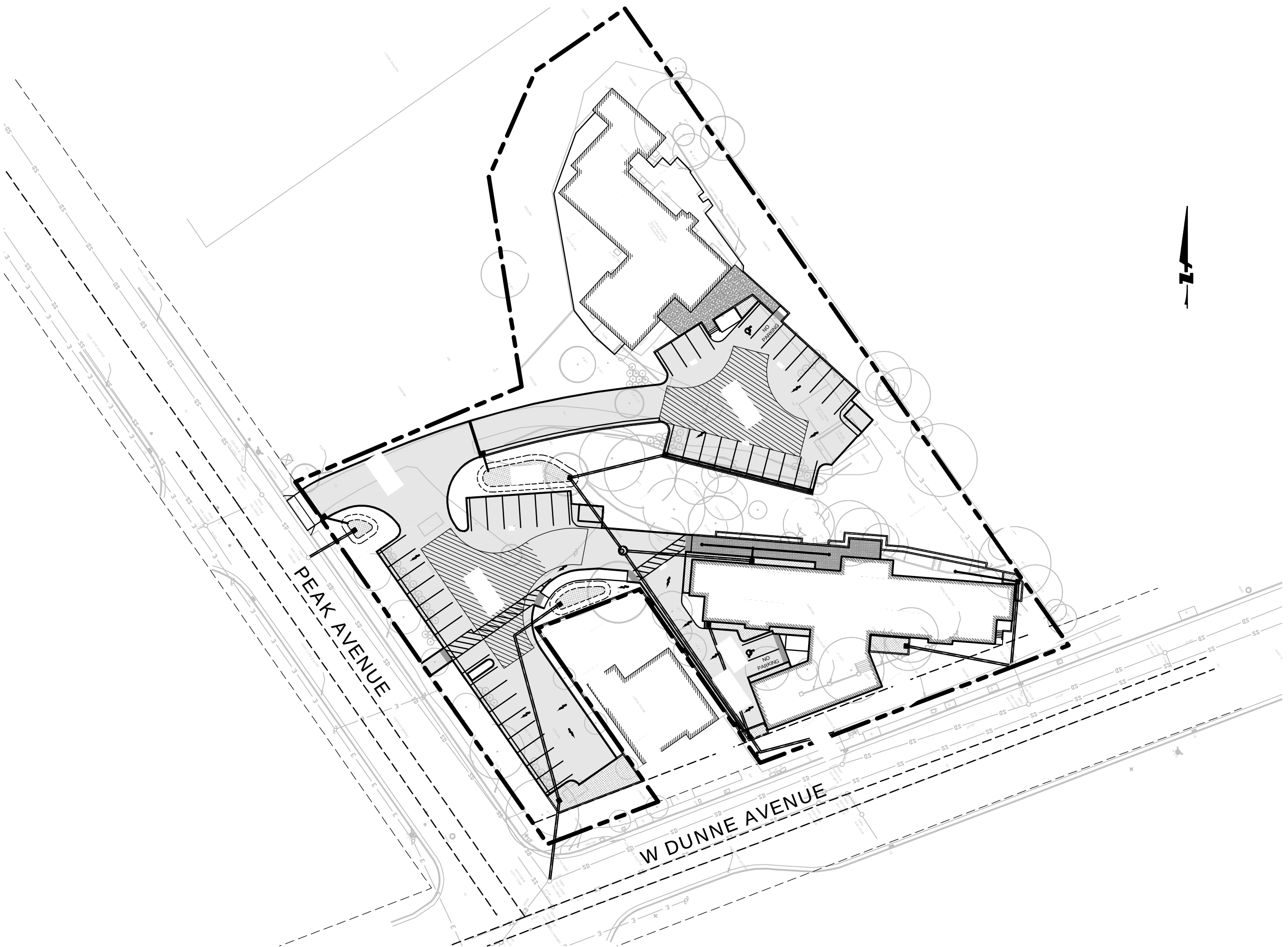
(N) RCF WEST ELEVATION

SCALE: 1/8" = 1'-0"

PLANNING APPLICATION
17090 PEAK AVENUE
CITY OF MORGAN HILL, SANTA CLARA COUNTY, CALIFORNIA



VICINITY MAP
APPROX SCALE: 1"=250'



SITE PLAN
SCALE: 1"=50'

PROJECT SUMMARY

PROPERTY ADDRESS:	17090 PEAK AVENUE MORGAN HILL, CA 95037
ENGINEER:	TALUS, INC. 811 SAN RAMON VALLEY BLVD #201 DANVILLE, CA 94526 (415) 948-0440
DESIGNER:	HUSTON GENERAL CONTRACTING, INC. 112 SPAULDING STREET, UNIT A SAN ANSELMO, CA 94960 (415) 597-6880
ASSESSOR'S PARCEL NO:	APN'S 053-060-07
TOTAL AREA:	87,170 SQ FT (APPROX 2.00 ACRES)
EXISTING ZONING:	
EXISTING LAND USE:	
PROPOSED ZONING:	
PROPOSED LAND USE:	
UTILITIES:	
WATER SUPPLY:	CITY OF MORGAN HILL
FIRE PROTECTION:	MORGAN HILL DEPARTMENT
SEWAGE DISPOSAL:	CITY OF MORGAN HILL
STORM DRAIN:	CITY OF MORGAN HILL
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T
CABLE TELEVISION:	COMCAST

SHEET INDEX

NUMBER	DESCRIPTION
C1.0	TITLE SHEET
C2.0	PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
C3.0	CROSS SECTIONS
C4.0	STORM WATER CONTROL PLAN

ENGINEER'S STATEMENT

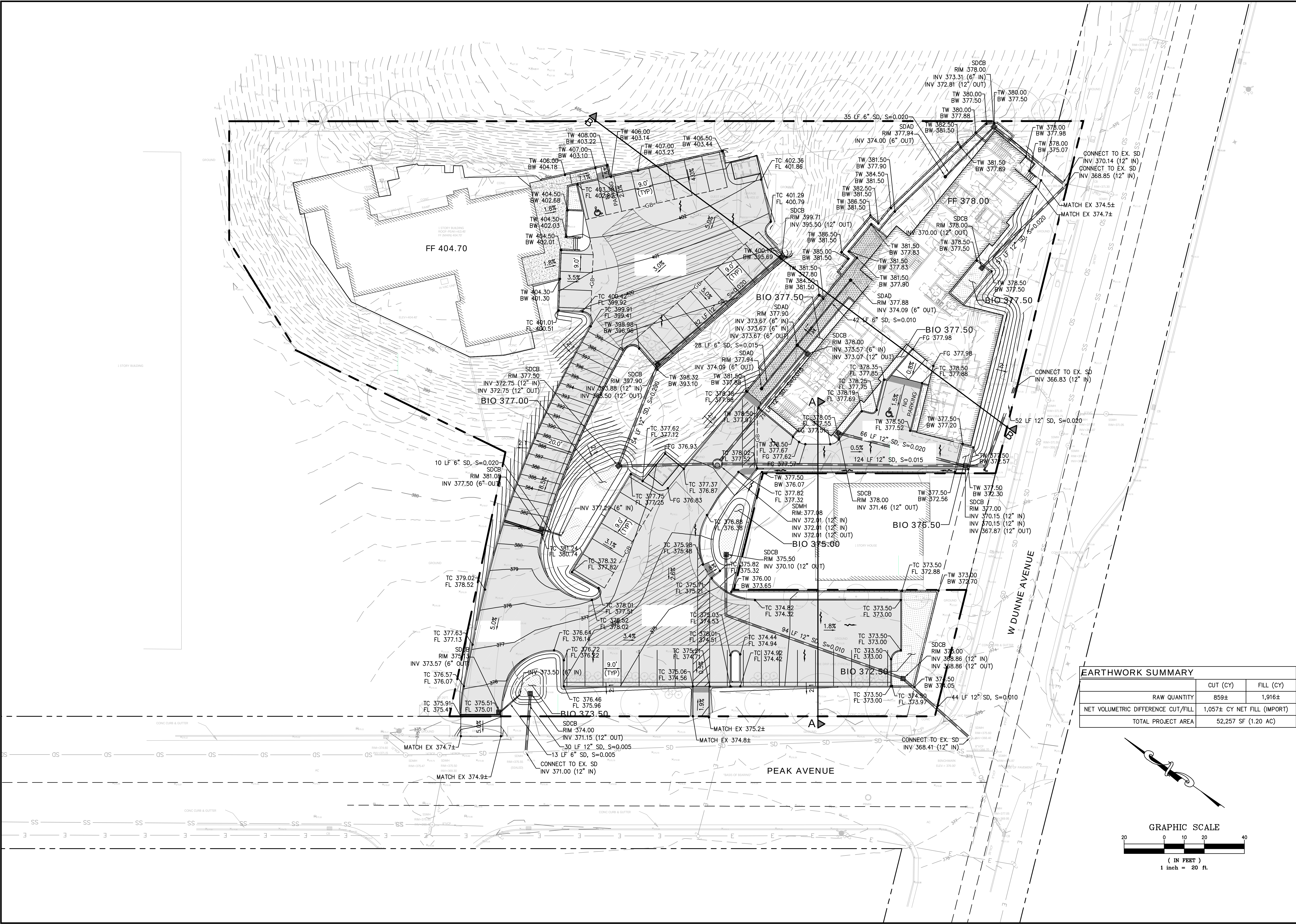
THIS TENTATIVE PARCEL MAP HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE.

Easton C. McAllister

EASTON C. MCALLISTER, PE
P.E. #61148 EXP 12/31/20

10/08/2021
DATE

DRAWING NAME: P:\02065\PLANNING SET\CE-2 20265 GRAD.dwg
PLOT DATE: 10-04-21 PLOTTED BY: emile



EARTHWORK SUMMARY		
	OUT (CY)	FILL (CY)
RAW QUANTITY	859±	1,916±
NET VOLUMETRIC DIFFERENCE CUT/FILL	1,057± CY NET FILL (IMPORT)	
TOTAL PROJECT AREA	52,257 SF (1.20 AC)	



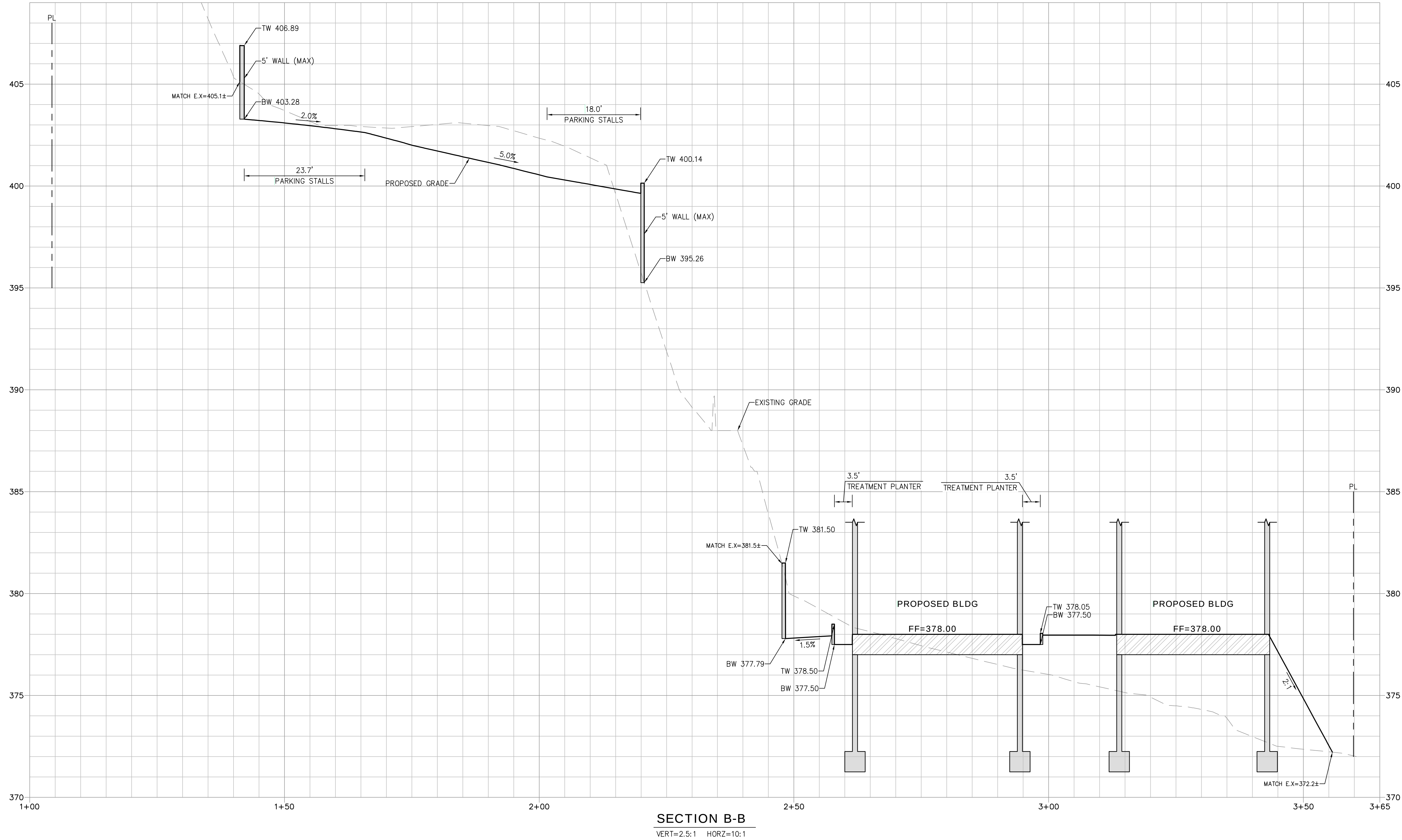
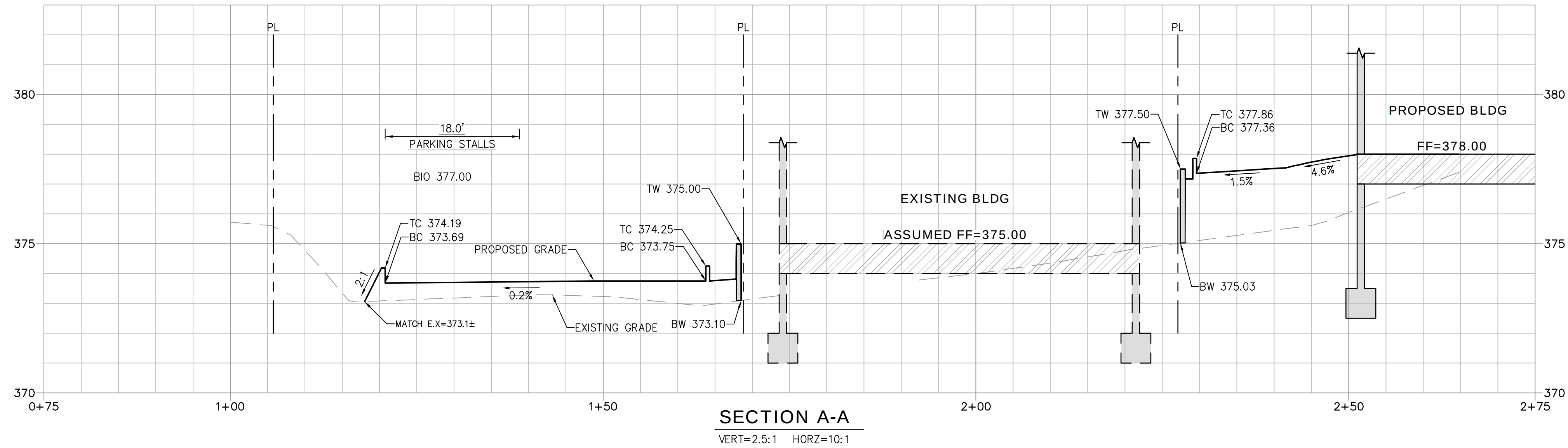
TALUS
ENGINEERING | PLANNING | DEVELOPMENT

VILLA MONTE CARE FACILITY
17090 PEAK AVENUE
PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
MORGAN HILL
SANTA CLARA COUNTY
CALIFORNIA

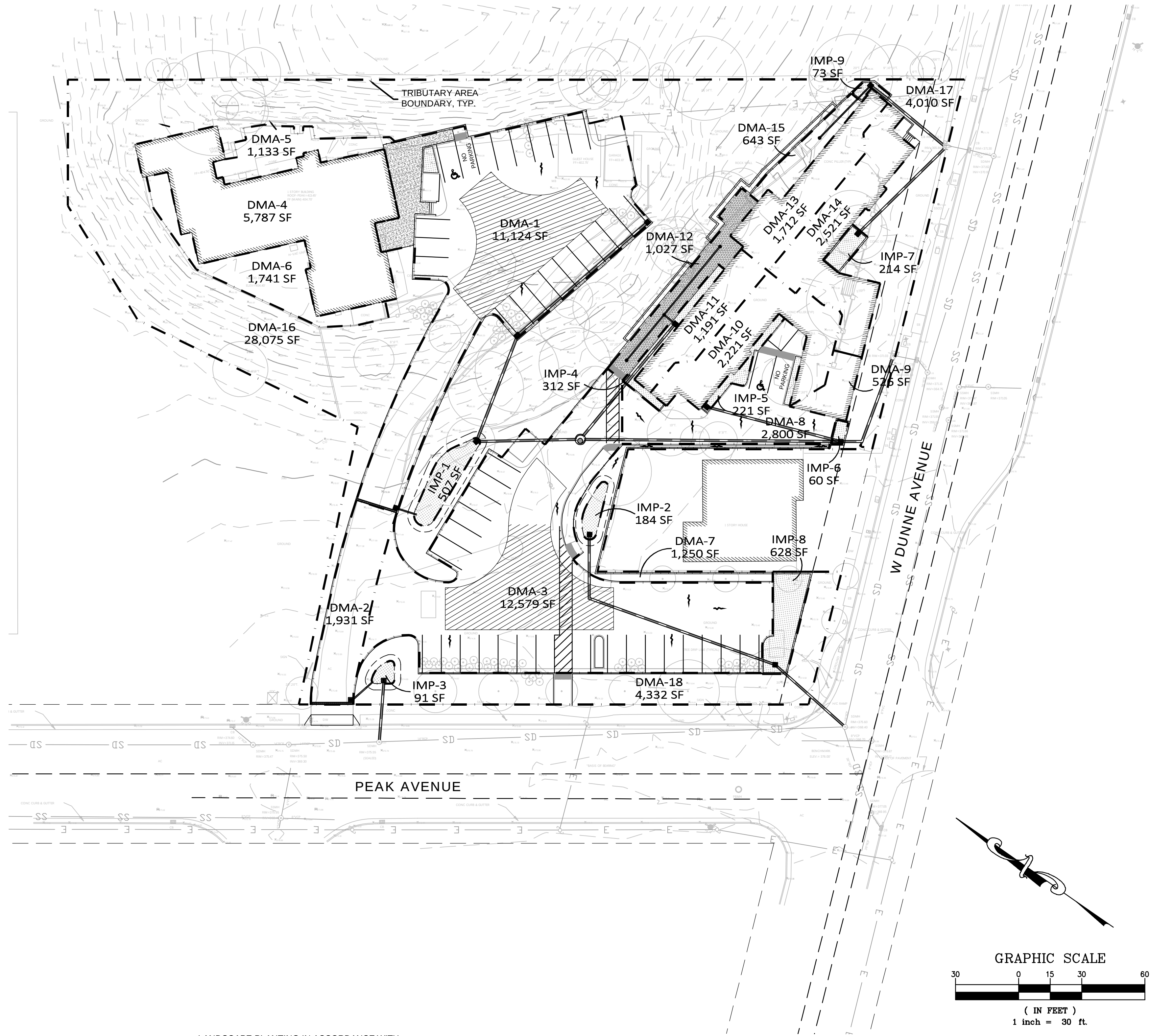
Revisions

No.					
Stamp					
Date	10/08/21				
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Job No.	20265				
Drawing Number:	C2.0				
	2 OF 4				

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PLOT DATE: 10-04-21 PLOTTED BY: emile



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PLOT DATE: 10-04-21 PLOTTED BY: emile



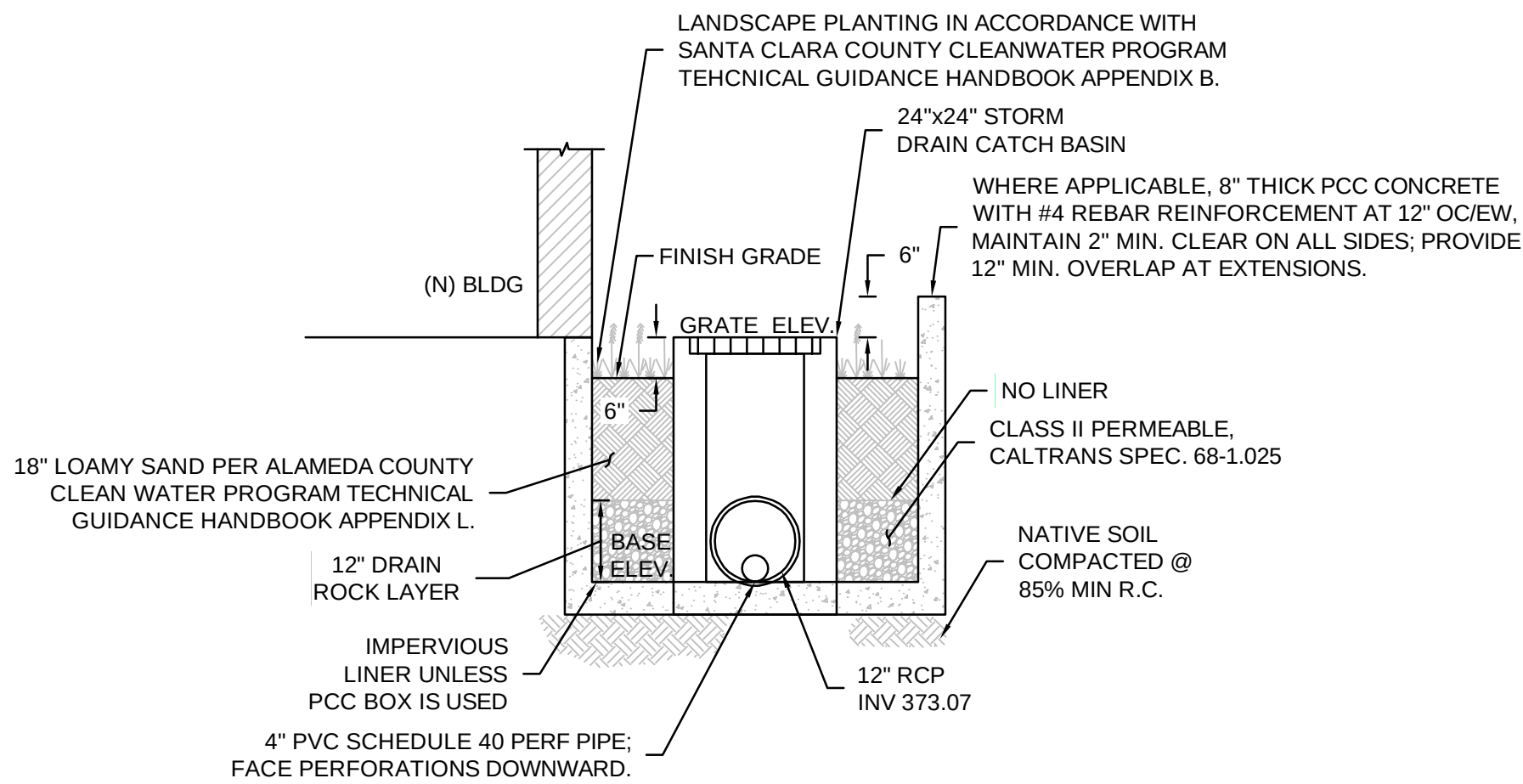
- LEGEND**
- FLOW-THROUGH PLANTER (IMP)
 - AREA DRAIN
 - OVERFLOW DRAIN
 - STORM DRAIN LINE
 - DENOTES AREA (DMA)
 - DRAINAGE MANAGEMENT AREA
 - INTEGRATED MANAGEMENT PRACTICE

IMPERVIOUS DMAS			
DMA	AREA	SURFACE	DRAINS TO IMP #
1	11,124± SF	PAVEMENT	1
2	1,931± SF	PAVEMENT	3
3	12,579± SF	PAVEMENT	8
4	5,787± SF	ROOF	DMA-16
5	1,133± SF	PAVEMENT	DMA-16
6	1,741± SF	PAVEMENT	DMA-16
8	2,800± SF	PAVEMENT	2
9	525± SF	ROOF	6
10	2,221± SF	ROOF	5
11	1,191± SF	ROOF	4
13	1,712± SF	ROOF	9
14	2,521± SF	ROOF	7
TOTAL	47,115± SF		

SELF-TREATING DMAS		
DMA	AREA	SURFACE
7	1,250± SF	LANDSCAPE
17	4,010± SF	LANDSCAPE
18	4,332± SF	LANDSCAPE
TOTAL	9,592± SF	

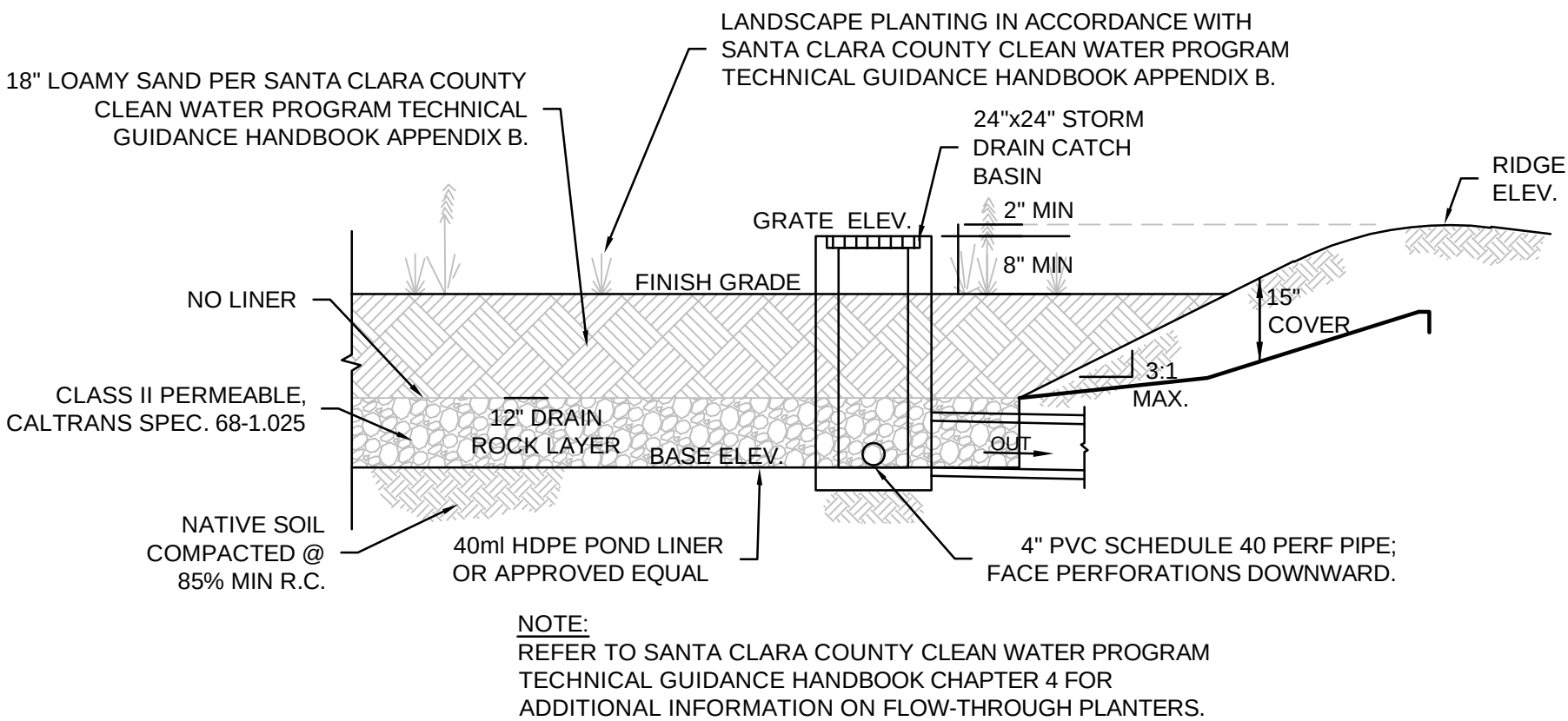
SELF-RETAINING DMAs		
DMA	AREA	SURFACE
12	1,207±	PERVIOUS
15	643±	LANDSCAPE
16	28,075± SF	LANDSCAPE
TOTAL	29,925± SF	

IMP	AREA DRAINING TO IMP (SF)	4% OF AREA (SF)	SIZE (SF)
1	11,124	445	507± SF
2	2,800	112	184± SF
3	1,931	77	91± SF
4	1,191	48	312± SF
5	2,221	89	221± SF
6	525	21	60± SF
7	2,521	101	214± SF
8	12,702	508	628± SF
9	1,712	68	73± SF



FLOW THROUGH PLANTER - TYPICAL (IMP 4-9)

N.T.S.



BIORETENTION AREA (IMP 1-3)

N.T.S.

City of Morgan Hill
Development Services Department



Peak Avenue Assisted Living Project
Initial Study

May 2022

Prepared by



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APPENDICES

Appendix A: Air Quality and Greenhouse Gas Modeling Results

Appendix B: Tree Inventory Report

Appendix C: Preliminary Hydrology Report

INITIAL STUDY

June 2022

A. BACKGROUND

1. Project Title: Peak Avenue Assisted Living Project
2. Lead Agency Name and Address: City of Morgan Hill
Development Services Department
Morgan Hill, CA
17575 Peak Avenue
Morgan Hill, CA 95037
3. Contact Person and Phone Number: Tiffany Brown
Associate Planner
(408) 778-6480
4. Project Location: 17090 Peak Avenue
Morgan Hill, CA 95037
Assessor's Parcel Number 767-03-017
5. Project Sponsor's Name and Address: Villa Monte RCFE
PO Box Z
San Jose, California 95151
(408) 993-9268
6. Existing General Plan Designation: Residential Attached Medium
7. Existing Zoning Designation: Residential Attached Medium (RAM)
8. Required Approvals from Other Public Agencies: Regional Water Quality Control Board
Santa Clara Valley Water District
Bay Area Air Quality Management District
9. Surrounding Land Uses and Setting:

The 1.94-acre project site is located at 17090 Peak Avenue, north of the intersection of Peak Avenue and West Dunne Avenue, in the City of Morgan Hill, California. The site is identified by Assessor's Parcel Number (APN) 767-03-017, and currently contains a 28-bed single-story residential care facility, two sheds, a private driveway, parking lot, and trees. The southern boundaries of the project site include a cut-out area that borders an existing residence located along West Dunne Avenue on three sides. Surrounding existing uses include Pacific Hills Manor, a 99-bed residential care facility, to the north; undeveloped land to the east; the Morgan Hill Masonic Center, an office building, and associated parking areas to the south, across from West Dunne Avenue; and single-family homes to the west, across from Peak Avenue. The City of Morgan Hill 2035 General Plan designates the site as Residential Attached Medium and the site is zoned Residential Attached Medium (RAM).

10. Project Description Summary:

The Peak Avenue Assisted Living Project (proposed project) would consist of the construction of a new three-story, 18,201-square-foot building along West Dunne Avenue, which would be comprised of 48 new bedrooms and 96 new beds. Overall, the proposed project would increase the number of on-site beds from 28 to 128. Additionally, the existing driveway and parking lot would be removed and replaced to meet current requirements. The facility would provide 24-hour care to adults who are dual diagnosed as seriously mentally ill in combination with some medical conditions that preclude them from being placed in a standard residential care facility.

The necessary entitlements include a Conditional Use Permit and Design Review Permit. The Conditional Use Permit would address the existing 28-bed facility's inconsistency with the RAM zone, as well as the expansion.

B. SOURCES

The following documents are referenced information sources used within this analysis:

1. Association of Bay Area Governments. *Dam Failure Inundation Hazard Map for Morgan Hill*. 1995. Available at: http://www.mhcert.com/prepare/dam_failure.shtml. Accessed February 2022.
2. Association of Bay Area Governments. *Resilience Program*. Available at: <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>. Accessed March 2022.
3. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. May 2017.
4. California Air Resources Board. *The 2017 Climate Change Scoping Plan Update*. January 20, 2017.
5. California Building Standards Commission. *California Green Building Standards Code*. 2019.
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7. California Department of Conservation. *Santa Clara County Important Farmland Map 2016*. September 2018.
8. California Department of Finance. *E-5 City/County Population and Housing Estimates*. Available at: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>. May 2021.
9. California Department of Forestry and Fire Protection. *Morgan Hill, Very High Fire Hazard Severity Zones in LRA*. October 9, 2008.
10. California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: John Smith Road Landfill (35-AA-0001)*. Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2583>. Accessed May 2022.
11. California Department of Transportation. *Scenic Highways*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed March 2022.
12. California Energy Commission. *Title 24 2019 Building Energy Efficiency Standards FAQ*. November 2018.
13. California Historical Resources Information System. *Record search results for the proposed Peak Avenue Assisted Living Project*. April 14, 2022.
14. California Water Boards. *Central Coast Post-Construction Stormwater Requirements*. Available at:

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 16. Caltrans. *Transportation Related Earthborne Vibrations*. TAV-02-01-R9601. February 20, 2002.
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 18. City of Fountain Valley. *Transportation Impact Assessment Guidelines for Land Use Projects in CEQA and for General Plan Consistency* [pg.17]. June 2020.
 19. City of Morgan Hill. *2015 Urban Water Management Plan*. October 2016.
 20. City of Morgan Hill. *2035 General Plan, City of Morgan Hill*. Adopted July 2016.
 21. City of Morgan Hill. *2035 General Plan EIR*. January 2016.
 22. City of Morgan Hill. *Bikeways, Trails, Parks and Recreation Master Plan*. Adopted July 2017.
 23. City of Morgan Hill. *City Council Staff Report 2163, Accept Report Regarding Wastewater System Needs and Rate Study Schedule*. February 6, 2019.
 24. City of Morgan Hill. *City of Morgan Hill Wildland Urban Interface Map*. March 2009.
 25. City of Morgan Hill. *Emergency Operations Plan*. January 11, 2018.
 26. City of Morgan Hill. *Stormwater and Urban Runoff Management*. Available at: <https://www.morgan-hill.ca.gov/737/Phase-II-General-Stormwater-Permit>. Accessed March 2022.
 27. Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29. Accessed March 2022.
 28. Dwight Good, Assistant Chief Cooperative Fire Protection, Morgan Hill Fire Department. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning and Management, Inc. June 1, 2021.
 29. Federal Emergency Management Agency. *National Flood Hazard Layer FIRMette No. 06085C606H*. Accessed February 2022.
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 31. Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Guidelines*. May 2006.
 32. Hexagon Transportation Consultants, Inc. *Subject: Trip Generation and Operations Analysis for the Proposed 16685 Church Street Senior Housing Project in Morgan Hill, California*. July 2, 2020.
 33. Historic Resource Associates. *Re: Historic Resource Analysis Study of the Morgan Hill Senior Housing Project, 16685 Church Street and 94 San Pedro Avenue, Morgan Hill, Santa Clara County, CA*. June 25, 2020.
 34. Horticultural Associates. *Tree Inventory Report*. March 9, 2022.
 35. Native American Heritage Commission. *Re: Peak Avenue Assisted Living Project, Santa Clara County*. March 24, 2022.
 36. Robert Del Rio, T.E., Vice President & Principal Associate, Hexagon Transportation Consultants, Inc. Personal Communication [email] with Nick Pappani, Vice President, Raney Planning and Management, Inc. May 24, 2022.

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38. Santa Clara Countywide VMT Evaluation Tool. *Results*. Available at: <https://vmttool.vta.org/>. Accessed March 2022.
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40. Santa Clara Valley Habitat Agency. Geobrowser. Available at: <http://www.hcpmaps.com/habitat/>. Accessed February 2022.
41. Santa Clara Valley Transportation Authority. *2021 Congestion Management Program Document*. December 2021.
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43. Santa Clara Valley Water District. *C1: Anderson Dam Seismic Retrofit**. Available at: <https://www.valleywater.org/anderson-dam-project>. Updated October 2021.
44. Schaaf & Wheeler Consulting Civil Engineers. *Subject: Morgan Hill Senior Housing Project Hydraulic Impact Study*. September 18, 2019.
45. State Water Resources Control Board. *GeoTracker*. Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=morgan+hill>. Accessed March 2022.
46. Stephen L. Kostka and Michael H. Zischke. *Practice Under the California Environmental Quality Act, Second Edition*. March 2019 Update.
47. United States Department of Agriculture. *Web Soil Survey*. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed March 2022.

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

As indicated by the checklist on the following pages, the proposed project would not result in significant impacts to any of the environmental factors listed below, and mitigation would not be required.

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forest Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology and Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards and Hazardous Materials |
| ☐ Hydrology and Water Quality | ☐ Land Use and Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population and Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities and Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

D. DETERMINATION

On the basis of this initial study:

- ☒ I find that this environmental checklist provides substantial evidence that the proposed project can be considered exempt from the California Environmental Quality Act on the basis that it meets the criteria for the Infill Development Project Exemption (Guidelines Section 15332) and does not meet any of the exceptions for exemptions (Guidelines Section 15300.2).
- ☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Tiffany Brown, Associate Planner
Printed Name

Date

City of Morgan Hill
For

E. BACKGROUND AND INTRODUCTION

In July 2016, the City of Morgan Hill adopted the 2035 General Plan,¹ as well as an associated Environmental Impact Report (EIR) for the updated General Plan.² The General Plan EIR is a program EIR, prepared pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines (Title 14, California Code of Regulations [CCR], Sections 15000 *et seq.*). The General Plan EIR analyzed full implementation of the General Plan and identified measures to mitigate the significant adverse impacts associated with the General Plan.

The City of Morgan Hill 2035 General Plan designates the project site as Residential Attached Medium, which allows for attached housing types including townhomes, garden apartments, and stacked flats. The Residential Attached Medium designation allows for a density of 16 to 24 dwelling units per acre (du/ac). The site is zoned RAM. The existing 5,770-square foot, 28-bed care facility was constructed in 1958 under a previous Zoning Ordinance that allowed the use by right. The current Zoning Ordinance requires a Conditional Use Permit for residential care facilities in the RAM zoning district. The existing facility is considered legal non-conforming. In 2016, a Conditional Use Permit was approved for the site that would have allowed an expansion of the use with two new buildings to allow a total of 84 beds on site. The 2016 expansion project was deemed categorically exempt from CEQA under Section 15332, Infill. The facility was not expanded, and the 2016 Conditional Use Permit expired.

The purpose of this Initial Study is to evaluate whether the proposed project is exempt from review pursuant to CEQA. Secondly, this Initial Study evaluates whether the proposed project meets any of the exceptions or exemptions listed in Section 15300.2 of the CEQA Guidelines. The summary of the analysis contained in this Initial Study and the relevant findings related to the above key inquiries is presented in the following sections.

A further point is noteworthy before proceeding with the analysis. The relevant questions a lead agency must consider when determining if a particular project is exempt from CEQA are focused on the specific criteria for exemptions and the list of exceptions to an exemption within the CEQA Guidelines. Thus, for this project, the City of Morgan Hill could have focused this analysis on the criteria for the Infill Exemption in CEQA Guidelines Section 15332 and the list of exceptions in Section 15300.2. For this particular project, the City elected to prepare a full Initial Study checklist to provide the substantial evidence supporting its determination as to whether the project can be considered exempt from CEQA. For an overview of the focused list of criteria pursuant to Sections 15332 and 15300.2, see Section G of this Initial Study.

F. PROJECT DESCRIPTION

The following provides a description of the project site's location and setting, as well as the proposed project components and required discretionary actions.

Project Location and Setting

The irregularly-shaped project site consists of approximately 1.94 acres, and is located at 17090 Peak Avenue in the City of Morgan Hill, California (see Figure 1 and Figure 2). The site is identified by APN 767-03-017. The City of Morgan Hill 2035 General Plan designates the site as Residential Attached Medium and the site is zoned RAM.

¹ City of Morgan Hill. *2035 General Plan, City of Morgan Hill*. Adopted July 2016.

² City of Morgan Hill. *Morgan Hill 2035 Final Environmental Impact Report*. Adopted July 2016.

Figure 1
Regional Project Location

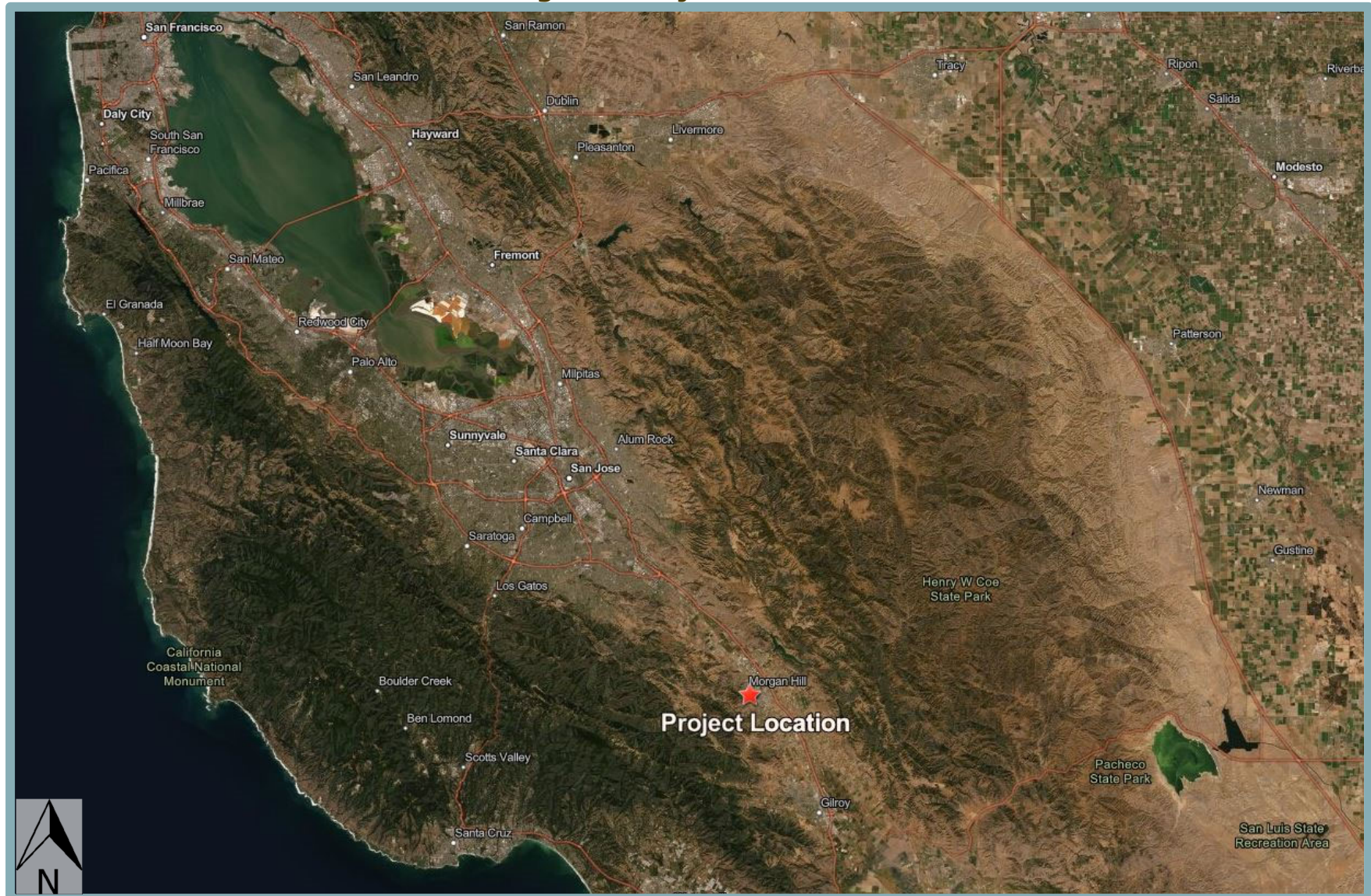


Figure 2
Project Vicinity Map



The site is currently developed with one 5,770 square foot, 28-bed, residential care building, two sheds, and a parking area with a driveway into the site. The residential care building and associated sheds were constructed in the 1950s. There are 74 trees within the project site. The site is bound by Peak Avenue to the west, and West Dunne Avenue to the south. Surrounding existing uses include Pacific Hills Manor, a 99-bed residential care facility, to the north; undeveloped land to the east; the Morgan Hill Masonic Center, an office building, and associated parking areas to the south, across from West Dunne Avenue; and single-family homes to the west, across from Peak Avenue.

Project Components

The proposed project would expand the operations of the existing residential care facility from the current 28-beds to 32-beds and add a new building comprising of 96-beds to serve the increasing need for affordable residential care facilities in the City of Morgan Hill. The proposed project would involve demolition of the two on-site sheds, removal of 22 trees, and the construction of a new, three-story, 96-bed residential care facility located south of the existing 28-bed building. Finally, the proposed project would require City approval of a Design Review Permit and a Conditional Use Permit. The following sections present additional details related to the proposed facility, proposed expansion, project operations, site access and circulation, landscaping, utilities, the Design Review Permit, and Conditional Use Permit.

Existing and Proposed Facility

The existing facility will add two new bedrooms within the current building footprint at 2-beds per room. A new three-story building of approximately 18,201 square feet would be constructed in the southeastern portion of the site. The new facility would have 48 bedrooms with two beds in each, allowing for a maximum capacity of 96 residents. The southern wing of the new building would be one story (see Figure 4). The northern wing would include three stories, generally consisting of bedrooms and the associated amenities (see Figure 5 and Figure 6). The maximum height of the structure would be 40 feet.

The southern wing of the proposed three-story facility would generally consist of offices, recreation areas, and the kitchen. The single-story area would also serve as the main entrance and reception area. As shown in Figure 4, the first floor of the building's northern wing would consist of 16 bedrooms along with the associated bathrooms. A dining area would be centrally located, and an elevator that extends to the floors above would be located in the center of the building; staircases would be located at the western and eastern ends, as well as in the center of the building. In addition, a patio and two landscaped areas would be located outside, adjacent to the building. As shown in Figure 5, the second story of the proposed facility would consist of 16 bedrooms and a centrally located activity area, laundry room, and nurse station. Finally, as shown in Figure 6, the third story of the proposed building would mirror the second, with the exception of a smoking area in place of the laundry room, located east of the centrally located elevator.

Project Operations

The facility would provide 24-hour care to adults who are dual diagnosed as seriously mentally ill in combination with a medical condition that precludes them from being placed in a standard residential care facility. The facility would provide services to the residents, including meal service, on-site laundry, cleaning services, on-site nursing and medical services, planned activities, as well as other personal services as needed.

Site Access and Circulation

Access to the project site would be provided by an improved driveway, replacing the existing driveway off of Peak Avenue. The driveway would be approximately 20 feet wide.

Figure 3
Proposed Site Plan

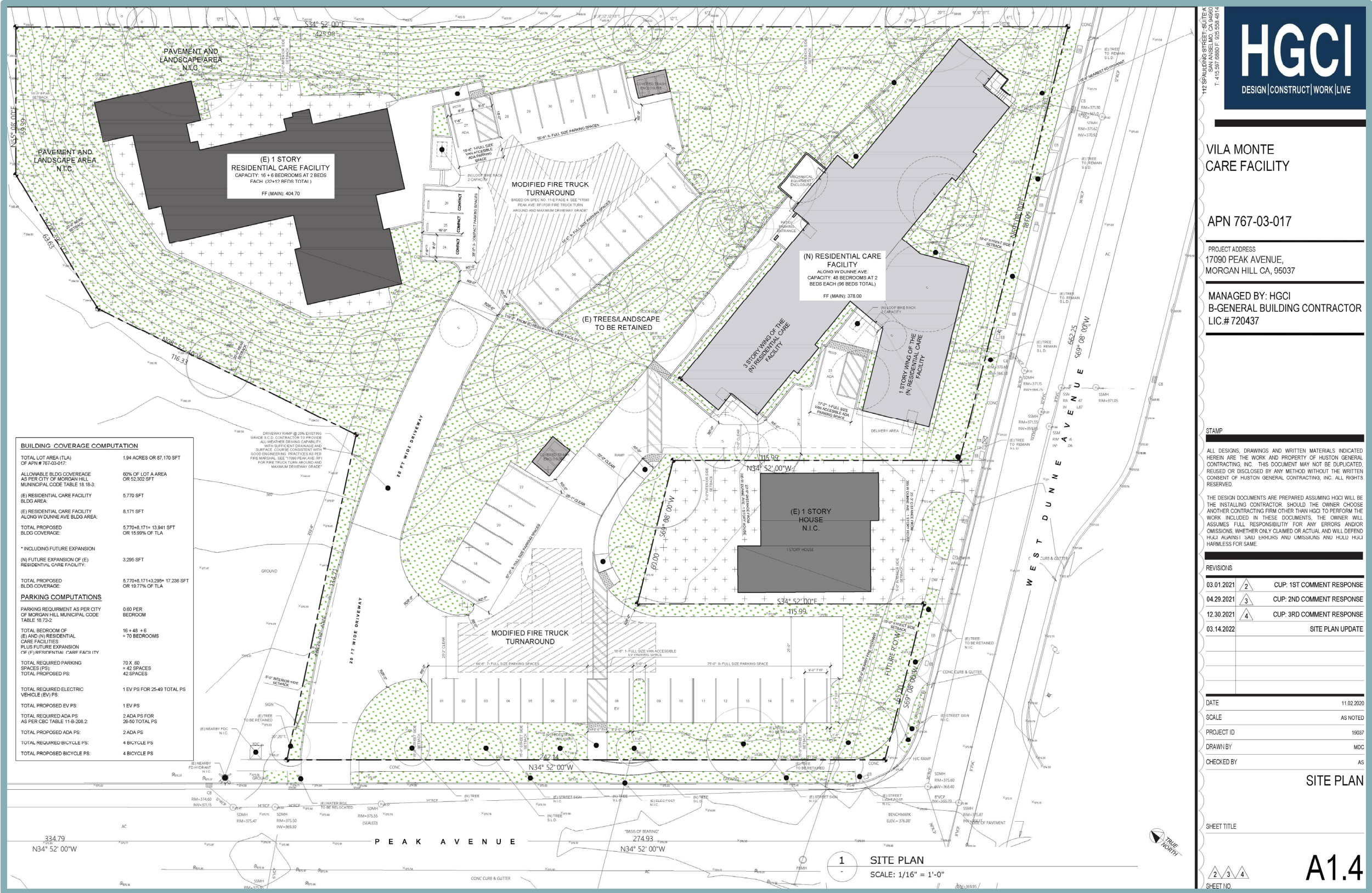


Figure 4
Eastern Facility Ground Floor – Site Plan



1 (N) RCF GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



Figure 5
Eastern Facility Second Floor – Site Plan



1 (N) RCF SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



Figure 6
Eastern Facility Third Floor – Site Plan



1 (N) RCF THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"



The proposed project would also include two modified fire truck turnarounds, one located in the northern parking lot adjacent to the existing building, and another in the planned parking lot located southwest of the single-family unit that is partially surrounded by the project site.

In addition, the proposed project would include 42 on-site surface parking spaces and four bicycle parking spaces. Of the 42 parking spaces, two parking spaces would be Americans with Disabilities Act (ADA) compliant, one would be an electrical vehicle (EV) charging space, and 39 would be standard parking spaces.

Landscaping

As noted above, 22 of the 74 on-site trees would be removed as part of the project. However, pursuant to Section 18.64.050 of the City's Municipal Code, landscaping would be provided throughout the site in accordance with the City's Standard Details for Construction. The proposed project would include the planting of various trees, shrubs, and ground cover along the site perimeter, and near the proposed parking areas.

Utilities

Water and sewer service for the proposed development would be provided through connections to existing City infrastructure located in the site vicinity. The proposed project would include new water connections from the proposed building to an existing water main within West Dunne Avenue (see Figure 7). A new sanitary sewer line would be routed from the proposed building, eventually connecting to existing sanitary sewer lines within West Dunne Avenue to the south and Peak Avenue to the west.

A Preliminary Stormwater Control Plan has been prepared for the proposed project, and is included as Figure 8. As shown therein, the project site is divided into 18 Drainage Management Areas (DMAs). DMAs 7, 17, and 18, would be self-treating, landscaped areas. Similarly, DMAs 12, 15, and 16 would be self-retaining pervious areas. All other DMAs on the project site would direct runoff towards flow-through planters or to one of three bioretention areas prior to discharge into the City's existing storm drain system in West Dunne Avenue or Peak Avenue. All proposed stormwater treatment measures have been designed in accordance with the Santa Clara County Clean Water Program Technical Guidance Handbook.

Design Review Permit

Pursuant to Section 18.108.040 of the City's Municipal Code, the proposed project would be subject to a Design Review Permit. Specifically, the site plan would be analyzed based on elements of design, development location, arrangement of all structures, and design in harmony with surrounding facilities. The purpose of the Design Review is to allow the City to review all development, signs, buildings, structures, and other facilities in order to further enhance the City's appearance, and the livability and usefulness of properties.

Conditional Use Permit

As stated above, the existing 28-bed care facility was constructed under a previous Zoning Ordinance that allowed the use by right. However, the current Zoning Ordinance requires a Conditional Use Permit for residential care facilities in the RAM zoning district. Therefore, approval of a Conditional Use Permit would be required to add two bedrooms to the existing facility and development of the proposed 96-bed building. The Conditional Use Permit for the proposed project will address the existing legal non-conforming 28-bed facility as well.

Figure 7
Preliminary Grading, Drainage, and Utility Plan

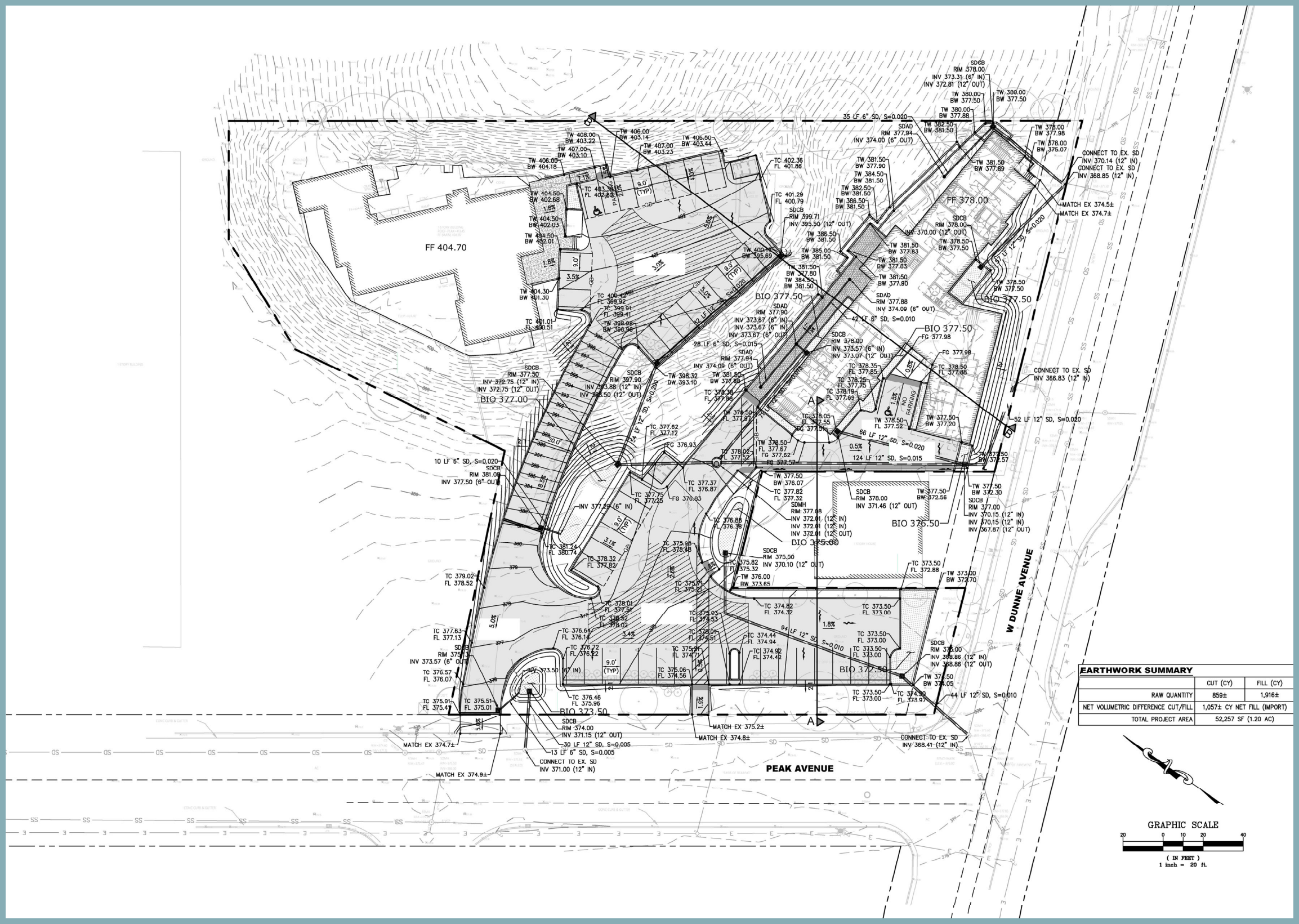
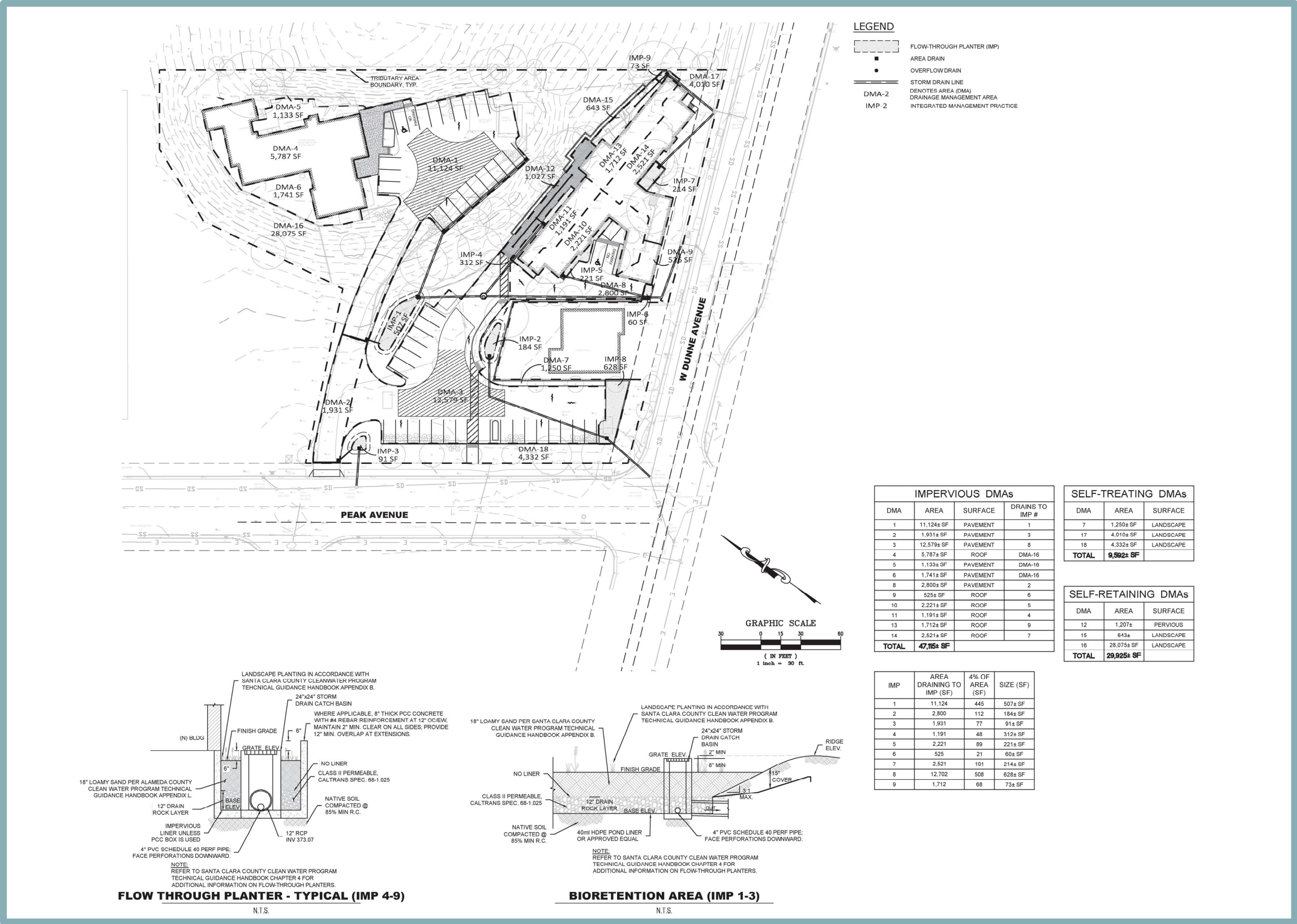


Figure 8
Preliminary Stormwater Control Plan



Required Approvals

The proposed project would require the City's approval of the following:

- Design Review Permit; and
- Conditional Use Permit.

G. SUMMARY

The following section contains a summary showing that the proposed project can be considered exempt from CEQA and is not subject to any of the exceptions set forth in Section 15300.2 of the CEQA Guidelines. As demonstrated throughout this Initial Study, the proposed project qualifies for exemption under CEQA Guidelines Section 15332, Class 32.

In-Fill Development Project Exemption

Article 19 of the CEQA Guidelines, Sections 15300 through 15333, includes a list of classes of projects that have been determined to not have a significant effect on the environment, and are therefore exempt from CEQA. Section 15332 of the CEQA Guidelines provides a categorical exemption for infill development projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The applicability of the above criteria to the proposed project is summarized in the following sections.

Criterion 15332(a): General Plan and Zoning Consistency

The below discussion demonstrates the project's consistency with the General Plan designation and applicable General Plan policies, as well as the zoning designation and regulations.

The City's General Plan designates the site Residential Attached Medium and the site is zoned RAM. The Residential Attached Medium land use designation is intended for attached housing types including townhomes, garden apartments, and stacked flats. The proposed residential project is consistent with the site's Residential Attached Medium General Plan land use designation. With respect to zoning regulations, the proposed use is conditionally permitted within the RAM zone. Pursuant to Section 18.18.030 of the City's Municipal Code, a building within the RAM zone may not exceed a height of 40 feet, and must have a 15-foot setback. The proposed project would comply with such requirements, and all other applicable policies and regulations established within the General Plan and zoning code. For instance, General Plan Policy TR-3.4 sets forth the level of service (LOS) standards for the City of Morgan Hill intersections. While Section 15064.3 of the CEQA Guidelines provides that analysis of vehicle miles travelled (VMT) attributable to a project is the most appropriate measure of transportation impacts (see Section XVII of the following checklist for analysis of VMT), the project must still comply with applicable General Plan policies such as the LOS standards set forth by Policy TR-3.4. In the General Plan EIR, an evaluation of the Peak Avenue/Dunne Avenue intersection was conducted. As presented in Table 4.14-9 of the General Plan EIR, following buildout of the General Plan, the intersection would operate at LOS B during both AM and PM peak hours, which is considered acceptable

under General Plan Policy TR-3.4. Because the proposed project is consistent with the land use designation for the project site, implementation of the proposed project was generally considered in the General Plan EIR and included in the intersection analysis. Thus, following implementation of the proposed project, the Peak Avenue/Dunne Avenue intersection would continue to operate acceptably and would comply with General Plan Policy TR-3.4.

Based on the above, the project would be consistent with applicable General Plan policies and City zoning designation and regulations, and the proposed project meets Criterion 15332(a).

Criterion 15332(b): Project Location, Size, and Context

The project site consists of 1.94 acres, located within the Morgan Hill city limits. The site is located near existing residential and commercial development to the north, east, and south, and is surrounded by existing development. Thus, the proposed project meets Criterion 15332(b).

Criterion 15332(c): Endangered, Rare, or Threatened Species

Currently, the site is developed with an existing residential care facility and an associated parking lot, with the remaining (western) portion being comprised of dirt and ruderal grasses. The project site contains a total of 74 trees. As discussed in Section IV, Biological Resources, of this Initial Study, the project site is located within the boundaries of the Santa Clara Valley Habitat Plan (SCVHP) permit area. The SCVHP designates the project site as an Urban-Suburban developed land cover type. Typically, species covered by the SCVHP are unlikely to occur within Urban-Suburban areas. Pursuant to the Santa Clara Valley Habitat Agency Geobrowser program, the project site is not located within a designated Plant or Wildlife Survey Area for any covered species. The project applicant would be subject to payment of all applicable development fees according to the SCVHP. Due to the highly disturbed nature of the area surrounding the project site, as well as the existing development that has occurred within the project site, the project site does not provide habitat value for endangered, rare, or threatened species. Thus, the proposed project meets Criterion 15332(c).

Criterion 15332(d): Traffic, Noise, Air Quality, and Water Quality

The following sections present a summary of the Initial Study analysis regarding potential effects related to traffic, noise, air quality, and water quality resulting from implementation of the proposed project. As demonstrated below, the proposed project meets Criterion 15332(d).

Traffic

As discussed in Section XVII, Transportation, of this Initial Study, the *Technical Advisory on Evaluating Transportation Impacts in CEQA* published by the Governor's Office of Planning and Research (OPR) in December 2018 provides recommendations regarding VMT evaluation methodology, significance thresholds, and screening thresholds for land use projects. Because the proposed project would result in a VMT that is over 15 percent below the City's average, development of the project is presumed to result in a less-than-significant increase in VMT.

In addition, the proposed project is consistent with the project site's existing General Plan land use and zoning designations. Therefore, vehicle trip generation associated with the project site and associated effects on local transportation facilities have been anticipated by the City and accounted for in regional planning efforts.

Noise

As discussed in Section XIII, Noise, of this Initial Study, operations associated with the proposed project would generate noise associated with vehicle traffic on local roadways and non-

transportation sources, such as landscaping, maintenance, and heating ventilation and air conditioning (HVAC) equipment.

During construction, the project would result in short-term noise level increases in the project vicinity. However, the Morgan Hill Municipal Code does not specify any short-term construction noise level limits. Construction activities would occur during normal daytime hours, as Chapter 8.28 of the Morgan Hill Municipal Code prohibits construction activities between 8:00 PM and 7:00 AM, Monday through Friday, and between 6:00 PM and 9:00 AM on Saturdays. Given the restrictions on construction hours and the City's standard conditions of approval requiring the use of best available technology by construction contractors to minimize excessive noise from construction equipment, the project would not result in a substantial temporary increase in noise generation during construction activities.

The increase in traffic, and associated increase in noise, was generally evaluated in the General Plan EIR. As determined therein, the anticipated increase in transportation noise on adjacent roadways would not exceed the City's standards set forth in Policy SSI-8.5 and, thus, traffic noise increases attributable to the proposed project would be less than significant.

Non-transportation noise-generating operations associated with the proposed project would be typical of residential developments and consistent with the residential land uses in the project vicinity. Assuming the project HVAC systems and maintenance equipment would be in normal working order, stationary noise sources associated with the proposed project would not substantially increase noise levels from what currently exists in the project area.

Based on the above, noise generation associated with the proposed project has been anticipated by the City and accounted for in regional planning efforts.

Air Quality

A detailed discussion of applicable thresholds of significance and estimated construction and operational emissions is present in Section III, Air Quality, of this Initial Study. As discussed therein, the proposed project would result in maximum construction and operational criteria air pollutant emissions that are below the applicable thresholds. Because the proposed project would result in emissions below the applicable thresholds of significance, the proposed project would not be expected to result in a significant contribution to the region's existing air quality conditions. Therefore, the proposed project is not anticipated to result in short-term construction-related or long-term operational emissions of air quality pollutants that would be considered to have the potential to result in significant effects on the environment.

Water Quality

Issues related to stormwater infrastructure are discussed in Section X, Hydrology and Water Quality, of this Initial Study. As noted therein, the proposed project would not significantly increase stormwater flows into the City's existing system. A preliminary Stormwater Control Plan (SWCP) has been prepared for the proposed project (see Figure 8). Pursuant to the SWCP, the project site would be divided into 18 DMAs. DMAs 7, 17, and 18, would be self-treating, landscaped areas. Similarly, DMAs 12, 15, and 16 would be self-retaining pervious areas. All other DMAs on the project site would direct runoff towards flow-through planters or to one of three bioretention areas prior to discharge into the City's existing storm drain system in West Dunne Avenue or Peak Avenue. All proposed stormwater treatment measures have been designed in accordance with the Santa Clara County Clean Water Program Technical Guidance Handbook. In addition, a

Preliminary Hydrology and Detention Report was prepared for the proposed project by Talus, Inc.³ The study concluded that construction of the project would be adequately designed to accommodate a 10-year storm event without increasing flows to the existing storm drain system.

The final drainage system design for the project will be subject to review and approval by the City of Morgan Hill City Engineer to confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. Therefore, the proposed project would not result in any significant effects related to water quality.

Criterion 15332(e): Utilities and Public Services

Water and sewer service for the proposed development would be provided by the City through new connections to existing infrastructure within Peak Avenue and West Dunne Avenue, respectively. Given the presence of existing utilities in the immediate project vicinity, the proposed project would not require substantial off-site utility improvements. In addition, as discussed in Section XV, Public Services, and Section XIX, Utilities and Service Systems, of this Initial Study, the project would not exceed the capacity of public service or utility infrastructure. Thus, the site would be adequately served by all required utilities and public services.

Exceptions to Categorical Exemptions Analysis

Even if a project is ordinarily exempt under any of the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. Exceptions to a categorical exemption apply in the following circumstances:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The following analysis addresses whether any of the exceptions to the CEQA exemption apply to the proposed project.

³ Talus, Inc. *Preliminary Hydrology and Detention Report for Monte Villa Care Facility*. October 29, 2020.

Criterion 15300.2(a): Location

CEQA exemptions 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. The project site is located within an urbanized area and is not located within a sensitive environment. Furthermore, as discussed under Criterion 15300.2(e), the project site is not located near environmental resources of hazardous or critical concern. Therefore, an exception to the exemption under CEQA Guidelines Section 15300.2(a) does not apply to the proposed project.

Criterion 15300.2(b): Cumulative Impact

Pursuant to CEQA Section 15300.2(b), in applying this exception, the cumulative impact must result from “successive projects of the same type in the same place.” Both the “same type” and “same place” limitations restrict the scope of this exception.⁴ Given that the proposed project involves the development of a residential care facility on a site that already includes a residential care facility, the project qualifies as both the “same type” and “same place.” Therefore, the cumulative impacts of the project must be evaluated. Typical cumulative impact concerns are related to increased traffic and noise, as discussed below.

Significant transportation impacts under CEQA, as of July 1, 2020, are determined based on VMT. The OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* states that, “a project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less-than-significant cumulative impact, and vice versa.” As explained in further detail in Section XVII of this Initial Study, the proposed project would generate VMT per capita that is below the applicable threshold. In addition, because the project is consistent with the General Plan land use and zoning designation for the site, the proposed project is considered to align with City-wide long-term goals and plans. Therefore, per the OPR’s guidance, the project would result in a less-than-significant contribution to cumulative VMT impacts. In addition, it is noted that the project is not anticipated to generate substantial VMT beyond employee commutes and visitors.

With regard to ambient noise, the project’s relatively small increase in traffic, combined with traffic from General Plan buildout, would not be anticipated to generate a significant traffic noise increase triggering the City’s applicable thresholds. In addition, operational noise is not expected to be significant, and construction noise is intermittent and temporary and, thus, would not contribute to the cumulative noise environment. Therefore, noise impacts would not be cumulatively considerable.

Thus, the proposed project would not result in a cumulative impact, and an exception to the exemption under CEQA Guidelines Section 15300.2(b) does not apply to the proposed project.

Criterion 15300.2(c): Significant Effect

In listing a class of projects as exempt, the Secretary has determined that the environmental changes typically associated with projects in that class are not significant effects within the meaning of CEQA, even though an argument might be made that they are potentially significant. The plain language of Guidelines Section 15300.2, subdivision (c), requires that a potentially significant effect must be “due to unusual circumstances” for the exception to apply.

The determination as to whether there are “unusual circumstances” (Guidelines, Section 15300.2, subd. [c]) is reviewed under Public Resources Code (PRC) Section 21168.5’s substantial

⁴ Stephen L. Kostka and Michael H. Zischke. *Practice Under the California Environmental Quality Act, Second Edition* [pg. 5-68]. March 2019 Update.

evidence prong. Whether a particular project presents circumstances that are unusual for projects in an exempt class is an essential factual inquiry. As to this question, the lead agency serves as “the finder of fact”.

Unusual circumstances are not defined by the Guidelines, but potential site characteristics could include sensitive habitats or contamination. The project site does not include any aquatic features or otherwise sensitive habitat, and is not included on any lists of hazardous waste sites. In addition, the project site is located within a FEMA Zone X, which is not considered a significant flood hazard area.

Thus, an exception to the exemption under CEQA Guidelines Section 15300.2(c) does not apply to the proposed project.

Criterion 15300.2(d): Scenic Highway

According to the California Department of Transportation (Caltrans) Scenic Highway Mapping System, officially designated State or County scenic highways do not occur in the project vicinity.⁵ Thus, an exception to the exemption under CEQA Guidelines Section 15300.2(d) does not apply to the proposed project.

Criterion 15300.2(e): Hazardous Waste Sites

The California Environmental Protection Agency (CalEPA) provides a list of data resources that provide information regarding the facilities or sites identified as meeting the “Cortese List” requirements, pursuant to Government Code 65962.5. Per a search of the State Water Resources Control Board’s (SWRCB) GeoTracker data management system, hazardous materials sites, including leaking underground storage tank (LUST) sites and Department of Toxic Substances Control (DTSC) cleanup sites, have not been identified on or within a 1,000-foot radius of the project area.⁶ In addition, the project site is not located on or near any hazardous waste sites identified on the Envirostor’s Hazardous Waste and Substance Site List.⁷ Thus, an exception to the exemption under CEQA Guidelines Section 15300.2(e) does not apply to the proposed project.

Criterion 15300.2(f): Historical Resources

The project site contains two sheds, a private driveway, parking lot, trees, and an existing residential care facility that was built in 1958. The facility is still operating to this day. The proposed project would include demolition of the existing driveway and parking area associated with the existing facility, as well as the removal of some trees.

After reviewing historic documents, maps, and census data, the California Historical Resources Information System (CHRIS) and Native American Heritage Commission (NAHC) searches prepared for the project do not identify that the properties do not appear to have been associated with an event or events of significance in the history of Morgan Hill or Santa Clara County. Furthermore, neither of the two sheds proposed for demolition have important information or scientific value. Therefore, the existing structures are not considered eligible for listing under the

⁵ California Department of Transportation. *Scenic Highways*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed March 2022.

⁶ State Water Resources Control Board. *GeoTracker*. Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=morgan+hill>. Accessed March 2022.

⁷ Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTES+E%29. Accessed March 2022.

National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). The proposed project would not result in a substantial adverse change in the significance of a historical resource, and an exception to the exemption under CEQA Guidelines Section 15300.2(f) does not apply to the proposed project.

H. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

I. AESTHETICS.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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? (Public views are those that are experienced from publicly accessible vantage point). 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?	☐	☐	☐	✗

Discussion

a,c. Examples of typical scenic vistas include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing and sightseeing. In general, a project's impact to a scenic vista would occur if development of the project would substantially change or remove a scenic vista. The City's General Plan does not designate official scenic view corridors or vistas. However, according to the General Plan, the hillsides that surround the City to the east and west are considered scenic. The project site is surrounded by existing development and is not located on a hillside or in the vicinity of a hillside. While distant views of the hills to the west of the City are visible to motorists, bicyclists, and pedestrians travelling along East Dunne Avenue and Peak Avenue, neither street is considered a scenic vista route. In addition, such views are partially obscured through the site by existing on-site trees.

Because the project site is located in an urbanized area, this discussion focuses on project consistency with applicable zoning and other regulations governing scenic quality.

The project site is zoned RAM. Pursuant to Section 18.18.030 of the City's Municipal Code, a building within the RAM zone may not exceed a height of 40 feet. The proposed height of the residential building would be a maximum of approximately 40 feet. The project would also comply with the required 15-foot setback. Thus, the project would comply with the applicable zoning regulations regarding scenic quality.

In addition, the proposed project is subject to Design Review in accordance with Morgan Hill Municipal Code Section 18.108.040, which would ensure that the project is consistent with the Residential Development Design and Development Standards (adopted December 2019). The standards augment the standards in the City's Municipal Code and provide qualitative direction to meet the City's goal for high quality design of residential projects.

Based on the above, the proposed project would not have a substantial adverse effect on a scenic vista or conflict with applicable zoning and other regulations governing scenic quality. Thus, **no impact** would occur.

- b. According to the Caltrans map of Santa Clara County prepared for the Scenic Highway Mapping System, officially designated State or County scenic highways do not occur in the project vicinity.⁸ Because the project site is not located in the vicinity of any State scenic highway, the proposed project would not damage any scenic resources within a State scenic highway. Therefore, **no impact** related to damaging scenic resources within a State scenic highway would occur.
- d. As noted previously, the project site is currently developed with one existing structure and two associated sheds. The project site is surrounded by existing development, and streetlights are provided along Peak Avenue, West Dunne Avenue, and Noble Court. Thus, the project site and vicinity already contain existing sources of light and glare, including, but not limited to, headlights on cars traveling along the adjacent roadways, exterior light fixtures, light reflecting off windows, and interior light spilling through windows.

New sources of lighting included in the proposed project would be required to comply with Section 18.76.060 (Glare) of the Morgan Hill Municipal Code, which include such requirements as cut-off lenses to direct light downward and minimum lighting standards for walkways to ensure safe nighttime conditions. Compliance with these requirements would help to ensure that the light and glare created by the proposed project would be consistent with the levels of light and glare currently emitted in the surrounding developed environment. Therefore, the proposed project would not introduce new sources of substantial light or glare to the site which would adversely affect day or nighttime views in the area, and **no impact** would occur.

⁸ Caltrans. *California State Scenic Highway System Map*. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed March 2022.

II. AGRICULTURE AND FOREST RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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 the 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?	☐	☐	☐	✗

Discussion

- a,e. The project site is designated as “Urban and Built-Up Land” on the Santa Clara County Important Farmland map.⁹ Given the designation of the site as Urban and Built-Up Land, development of the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, or otherwise result in the loss of Farmland to non-agricultural use or forest land to non-forest use. Therefore, **no impact** would occur as a result of the proposed project.
- b. The project site is not zoned or designated for agricultural purposes and is not under a Williamson Act contract.¹⁰ Therefore, buildout of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and **no impact** would occur.
- c,d. The project site is not considered forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), and is not zoned Timberland Production (as defined by Government Code Section 51104[g]). Therefore, the proposed project would have **no impact** with regard to conversion of forest land or any potential conflict with forest land, timberland, or Timberland Production zoning.

⁹ California Department of Conservation. *Santa Clara County Important Farmland Map 2016*. September 2018.

¹⁰ City of Morgan Hill. *2035 General Plan, City of Morgan Hill* [pg. 3.2-11]. Adopted July 2016.

III. AIR QUALITY.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a,b. The City of Morgan Hill is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The SFBAAB area is currently designated as a nonattainment area for State and federal ozone, State and federal fine particulate matter 2.5 microns in diameter (PM_{2.5}), and State respirable particulate matter 10 microns in diameter (PM₁₀) ambient air quality standards (AAQS). The SFBAAB is designated attainment or unclassified for all other AAQS. It should be noted that on January 9, 2013, the U.S. Environmental Protection Agency (USEPA) issued a final rule to determine that the Bay Area has attained the 24-hour PM_{2.5} federal AAQS. Nonetheless, the Bay Area must continue to be designated as nonattainment for the federal PM_{2.5} AAQS until such time as the BAAQMD submits a redesignation request and a maintenance plan to the USEPA, and the USEPA approves the proposed redesignation. The USEPA has not yet approved a request for redesignation of the SFBAAB; therefore, the SFBAAB remains in nonattainment for 24-hour PM_{2.5}.

In compliance with regulations, due to the nonattainment designations of the area, the BAAQMD periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the AAQS, including control strategies to reduce air pollutant emissions through regulations, incentive programs, public education, and partnerships with other agencies. The current air quality plans are prepared in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

The most recent federal ozone plan is the 2001 Ozone Attainment Plan, which was adopted on October 24, 2001 and approved by the California Air Resources Board (CARB) on November 1, 2001. The plan was submitted to the USEPA on November 30, 2001 for review and approval. The most recent State ozone plan is the 2017 Clean Air Plan, adopted on April 19, 2017. The 2017 Clean Air Plan was developed as a multi-pollutant plan that provides an integrated control strategy to reduce ozone, PM, toxic air contaminants (TACs), and greenhouse gases (GHGs). Although a plan for achieving the State PM₁₀ standard is not required, the BAAQMD has prioritized measures to reduce PM in developing the control strategy for the 2017 Clean Air Plan. The control strategy serves as the backbone of the BAAQMD's current PM control program.

The aforementioned air quality plans contain mobile source controls, stationary source controls, and transportation control measures to be implemented in the region to attain the State and federal AAQS within the SFBAAB. Adopted BAAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure

continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. For development projects, BAAQMD establishes significance thresholds for emissions of the ozone precursors reactive organic gases (ROG) and oxides of nitrogen (NO_x), as well as for PM₁₀, and PM_{2.5}, expressed in pounds per day (lbs/day) and tons per year (tons/yr). The thresholds are listed in Table 1. Thus, by exceeding the BAAQMD's mass emission thresholds for construction and operational emissions of ROG, NO_x, or PM₁₀, a project would be considered to conflict with or obstruct implementation of the BAAQMD's air quality planning efforts.

Table 1 BAAQMD Thresholds of Significance			
Pollutant	Construction	Operational	
	Average Daily Emissions (lbs/day)	Average Daily Emissions (lbs/day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀ (exhaust)	82	82	15
PM _{2.5} (exhaust)	54	54	10
<i>Source: BAAQMD, CEQA Guidelines, May 2017.</i>			

Particulate matter can be split into two categories: fugitive and exhaust. The BAAQMD thresholds of significance for exhaust are presented in Table 1. It should be noted that BAAQMD does not maintain quantitative thresholds for fugitive emissions of PM₁₀ or PM_{2.5}, rather, BAAQMD requires all projects within the district's jurisdiction to implement Basic Construction Mitigation Measures (BCMMs) related to dust suppression.

The proposed project's construction and operational emissions were quantified using the California Emissions Estimator Model (CalEEMod) software version 2020.4.0 – a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, vehicle mix, trip length, average speed, compliance with the 2019 California Building Standards Code (CBSC), etc. Where project-specific information is available, such information should be applied in the model. Accordingly, the proposed project's modeling assumes the following project and/or site-specific information:

- Construction would begin in June 2022 and occur over approximately one year;
- During the grading phase, approximately 1,057 cubic yards of material would be imported to the project site;
- The project site is located within 0.15-mile of the nearest transit stop; and
- The project would comply with the Model Water Efficient Landscape Ordinance (MWELO) and the 2019 CALGreen Code; and
- The project would comply with all applicable provisions of the 2019 California CBSC.

The proposed project's estimated emissions associated with construction and operations and the project's contribution to cumulative air quality conditions are provided below. All CalEEMod results are included as Appendix A to this IS/MND.

Construction Emissions

According to the CalEEMod results, the proposed project would result in maximum unmitigated construction criteria air pollutant emissions as shown in Table 2. As shown in the table, the proposed project's maximum unmitigated construction emissions would be below the applicable thresholds of significance.

Table 2			
Maximum Unmitigated Construction Emissions (lbs/day)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	3.27	54	NO
NO _x	22.79	54	NO
PM ₁₀ *	0.84	82	NO
PM _{2.5} *	0.78	54	NO
Note: * Denotes emissions from exhaust only. BAAQMD has not yet adopted PM thresholds for fugitive emissions.			
Source: CalEEMod, March 2022 (see Appendix A).			

All projects within the jurisdiction of the BAAQMD are required to implement all of the BAAQMD's BCMs, which would be required by the City as conditions of approval:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The proposed project's required implementation of the BAAQMD's BCMs listed above for the project's construction activities would help to minimize construction-related emissions.

Because the proposed project would be below the applicable thresholds of significance for construction emissions, project construction would not result in a significant air quality impact.

Operational Emissions

According to the CalEEMod results, the proposed project would result in maximum unmitigated operational criteria air pollutant emissions as shown in Table 3. As shown in the table, the proposed project's operational emissions would be below the applicable thresholds of significance. As such, the proposed project would not result in a significant air quality impact during operations.

Table 3					
Maximum Unmitigated Operational Emissions					
Pollutant	Proposed Project Emissions		Threshold of Significance		Exceeds Threshold?
	lbs/day	tons/yr	lbs/day	tons/yr	
ROG	20.73	0.26	54	10	NO
NO _x	1.00	0.09	54	10	NO
PM ₁₀ *	3.74	0.03	82	15	NO
PM _{2.5} *	3.74	0.03	54	10	NO
Note: * Denotes emissions from exhaust only. BAAQMD has not yet adopted PM thresholds for fugitive emissions.					
Source: CalEEMod, March 2022 (see Appendix A).					

Cumulative Emissions

Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By nature, air pollution is largely a cumulative impact. A single project is not sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. The thresholds of significance presented in Table 1 represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If a project exceeds the significance thresholds presented in Table 1, the proposed project's emissions would be cumulatively considerable, resulting in significant adverse cumulative air quality impacts to the region's existing air quality conditions. Because the proposed project would result in emissions below the applicable thresholds of significance, the project would not be expected to result in a cumulatively considerable contribution to the region's existing air quality conditions.

Conclusion

As stated previously, the applicable regional air quality plans include the 2001 Ozone Attainment Plan and the 2017 Clean Air Plan. According to BAAQMD, if a project would not result in significant and unavoidable air quality impacts, after the application of all feasible mitigation, the project may be considered consistent with the air quality plans. Because the proposed project would result in emissions below the applicable thresholds

of significance, the proposed project would not be considered to conflict with or obstruct implementation of regional air quality plans.

Because the proposed project would not conflict with or obstruct implementation of the applicable air quality plans, violate any air quality standards or contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in any criteria air pollutant, **no impact** would occur.

- c. Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, childcare centers, playgrounds, retirement homes, convalescent homes, hospitals, and medical clinics. The nearest existing sensitive receptor to the project site is the single-family residence that is surrounded by the project site to the west, north, and east. At the closest point, the residence is located approximately five feet outside of the project site boundaries.

The major pollutant concentrations of concern are localized carbon monoxide (CO) emissions and TACs, as well as regional effects of emissions of criteria pollutants, which are addressed in further detail below.

Localized CO Emissions

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. High levels of localized CO concentrations are only expected where background levels are high, and traffic volumes and congestion levels are high. Emissions of CO are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood. CO emissions are particularly related to traffic levels.

In order to provide a conservative indication of whether a project would result in localized CO emissions that would exceed the applicable threshold of significance, the BAAQMD has established screening criteria for localized CO emissions. According to BAAQMD, a proposed project would result in a less-than-significant impact related to localized CO emission concentrations if all of the following conditions are true for the project:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans;
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, underpass, etc.).

Given that the proposed project is consistent with the site's current land use and zoning designations, the proposed project would not conflict with the Santa Clara Valley

Transportation Authority (VTA) Congestion Management Program (CMP).¹¹ Based on the Institute of Transportation Engineer's Trip Generation Handbook 9th Edition, the proposed project would generate approximately 263 daily trips (96 beds X 2.74 trips/bed). Based on 2018 data provided by Hexagon Transportation Consultants, peak hour traffic volumes at the nearest major intersection near the project site (Dunne Avenue and Monterey Road) are between 2,964 and 2,353.¹² Considering the proposed project is expected to generate up to 263 daily trips, traffic associated with the proposed development would not increase traffic volumes at any affected intersection to more than 44,000 vehicles per hour. Furthermore, areas where vertical and/or horizontal mixing is limited due to tunnels, underpasses, or similar features do not exist in the project area. Therefore, based on the BAAQMD's screening criteria for localized CO emissions, the proposed project would not be expected to result in substantial levels of localized CO at surrounding intersections or generate localized concentrations of CO that would exceed standards or cause health hazards.

TAC Emissions

Another category of environmental concern is TACs. The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, distribution centers, gas dispensing facilities, and rail yards. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk. As noted above, the nearest existing sensitive receptor to the project site is the single-family residence that is surrounded by the project site to the west, north, and east.

The proposed project does not include any operations that would be considered a substantial source of TACs. Accordingly, operations of the proposed project would not expose sensitive receptors to excess concentrations of TACs.

Short-term, construction-related activities would result in the generation of TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. Construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction period associated with the proposed project is estimated to be approximately one year.

All construction equipment and operation thereof would be regulated per the In-Use Off-Road Diesel Vehicle Regulation, which is intended to help reduce emissions associated with off-road diesel vehicles and equipment, including DPM. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. In addition, only portions of the site

¹¹ Santa Clara Valley Transportation Authority. *2021 Congestion Management Program Document*. December 2021.

¹² Robert Del Rio, T.E., Vice President & Principal Associate, Hexagon Transportation Consultants, Inc. Personal Communication [email] with Nick Pappani, Vice President, Raney Planning and Management, Inc. May 24, 2022.

would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day rather than continuously at any one location on the project site. Operation of construction equipment within portions of the development area would allow for the dispersal of emissions, and would ensure that construction-activity is not continuously occurring in the portions of the project site closest to existing receptors. Because construction equipment on-site would not operate for long periods of time and would be used at varying locations within the site, associated emissions of DPM would not occur at the same location (or be evenly spread throughout the entire project site) for long periods of time. Due to the temporary nature of construction and the relatively short duration of potential exposure to associated emissions, the potential for any one sensitive receptor in the area to be exposed to concentrations of pollutants for a substantially extended period of time would be low.

Furthermore, the project applicant would be required to prepare, and include on all site development and grading plans, a management plan detailing strategies for control of noise, dust and vibration, and storage of hazardous materials during construction of the project. Pursuant to Section 18.76.040 (Air Contaminants) of the City's Municipal Code, the management plan must include all applicable BAAQMD rules and regulations, as well as the City's standard conditions for construction activity. The City of Morgan Hill Development Services Department would ensure that the BAAQMD's BCMs, listed under section "a,b" above, would be noted on project construction drawings prior to issuance of a building permit or approval of improvement plans.

Criteria Pollutant Emissions

Criteria pollutant emissions have the ability to cause negative health effects. As discussed under section 'a' above, the AAQS presented are health-based standards designed to ensure safe levels of criteria pollutants that avoid specific adverse health effects. Because the SFBAAB is designated as nonattainment for State and federal eight-hour ozone and State PM₁₀ standards, the BAAQMD, along with other air districts in the SFBAAB region, has adopted federal and state attainment plans to demonstrate progress towards attainment of the AAQS. Full implementation of the attainment plans would ensure that the AAQS are attained and sensitive receptors within the SFBAAB are not exposed to excess concentrations of criteria pollutants. The BAAQMD's thresholds of significance were established with consideration given to the health-based air quality standards established by the AAQS, and are designed to aid the district in implementing the applicable attainment plans to achieve attainment of the AAQS. Thus, if a project's criteria pollutant emissions exceed the BAAQMD's emission thresholds of significance, a project would be considered to conflict with or obstruct implementation of the BAAQMD's air quality planning efforts, thereby delaying attainment of the AAQS. Because the AAQSs are representative of safe levels that avoid specific adverse health effects, a project's hinderance of attainment of the AAQS could be considered to contribute towards regional health effects associated with the existing nonattainment status of ozone and PM standards.

However, as discussed above, the proposed project would not result in exceedance of the BAAQMD's thresholds of significance. Consequently, implementation of the proposed project would not conflict with the BAAQMD's adopted attainment plans nor would the proposed project inhibit attainment of regional AAQS. Therefore, implementation of the proposed project would not contribute towards regional health effects associated with the existing nonattainment status of ozone and PM₁₀ standards.

Conclusion

Based on the above, the proposed project would not expose any sensitive receptors to substantial concentrations of localized CO, TACs, or criteria air pollutants associated with construction or operation. Therefore, the proposed project would not result in the exposure of sensitive receptors to substantial pollutant concentrations, and **no impact** would occur.

- d. Emissions such as those leading to odors have the potential to adversely affect sensitive receptors within the project area. Pollutants of principal concern include emissions leading to odors, emission of dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in sections 'a' through 'c' above. Therefore, the following discussion focuses on emissions of odors and dust.

Pursuant to the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard.¹³ Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The presence of an odor impact is dependent on several variables including: the nature of the odor source; the frequency of odor generation; the intensity of odor; the distance of odor source to sensitive receptors; wind direction; and sensitivity of the receptor.

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantification of significant odor impacts is relatively difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The proposed project would not introduce any such land uses.

Construction activities often include diesel-fueled equipment and heavy-duty diesel trucks, which can create odors associated with diesel fumes, which could be found to be objectionable. However, as discussed above, construction activities would be temporary, and operation of construction equipment would be regulated and intermittent. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize air pollutant emissions, as well as any associated odors. Accordingly, substantial objectionable odors would not occur during construction activities or affect a substantial number of people.

In addition, the BAAQMD rules and regulations would act to reduce construction related dust, which would ensure that construction of the proposed project does not result in substantial emissions of dust. Following project construction, the project site would not include any exposed topsoil. Thus, project operations would not include any substantial sources of dust.

For the aforementioned reasons, construction and operation of the proposed project would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people, and **no impact** would result.

¹³ Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines* [pg. 7-1]. May 2017.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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 or U.S. Fish and Wildlife Service?	☐	☐	☐	✗
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	✗
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 resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of 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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	✗

Discussion

- a,f. The project site is located within the boundaries of the SCVHP. The SCVHP was developed through a partnership between Santa Clara County, the cities of San José, Morgan Hill, and Gilroy, the Santa Clara Valley Water District (SCVWD), the Santa Clara VTA, the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW). The SCVHP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County. The SCVHP provides take authorization for 18 covered species. In addition, the SCVHP includes conservation measures to protect the species covered by the SCVHP, as well as a conservation strategy designed to mitigate impacts on covered species and contribute to the recovery of the species in the study area.

Currently, the project site includes an operational assisted living facility and an associated parking lot. Several trees exist throughout the project site. The observed site conditions are consistent with the SCVHP, which designates the site as an Urban-Suburban developed land cover type. The Urban-Suburban land cover type is described in the SCVHP as developed areas “where the native vegetation has been cleared for residential, commercial, industrial, transportation, or recreational structures, and is defined as one or more structures per 2.5 acres.”¹⁴ Typically, species covered by the SCVHP are unlikely to occur within Urban-Suburban areas. Therefore, areas designated as Urban-Suburban are

¹⁴ Santa Clara Valley Habitat Agency. *Final Santa Clara Valley Habitat Plan* [pg. 3-100]. August 2012.

not subject to a Land Cover Fee.¹⁵ Pursuant to the SCVHP Geobrowser program, the project site is not located within a designated Plant or Wildlife Survey Area for any covered species.¹⁶ In addition, the SCVHP Geobrowser program indicates that the project site is located outside of the SCVHP Burrowing Owl Fee Area, and is not identified in the SCVHP as Occupied Nesting Burrowing Owl Habitat, Potential Burrowing Owl Nesting/Overwintering Habitat Depending on Site Conditions, or Overwintering Only Habitat.

Due to the disturbed nature of the project site and the existing development in the project vicinity, the project site does not provide habitat for endangered, rare, or threatened species. Thus, the project site meets the infill exemption criteria (c) established by CEQA Guidelines Section 15332. It should be noted that while not considered special-status species, various migratory birds could potentially nest in the existing on-site trees and other vegetation. However, as part of the City's standard conditions of approval, a preconstruction survey for migratory birds would be required prior to removal of on-site trees.

Therefore, development of the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the CDFW or USFWS; nor would the proposed project conflict with the provisions of the SCVHP. Thus, **no impact** would occur.

- b,c. The project site is primarily characterized by an operating assisted living facility and an associated parking lot, while the remainder of the site generally consists of ruderal grasses and trees. The project site is surrounded by existing development and roadways. The site does not contain any existing wetlands or riparian habitat. Accordingly, the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community, or on federally-protected wetlands, and **no impact** would occur.
- d. Movement corridors or landscape linkages are usually linear habitats that connect two or more habitat patches, providing assumed benefits to the species by reducing inbreeding depression and increasing the potential for recolonization of habitat patches. The project site does not fall within any regional corridor defined by the SCVHP. Furthermore, the project site does not support wildlife movement, as the site is currently developed and substantially surrounded by other urban development.

Given that the project site and the properties within the project vicinity are already developed and do not support any major wildlife movement corridors, buildout of the project site would not constrain native wildlife movement. As such, the proposed project would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Thus, **no impact** would occur.

- e. Section 12.32.030 (Permit-Required) of the City of Morgan Hill's Municipal Code requires the approval of a tree removal permit before the removal of any Ordinance Sized Trees,

¹⁵ Santa Clara Valley Habitat Agency. *Geobrowser*. Available at: <http://www.hcpmaps.com/habitat/>. Accessed February 2022.

¹⁶ *Ibid.*

defined as a non-indigenous tree with a circumference greater than 40 inches (approximately 12.7-inch diameter) or any indigenous tree with circumference greater than 18 inches (approximately 5.7 inches diameter). Indigenous tree means any tree native to the Morgan Hill region, such as oaks (all types), Sycamore, California Bay, Madrone, or Alder.

A Tree Inventory Report (TIR) was prepared for the proposed project by Horticultural Associates (see Appendix B).¹⁷ Based on the TIR, a total of 74 trees are located on the project site. The TIR determined that 52 of the on-site trees could be preserved, 21 trees would need to be removed due to expected construction impacts, and one tree would need to be removed due to poor existing condition and expected construction impacts. All trees that would require removal are ornamental or fruit trees, and none are native species. Pursuant to Municipal Code Section 12.32.020(G), "All commercial tree farms, nonindigenous tree species in residential zones and orchards (including individual fruit trees) are exempted from the definition of tree for purposes of this chapter." The project is zoned Residential Attached Medium, and thus, removal of the nonindigenous trees on the project site is exempt from Chapter 12.32 and a tree removal permit is not required. It is important to note, however, the proposed project would include the planting of various trees, shrubs, and ground cover along the site perimeter, and near the proposed parking areas. In addition, the TIR includes recommended tree preservation guidelines to ensure the survival of all on-site trees that are not planned for removal. Compliance with the recommended guidelines would be ensured as a project condition of approval.

Based on the above, the proposed project would not conflict with local policies or ordinances protecting biological resources, and ***no impact*** would occur.

¹⁷ Horticultural Associates. *Tree Inventory Report*. March 9, 2022.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	✗
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	☐	☐	☐	✗
c. Disturb any human remains, including those interred outside of dedicated cemeteries.	☐	☐	☐	✗

Discussion

a,b,c. The project site is currently developed with an operating residential care facility, two sheds, and a parking area with a driveway into the site. As such, the site has been subject to significant disturbance.

A records search of the CHRIS was performed by the North Central Information Center (NWIC) for cultural resource site records and survey reports within the proposed project area. Based on the results of the CHRIS search, the State Office of Historic Preservation Directory (which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places) indicates that listed recorded archaeological resources are not located in or adjacent to the project site.¹⁸ Furthermore, a records search of the NAHC Sacred Lands File conducted for the proposed project returned negative results, indicating that known cultural resources are not present on the project site.¹⁹

The proposed project would involve the demolition of the two sheds associated with the existing residential care facility. The sheds are not considered historic resources. Although the residential care facility itself was built in 1958, and therefore meets the age for being considered historic, the project would not involve any alterations to the existing facility. Thus, historical resources would not be affected by implementation of the proposed project.

However, as noted in the General Plan EIR, archaeological surveys conducted in Morgan Hill have identified numerous prehistoric sites with shell midden components, including human burials. Based on such findings, the potential exists for subsurface historical resources and previously unknown archaeological resources to be found on-site during grading and excavation associated with development of the proposed project. In the event that such resources are unearthed, the following City standard conditions of approval related to the protection of historical and archaeological resources would be implemented, consistent with Section 18.60.090 of the City's Municipal Code:

1. Prior to start of grading or earthmoving activity on the "first day of construction", the archaeologist and Tamien Nation Tribal Monitor shall hold a preconstruction meeting for the purposes of "cultural sensitivity training" with the general contractor and subcontractors.

¹⁸ California Historical Resources Information System. *Record search results for the proposed Peak Avenue Assisted Living Project*. April 14, 2022.

¹⁹ Native American Heritage Commission. *Peak Avenue Assisted Living Project, Santa Clara County*. March 24, 2022.

2. An archaeologist and a Tamien Nation Tribal Monitor shall be present on-site to monitor all ground disturbing activities. The project applicant shall enter into written contracts with the archaeologist and Tribal Monitor for monitoring and shall pay all fees associated with the activities required by this condition. Copies of the contracts shall be provided to the Development Services Director or Designee prior to issuance of a grading permit. Where historical or archaeological artifacts are found, work in areas where remains or artifacts are found will be restricted or stopped until proper protocols are met, as described below:
 - a) Work at the location of the find will halt immediately within fifty feet of the find. If an archaeologist is not present at the time of the discovery, the applicant shall contact an archaeologist for evaluation of the find to determine whether it qualifies as a unique archaeological resource as defined by this chapter;
 - b) If the find is determined not to be a Unique Archaeological Resource, construction can continue. The archaeologist will prepare a brief informal memo/letter in collaboration with a tribal representative that describes and assesses the significance of the resource, including a discussion of the methods used to determine significance for the find;
 - c) If the find appears significant and to qualify as a unique archaeological resource, the archaeologist will determine if the resource can be avoided and will detail avoidance procedures in a formal memo/letter; and
 - d) If the resource cannot be avoided, the archaeologist in collaboration with a tribal representative shall develop within forty-eight hours an action plan to avoid or minimize impacts. The field crew shall not proceed until the action plan is approved by the Development Services Director. The action plan shall be in conformance with California Public Resources Code 21083.2.
3. The following policies and procedures for treatment and disposition of inadvertently discovered human remains or archaeological materials shall apply. If human remains are discovered, it is probable they are the remains of Native Americans,
 - a) If human remains are encountered, they shall be treated with dignity and respect as due to them. Discovery of Native American remains is a very sensitive issue and serious concern. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
 - b) Remains should not be held by human hands. Surgical gloves should be worn if remains need to be handled.
 - c) Surgical mask should also be worn to prevent exposure to pathogens that may be associated with the remains.
4. In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Examples of

significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, ground stone mortars and pestles), culturally altered ash stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials and historic structure remains such as stone lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the exclusion zone as defined below.

5. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the contractor foreman or authorized representative, or party who made the discovery and initiated these protocols, or if on-site at the time of discovery, by the monitoring archaeologist and tribal representative (typically twenty-five to fifty feet for single burial or archaeological find).
6. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the City or County if considered prudent to avoid further disturbances.
7. The Contractor Foreman or authorized representative, or party who made the discovery and initiated these protocols shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
 - The City of Morgan Hill Development Services Director (408) 779-7247
 - The Contractor's Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found) (408) 793-1900
 - The Native American Heritage Commission (NAHC) in Sacramento (916) 653-4082
 - The Amah Mutsun Tribal Band (916) 481-5785 (H) or (916) 743-5833 (C)
 - The Tamien Nation (707)295-4011 (office) and (925)336-5359 (THPO)
8. The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American the Coroner has 24 hours to notify the NAHC.
9. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD). (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
10. Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
11. Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Development Services Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological

analyses or DNA analyses recommended by the appropriate tribe may be considered and carried out.

12. If the MLD recommendation is rejected by the City of Morgan Hill the parties will attempt to mediate the disagreement with the NAHC. If mediation fails then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Compliance with the above standard conditions of approval would ensure that construction of the proposed project would result in ***no impact*** related to historical resources and unique archeological resources, as well as the disturbance of human remains.

VI. ENERGY.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Result in 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?	☐	☐	☐	✗

Discussion

- a,b. The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2019 California Green Building Standards Code (CALGreen Code) and the Building Energy Efficiency Standards, with which the proposed project would be required to comply, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code

The 2019 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11) is a portion of the CBSC, which became effective on January 1, 2020.²⁰ The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The CALGreen standards regulate the method of use, properties, performance, types of materials used in construction, alteration repair, improvement and rehabilitation of a structure or improvement to property. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of EV charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' MWELO, or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills; and
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board.
- For some single-family and low-rise residential structures developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s). Certain residential developments, such as developments that are subject to substantial shading, rendering the use of on-site solar photovoltaic systems infeasible, may be exempted from the foregoing requirement on a case-by-case basis.

²⁰ California Building Standards Commission. *California Green Building Standards Code*. 2019.

Building Energy Efficiency Standards

The 2019 Building Energy Efficiency Standards are a portion of the CBSC that expand upon energy efficiency measures from the 2016 Building Energy Efficiency Standards. The 2019 Building Energy Efficiency Standards are in effect for building permit applications submitted after January 1, 2020.

Energy reductions relative to previous Building Energy Efficiency Standards are achieved through various regulations, including requirements for the use of high efficacy lighting, improved water heating system efficiency, and high-performance attics and walls. For residential buildings, compliance with the 2019 standards will use approximately seven percent less energy due to energy efficiency measures compared to homes built under the 2016 standards.²¹ The Building Energy Efficiency Standards require residential buildings that are three stories or less to include solar photovoltaic systems. Once solar electricity generation is factored in, homes built under the 2019 standards will use approximately 53 percent less energy than those under the 2016 standards.

Construction Energy Use

Construction of the proposed project would involve on-site energy demand and consumption related to use of oil in the form of gasoline and diesel fuel for construction worker vehicle trips, hauling and materials delivery truck trips, and operation of off-road construction equipment. In addition, diesel-fueled portable generators may be necessary to provide additional electricity demands for temporary on-site lighting, welding, and for supplying energy to areas of the site where energy supply cannot be met via a hookup to the existing electricity grid. Project construction would not involve the use of natural gas appliances or equipment.

Even during the most intense period of construction, due to the different types of construction activities (e.g., site preparation, grading, building construction), only portions of the project site would be disturbed at a time, with operation of construction equipment occurring at different locations on the project site, rather than a single location. In addition, all construction equipment and operation thereof would be regulated pursuant to the CARB In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation is intended to reduce emissions from off-road, heavy-duty diesel vehicles in California by imposing limits on idling, requiring all vehicles to be reported to CARB, restricting the addition of older vehicles into fleets, and requiring fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. In addition, as a means of reducing emissions, construction vehicles are required to become cleaner through the use of renewable energy resources. The In-Use Off-Road Diesel Vehicle Regulation would therefore help to improve fuel efficiency for equipment used in construction of the proposed project. Technological innovations and more stringent standards are being researched, such as multi-function equipment, hybrid equipment, or other design changes, which could help to further reduce demand on oil and limit emissions associated with construction.

The CARB prepared the 2017 Climate Change Scoping Plan Update (2017 Scoping Plan),²² which builds upon previous efforts to reduce GHG emissions and is designed to continue to shift the California economy away from dependence on fossil fuels. Appendix B of the 2017 Scoping Plan includes examples of local actions (municipal code changes,

²¹ California Energy Commission. *Title 24 2019 Building Energy Efficiency Standards FAQ*. November 2018.

²² California Air Resources Board. *The 2017 Climate Change Scoping Plan Update*. January 20, 2017.

zoning changes, policy directions, and mitigation measures) that would support the State's climate goals. The examples provided include, but are not limited to, enforcing idling time restrictions for construction vehicles, utilizing existing grid power for electric energy rather than operating temporary gasoline/diesel-powered generators, and increasing use of electric and renewable fuel-powered construction equipment. The In-Use Off-Road Diesel Vehicle Regulation described above, with which the proposed project must comply, would be consistent with the intention of the 2017 Scoping Plan and the recommended actions included in Appendix B of the 2017 Scoping Plan.

Based on the above, the temporary increase in energy use occurring during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, the proposed project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand.

Operational Energy Use

In response to the growing climate crisis, the City has determined that natural gas use in local buildings, which accounts for approximately one-third of the community's carbon footprint, represents the City's greatest opportunity to reduce future GHG emissions. Requiring all new buildings to be constructed without natural gas will dramatically reduce future emission growth as electricity procured by Silicon Valley Clean Energy is 100 percent carbon free. The City Council adopted Ordinance No. 2306 on November 6, 2019, which prohibits natural gas infrastructure in new buildings.

Energy use associated with operation of the proposed project would be typical of residential and health care uses, requiring electricity for interior and exterior building lighting, HVAC, electronic equipment, machinery, refrigeration, appliances, security systems, and more. Maintenance activities during operations, such as landscape maintenance, would involve the use of electric or gas-powered equipment. As noted above, the project would be required to include a solar photovoltaic system in accordance with the Building Energy Efficiency Standards. In addition to on-site energy use, the proposed project would result in transportation energy use associated with vehicle trips generated by the proposed development.

The proposed project would be subject to all relevant provisions of the most recent update of the CBSC, including the CALGreen Code and the Building Energy Efficiency Standards. Adherence to the most recent CALGreen Code and the Building Energy Efficiency Standards would ensure that the proposed structure would consume energy efficiently through the incorporation of such features as efficient water heating systems, high performance attics and walls, and high efficacy lighting. In addition, California has set energy-use reduction goals targeting zero-net-energy use in all new homes.²³ The CALGreen Code requires that new residential buildings use a combination of energy efficiency and distributed renewable energy generation to meet all annual energy needs. Required compliance with the CBSC would ensure that the building energy use associated with the proposed project would not be wasteful, inefficient, or unnecessary.

²³ California Energy Commission. *Title 24 2019 Building Energy Efficiency Standards FAQ*. November 2018.

With regard to transportation energy use, the proposed project would comply with all applicable regulations associated with vehicle efficiency and fuel economy. In addition, as discussed in Section XVII, Transportation, of this Initial Study, the project site is located in an urban area with access to public transit lines. The site's access to public transit, would help to minimize VMT and, consequently, fuel consumption associated with the proposed project, thereby reducing transportation energy use.

Conclusion

Based on the context above, construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, ***no impact*** would occur.

VII. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. 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 based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	✗
ii. Strong seismic ground shaking?	☐	☐	☐	✗
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	✗
iv. 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 Table 18-1B of the Uniform Building Code (1994), 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 geologic feature?	☐	☐	☐	✗

Discussion

- ai-ii. According to the City of Morgan Hill General Plan EIR, major faults located in the project area include the Calaveras Fault located approximately 4.1 miles northeast of the City, the San Andreas Fault located approximately 9.3 miles southwest of the City, the Sargent Fault located approximately 7.0 miles southwest of the City, and the San Gregorio Fault located approximately 32 miles southwest of the City. Given that known surface expressions of fault traces do not exist within the City of Morgan Hill, including the site, fault rupture hazard is not a significant geologic hazard at the site. In addition, Alquist-Priolo Earthquake Fault Zones are not delineated within or near the project site.²⁴

Due to the proximity of the site to nearby active faults, strong ground shaking could occur at the site as a result of an earthquake on any one of the faults. However, the proposed project would be subject to all applicable regulations within the CBSC and Chapter 15.08 (Building Code) of the City's Municipal Code, which provide standards to protect property and public safety by regulating the design and construction of foundations, building frames, and other building elements. Therefore, **no impact** would occur related to exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault or strong seismic ground shaking.

²⁴ California Department of Conservation. *Earthquake Zones of Required Investigation*. Available at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed March 2022.

aiii,aiv,

- c. The proposed project's potential effects related to liquefaction, landslides, lateral spreading, and subsidence/settlement are discussed in detail below.

Liquefaction

Liquefaction is the temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking. In the process, the soil undergoes transient loss of strength, which commonly causes ground displacement or ground failure to occur. Because saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. Additionally, loose unsaturated sandy soils have the potential to settle during strong seismic shaking.

According to the ABAG Resilience Program's interactive Hazards Map, the project site is located in an area of very low and low liquefaction susceptibility.²⁵ However, the Safety, Services, and Infrastructure Element of the General Plan acknowledges the hazards associated with seismically induced liquefaction in the planning area, and includes a number of policies (SSI-1.1, 1.2, 2.1, and 2.3) that are relevant to the potential hazards. The CBSC and Morgan Hill Building Code also provide standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements, which would further reduce the potential for seismic-related ground failure, including liquefaction. Compliance with the aforementioned regulations would ensure that substantial adverse effects related to liquefaction would not occur.

Landslides

Seismically-induced landslides are triggered by earthquake ground shaking. The risk of landslide hazard is greatest in areas with steep, unstable slopes. The majority of the project site is located on two to nine percent slopes, while a small portion of the project site on the eastern border rises upward in a 15 to 30 percent slope.²⁶ However, construction of the project would include site grading to ensure that the ground surface of the project site would be generally flat. Per the California Geologic Survey, the site is not located within a designated seismic hazard zone for landslides.²⁷ Further, the General Plan EIR concludes that compliance with the policies within the Safety, Services, and Infrastructure Element of the General Plan, along with the CBSC and Morgan Hill Building Code, would ensure that substantial adverse effects related to landslides would not occur.

Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. As stated above, following grading activities, the project site would be generally flat. In addition, concrete reinforcement would be placed to support the

²⁵ Association of Bay Area Governments. *Resilience Program*. Available at: <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>. Accessed March 2022.

²⁶ United States Department of Agriculture. *Web Soil Survey*. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed March 2022.

²⁷ *Ibid.*

grades. Further, the General Plan EIR concluded that impacts related to lateral spreading would be reduced to a less-than-significant level with compliance with the CBSC, the Santa Clara County General Plan, and the Morgan Hill Municipal Code. Therefore, no adverse impacts related to lateral spreading would occur.

Subsidence/Settlement

Subsidence is the settlement of soils of very low density generally from either oxidation of organic material, or desiccation and shrinkage, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. Given that the proposed project would comply with the CBSC, the potential for subsidence to pose a risk to the proposed development is relatively low. In addition, the General Plan EIR concludes that impacts related to subsidence/settlement would be reduced to a less-than-significant level with compliance with the CBSC, the Santa Clara County General Plan, and the Morgan Hill Municipal Code. Therefore, no adverse impacts related to subsidence or settlement would occur.

Conclusion

Based on the above, the proposed project would not be subject to substantial risks related to liquefaction, landslides, lateral spreading, and subsidence/settlement. Compliance with standard construction regulations included in the CBSC would ensure that the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving liquefaction, subsidence, or settlement, and 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 subsidence, liquefaction, or collapse. Thus, **no impact** would occur.

- b. Development of the proposed project would cause ground disturbance of mostly topsoil related to construction activity. The ground disturbance would be limited to the areas proposed for grading and excavation, including building pads, curb, gutter, drainage, sewer, and water infrastructure alignments. After grading and excavation and prior to overlaying the disturbed surfaces with impervious surfaces and structures, the potential exists for wind and water erosion to occur, which could adversely affect downstream storm drainage facilities.

New development within the City that disturbs one or more acres of land is required to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) incorporating Best Management Practices (BMPs) to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. The proposed project would disturb approximately 1.94 acres and, thus, would be subject to such requirements. In addition, pursuant to Chapter 13.30 (Urban Storm Water Quality Management and Discharge Control) of the City's Municipal Code, an Erosion Control Plan must be prepared for the proposed project. BMPs of the Erosion Control Plan would include drainage inlet protection, designation of a temporary construction entrance, as well as temporary fiber rolls and other BMPs to prevent pollution and erosion. In addition, the Erosion Control Plan would be subject to review and approval by the City Engineer prior to the approval of improvement plans and the issuance of building permits to ensure that the plan complies with City standards. Therefore, the proposed project would not result in substantial soil erosion or the loss of topsoil, and, **no impact** would occur.

- d. Expansive soils can undergo significant volume changes with changes in moisture content. Specifically, such soils shrink and harden when dried and expand and soften when wetted. If structures are underlain by expansive soils, foundation systems must be capable of withstanding the potential damaging movements of the soil. Per the U.S. Department of Agriculture's Web Soil Survey, the project site consists of two percent Keefers clay loam, 13 percent Gilroy clay loam, and 85 percent Los Robles clay loam. All three soil types have a shrink-swell rating of 0.5, which is considered moderate.²⁸ However, the proposed project would be required to comply with all applicable CBSC standards to ensure the structural integrity of the proposed structures. Furthermore, to avoid damage due to soil expansion and shrinkage, Section 15.08.090 (Section 1907A.1 amended-Minimum slab provisions) of the City's Municipal Code includes requirements for minimum thickness of concrete floor slabs, as well as required reinforcement with wire mesh or an approved alternative. Given required compliance with the CBSC and the slab and foundation construction standards provided in the Municipal Code, the proposed project would not be subject to substantial risks related to expansive soils.

Based on the above, the proposed project would not create substantial direct or indirect risks to life or property related to being located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Thus, a **less-than-significant** impact would occur.

- e. The proposed development would connect to existing City-maintained sewer infrastructure and would not include the use of septic tanks. Accordingly, **no impact** would occur related to soils incapable of adequately supporting the use of septic tanks.
- f. Paleontological resources or fossils are the remains of prehistoric plant and animal life. As noted in the General Plan EIR, based on a review of the University of California's Museum of Paleontology's fossil locality database conducted for all of Santa Clara County, paleontological resources have not been identified within the City of Morgan Hill.²⁹ In addition, the project site has been subject to previous disturbance. Thus, paleontological resources are not expected to occur on the site. Furthermore, the proposed project would be subject to the City's standard measures listed in Section V, Cultural Resources, of this Initial Study. As noted in the General Plan EIR, such measures would ensure adverse impacts to paleontological resources are avoided. As noted in the City's General Plan, occurrences of fossil resources are closely tied to the geologic units. The soil types at the project site are not considered unique geologic features and are common within the geographic area of the City. As such, development of the proposed project would not destroy a unique geologic feature. Therefore, the proposed project would not result in the direct or indirect destruction of a unique paleontological resource or unique geological feature, and **no impact** would occur.

²⁸ United States Department of Agriculture. *Web Soil Survey*. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed March 2022.

²⁹ City of Morgan Hill. *2035 General Plan, City of Morgan Hill* [pg. 4.5-17]. Adopted July 2016.

VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Generate greenhouse gas 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 greenhouse gasses?	☐	☐	☐	✗

Discussion

- a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

The proposed project is located within the jurisdictional boundaries of BAAQMD. On April 20, 2022, the BAAQMD Board of Directors held a public meeting and adopted proposed CEQA Thresholds for Evaluating the Significance of Climate Change Impacts from Land Use Projects and Plans.³⁰ However, according to BAAQMD Resolution No. 2022-06 adopting the CEQA thresholds, the newly adopted thresholds of significance are not applicable to projects that initiated the CEQA process prior to April 20, 2022, such as the proposed project. Therefore, the proposed project is not subject to compliance with the new thresholds of significance and the BAAQMD thresholds of significance for project-level GHG emissions that were in place prior to April 20, 2022 would be the applicable thresholds of significance for this analysis.

The BAAQMD's approach to developing the threshold was to identify a threshold level of GHG emissions for which a project would not be expected to substantially conflict with existing California legislation. At the time that the thresholds were developed, the foremost legislation regarding GHG emissions was AB 32, which established an emissions

³⁰ Bay Area Air Quality Management District. *CEQA Thresholds and Guidelines Update*. Available at: <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>. Accessed June 2022.

reduction goal of reducing statewide emissions to 1990 levels by 2020.³¹ The GHG emissions threshold of significance recommended by BAAQMD to determine compliance with AB 32 is 1,100 MTCO₂e/yr. or 4.6 MTCO₂e per service population per year (MTCO₂e/SP/yr.). If a project generates GHG emissions above the BAAQMD's adopted threshold level, the project is considered to generate significant GHG emissions and conflict with AB 32.

The foregoing threshold is intended for use in assessing operational GHG emissions only. Construction of a proposed project would result in GHG emissions over a short-period of time in comparison to the operational lifetime of the project. To capture the construction-related GHG emissions due to buildout of the proposed project, such emissions are amortized over the anticipated project lifetime and added to the operational GHG emissions. Given that construction-related GHG emissions would not occur concurrently with operational emissions and would cease upon completion of construction activities, combining the two emissions sources represents a conservative estimate of total project GHG emissions.

Since the adoption of applicable BAAQMD's GHG thresholds of significance, the State legislature has passed AB 197 and SB 32, which builds off of AB 32 and establishes a statewide GHG reduction target of 40 percent below 1990 levels by 2030. Considering the legislative progress that has occurred regarding statewide reduction goals since the adoption of BAAQMD's standards, the emissions thresholds presented above would determine whether a proposed project would be in compliance with the 2020 emissions reductions goals of AB 32, but would not necessarily demonstrate whether a project would be in compliance with SB 32. In accordance with the changing legislative environment, the BAAQMD has begun the process of updating the District's CEQA Guidelines; however, at the time of this analysis, updated thresholds of significance to assess a project's compliance with SB 32 had not yet been adopted. However, SB 32 requires that by 2030 statewide emissions be reduced by 40 percent beyond the 2020 reduction target set by AB 32. Thus, this analysis assumes that in order to meet the reduction targets of SB 32, a proposed project would be required to reduce emissions by an additional 40 percent beyond the emissions reductions currently required by BAAQMD for compliance with AB 32. Assuming a 40 percent reduction from current BAAQMD targets, a proposed project would be in compliance with SB 32 if the project's emissions did not exceed the following thresholds: 660 MTCO₂e/yr or 2.6 MTCO₂e/SP/yr. The BAAQMD has informally endorsed this approach to analysis in other recent projects throughout the Bay Area.

By using the BAAQMD thresholds of significance for GHG and the updated SB 32 thresholds discussed above, the City would comply with Section 15064.4(b)(3) of the CEQA Guidelines, which suggests that lead agencies consider the extent that the project would comply with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction of GHG emissions.

Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. Neither the City nor BAAQMD has an adopted threshold of significance for construction-related GHG emissions and does not require quantification. Nonetheless, the proposed project's construction GHG emissions, as well as operational emissions, have been estimated

³¹ Bay Area Air Quality Management District. *California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance*. May 2017.

using CalEEMod under the same assumptions discussed in Section III, Air Quality, of this IS/MND (see Appendix A).

The emissions estimates prepared for the proposed project determined that unmitigated construction of the project would result in total GHG emissions of 283.41 MTCO₂e over the entire construction period. In the analyses below, the total construction GHG emissions are added to the operational emissions of the proposed project (see Table 4). The construction period would be fully completed prior to occupancy of the project and, thus, by adding both emissions sources, this analysis is extremely conservative.

Table 4	
Unmitigated Operational GHG Emissions	
Source	GHG Emissions (MTCO₂e/yr)
<i>Area</i>	3.81
<i>Energy</i>	38.94
<i>Mobile</i>	96.59
<i>Waste</i>	22.03
<i>Water</i>	6.35
Total Operational GHG Emissions	167.72
Total Construction GHG Emissions	283.41
Total Annual GHG Emissions	451.13
BAAQMD AB 32 Threshold	1,100.00
Adjusted SB 32 Threshold	660.00
Exceeds Threshold?	NO
<i>Source: CalEEMod, March 2022 (see Appendix A).</i>	

As shown in Table 4, the project's total unmitigated annual GHG emissions in the first year of project operation, 2023, including construction-related emissions, were estimated to be approximately 451.13 MTCO₂e/yr, which would be below BAAQMD's adopted threshold of significance for AB 32 and the adjusted threshold of significance to represent compliance with SB 32. Accordingly, neither construction nor operations of the proposed project would be anticipated to result in significant emissions of GHGs.

Based on the above, the proposed project would not be considered to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs; and **no impact** would occur.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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 likely 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, would the project 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 the risk of loss, injury or death involving wildland fires?	☐	☐	☐	✗

Discussion

- a. Due to the medical nature of the proposed project, use and storage of hazardous materials such as medications, sterilizing agents, and compressed gas, would occur at the project site. Some chemicals can pose physical hazards (e.g., chemical burns) or health hazards (e.g., poisoning), including potential acute or chronic illnesses. The properties and health effects of different chemicals are unique to each chemical and depend on the extent to which an individual is exposed.

Section 8.40.750 of the City's Municipal Code establishes regulations related to the types and quantities of hazardous materials that may be stored or used within the City. Based on the allowances within Section 8.40.750 of the Morgan Hill Municipal Code, should operation of the proposed project require the use or storage of hazardous materials in excess of the excepted limits, a formal request must be made to the City, including a declaration of information regarding the type and quantities of hazardous materials to be used or stored within the project site. Such requests would be considered by the City's Development Services Department. Therefore, such materials would be safely managed in accordance with the applicable regulations and would be subject to City review depending on the type or quantity of chemicals proposed for use. In addition, the site is already developed with an assisted living facility that provides similar medical support. Thus, the proposed project would be an extension of such, and would not introduce any new hazards to the site nor exacerbate the existing conditions.

Given the stringent regulations governing such materials, the proposed project would not create a significant hazard to the public or the environment related to the routine transport, use, or disposal of hazardous materials, and **no impact** would occur.

- b. During operations, the proposed project could involve the use of hazardous materials associated with the proposed assisted living services. However, as discussed above, given the required compliance with all regulations governing the use of such materials, no impact would occur.

During demolition, the potential exists for construction personnel or nearby receptors to be exposed to hazardous materials that are present in the existing structures. The primary hazardous materials of concern are asbestos and lead, as discussed below.

For buildings constructed prior to 1980, the Code of Federal Regulations (29 CFR 1926.1101) states that all thermal system insulation (boiler insulation, pipe lagging, and related materials) and surface materials must be designated as “presumed asbestos-containing material” unless proven otherwise through sampling in accordance with the standards of the Asbestos Hazard Emergency Response Act. As noted previously, the project site currently includes a residential care facility and two small sheds that were constructed in the 1950s; the sheds are planned for demolition as part of the proposed project. Given that the sheds were constructed prior to 1980, the potential exists that asbestos-containing materials are present in the sheds, and that such material could be released during demolition activities. However, the General Plan includes Policy NRE-12.3, which requires construction and demolition projects that have the potential to disturb asbestos (from soil or building material) to comply with all the requirements of the CARB’s airborne toxic control measures (ATCMs) for construction, grading, quarrying, and surface mining operations. Therefore, compliance with Policy NRE-12.3 would ensure that the proper precautions are taken prior to demolishing the existing structures, and adverse impacts related to asbestos would not occur.

Lead-based paint (LBP) is defined by federal guidelines as any paint, varnish, stain, or other applied coating that has one milligram of lead per square centimeter or greater. Lead is a highly toxic material that may cause a range of serious illnesses, and in some cases death. Structures built prior to 1978, and especially prior to the 1960s, are expected to contain LBP. As noted above, the existing facility and sheds were developed in the 1950s and, thus are assumed to include LBP. Therefore, demolition of the on-site sheds could result in exposure to LBP. However, Title 8, CCR Section 1532.1 establishes guidelines related to construction work and demolition of structure that may include lead. As required therein, the employer must conduct a lead exposure assessment prior to the initiation of any work, and ensure that no employee is exposed to lead at concentration greater than 50 micrograms per cubic meter of air. Compliance with the foregoing standards would ensure that the proper precautions are taken prior to demolishing the existing structures, and adverse impacts related to LBP would not occur.

Hazardous materials could be stored, used, and transported in varying amounts during construction of the proposed project. Construction activities associated with the proposed project would involve the use of various products such as concrete, paints, and adhesives. In addition, heavy-duty construction equipment operating on the project site would contain hydraulic fluid, diesel fuel, and other petroleum products. Small quantities of such potentially toxic substances would be used at the project site and transported to and from the site during construction. However, the project contractor would be required to comply

with all California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Compliance with such regulations would ensure that the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment during construction activities.

Based on the above, implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. As such, **no impact** would occur.

- c. The nearest school relative to the project site is St. Catherine School, located approximately 0.2-mile northwest of the site. As discussed under questions 'a' and 'b' above, construction and operation of the proposed project could include the use of small quantities of potentially toxic substances (e.g., medications, compressed gases, petroleum and other chemicals used to operate and maintain construction equipment); however, the project applicant/contractor would be required to comply with all State and local City ordinances regulating the use of such products. Therefore, the proposed 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, and **no impact** would occur.
- d. Pursuant to the SWRCB GeoTracker data management system, hazardous materials sites, including LUST sites and DTSC cleanup sites, have not been identified on or within a 1,000-foot radius of the project site.³² In addition, the project site is not located on or near any hazardous waste sites identified on the Envirostor's Hazardous Waste and Substance Site List.³³

Based on the above, the proposed 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. As such, **no impact** would occur.

- e. The public airport nearest to the project site is the San Martin Airport, which is located approximately 5.3 miles southeast of the project site at 13030 Murphy Avenue. The project site is located well outside of the Airport Influence Area identified in the South County Airport Comprehensive Land Use Plan.³⁴ In addition, the project site is not located within the vicinity of a private airstrip. Therefore, the proposed project would not result in an airport-related safety hazard for people residing or working in the project area, and **no impact** would occur.
- f. Implementation of the proposed project would not result in any modifications to the City's existing roadway system. In addition, during construction, heavy equipment would be

³² State Water Resources Control Board. *GeoTracker*. Available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=morgan+hill>. Accessed March 2022.

³³ Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTES+E%29. Accessed March 2022.

³⁴ Santa Clara County. *Comprehensive Land Use Plan, Santa Clara County, South County Airport*. Amended November 16, 2016.

staged on-site such that the local roadways would not be blocked. Thus, implementation of the proposed project would not interfere with potential evacuation or response routes used by emergency response teams. Furthermore, the project would not conflict with the City's Emergency Operations Plan because the project would not affect the local roadway network.³⁵ Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and **no impact** would occur.

- g. The City's Wildland Urban Interface map indicates that the project site is not located in a High or Very High Fire Hazard Severity Zone (FHSZ).³⁶ In addition, the project site is substantially surrounded by urban development, thereby limiting the sources of fuel (e.g., dry grass) that could be ignited. Therefore, the proposed project would not expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and **no impact** would occur.

³⁵ City of Morgan Hill. *Emergency Operations Plan*. January 11, 2018.

³⁶ City of Morgan Hill. *City of Morgan Hill Wildland Urban Interface Map*. March 2009.

X. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	✗
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	✗
iii. 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	☐	☐	☐	✗
iv. 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?	☐	☐	☐	✗

Discussion

- a. The proposed project's potential to result in water quality impacts during construction and operations is discussed in further detail separately below.

Construction

Project construction activities such as grading, excavation, and trenching for site improvements would result in the disturbance of on-site soils. The exposed soils have the potential to affect water quality in two ways: 1) suspended soil particles and sediments transported through runoff; or 2) sediments transported as dust that eventually reach local water bodies. Spills or leaks from heavy equipment and machinery, staging areas, or building sites also have the potential to enter runoff. Typical pollutants include, but are not limited to, petroleum and heavy metals from equipment and products such as paints, solvents, and cleaning agents, which could contain hazardous constituents. Sediment from erosion of graded or excavated surface materials, leaks or spills from equipment, or inadvertent releases of building products could result in water quality degradation if runoff containing the sediment or contaminants should enter receiving waters in sufficient quantities. Impacts from construction-related activities would generally be short-term and of limited duration.

Water quality degradation is regulated by the federal NPDES Program, established by the Clean Water Act, which controls and reduces pollutants to water bodies from point and non-point discharges. In California, the NPDES permitting program is administered by the

SWRCB through nine Regional Water Quality Control Boards (RWQCBs). As discussed in Section VII, Geology and Soils, of this Initial Study, new development within the City that disturbs one or more acres of land is required to comply with the NPDES General Construction Permit and prepare a SWPPP incorporating BMPs to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. The proposed project would disturb approximately 1.89 acres, and, thus, would be subject to the State NPDES General Construction Permit.

The proposed project would also be subject to all regional and local water quality regulations. In order to meet water quality objectives for the region, the City of Morgan Hill, City of Gilroy, and County of Santa Clara have prepared and are implementing a Revised Regional Storm Water Management Plan (SWMP).³⁷ The SWMP incorporates the efforts of the City of Morgan Hill, the City of Gilroy, and the unincorporated portion of Santa Clara County, within the watershed of the Pajaro River and Monterey Bay, to meet the Phase II Storm Water Permit requirements for small municipal separate storm sewer systems (MS4s). The City of Morgan Hill implements the SWMP through an extensive program that entails: 1) the establishment of SWMP goals for the City; 2) public education and outreach; 3) public involvement and participation; 4) illicit discharge control; 5) construction site stormwater runoff control; 6) post-construction stormwater management in development; and 7) pollution prevention. For construction activities, the SWMP presents BMPs that are required for the control of stormwater runoff quality during construction. Compliance with the City's SWMP, as well as the NPDES General Construction Permit, would ensure that adverse impacts to water quality would not occur during construction.

Operation

After project construction, impervious surfaces on the project site could contribute incrementally to the degradation of downstream water quality during storm events. During the dry season, vehicles and other urban activities may release contaminants onto the impervious surfaces, where they would accumulate until the first storm event. During the initial storm event, or first flush, the concentrated pollutants would be transported via stormwater runoff from the site to the stormwater drainage system and eventually a downstream waterway. Typical urban and medical facility pollutants that would likely be associated with the proposed project include sediment, pesticides, oil and grease, nutrients, metals, bacteria, and trash.

The proposed project would be managed in accordance with Resolution R3-2013-0032 issued by the Central Coast Regional Water Quality Control Board. The Resolution formally adopts post-construction stormwater management requirements for development projects in the Central Coast Region.³⁸ The requirements identify 10 Watershed Management Zones (WMZs) in the covered area, and specify stormwater management requirements for each zone, depending on the size of the development project. Because the project site is located in an area classified as WMZ-1, stormwater management at the project site must include site design and runoff features to limit the amount of runoff from the project site as well as on-site water quality treatment to reduce pollutant loads in the

³⁷ City of Morgan Hill. *Stormwater and Urban Runoff Management*. Available at: <https://www.morgan-hill.ca.gov/737/Phase-II-General-Stormwater-Permit>. Accessed March 2022.

³⁸ California Water Boards. *Central Coast Post-Construction Stormwater Requirements*. Available at: https://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/docs/lid/hydromod_lid_docs/2013_0032_attach1_post_construction_requirements.pdf. Accessed March 2022.

stormwater runoff using a Low Impact Development (LID) treatment system such as biofiltration. In WMZ-1, the treatment system must retain 95 percent of the runoff from the project site and also maintain peak runoff flows such that they do not exceed pre-project flows.

A Preliminary Hydrology and Detention Report was prepared for the proposed project by Talus, Inc. (Appendix C).³⁹ The Preliminary Hydrology and Detention Report concluded that construction of the project would be adequately designed to accommodate a 10-year storm event without increasing flows to the existing storm drain system.

A preliminary Stormwater Control Plan (SWCP) has been prepared for the proposed project (see Figure 8). Pursuant to the SWCP, the project site would be divided into 18 Drainage Management Areas (DMAs). DMAs 7, 17, and 18, would be self-treating, landscaped areas. Similarly, DMAs 12, 15, and 16 would be self-retaining pervious areas. All other DMAs on the project site would direct runoff towards flow-through planters or to one of three bioretention areas prior to discharge into the City's existing storm drain system in West Dunne Avenue or Peak Avenue. All proposed stormwater treatment measures have been designed in accordance with the Santa Clara County Clean Water Program Technical Guidance Handbook.

The design, construction, operation, and maintenance of the proposed stormwater system would need to be addressed in a final SWCP to be submitted to the City of Morgan Hill in accordance with the stormwater management requirements set forth in Chapter 18.140 of the City's Municipal Code. The final SWCP would demonstrate how the stormwater system would meet the specified water quality, runoff retention, and peak flow management requirements. Prior to the issuance of building permits, the stormwater controls would be verified by the City of Morgan Hill to confirm design of the controls in accordance with the specified standards, and the controls would be subject to later operation and maintenance inspections by the property owner.

The final design of the proposed drainage system would be reviewed and approved by the City Engineer, who would ensure that the proposed drainage system complies with all applicable regional and local standards and requirements with respect to incorporating sufficient permanent stormwater treatment control BMPs. Therefore, water quality standards or waste discharge requirements would not be violated, and water quality would not be substantially degraded as a result of operations of the proposed project or intersection improvement area.

Conclusion

Based on the above discussions, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction and operations. Therefore, **no impact** would occur.

- b,e. The City's water supplies currently consist entirely of groundwater. Approximately 25 percent of the City's supply is extracted from the Coyote Valley subarea of the Santa Clara Subbasin, and approximately 75 percent is extracted from the Llagas Subbasin. The project site is located within the Llagas Subbasin. Neither of the subbasins are in a

³⁹ Talus, Inc. *Preliminary Hydrology and Detention Report for Monte Villa Care Facility*. October 29, 2020.

condition of overdraft, and groundwater levels are not expected to drop.⁴⁰ It should be noted that water supply is further discussed in Section XIX, Utilities and Service Systems, of this Initial Study.

Groundwater within the Llagas Subbasin is managed by the SCVWD. The 2021 Groundwater Management Plan (GWMP), prepared pursuant to the Sustainable Groundwater Management Act of 2014, describes the SCVWD's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, located entirely in Santa Clara County and identified by the Department of Water Resources (DWR) as Basins 2-9.02 and 3-3.01, respectively. DWR identified the Santa Clara and Llagas subbasins as high-priority based on criteria that include overlying population, projected growth, number of wells, irrigation acreage, groundwater reliance, and groundwater impacts. However, neither subbasin has been identified as being critically overdrafted.⁴¹

Major recharge facilities within the Llagas Subbasin include the Uvas and Chesbro Reservoirs, in-stream recharge in Llagas and Uvas Creeks, the Madrone Channel, the San Pedro and Main Avenue groundwater recharge ponds, and the Uvas-Llagas pipeline, which is capable of diverting water from Uvas Reservoir to Llagas Creek. The project site is not located in the vicinity of any such facilities. In addition, the proposed stormwater drainage system would allow for a portion of the captured runoff to infiltrate underlying soils in a manner similar to what currently occurs on-site.

Given that groundwater levels within the subbasin underlying the project site are currently stable, and that the proposed project would provide for opportunities for on-site recharge, 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 Llagas Subbasin. In addition, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Thus, **no impact** would occur.

- ci-iii. The project site consists of an existing residential care facility and an associated parking lot. Development of the proposed project would include approximately 47,115 square feet of impervious surfaces, which would alter the existing drainage pattern of the site. Stormwater runoff could cause soil erosion if not properly addressed and provide a more lucrative means of transport for pollutants to enter the waterways. However, as discussed above, the proposed project would include 18 different DMAs with stormwater treatment measures. Stormwater would be directed to a flow-through treatment planter for treatment prior to discharge to the existing storm drain system on West Dunne Avenue. Therefore, the proposed stormwater system would treat and retain runoff from the project site and would be required to maintain peak runoff flows such that they do not exceed pre-project flows in accordance with the stormwater management requirements adopted by Resolution R3-2013-0032.

Stormwater runoff associated with the site would be required to comply with the City's SWMP standards. As such, the project would not significantly increase stormwater flows

⁴⁰ City of Morgan Hill. *Morgan Hill 2035 Final Environmental Impact Report* [pg. 4.9-18]. Adopted July 2016.

⁴¹ Santa Clara Valley Water District. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins* [pg. ES-1]. November 2021.

into the existing system. The final drainage system design for the project will be subject to review and approval by the City Engineer, who will confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. Therefore, the proposed project would not substantially alter the existing drainage pattern of the site or area in a manner that would result in substantial erosion, siltation, or 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. Thus, **no impact** would occur.

- civ. According to FEMA Flood Insurance Rate Map number 06085C606H, the project site is located within Zone X, which is not considered a Special Flood Hazard Area.⁴² Therefore, the proposed project would not impede or redirect flood flows, and **no impact** would occur.
- d. A discussion of flood hazards can be found above, under question 'civ.' A seiche is defined as a wave generated by rapid displacement of water within a reservoir or lake, due to an earthquake that triggers land movement within the water body or land sliding into or beneath the water body. The project site is not located near a water body that is susceptible to seiche hazard. In addition, the distance to the nearest coastline does not subject the site to tsunami hazards.

The project site is, however, located within the dam failure inundation hazard zone for Anderson Reservoir as indicated within the dam failure inundation hazard maps.⁴³ A seismic stability evaluation performed in 2007 for Anderson Dam indicated that the downstream and upstream embankments could become unstable during a very large magnitude earthquake and the rupture of faults underlying the dam may have adverse impact on the outlet pipes and intake structure. The SCVWD has initiated a capital project, the Anderson Dam Seismic Retrofit Project (ADSRP), to complete the planning, design, and construction of the seismic retrofit of the dam. Construction work for the ADSRP began on July 7, 2021.⁴⁴ Federal dam regulators have ordered Anderson Reservoir to operate at three percent capacity until the retrofit is complete.⁴⁵ Given the reduced capacity of, and ongoing improvements to, the Anderson Dam, flooding and/or inundation from the dam does not pose a risk to the proposed project.

Based on the above, the proposed project would not be exposed to substantial risks related to flooding as a result of the failure of a dam, tsunamis, or seiches. Therefore, the project would not result in the release of pollutants due to project inundation, and **no impact** would occur.

⁴² Federal Emergency Management Agency. *National Flood Hazard Layer FIRMette No. 06085C606H*. Available at: <https://msc.fema.gov/portal/search?AddressQuery=17090%20Peak%20Avenue%2C%20Morgan%20Hill%2C%20CA#searchresultsanchor>. Accessed February 2022.

⁴³ Association of Bay Area Governments. *Dam Failure Inundation Hazard Map for Morgan Hill*. 1995. Available at: http://www.mhcert.com/prepare/dam_failure.shtml. Accessed February 2022.

⁴⁴ Santa Clara Valley Water District. *C1: Anderson Dam Seismic Retrofit**. Available at: <https://www.valleywater.org/anderson-dam-project>. Updated October 2021.

⁴⁵ *Ibid.*

XI. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a. A project risks dividing an established community if the project would introduce infrastructure or alter land use so as to change the land use conditions in the surrounding community, or isolate an existing land use. Currently, the project site consists of an operational assisted living facility, and the site is generally surrounded by existing development. The proposed project is an extension of the current use on the project site and, therefore, would not introduce a new land use, change the conditions in the surrounding community, or isolate an existing land use. Therefore, the proposed project would not physically divide an established community and **no impact** would occur.
- b. The project site is designated Residential Attached Medium within the City's General Plan and is zoned RAM. The Residential Attached Medium land use designation allows for a mix of attached housing types including townhomes, garden apartments, and stacked flats. Additionally, a Residential Care Facility is allowed within the RAM district with approval of a Conditional Use Permit. Therefore, the proposed project would not conflict with the site's zoning or land use designation.

In addition, the proposed project would be consistent with other applicable policies and regulations adopted for the purpose of avoiding or mitigating environmental effects. For example, as discussed in Section IV, Biological Resources, of this Initial Study, the proposed project would comply with Section 12.32.030 of the City's Municipal Code regarding the removal of Ordinance Sized Trees. The project would not conflict with any applicable policies, regulations, or ordinances related to the protection of biological resources. Additionally, as discussed under Section XIII, Noise, of this Initial Study, the project would comply with the noise level thresholds established in the City's General Plan and Municipal Code during construction and operation. In addition, the proposed project would comply with Section 8.28.040.D of the City's Municipal Code, which limits the hours construction activities may occur.

Therefore, the proposed project would not cause a significant adverse 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, and **no impact** would occur.

XII. MINERAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a,b. The City's General Plan does not identify any regionally or locally important mineral resources within the City of Morgan Hill. The Santa Clara County General Plan does identify mineral resources of importance; however, the project site is not located in proximity to the quarries currently in operation. Furthermore, mining is not allowed in the project site's land use and zoning designations, and mining would be incompatible with the surrounding uses. Consequently, the proposed project would not result in the loss of a known mineral resource that would be of value to the region nor would the project result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, ***no impact*** to mineral resources would occur as a result of the proposed project.

XIII. NOISE.

Would the project result in:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a. The following section includes a discussion of noise standards and criteria applicable to various land uses, as well as potential traffic noise and non-transportation noise sources associated with the proposed project.

Sensitive Receptors

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the primary intended use of the land. Places where people live, sleep, recreate, worship, and study are considered to be sensitive to noise because intrusive noise can be disruptive to such activities. Within the project vicinity, and for the purposes of a CEQA evaluation, the nearest sensitive receptor is the single-family residence surrounded by the site.

Existing Noise Environment

The ambient noise environment in the immediate project vicinity is defined by traffic on the local roadway network (Peak Avenue and West Dunne Avenue). Additional noise sources include emergency vehicle pass-bys and general community noise.

City Noise Standards and Criteria

Chapter 9, Safety, Service, and Infrastructure, of the City's General Plan contains the following policies that would be applicable to the proposed project:

- SSI-8.2 Impact Evaluation. The impact of a proposed development project on existing land uses should be evaluated in terms of the potential for adverse community response based on significant increase in existing noise levels, regardless of compatibility guidelines.
- SSI-8.5 Traffic Noise Level Standards. Consider noise level increases resulting from traffic associated with new projects significant if: a) the noise level increase is 5 dBA L_{dn} or greater, with a future noise level of less than 60 dBA L_{dn} , or b) the noise level increase is 3 dBA L_{dn} or greater, with a future noise level of 60 dBA L_{dn} or greater.

- SSI-8.6 Stationary Noise Level Standards. Consider noise levels produced by stationary noise sources associated with new projects significant if they substantially exceed existing ambient noise levels.
- SSI-8.7 Other Noise Sources. Consider noise levels produced by other noise sources (such as ballfields) significant if an acoustical study demonstrates they would substantially exceed ambient noise levels.
- SSI-8.9 Site Planning and Design. Require attention to site planning and design techniques other than sound walls to reduce noise impacts, including: a) installing earth berms, b) increasing the distance between the noise source and the receiver, c) using non-sensitive structures such as parking lots, utility areas, and garages to shield noise-sensitive areas, d) orienting buildings to shield outdoor spaces from the noise source, and e) minimizing the noise at its source.

In addition to the policies listed above, Section 18.76.090 (Noise) of the City's Municipal Code contains maximum noise levels for non-transportation noise sources. The City's quantitative exterior noise standards are reproduced below in Table 5. Importantly, this section of the Code states that noise standards in the below table (i.e., Table 18.76-1 of the Code) do not apply to noise generated by vehicle traffic in the public right-of-way or from temporary construction, demolition, and vehicles that enter and leave the site of the noise-generating use (e.g., construction equipment, trains, trucks).

Table 5	
Noise Level Performance Standards	
Receiving Land Use	Maximum Noise Level at Lot Line of Receiving Use
Industrial and Wholesale	70 dBA
Commercial	65 dBA
Residential or Public/Quasi Public	60 dBA
Notes: The planning commission may allow an additional 5 dBA noise level at the lot line if the maximum noise level shown above cannot be achieved with reasonable and feasible mitigation.	
Source: City of Morgan Hill Municipal Code.	

Furthermore, Section 8.28.040.D of the Morgan Hill Municipal Code, limits construction activity noise as follows:

"Construction activities" are defined as including but not limited to excavation, grading, paving, demolition, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site. Construction activities are prohibited other than between the hours of seven a.m. and eight p.m., Monday through Friday and between the hours of nine a.m. to six p.m. on Saturday. Construction activities may not occur on Sundays or federal holidays. No third person, including but not limited to landowners, construction company owners, contractors, subcontractors, or employers, shall permit or allow any person working on construction activities which are under their ownership, control or direction to violate this provision.

Construction activities may occur in the following cases without violation of this provision:

- a. In the event of urgent necessity in the interests of the public health and safety, and then only with a permit from the Building Official, which permit may be granted for a period of not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues.
- b. If the Building Official determines that the public health and safety will not be impaired by the construction activities between the hours of eight p.m. and seven a.m., and that loss or inconvenience would result to any party in interest, the Building Official may grant permission for such work to be done between the hours of eight p.m. and seven a.m. upon an application being made at the time the permit for the work is issued or during the progress of the work.
- c. The city council finds that construction by the resident of a single residence does not have the same magnitude or frequency of noise impacts as a larger construction project. Therefore, the resident of a single residence may perform construction activities on that home during the hours in this subsection, as well as on Sundays and federal holidays from nine a.m. to six p.m., provided that such activities are limited to the improvement or maintenance undertaken by the resident on a personal basis.
- d. Public Works projects are exempt from this section and the City Engineer shall determine the hours of construction for City public projects.

Project Construction Noise

During construction of the proposed project, heavy-duty equipment would be used for demolition, grading, excavation, paving, and building construction, which would result in temporary noise level increases while in operation. Noise levels would vary depending on the type of equipment used, how the equipment is operated, and how well the equipment is maintained. In addition, noise exposure at any single point outside the project site would vary depending on the proximity of construction activities to that point. Standard construction equipment, such as graders, backhoes, loaders, and haul trucks would be used on-site. The nearest noise-sensitive receptor is the single-family residence that is surrounded by the project site on three sides.

Table 6 shows the maximum noise levels associated with typical construction equipment.

Table 6	
Construction Equipment Noise	
Type of Equipment	Maximum Level, dB at 50 feet
Backhoe	78
Compactor	83
Compressor (air)	78
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Pneumatic Tools	85
<i>Source: Federal Highway Administration, Roadway Construction Noise Model User's Guide, January 2006.</i>	

Based on the table, activities involved in typical construction would generate maximum noise levels up to 85 dB at a distance of 50 feet. Because the nearest receptor is less than 50 feet away, the receptor could be exposed to noise levels greater than 85 dB.

As noted in Section 18.76.090 of the City's Municipal Code, the noise level performance standards set forth therein do not apply to noise generated by construction activities. Additionally, Chapter 8.28 of the Morgan Hill Municipal Code prohibits construction activities between 8:00 PM and 7:00 AM, Monday through Friday, and between 6:00 PM and 9:00 AM on Saturdays. Construction activities may not occur on Sundays or federal holidays.

Given the restrictions on construction hours, and the City's standard conditions of approval requiring the use of best available technology by construction contractors to minimize excessive noise from construction equipment, the project would result in no impact related to a substantial temporary increase in noise generation during construction activities.

Project Operational Noise

It should be noted that the California Supreme Court has clarified that environmental analyses prepared under CEQA are intended to analyze a project's impact on the environment, rather than the potential impact of the environment on the project (*Ballona Wetlands Land Trust v. City of Los Angeles*, (2011) 201 Cal.App.4th 455, 473). As such, because the environmental analyses are not required to analyze the potential impact of the environment on the project, a discussion of the effects of off-site traffic noise on the project has not been included. Similarly, the effects of project construction on the existing on-site residential care facility is not evaluated herein.

Operation of the proposed project would generate noise primarily associated with increased traffic on nearby roadways. Pursuant to General Plan Policy SSI-8.5, noise level increases resulting from traffic associated with new projects are considered significant if: a) the noise level increase is 5 dBA L_{dn} or greater, with a future noise level of less than 60 dB L_{dn} ; or b) the noise level increase is 3 dB L_{dn} or greater, with a future noise level of 60 dB L_{dn} or greater. Table 4.11-7 of the General Plan EIR shows a decrease in noise levels of 0.6 dB by 2035 along Peak Avenue, between Dunne Avenue and Main Avenue, with future traffic noise levels projected to be less than 60 dB. The table also shows an increase in noise levels along Dunne Avenue, between Peak Avenue and Del Monte Avenue, by 2.6 dB, with future projected traffic noise levels exceeding 65 dB. Vehicle trips generated by the proposed project are generally included in the estimate of buildout of the General Plan because the proposed project is consistent with the RAM land use designation. Considering the anticipated change in transportation noise on adjacent roadways would not exceed the City's standards set forth in Policy SSI-8.5, traffic noise increases attributable to the project would be less than significant.

Non-transportation noise-generating operations associated with the proposed project would primarily consist of landscaping maintenance and HVAC systems. The landscaping maintenance and HVAC systems would be typical of the existing residential care facility on the project site. Assuming the project HVAC systems and maintenance equipment would be in normal working order, such stationary noise sources associated with the proposed project would not substantially increase noise levels from what currently exists in the project area.

Based on the above, the project would result in no impact related to a substantial increase in noise generation during project operation.

Conclusion

Based on the above, implementation of the proposed project would not result in the 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 City's General Plan and the Municipal Code. Therefore, **no impact** would occur.

- b. Similar to noise, vibration involves a source, a transmission path, and a receiver. However, noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration is measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration in terms of peak particle velocities (PPV) in inches per second (in/sec). Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of PPV.

Human and structural response to different vibration levels is influenced by a number of factors, including ground type, distance between source and receptor, duration, and the number of perceived vibration events. Table 7, which was developed by Caltrans, shows the vibration levels that would normally be required to result in damage to structures. As shown in the table, the threshold for architectural damage to structures is 0.20 in/sec PPV.

The proposed project would only cause elevated vibration levels during construction, as the proposed project would not involve any uses or operations that would generate substantial groundborne vibration. Although noise and vibration associated with the construction phases of the project would add to the noise environment in the immediate project vicinity, construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours.

Table 8 shows the typical vibration levels produced by construction equipment at various distances. The most substantial source of groundborne vibrations associated with project construction would be the use of vibratory compactors.

Use of vibratory compactors/rollers could be required during construction of the proposed on-site parking areas and driveways. However, such activity would occur at approximately 40 feet from the existing single-family unit located adjacent to the project site. At a distance of 26 feet or greater from the vibration source, groundborne vibrations associated with construction equipment would be less than the 0.2 in/sec PPV threshold of significance for architectural damage to structures. Therefore, the proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels, and **no impact** would occur.

Table 7 Effects of Vibration on People and Buildings			
PPV		Human Reaction	Effect on Buildings
mm/sec	in/sec		
0.15 to 0.30	0.006 to 0.019	Threshold of perception; possibility of intrusion	Vibrations unlikely to cause damage of any type
2.0	0.08	Vibrations readily perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
2.5	0.10	Level at which continuous vibrations begin to annoy people	Virtually no risk of “architectural” damage to normal buildings
5.0	0.20	Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relative short periods of vibrations)	Threshold at which there is a risk of “architectural” damage to normal dwelling - houses with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize “architectural” damage
10 to 15	0.4 to 0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause “architectural” damage and possibly minor structural damage
Source: Caltrans. Transportation Related Earthborne Vibrations. TAV-02-01-R9601. February 20, 2002.			

Table 8 Vibration Levels for Various Construction Equipment		
Type of Equipment	PPV at 25 feet (in/sec)	PPV at 50 feet (in/sec)
Large Bulldozer	0.089	0.029
Loaded Trucks	0.076	0.025
Small Bulldozer	0.003	0.000
Auger/drill Rigs	0.089	0.029
Jackhammer	0.035	0.011
Vibratory Hammer	0.070	0.023
Vibratory Compactor/roller	0.210 (0.2 at 26 feet)	0.070
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006.		

- c. The public airport nearest to the project site is the San Martin Airport, which is located approximately 5.3 miles southeast of the project site at 13030 Murphy Avenue. The project site is located well outside of the Airport Influence Area identified in the South County Airport Comprehensive Land Use Plan.⁴⁶ In addition, the project site is not located within the vicinity of a private airstrip. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels associated with air traffic, and **no impact** would occur.

⁴⁶ Santa Clara County. *Comprehensive Land Use Plan, Santa Clara County, South County Airport*. Amended November 16, 2016.

XIV. POPULATION AND HOUSING.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☐	✗
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	✗

Discussion

- a. The proposed project would include the expansion of the existing residential care facility by 96 beds, for a total capacity of 128 beds. Based on the Department of Finance E-5 City/County Housing Population Estimates published in May 2021, the population of Morgan Hill is approximately 47,374.⁴⁷ The increase in population associated with the proposed project (96 residents) would constitute a 0.20 percent increase in the City's population. A 0.20 percent increase in population would not be considered substantial growth. In addition, the facility has the potential to accommodate existing aging residents of Morgan Hill. As a result, the proposed project would not necessarily increase the City population. Furthermore, the proposed project is allowable use in the zoning and land use designations. Therefore, the City has planned for similar development and anticipated the resulting population growth. The primary consideration regarding increased growth is not the growth itself, but the effects of such growth on the City's infrastructure systems, with the key inquiry being whether the systems would become overburdened as a result of the additional demand created by the project. As discussed in Section XIX, Utilities and Service Systems, of this Initial Study, adequate utility infrastructure would be available to support the proposed project. Thus, the proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly, and **no impact** would occur.
- b. The proposed project would not require the demolition of any existing residential units. Instead, the project would develop currently unused land to provide housing and treatment for mentally and physically ill people. As such, the proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and **no impact** would occur.

⁴⁷ California Department of Finance. *E-5 City/County Population and Housing Estimates*. May 2021.

XV. PUBLIC SERVICES.

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:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Fire protection?	☐	☐	☐	✗
b. Police protection?	☐	☐	☐	✗
c. Schools?	☐	☐	☐	✗
d. Parks?	☐	☐	☐	✗
e. Other Public Facilities?	☐	☐	☐	✗

Discussion

a-e. The City of Morgan Hill contracts with CAL FIRE (California Department of Forestry and Fire Protection) for fire protection services. The nearest fire station to the project site (El Toro Station) is located approximately 1.7 miles to the north. Although the City has not adopted response time standards or goals related to fire suppression, CAL FIRE is held to a seven minute, 59 second response time standard based on the 911 Emergency Medical Services Provider Agreement between the City of Morgan Hill and the County of Santa Clara Emergency Medical Services Agency.⁴⁸ The incremental increase in demand for fire protection associated with the proposed project would not necessitate new or physically altered fire protection facilities and would not be substantial enough such that the current response times could not be maintained. In addition, the proposed building would include a fire sprinkler system which would decrease the likelihood of fire-related incidents to occur at the site.

The project site is also located in close proximity to the Morgan Hill Police Department, which is located at 16200 Vineyard Boulevard, approximately 1.6 miles southeast of the site. Thus, police response times would be comparable to nearby existing developments.

With respect to schools, given that the project would provide assisted living services for adults, the proposed project would not increase the demand for public schools in the area.

Regarding parks, the proposed project would include recreational facilities, such as multiple media rooms and living areas, for residents to use. The demand for recreation attributable to the proposed assisted living project would not be substantial enough to necessitate the construction of new parks or alteration of existing parks, the construction of which could have environmental impacts.

Other public facilities, such as libraries, are within close proximity to the project site as well. The Morgan Hill Library is located approximately 0.4-mile northwest of the project site, and would be available for use by future residents of the proposed project. However, it is noted that, given the demographic of the proposed project's residents, it is unlikely that such residents would leave the project site to use public facilities, such as libraries.

Because the project is an allowable use under the site's General Plan land use designations, buildout of the site has been evaluated in the City's General Plan EIR and

⁴⁸ Dwight Good, Assistant Chief Cooperative Fire Protection, Morgan Hill Fire Department. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning and Management, Inc. June 1, 2021.

assumed in City planning efforts. Thus, the associated increase in demand for public services has already been anticipated and planned for by the City. Furthermore, the proposed project would be subject to payment of development impact fees, which are used to help pay for infrastructure, including fire facilities, police facilities, and other public facilities needed to support new development within the City.

Based on the above, the proposed project would have ***no impact*** with respect to creating adverse physical environmental impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, and other public facilities.

XVI. RECREATION.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a,b. The proposed assisted living development would be expected to generate approximately 96 new residents. Due to the increase in population associated with the project, the proposed project could increase demand on existing park facilities. However, given the demographic of the proposed project's residents, it is unlikely that such residents would use such facilities. In addition, the proposed development would include on-site recreation opportunities such as media rooms and living areas for residents to use. The demand for recreation attributable to the proposed assisted living project would not be substantial enough to necessitate the construction of new parks or alteration of existing parks, the construction of which could have environmental impacts.

Therefore, because the proposed project would include on-site recreation opportunities and would not substantially increase the demand for recreation facilities within the City, the proposed project would not increase use of neighborhood and regional recreational parks or other recreational facilities such that physical deterioration of the facility would occur or be accelerated. Thus, **no impact** would occur related to recreational resources.

XVII. TRANSPORTATION.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, 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?	☐	☐	☐	✗

Discussion

- a. The law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used level of service (LOS) to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Enacted as part of Senate Bill 743 (2013), PRC Section 21099, subdivision (b)(1), directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing "criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

Pursuant to SB 743, the Natural Resources Agency promulgated CEQA Guidelines Section 15064.3 in late 2018. It became effective in early 2019. Subdivision (a) of that section provides that "[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact."

Please refer to Question 'b' for a discussion of VMT.

Transit, Bicycle, and Pedestrian Facilities

Bus service in the City of Morgan Hill is provided by the Santa Clara Valley Transportation Authority (VTA), which operates local bus service with regional connections to destinations north and south of Morgan Hill. The nearest bus stop to the project site is located approximately 0.15-mile to the northwest at the intersection of Peak Avenue/Alkire Avenue. Because the proposed project would only slightly increase transit riders, the demands of the proposed project could be accommodated by the existing transit facilities. Therefore, the proposed project would not conflict with a program, plan, ordinance, or policy related to the City's transit facilities.

In the project vicinity, bike lanes are located along West Dunne Avenue and Peak Avenue.⁴⁹ Due to the nature of the proposed project, the project is not expected to generate a significant amount of bicycle trips. Therefore, the demand generated by the

⁴⁹ City of Morgan Hill. *Bikeways, Trails, Parks and Recreation Master Plan*. Adopted July 2017.

proposed project could be accommodated by the existing bicycle facilities in the vicinity of the project site. Thus, the proposed project would not conflict with a program, plan, ordinance, or policy related to the City's bicycle facilities.

Currently, sidewalks are located along each side of both Peak Avenue and West Dunne Avenue. Pedestrian crosswalks are also provided at the adjacent nearby intersections. As such, the proposed pedestrian facilities in the project vicinity would provide adequate connection for pedestrians between the project site and other surrounding land uses in the area. Therefore, the proposed project would not conflict with existing transit, bicycle, or pedestrian facilities.

Conclusion

Based on the above, **no impact** would occur related to conflicting with a program, plan, ordinance, or policy addressing the circulation system, including transit, bicycle, and pedestrian facilities.

- b. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts, with other relevant considerations consisting of the effects of the project on transit and non-motorized travel. VMT is the total miles of travel by personal motorized vehicles a project is expected to generate in a day. VMT measures the full distance of personal motorized vehicle-trips, with one end within the project site. Typically, development projects that are farther from other, complementary land uses (such as a business park far from housing) and in areas without transit or active transportation infrastructure (bike lanes, sidewalks, etc.) generate more driving than development near complementary land uses with more robust transportation options. Therefore, development projects located in a central business district with high density and diversity of complementary land uses and frequent transit services are expected to internalize trips and generate shorter and fewer vehicle trips than developments located in a suburban area with low density of residential developments and no transit service in the project vicinity.

In order to assess project VMT, the Santa Clara Countywide (SCC) VMT Evaluation Tool was used.⁵⁰ Based on the project location, type of development, project description, and proposed trip reduction measures, the evaluation tool calculates the project VMT. Projects located in areas where the existing VMT is above the established threshold are referred to as being in "high-VMT areas." Projects in high-VMT areas are required to include a set of VMT reduction measures that would reduce the project VMT to the greatest extent possible.

To adhere to the state's legislation, the City is currently developing the framework for new transportation policies based on the implementation of VMT as the primary measure of transportation impacts for CEQA purposes. The new policies will replace the City's current transportation policies that are based on LOS. However, as the City has not formally adopted City-specific VMT policies, the VMT assessment incorporated methodology and impact thresholds recommended in the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory)*. In accordance with the *Technical Advisory*, VMT per capita is the recommended metric to evaluate CEQA-related

⁵⁰ Santa Clara Countywide VMT Evaluation Tool. *Results*. Available at: <https://vmttool.vta.org/>. Accessed March 2022.

transportation impacts for residential land uses, with an impact threshold of 15 percent below the existing VMT levels for residential land uses.

The SCC VMT Evaluation Tool determined that the VMT value resulting from buildout of the proposed project would be 12.81 VMT per capita.⁵¹ The VTA's *VMT Evaluation Tool*, indicates that the City-wide VMT per capita is currently 24.64. Considering this, the VMT per capita of the proposed project is more than 15 percent below the City's existing VMT per capita and, per the OPR's criteria, can be assumed to be less than significant.

Residents of assisted living facilities are typically presumed not to be able to drive themselves, as by definition residents require assistance in one or more areas of daily functioning, nor are the residents assumed to make commute, shopping, or school trips independently. Thus, assisted care uses do not generate trips similar to other residential uses. Instead, most trips are employee commute trips, some local visitor trips, and delivery or service trips unrelated to automobile VMT. Therefore, assisted care uses may be most similar to office or other employment-based uses that involve a limited public component. Assisted living facilities are generally located to specifically serve the surrounding community, so that residents can be placed close to medical facilities and where the families of the residents live. As such, assisted living facilities may also be considered primarily local-serving. Of cities with adopted VMT policies, typical guidance includes screening out some or all local-serving uses, including day cares, community colleges, houses of worship, and government offices, regardless of the commute characteristics of any employees. In addition, some cities, such as the City of Fountain Valley and the City of Alhambra, include project-type screening for assisted living facilities.^{52,53}

Based on the above, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and **no impact** would occur.

- c,d. Primary access to the project site would be provided by a driveway from Peak Avenue. The proposed project would also include a pick-up/drop-off area adjacent to the buildings at both proposed parking lots.

Based on the minor number of trips anticipated to be generated by the proposed project, operational traffic issues are not expected to occur at the project driveway. Implementation of the proposed project would not result in any substantial modifications to the City's existing roadway system.

The project driveway would be free and clear of any obstructions to provide adequate sight distance, thereby ensuring that vehicles would be able to see pedestrians on the sidewalk and other vehicles traveling on Peak Avenue. Landscaping and signage would be required to be located in a way to ensure that drivers have an unobstructed view.

Implementation of the proposed project would not result in any modifications to the City's existing roadway system, and would provide adequate access to the site for emergency vehicles. Emergency vehicles would use the primary access driveway to enter the site,

⁵¹ Santa Clara Countywide VMT Evaluation Tool. *Results*. Available at: <https://vmttool.vta.org/>. Accessed March 2022.

⁵² City of Fountain Valley. *Transportation Impact Assessment Guidelines for Land Use Projects in CEQA and for General Plan Consistency* [pg.17]. June 2020.

⁵³ City of Alhambra. *City of Alhambra Study Guidelines for Vehicle Miles Traveled and Level of Service Assessment* [pg. 15]. October 2020.

and could pull into the parking areas located besides each building on the project site, both of which would include modified fire truck turnarounds. Based on the above, the proposed 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), and would not result in inadequate emergency access. Therefore, ***no impact*** would occur.

XVIII. TRIBAL CULTURAL RESOURCES.

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:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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.	☐	☐	☐	✗

Discussion

- a,b. As discussed in Section V, Cultural Resources, of this Initial Study, the existing on-site structures do not meet the criteria to be eligible for listing in the California Register of Historical Resources, or a local register of historical resources as defined in PRC Section 5020.1(k), and do not contain known resources that could be considered historic pursuant to the criteria set forth in subdivision (c) of PRC Section 5024.1. Based on a search of the NAHC Sacred Lands File, the project site is not likely to contain tribal cultural resources.⁵⁴ However, the records search of the CHRIS database for cultural resource site records and survey reports within the project area indicated that a low to moderate potential exists for unrecorded Native American archaeological resources to occur within the project site.⁵⁵ Compliance with Section 18.60.090 of the City's Municipal Code would ensure that the proper measures are taken should tribal cultural resources be discovered within the project site.

Given compliance with the City's standard conditions of approval related to cultural resource discovery, **no impact** to tribal cultural resources would occur.

⁵⁴ Native American Heritage Commission. *Re: Peak Avenue Assisted Living Project, Santa Clara County*. March 24, 2022.

⁵⁵ California Historical Resources Information System. *Re: Record search results for the proposed Peak Avenue Assisted Living Project*. April 14, 2022.

XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	✗
b. Have sufficient 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 has 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. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	✗

Discussion

- a-c. Brief discussions of the water, wastewater, stormwater drainage, electrical, and telecommunications facilities that would serve the proposed project are included below.

Water

The City of Morgan Hill provides potable water service to its residential, commercial, industrial, and institutional customers within the City limits. The City's water system facilities include 17 groundwater wells, 10 reservoir sites, nine pumping stations, and 165 miles of pressured pipes ranging from two to 14 inches in diameter. The City has planned and constructed water projects in conjunction with new street construction in anticipation of future growth and water needs.

According to the City's Urban Water Management Plan (UWMP), the City's projected water supply far exceeds the water demand for normal, single-dry, and multiple-dry years until at least 2045.⁵⁶ For example, Table 7-2 of the UWMP indicates that, under a 2045 multiple-dry year scenario, Morgan Hill would have a 22,810 acre-feet water surplus by the third dry year. According to the City's UWMP, the water consumption rate during 2020 was approximately 150 gallons per capita per day. Given that the proposed project would result in approximately 96 new residents, the proposed project would result in a demand of approximately 5,256,000 gallons, or 19 acre-feet per year. The 19 acre-feet per year increase in water demand associated with implementation of the proposed project could be accommodated by the City's existing water supplies, even after three consecutive dry years in the year 2045, as identified in the UWMP. Therefore, the proposed project would not require or result in the construction of new water treatment facilities or expansion of

⁵⁶ City of Morgan Hill. 2020 Urban Water Management Plan [pg. 7-4 to 7-7]. October 2021.

existing facilities, and sufficient water supplies would be available to serve the project from existing entitlements and resources.

Wastewater

The City of Morgan Hill sewer collection system consists of approximately 160 miles of gravity sewers, over 3,000 manholes, nearly three miles of force mains, and 14 lift stations. The sewer lines range in size from four inches to 30 inches in diameter and the piping system includes 26 siphons. The City's collection system directs wastewater to the South County Regional Wastewater Authority (SCRWA) Wastewater Treatment Facility (WWTF) located in southern Gilroy. SCRWA is a joint powers authority formed by the cities of Morgan Hill and Gilroy to collectively treat the wastewater of both cities.⁵⁷ The City of Morgan Hill has an allocation of 3.56 million gallons per day (MGD) from the WWTF. The average dry weather flow from the City of Morgan Hill was approximately 2.7 MGD in 2015.⁵⁸

Based on a per capita flow rate of 78 gallons per capita per day, the proposed project would generate approximately 7,488 gallons per capita per day of wastewater (96 residents X 78 gallons per capita per day), which is well within the remaining treatment capacity of the WWTF allocated for the City of Morgan Hill.⁵⁹ In addition, because the General Plan EIR determined that the WWTF would be required to be expanded by the year 2022 in order to accommodate buildout of the General Plan, the SCRWA is planning to fund, design, and construct expansion of the WWTF beyond its current wastewater treatment capacity of 8.5 MGD. The General Plan EIR determined that, after expansion of the treatment plant, wastewater generated by General Plan buildout, including the project site, would not exceed the expanded permitted treatment capacity of the SCRWA WWTF facility.

Based on the above, the incremental increase in wastewater generation associated with the development of the proposed project would not require the construction of new or expansion of existing wastewater treatment facilities, as capacity is already sufficient to serve the proposed project.

Stormwater

Issues related to stormwater infrastructure are discussed in Section X, Hydrology and Water Quality, of this Initial Study. As noted therein, the proposed project would not significantly increase stormwater flows into the City's existing system. The final drainage system design for the project will be subject to review and approval by the City Engineer to confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Electricity, Natural Gas, and Telecommunications

Electricity service for the proposed project would be Pacific Gas & Electric. The proposed project would not use natural gas, as natural gas is prohibited in all new construction

⁵⁷ City of Morgan Hill. *City Council Staff Report 2163, Accept Report Regarding Wastewater System Needs and Rate Study Schedule*. February 6, 2019.

⁵⁸ City of Morgan Hill. *2035 General Plan Draft EIR*. January 2016.

⁵⁹ City of Morgan Hill. *2035 General Plan Draft EIR*. [pg. 4.15-30]. January 2016.

effective March 1, 2020, pursuant to City Ordinance No. 2306. Telephone service would be provided by AT&T, and cable television would be provided by Comcast. The proposed project would be able to connect to the electricity and phone infrastructure that already serves the site. Therefore, the project would not require major upgrades to, or extension of, existing infrastructure.

Conclusion

Based on the above, the increase in water demand, wastewater generation, and stormwater drainage associated with the proposed project could be adequately accommodated by existing facilities. In addition, the project is located within an urbanized area and would not require major expansion or extension of existing water, wastewater, electrical, or telecommunications facilities in the project area.

Therefore, the proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater, electric power, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Sufficient water supplies would be available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Furthermore, adequate wastewater capacity would be available to serve the project's projected demand. Thus, **no impact** would occur.

- d,e. Recology South Valley provides solid waste and recycling services to the businesses and residents of the cities of Morgan Hill and Gilroy. Recology South Valley has contracted with the Waste Solutions Group of San Benito, LLC to provide solid waste disposal services at John Smith Road Landfill for the waste collected by Recology. Pursuant to the Landfill's current 2021 Solid Waste Facility Permit, the Landfill has a maximum permitted tonnage limit of 1,000 tons per day, a design capacity of 9,797,000 cubic yards, and an estimated closure date of 2025.⁶⁰ Considering the relatively small scale of the proposed project, and because the project is consistent with the type of development that has been planned for the project site, the proposed project would not produce enough solid waste for the landfill to exceed capacity. As such, sufficient permitted capacity exists at the John Smith Road Landfill to accommodate the proposed project's incremental increase in solid waste disposal needs. As such, the proposed project would comply with applicable federal, State, and local statutes and regulations related to solid waste. Therefore, the proposed project would have **no impact** related to solid waste.

⁶⁰ California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: John Smith Road Landfill (35-AA-0001)*. Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/2583>. Accessed May 2022.

XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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?	☐	☐	☐	✗

Discussion

- a-d. The City's Wildland Urban Interface map indicates that the project site is not located in a High or Very High FHSZ.⁶¹ Furthermore, CAL FIRE's Fire and Resource Assessment program indicates that the project site is not located in a High or Very High FHSZ.⁶² The nearest Very High FHSZ is located less than 0.1-mile to the west. Although the project site is located in close proximity to the Very High FHSZ, the intersection of Peak Avenue and West Dunne Avenue could potentially act as a firebreak. The proposed project would be required to comply with all applicable requirements of the California Fire Code (CFC), as adopted by Chapter 15.44 of the City's Municipal Code, including installation of fire sprinkler systems. In addition, the CBSC includes requirements related to fire hazards for new residential buildings. In compliance with the CBSC (specifically Section 903.2.1.3, Group A-2), the design of the residences would include automatic fire sprinklers, and fire alarm systems would be incorporated pursuant to CFC requirements. Such features would help to reduce the spread of fire.

As noted in Section IX, implementation of the proposed project would not interfere with potential evacuation or response routes used by emergency response teams. The project would not conflict with the City's Emergency Operations Plan.⁶³ In addition, the proposed project would not include any development on, or at the base of, a substantial slope. Thus, implementation of the proposed project would not exacerbate any existing conditions or hazards related to downslope flooding or landslides, slope instability, or drainage changes. Therefore, the project area does not include any existing features that would substantially increase fire risk for future residents.

Given that the project site is located within a developed urban area and is situated adjacent to existing roads, water lines, and other utilities, the proposed project would not require the development of additional infrastructure, and, thus, would not result in substantial fire

⁶¹ City of Morgan Hill. *City of Morgan Hill Wildland Urban Interface Map*. March 2009.

⁶² California Department of Forestry and Fire Protection. *Morgan Hill, Very High Fire Hazard Severity Zones in LRA*. October 9, 2008.

⁶³ City of Morgan Hill. *Emergency Operations Plan*. January 11, 2018.

risks related to installation or maintenance of such infrastructure. Therefore, the proposed project would not be subject to substantial risks related to wildfires, and ***no impact*** would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less-Than- Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	✗
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	✗
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	✗

Discussion

- a. As discussed in Section IV, Biological Resources, of this Initial Study, the proposed project would not result in any significant impacts to rare, threatened or endangered species. In addition, the site does not contain known historical or cultural resources. Although unlikely, the possibility exists that grading and other construction activities associated with the site could unearth deposits of cultural significance. However, this Initial Study explains how the City's Municipal Code requires standard measures for development projects that would ensure no impacts to such resources would occur. Therefore, the proposed project would result in **no impact** related to degradation of the quality of the environment, substantial reduction of habitat or plant and wildlife species, and elimination of important examples of the major periods of California history or prehistory.
- b. As demonstrated in this Initial Study, the proposed project would not result in any significant environmental impacts, through compliance with applicable General Plan policies and Municipal Code standards, as well as other applicable local and State regulations. For this reason, as well as due to the project's relatively small increase in traffic, noise, air pollutant emissions, and demand for utilities and service systems, the project's incremental contribution towards cumulative impacts in the area would not be cumulatively considerable. Therefore, when viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, development of the proposed project would not substantially contribute to cumulative impacts in the City of Morgan Hill, and **no impact** would occur.
- c. The project site would be developed in a generally urbanized and built-up area of the City of Morgan Hill. As discussed throughout this Initial Study, development of the proposed project would not result in substantial adverse impacts to human beings, either directly or indirectly. Specifically, as discussed in Section III, Air Quality, Section VIII, GHG Emissions, Section IX, Hazards and Hazardous Materials, Section XIII, Noise, and Section XVII, Transportation, of this Initial Study, the proposed project would not cause substantial adverse effects to human beings, including effects related to exposure to air pollutants, GHG, hazardous materials, noise, and traffic. As such, **no impact** would result.

Appendix A

Air Quality and Greenhouse Gas Modeling Results

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Peak Avenue Assisted Living Project

Bay Area AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Congregate Care (Assisted Living)	48.00	Dwelling Unit	1.94	18,201.00	137

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2023
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage adjusted to be consistent with site plan.

Construction Phase - Architectural coating phase adjusted to take place concurrently with building construction.

Demolition - demolition square footage of on-site sheds estimated from aerial maps.

Grading - Grading would require soil import, per site plans.

Mobile Land Use Mitigation - Project site located within 0.15-mile of bus stop.

Water Mitigation - Outdoor water conservation strategy applied to reflect compliance with MWELO.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	200.00
tblConstructionPhase	PhaseEndDate	4/12/2023	4/26/2023
tblConstructionPhase	PhaseEndDate	4/26/2023	7/20/2022

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tblConstructionPhase	PhaseStartDate	4/27/2023	8/4/2022
tblConstructionPhase	PhaseStartDate	7/7/2022	7/21/2022
tblConstructionPhase	PhaseStartDate	4/13/2023	7/7/2022
tblGrading	MaterialImported	0.00	1,057.00
tblLandUse	LandUseSquareFeet	48,000.00	18,201.00
tblLandUse	LotAcreage	3.00	1.94

2.0 Emissions Summary

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2089	1.0888	1.1212	2.1000e-003	0.0450	0.0514	0.0964	0.0164	0.0494	0.0658	0.0000	179.1043	179.1043	0.0291	2.0600e-003	180.4447
2023	0.1365	0.5589	0.6499	1.2100e-003	0.0154	0.0248	0.0402	4.1300e-003	0.0240	0.0282	0.0000	102.3434	102.3434	0.0139	9.1000e-004	102.9617
Maximum	0.2089	1.0888	1.1212	2.1000e-003	0.0450	0.0514	0.0964	0.0164	0.0494	0.0658	0.0000	179.1043	179.1043	0.0291	2.0600e-003	180.4447

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2089	1.0888	1.1212	2.1000e-003	0.0450	0.0514	0.0964	0.0164	0.0494	0.0658	0.0000	179.1041	179.1041	0.0291	2.0600e-003	180.4445
2023	0.1365	0.5589	0.6499	1.2100e-003	0.0154	0.0248	0.0402	4.1300e-003	0.0240	0.0282	0.0000	102.3433	102.3433	0.0139	9.1000e-004	102.9616
Maximum	0.2089	1.0888	1.1212	2.1000e-003	0.0450	0.0514	0.0964	0.0164	0.0494	0.0658	0.0000	179.1041	179.1041	0.0291	2.0600e-003	180.4445

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	6-1-2022	8-31-2022	0.5332	0.5332
2	9-1-2022	11-30-2022	0.5702	0.5702
3	12-1-2022	2-28-2023	0.5408	0.5408
4	3-1-2023	5-31-2023	0.3484	0.3484
		Highest	0.5702	0.5702

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140
Energy	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	38.6407	38.6407	3.1900e-003	7.3000e-004	38.9381
Mobile	0.0572	0.0648	0.5288	1.0700e-003	0.1114	8.0000e-004	0.1122	0.0298	7.5000e-004	0.0305	0.0000	99.8458	99.8458	6.7900e-003	4.9100e-003	101.4797
Waste						0.0000	0.0000		0.0000	0.0000	8.8910	0.0000	8.8910	0.5254	0.0000	22.0271
Water						0.0000	0.0000		0.0000	0.0000	0.9922	2.2042	3.1964	0.1023	2.4500e-003	6.4829
Total	0.2648	0.0900	1.0457	1.5100e-003	0.1114	0.0261	0.1375	0.0298	0.0260	0.0558	12.0715	142.1718	154.2432	0.6418	8.2300e-003	172.7418

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140
Energy	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	38.6407	38.6407	3.1900e-003	7.3000e-004	38.9381
Mobile	0.0560	0.0624	0.5093	1.0200e-003	0.1058	7.7000e-004	0.1066	0.0283	7.2000e-004	0.0290	0.0000	95.0134	95.0134	6.5900e-003	4.7300e-003	96.5890
Waste						0.0000	0.0000		0.0000	0.0000	8.8910	0.0000	8.8910	0.5254	0.0000	22.0271
Water						0.0000	0.0000		0.0000	0.0000	0.9922	2.0765	3.0687	0.1022	2.4500e-003	6.3539
Total	0.2635	0.0876	1.0262	1.4600e-003	0.1058	0.0261	0.1319	0.0283	0.0260	0.0543	12.0715	137.2116	149.2831	0.6415	8.0500e-003	167.7222

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.47	2.70	1.87	3.31	5.00	0.12	4.07	5.01	0.12	2.72	0.00	3.49	3.22	0.03	2.19	2.91

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	6/1/2022	6/28/2022	5	20	
2	Site Preparation	Site Preparation	6/29/2022	6/30/2022	5	2	
3	Grading	Grading	7/1/2022	7/6/2022	5	4	

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Building Construction	Building Construction	7/21/2022	4/26/2023	5	200
5	Paving	Paving	7/7/2022	7/20/2022	5	10
6	Architectural Coating	Architectural Coating	8/4/2022	5/10/2023	5	200

Acres of Grading (Site Preparation Phase): 1.88**Acres of Grading (Grading Phase): 4****Acres of Paving: 0****Residential Indoor: 36,857; Residential Outdoor: 12,286; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Paving	Pavers	1	6.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36

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Paving	Rollers	1	7.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	5.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	132.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	35.00	5.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	7.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Demolition - 2022****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					4.9000e-004	0.0000	4.9000e-004	7.0000e-005	0.0000	7.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0169	0.1662	0.1396	2.4000e-004		8.3800e-003	8.3800e-003		7.8300e-003	7.8300e-003	0.0000	21.0777	21.0777	5.3700e-003	0.0000	21.2120
Total	0.0169	0.1662	0.1396	2.4000e-004	4.9000e-004	8.3800e-003	8.8700e-003	7.0000e-005	7.8300e-003	7.9000e-003	0.0000	21.0777	21.0777	5.3700e-003	0.0000	21.2120

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	4.3000e-004	9.0000e-005	0.0000	4.0000e-005	0.0000	5.0000e-005	1.0000e-005	0.0000	2.0000e-005	0.0000	0.1567	0.1567	1.0000e-005	2.0000e-005	0.1642
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.6000e-004	2.6000e-004	3.1100e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8262	0.8262	3.0000e-005	2.0000e-005	0.8339
Total	3.7000e-004	6.9000e-004	3.2000e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	3.0000e-004	0.0000	0.9829	0.9829	4.0000e-005	4.0000e-005	0.9982

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					4.9000e-004	0.0000	4.9000e-004	7.0000e-005	0.0000	7.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0169	0.1662	0.1396	2.4000e-004		8.3800e-003	8.3800e-003		7.8300e-003	7.8300e-003	0.0000	21.0777	21.0777	5.3700e-003	0.0000	21.2119
Total	0.0169	0.1662	0.1396	2.4000e-004	4.9000e-004	8.3800e-003	8.8700e-003	7.0000e-005	7.8300e-003	7.9000e-003	0.0000	21.0777	21.0777	5.3700e-003	0.0000	21.2119

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	4.3000e-004	9.0000e-005	0.0000	4.0000e-005	0.0000	5.0000e-005	1.0000e-005	0.0000	2.0000e-005	0.0000	0.1567	0.1567	1.0000e-005	2.0000e-005	0.1642
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.6000e-004	2.6000e-004	3.1100e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8262	0.8262	3.0000e-005	2.0000e-005	0.8339
Total	3.7000e-004	6.9000e-004	3.2000e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	3.0000e-004	0.0000	0.9829	0.9829	4.0000e-005	4.0000e-005	0.9982

3.3 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					6.2700e-003	0.0000	6.2700e-003	3.0000e-003	0.0000	3.0000e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.3100e-003	0.0146	7.0900e-003	2.0000e-005		6.2000e-004	6.2000e-004		5.7000e-004	5.7000e-004	0.0000	1.5115	1.5115	4.9000e-004	0.0000	1.5238
Total	1.3100e-003	0.0146	7.0900e-003	2.0000e-005	6.2700e-003	6.2000e-004	6.8900e-003	3.0000e-003	5.7000e-004	3.5700e-003	0.0000	1.5115	1.5115	4.9000e-004	0.0000	1.5238

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	2.0000e-005	1.9000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0508	0.0508	0.0000	0.0000	0.0513
Total	2.0000e-005	2.0000e-005	1.9000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0508	0.0508	0.0000	0.0000	0.0513

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					6.2700e-003	0.0000	6.2700e-003	3.0000e-003	0.0000	3.0000e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.3100e-003	0.0146	7.0900e-003	2.0000e-005		6.2000e-004	6.2000e-004		5.7000e-004	5.7000e-004	0.0000	1.5115	1.5115	4.9000e-004	0.0000	1.5238
Total	1.3100e-003	0.0146	7.0900e-003	2.0000e-005	6.2700e-003	6.2000e-004	6.8900e-003	3.0000e-003	5.7000e-004	3.5700e-003	0.0000	1.5115	1.5115	4.9000e-004	0.0000	1.5238

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	2.0000e-005	1.9000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0508	0.0508	0.0000	0.0000	0.0513
Total	2.0000e-005	2.0000e-005	1.9000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0508	0.0508	0.0000	0.0000	0.0513

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0142	0.0000	0.0142	6.8600e-003	0.0000	6.8600e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.0800e-003	0.0340	0.0184	4.0000e-005		1.4800e-003	1.4800e-003		1.3700e-003	1.3700e-003	0.0000	3.6205	3.6205	1.1700e-003	0.0000	3.6498
Total	3.0800e-003	0.0340	0.0184	4.0000e-005	0.0142	1.4800e-003	0.0157	6.8600e-003	1.3700e-003	8.2300e-003	0.0000	3.6205	3.6205	1.1700e-003	0.0000	3.6498

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.1000e-004	0.0114	2.4200e-003	4.0000e-005	1.1200e-003	1.0000e-004	1.2200e-003	3.1000e-004	1.0000e-004	4.0000e-004	0.0000	4.1372	4.1372	1.4000e-004	6.6000e-004	4.3358
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	4.0000e-005	4.8000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1271	0.1271	0.0000	0.0000	0.1283
Total	3.6000e-004	0.0114	2.9000e-003	4.0000e-005	1.2800e-003	1.0000e-004	1.3800e-003	3.5000e-004	1.0000e-004	4.4000e-004	0.0000	4.2643	4.2643	1.4000e-004	6.6000e-004	4.4641

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0142	0.0000	0.0142	6.8600e-003	0.0000	6.8600e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.0800e-003	0.0340	0.0184	4.0000e-005		1.4800e-003	1.4800e-003		1.3700e-003	1.3700e-003	0.0000	3.6205	3.6205	1.1700e-003	0.0000	3.6498
Total	3.0800e-003	0.0340	0.0184	4.0000e-005	0.0142	1.4800e-003	0.0157	6.8600e-003	1.3700e-003	8.2300e-003	0.0000	3.6205	3.6205	1.1700e-003	0.0000	3.6498

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3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.1000e-004	0.0114	2.4200e-003	4.0000e-005	1.1200e-003	1.0000e-004	1.2200e-003	3.1000e-004	1.0000e-004	4.0000e-004	0.0000	4.1372	4.1372	1.4000e-004	6.6000e-004	4.3358
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	4.0000e-005	4.8000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1271	0.1271	0.0000	0.0000	0.1283
Total	3.6000e-004	0.0114	2.9000e-003	4.0000e-005	1.2800e-003	1.0000e-004	1.3800e-003	3.5000e-004	1.0000e-004	4.4000e-004	0.0000	4.2643	4.2643	1.4000e-004	6.6000e-004	4.4641

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0965	0.7314	0.7445	1.2900e-003		0.0345	0.0345		0.0333	0.0333	0.0000	106.2225	106.2225	0.0185	0.0000	106.6850
Total	0.0965	0.7314	0.7445	1.2900e-003		0.0345	0.0345		0.0333	0.0333	0.0000	106.2225	106.2225	0.0185	0.0000	106.6850

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.3000e-004	0.0163	4.7600e-003	6.0000e-005	1.9200e-003	1.7000e-004	2.0900e-003	5.6000e-004	1.6000e-004	7.2000e-004	0.0000	6.0241	6.0241	1.3000e-004	8.9000e-004	6.2936
Worker	5.6200e-003	4.0500e-003	0.0490	1.4000e-004	0.0162	9.0000e-005	0.0163	4.3000e-003	8.0000e-005	4.3900e-003	0.0000	13.0122	13.0122	4.0000e-004	3.8000e-004	13.1341
Total	6.2500e-003	0.0204	0.0537	2.0000e-004	0.0181	2.6000e-004	0.0184	4.8600e-003	2.4000e-004	5.1100e-003	0.0000	19.0363	19.0363	5.3000e-004	1.2700e-003	19.4277

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0965	0.7314	0.7445	1.2900e-003		0.0345	0.0345		0.0333	0.0333	0.0000	106.2224	106.2224	0.0185	0.0000	106.6849
Total	0.0965	0.7314	0.7445	1.2900e-003		0.0345	0.0345		0.0333	0.0333	0.0000	106.2224	106.2224	0.0185	0.0000	106.6849

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3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.3000e-004	0.0163	4.7600e-003	6.0000e-005	1.9200e-003	1.7000e-004	2.0900e-003	5.6000e-004	1.6000e-004	7.2000e-004	0.0000	6.0241	6.0241	1.3000e-004	8.9000e-004	6.2936
Worker	5.6200e-003	4.0500e-003	0.0490	1.4000e-004	0.0162	9.0000e-005	0.0163	4.3000e-003	8.0000e-005	4.3900e-003	0.0000	13.0122	13.0122	4.0000e-004	3.8000e-004	13.1341
Total	6.2500e-003	0.0204	0.0537	2.0000e-004	0.0181	2.6000e-004	0.0184	4.8600e-003	2.4000e-004	5.1100e-003	0.0000	19.0363	19.0363	5.3000e-004	1.2700e-003	19.4277

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0632	0.4860	0.5234	9.2000e-004		0.0214	0.0214		0.0206	0.0206	0.0000	75.3636	75.3636	0.0128	0.0000	75.6836
Total	0.0632	0.4860	0.5234	9.2000e-004		0.0214	0.0214		0.0206	0.0206	0.0000	75.3636	75.3636	0.0128	0.0000	75.6836

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**3.5 Building Construction - 2023****Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2000e-004	9.2300e-003	2.8900e-003	4.0000e-005	1.3600e-003	5.0000e-005	1.4200e-003	3.9000e-004	5.0000e-005	4.5000e-004	0.0000	4.0960	4.0960	8.0000e-005	6.1000e-004	4.2786
Worker	3.7200e-003	2.5400e-003	0.0322	1.0000e-004	0.0115	6.0000e-005	0.0115	3.0500e-003	5.0000e-005	3.1100e-003	0.0000	8.9953	8.9953	2.6000e-004	2.5000e-004	9.0753
Total	3.9400e-003	0.0118	0.0351	1.4000e-004	0.0128	1.1000e-004	0.0130	3.4400e-003	1.0000e-004	3.5600e-003	0.0000	13.0913	13.0913	3.4000e-004	8.6000e-004	13.3539

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0632	0.4860	0.5234	9.2000e-004		0.0214	0.0214		0.0206	0.0206	0.0000	75.3636	75.3636	0.0128	0.0000	75.6835
Total	0.0632	0.4860	0.5234	9.2000e-004		0.0214	0.0214		0.0206	0.0206	0.0000	75.3636	75.3636	0.0128	0.0000	75.6835

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3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2000e-004	9.2300e-003	2.8900e-003	4.0000e-005	1.3600e-003	5.0000e-005	1.4200e-003	3.9000e-004	5.0000e-005	4.5000e-004	0.0000	4.0960	4.0960	8.0000e-005	6.1000e-004	4.2786
Worker	3.7200e-003	2.5400e-003	0.0322	1.0000e-004	0.0115	6.0000e-005	0.0115	3.0500e-003	5.0000e-005	3.1100e-003	0.0000	8.9953	8.9953	2.6000e-004	2.5000e-004	9.0753
Total	3.9400e-003	0.0118	0.0351	1.4000e-004	0.0128	1.1000e-004	0.0130	3.4400e-003	1.0000e-004	3.5600e-003	0.0000	13.0913	13.0913	3.4000e-004	8.6000e-004	13.3539

3.6 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4400e-003	0.0339	0.0440	7.0000e-005		1.7400e-003	1.7400e-003		1.6000e-003	1.6000e-003	0.0000	5.8848	5.8848	1.8700e-003	0.0000	5.9315
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	3.4400e-003	0.0339	0.0440	7.0000e-005		1.7400e-003	1.7400e-003		1.6000e-003	1.6000e-003	0.0000	5.8848	5.8848	1.8700e-003	0.0000	5.9315

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3.6 Paving - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.8000e-004	1.3000e-004	1.5500e-003	0.0000	5.1000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4131	0.4131	1.0000e-005	1.0000e-005	0.4170
Total	1.8000e-004	1.3000e-004	1.5500e-003	0.0000	5.1000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4131	0.4131	1.0000e-005	1.0000e-005	0.4170

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4400e-003	0.0339	0.0440	7.0000e-005		1.7400e-003	1.7400e-003		1.6000e-003	1.6000e-003	0.0000	5.8848	5.8848	1.8700e-003	0.0000	5.9314
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	3.4400e-003	0.0339	0.0440	7.0000e-005		1.7400e-003	1.7400e-003		1.6000e-003	1.6000e-003	0.0000	5.8848	5.8848	1.8700e-003	0.0000	5.9314

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3.6 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.8000e-004	1.3000e-004	1.5500e-003	0.0000	5.1000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4131	0.4131	1.0000e-005	1.0000e-005	0.4170
Total	1.8000e-004	1.3000e-004	1.5500e-003	0.0000	5.1000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4131	0.4131	1.0000e-005	1.0000e-005	0.4170

3.7 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0686					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0109	0.0754	0.0970	1.6000e-004		4.3700e-003	4.3700e-003		4.3700e-003	4.3700e-003	0.0000	13.6599	13.6599	8.9000e-004	0.0000	13.6821
Total	0.0795	0.0754	0.0970	1.6000e-004		4.3700e-003	4.3700e-003		4.3700e-003	4.3700e-003	0.0000	13.6599	13.6599	8.9000e-004	0.0000	13.6821

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3.7 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0300e-003	7.4000e-004	8.9600e-003	3.0000e-005	2.9600e-003	2.0000e-005	2.9800e-003	7.9000e-004	1.0000e-005	8.0000e-004	0.0000	2.3800	2.3800	7.0000e-005	7.0000e-005	2.4023
Total	1.0300e-003	7.4000e-004	8.9600e-003	3.0000e-005	2.9600e-003	2.0000e-005	2.9800e-003	7.9000e-004	1.0000e-005	8.0000e-004	0.0000	2.3800	2.3800	7.0000e-005	7.0000e-005	2.4023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0686					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0109	0.0754	0.0970	1.6000e-004		4.3700e-003	4.3700e-003		4.3700e-003	4.3700e-003	0.0000	13.6599	13.6599	8.9000e-004	0.0000	13.6821
Total	0.0795	0.0754	0.0970	1.6000e-004		4.3700e-003	4.3700e-003		4.3700e-003	4.3700e-003	0.0000	13.6599	13.6599	8.9000e-004	0.0000	13.6821

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3.7 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0300e-003	7.4000e-004	8.9600e-003	3.0000e-005	2.9600e-003	2.0000e-005	2.9800e-003	7.9000e-004	1.0000e-005	8.0000e-004	0.0000	2.3800	2.3800	7.0000e-005	7.0000e-005	2.4023
Total	1.0300e-003	7.4000e-004	8.9600e-003	3.0000e-005	2.9600e-003	2.0000e-005	2.9800e-003	7.9000e-004	1.0000e-005	8.0000e-004	0.0000	2.3800	2.3800	7.0000e-005	7.0000e-005	2.4023

3.7 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0596					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.9100e-003	0.0606	0.0842	1.4000e-004		3.2900e-003	3.2900e-003		3.2900e-003	3.2900e-003	0.0000	11.8726	11.8726	7.1000e-004	0.0000	11.8904
Total	0.0685	0.0606	0.0842	1.4000e-004		3.2900e-003	3.2900e-003		3.2900e-003	3.2900e-003	0.0000	11.8726	11.8726	7.1000e-004	0.0000	11.8904

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3.7 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.3000e-004	5.7000e-004	7.2200e-003	2.0000e-005	2.5700e-003	1.0000e-005	2.5900e-003	6.8000e-004	1.0000e-005	7.0000e-004	0.0000	2.0158	2.0158	6.0000e-005	6.0000e-005	2.0338
Total	8.3000e-004	5.7000e-004	7.2200e-003	2.0000e-005	2.5700e-003	1.0000e-005	2.5900e-003	6.8000e-004	1.0000e-005	7.0000e-004	0.0000	2.0158	2.0158	6.0000e-005	6.0000e-005	2.0338

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0596					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.9100e-003	0.0606	0.0842	1.4000e-004		3.2900e-003	3.2900e-003		3.2900e-003	3.2900e-003	0.0000	11.8726	11.8726	7.1000e-004	0.0000	11.8904
Total	0.0685	0.0606	0.0842	1.4000e-004		3.2900e-003	3.2900e-003		3.2900e-003	3.2900e-003	0.0000	11.8726	11.8726	7.1000e-004	0.0000	11.8904

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3.7 Architectural Coating - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.3000e-004	5.7000e-004	7.2200e-003	2.0000e-005	2.5700e-003	1.0000e-005	2.5900e-003	6.8000e-004	1.0000e-005	7.0000e-004	0.0000	2.0158	2.0158	6.0000e-005	6.0000e-005	2.0338
Total	8.3000e-004	5.7000e-004	7.2200e-003	2.0000e-005	2.5700e-003	1.0000e-005	2.5900e-003	6.8000e-004	1.0000e-005	7.0000e-004	0.0000	2.0158	2.0158	6.0000e-005	6.0000e-005	2.0338

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0560	0.0624	0.5093	1.0200e-003	0.1058	7.7000e-004	0.1066	0.0283	7.2000e-004	0.0290	0.0000	95.0134	95.0134	6.5900e-003	4.7300e-003	96.5890
Unmitigated	0.0572	0.0648	0.5288	1.0700e-003	0.1114	8.0000e-004	0.1122	0.0298	7.5000e-004	0.0305	0.0000	99.8458	99.8458	6.7900e-003	4.9100e-003	101.4797

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Congregate Care (Assisted Living)	124.80	140.64	151.20	302,176	287,067
Total	124.80	140.64	151.20	302,176	287,067

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Congregate Care (Assisted Living)	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Congregate Care (Assisted Living)	0.552821	0.058334	0.189005	0.121481	0.023262	0.005577	0.010166	0.007476	0.001000	0.000579	0.026545	0.000826	0.002928

5.0 Energy Detail

Historical Energy Use: N

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	17.1714	17.1714	2.7800e-003	3.4000e-004	17.3412
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	17.1714	17.1714	2.7800e-003	3.4000e-004	17.3412
NaturalGas Mitigated	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969
NaturalGas Unmitigated	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Congregate Care (Assisted Living)	402321	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969
Total		2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**5.2 Energy by Land Use - NaturalGas****Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Congregate Care (Assisted Living)	402321	2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969
Total		2.1700e-003	0.0185	7.8900e-003	1.2000e-004		1.5000e-003	1.5000e-003		1.5000e-003	1.5000e-003	0.0000	21.4694	21.4694	4.1000e-004	3.9000e-004	21.5969

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Congregate Care (Assisted Living)	185589	17.1714	2.7800e-003	3.4000e-004	17.3412
Total		17.1714	2.7800e-003	3.4000e-004	17.3412

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5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Congregate Care (Assisted Living)	185589	17.1714	2.7800e-003	3.4000e-004	17.3412
Total		17.1714	2.7800e-003	3.4000e-004	17.3412

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140
Unmitigated	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140

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6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0128					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0711					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.1108	2.5500e-003	0.1525	3.0000e-004		0.0218	0.0218		0.0218	0.0218	2.1883	0.8988	3.0872	3.5200e-003	1.4000e-004	3.2178
Landscaping	0.0107	4.1100e-003	0.3565	2.0000e-005		1.9700e-003	1.9700e-003		1.9700e-003	1.9700e-003	0.0000	0.5822	0.5822	5.6000e-004	0.0000	0.5962
Total	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140

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6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0128					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0711					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.1108	2.5500e-003	0.1525	3.0000e-004		0.0218	0.0218		0.0218	0.0218	2.1883	0.8988	3.0872	3.5200e-003	1.4000e-004	3.2178
Landscaping	0.0107	4.1100e-003	0.3565	2.0000e-005		1.9700e-003	1.9700e-003		1.9700e-003	1.9700e-003	0.0000	0.5822	0.5822	5.6000e-004	0.0000	0.5962
Total	0.2054	6.6600e-003	0.5090	3.2000e-004		0.0238	0.0238		0.0238	0.0238	2.1883	1.4810	3.6693	4.0800e-003	1.4000e-004	3.8140

7.0 Water Detail

7.1 Mitigation Measures Water

Apply Water Conservation Strategy

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	3.0687	0.1022	2.4500e-003	6.3539
Unmitigated	3.1964	0.1023	2.4500e-003	6.4829

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Congregate Care (Assisted Living)	3.12739 / 1.97162	3.1964	0.1023	2.4500e-003	6.4829
Total		3.1964	0.1023	2.4500e-003	6.4829

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**7.2 Water by Land Use****Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Congregate Care (Assisted Living)	3.12739 / 1.57729	3.0687	0.1022	2.4500e-003	6.3539
Total		3.0687	0.1022	2.4500e-003	6.3539

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	8.8910	0.5254	0.0000	22.0271
Unmitigated	8.8910	0.5254	0.0000	22.0271

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**8.2 Waste by Land Use****Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Congregate Care (Assisted Living)	43.8	8.8910	0.5254	0.0000	22.0271
Total		8.8910	0.5254	0.0000	22.0271

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Congregate Care (Assisted Living)	43.8	8.8910	0.5254	0.0000	22.0271
Total		8.8910	0.5254	0.0000	22.0271

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Peak Avenue Assisted Living Project

Bay Area AQMD Air District, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Congregate Care (Assisted Living)	48.00	Dwelling Unit	1.94	18,201.00	137

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2023
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage adjusted to be consistent with site plan.

Construction Phase - Architectural coating phase adjusted to take place concurrently with building construction.

Demolition - demolition square footage of on-site sheds estimated from aerial maps.

Grading - Grading would require soil import, per site plans.

Mobile Land Use Mitigation - Project site located within 0.15-mile of bus stop.

Water Mitigation - Outdoor water conservation strategy applied to reflect compliance with MWELO.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	200.00
tblConstructionPhase	PhaseEndDate	4/12/2023	4/26/2023
tblConstructionPhase	PhaseEndDate	4/26/2023	7/20/2022

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	PhaseStartDate	4/27/2023	8/4/2022
tblConstructionPhase	PhaseStartDate	7/7/2022	7/21/2022
tblConstructionPhase	PhaseStartDate	4/13/2023	7/7/2022
tblGrading	MaterialImported	0.00	1,057.00
tblLandUse	LandUseSquareFeet	48,000.00	18,201.00
tblLandUse	LotAcreage	3.00	1.94

2.0 Emissions Summary

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**2.1 Overall Construction (Maximum Daily Emission)****Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	3.2674	22.4796	15.7059	0.0423	7.7718	0.8388	8.5654	3.6092	0.7838	4.3413	0.0000	4,350.199 4	4,350.199 4	0.7226	0.3630	4,476.428 1
2023	3.1152	13.2931	15.4947	0.0290	0.3789	0.5883	0.9672	0.1013	0.5705	0.6717	0.0000	2,698.081 1	2,698.081 1	0.3667	0.0233	2,714.202 9
Maximum	3.2674	22.4796	15.7059	0.0423	7.7718	0.8388	8.5654	3.6092	0.7838	4.3413	0.0000	4,350.199 4	4,350.199 4	0.7226	0.3630	4,476.428 1

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	3.2674	22.4796	15.7059	0.0423	7.7718	0.8388	8.5654	3.6092	0.7838	4.3413	0.0000	4,350.199 4	4,350.199 4	0.7226	0.3630	4,476.428 1
2023	3.1152	13.2931	15.4947	0.0290	0.3789	0.5883	0.9672	0.1013	0.5705	0.6717	0.0000	2,698.081 1	2,698.081 1	0.3667	0.0233	2,714.202 9
Maximum	3.2674	22.4796	15.7059	0.0423	7.7718	0.8388	8.5654	3.6092	0.7838	4.3413	0.0000	4,350.199 4	4,350.199 4	0.7226	0.3630	4,476.428 1

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**2.2 Overall Operational****Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Energy	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Mobile	0.4039	0.3779	3.3508	7.1700e-003	0.7350	5.1100e-003	0.7401	0.1957	4.7600e-003	0.2005		736.8026	736.8026	0.0443	0.0326	747.6213
Total	20.7353	0.9615	33.4361	0.0583	0.7350	3.7378	4.4728	0.1957	3.7375	3.9332	401.8006	1,051.4918	1,453.2924	0.6035	0.0634	1,487.2625

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Energy	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Mobile	0.3961	0.3637	3.2180	6.8200e-003	0.6982	4.8800e-003	0.7031	0.1860	4.5500e-003	0.1905		701.0634	701.0634	0.0429	0.0314	711.4905
Total	20.7275	0.9473	33.3032	0.0579	0.6982	3.7376	4.4358	0.1860	3.7373	3.9232	401.8006	1,015.7526	1,417.5532	0.6021	0.0622	1,451.1316

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.04	1.48	0.40	0.60	5.00	0.01	0.83	5.00	0.01	0.25	0.00	3.40	2.46	0.23	1.89	2.43

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	6/1/2022	6/28/2022	5	20	
2	Site Preparation	Site Preparation	6/29/2022	6/30/2022	5	2	
3	Grading	Grading	7/1/2022	7/6/2022	5	4	
4	Building Construction	Building Construction	7/21/2022	4/26/2023	5	200	
5	Paving	Paving	7/7/2022	7/20/2022	5	10	
6	Architectural Coating	Architectural Coating	8/4/2022	5/10/2023	5	200	

Acres of Grading (Site Preparation Phase): 1.88

Acres of Grading (Grading Phase): 4

Acres of Paving: 0

Residential Indoor: 36,857; Residential Outdoor: 12,286; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Paving	Pavers	1	6.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	1	7.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	5.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	132.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	35.00	5.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	7.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0492	0.0000	0.0492	7.4500e-003	0.0000	7.4500e-003			0.0000			0.0000
Off-Road	1.6889	16.6217	13.9605	0.0241		0.8379	0.8379		0.7829	0.7829		2,323.4168	2,323.4168	0.5921		2,338.2191
Total	1.6889	16.6217	13.9605	0.0241	0.0492	0.8379	0.8871	7.4500e-003	0.7829	0.7903		2,323.4168	2,323.4168	0.5921		2,338.2191

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	1.1800e-003	0.0415	9.1000e-003	1.6000e-004	4.3700e-003	3.9000e-004	4.7600e-003	1.2000e-003	3.7000e-004	1.5700e-003		17.2721	17.2721	5.7000e-004	2.7400e-003	18.1015
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371
Total	0.0390	0.0643	0.3452	1.1200e-003	0.1112	9.5000e-004	0.1121	0.0295	8.8000e-004	0.0304		114.5202	114.5202	3.2200e-003	5.1600e-003	116.1386

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0492	0.0000	0.0492	7.4500e-003	0.0000	7.4500e-003			0.0000			0.0000
Off-Road	1.6889	16.6217	13.9605	0.0241		0.8379	0.8379		0.7829	0.7829	0.0000	2,323.4168	2,323.4168	0.5921		2,338.2191
Total	1.6889	16.6217	13.9605	0.0241	0.0492	0.8379	0.8871	7.4500e-003	0.7829	0.7903	0.0000	2,323.4168	2,323.4168	0.5921		2,338.2191

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	1.1800e-003	0.0415	9.1000e-003	1.6000e-004	4.3700e-003	3.9000e-004	4.7600e-003	1.2000e-003	3.7000e-004	1.5700e-003		17.2721	17.2721	5.7000e-004	2.7400e-003	18.1015
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371
Total	0.0390	0.0643	0.3452	1.1200e-003	0.1112	9.5000e-004	0.1121	0.0295	8.8000e-004	0.0304		114.5202	114.5202	3.2200e-003	5.1600e-003	116.1386

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.2662	0.0000	6.2662	3.0041	0.0000	3.0041			0.0000			0.0000
Off-Road	1.3122	14.6277	7.0939	0.0172		0.6225	0.6225		0.5727	0.5727		1,666.173 8	1,666.173 8	0.5389		1,679.645 7
Total	1.3122	14.6277	7.0939	0.0172	6.2662	0.6225	6.8887	3.0041	0.5727	3.5768		1,666.173 8	1,666.173 8	0.5389		1,679.645 7

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0233	0.0140	0.2068	5.9000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		59.8450	59.8450	1.6300e-003	1.4900e-003	60.3305
Total	0.0233	0.0140	0.2068	5.9000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		59.8450	59.8450	1.6300e-003	1.4900e-003	60.3305

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.2662	0.0000	6.2662	3.0041	0.0000	3.0041			0.0000			0.0000
Off-Road	1.3122	14.6277	7.0939	0.0172		0.6225	0.6225		0.5727	0.5727	0.0000	1,666.173 8	1,666.173 8	0.5389		1,679.645 7
Total	1.3122	14.6277	7.0939	0.0172	6.2662	0.6225	6.8887	3.0041	0.5727	3.5768	0.0000	1,666.173 8	1,666.173 8	0.5389		1,679.645 7

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0233	0.0140	0.2068	5.9000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		59.8450	59.8450	1.6300e-003	1.4900e-003	60.3305
Total	0.0233	0.0140	0.2068	5.9000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		59.8450	59.8450	1.6300e-003	1.4900e-003	60.3305

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					7.1125	0.0000	7.1125	3.4293	0.0000	3.4293			0.0000			0.0000
Off-Road	1.5403	16.9836	9.2202	0.0206		0.7423	0.7423		0.6829	0.6829		1,995.4825	1,995.4825	0.6454		2,011.6169
Total	1.5403	16.9836	9.2202	0.0206	7.1125	0.7423	7.8548	3.4293	0.6829	4.1122		1,995.4825	1,995.4825	0.6454		2,011.6169

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1554	5.4785	1.2008	0.0209	0.5771	0.0509	0.6281	0.1582	0.0487	0.2069		2,279.9106	2,279.9106	0.0752	0.3611	2,389.3980
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0291	0.0175	0.2585	7.4000e-004	0.0822	4.3000e-004	0.0826	0.0218	4.0000e-004	0.0222		74.8063	74.8063	2.0400e-003	1.8700e-003	75.4131
Total	0.1845	5.4960	1.4593	0.0217	0.6593	0.0514	0.7107	0.1800	0.0491	0.2291		2,354.7169	2,354.7169	0.0773	0.3630	2,464.8111

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					7.1125	0.0000	7.1125	3.4293	0.0000	3.4293			0.0000			0.0000
Off-Road	1.5403	16.9836	9.2202	0.0206		0.7423	0.7423		0.6829	0.6829	0.0000	1,995.4825	1,995.4825	0.6454		2,011.6169
Total	1.5403	16.9836	9.2202	0.0206	7.1125	0.7423	7.8548	3.4293	0.6829	4.1122	0.0000	1,995.4825	1,995.4825	0.6454		2,011.6169

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1554	5.4785	1.2008	0.0209	0.5771	0.0509	0.6281	0.1582	0.0487	0.2069		2,279.9106	2,279.9106	0.0752	0.3611	2,389.3980
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0291	0.0175	0.2585	7.4000e-004	0.0822	4.3000e-004	0.0826	0.0218	4.0000e-004	0.0222		74.8063	74.8063	2.0400e-003	1.8700e-003	75.4131
Total	0.1845	5.4960	1.4593	0.0217	0.6593	0.0514	0.7107	0.1800	0.0491	0.2291		2,354.7169	2,354.7169	0.0773	0.3630	2,464.8111

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689		2,001.5429	2,001.5429	0.3486		2,010.2581
Total	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689		2,001.5429	2,001.5429	0.3486		2,010.2581

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0108	0.2697	0.0801	1.0600e-003	0.0339	2.8700e-003	0.0367	9.7500e-003	2.7500e-003	0.0125		113.4929	113.4929	2.4700e-003	0.0168	118.5661
Worker	0.1018	0.0614	0.9048	2.5700e-003	0.2875	1.5000e-003	0.2890	0.0763	1.3800e-003	0.0777		261.8220	261.8220	7.1400e-003	6.5300e-003	263.9460
Total	0.1126	0.3311	0.9849	3.6300e-003	0.3214	4.3700e-003	0.3258	0.0860	4.1300e-003	0.0902		375.3150	375.3150	9.6100e-003	0.0234	382.5121

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689	0.0000	2,001.5429	2,001.5429	0.3486		2,010.2581
Total	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689	0.0000	2,001.5429	2,001.5429	0.3486		2,010.2581

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0108	0.2697	0.0801	1.0600e-003	0.0339	2.8700e-003	0.0367	9.7500e-003	2.7500e-003	0.0125		113.4929	113.4929	2.4700e-003	0.0168	118.5661
Worker	0.1018	0.0614	0.9048	2.5700e-003	0.2875	1.5000e-003	0.2890	0.0763	1.3800e-003	0.0777		261.8220	261.8220	7.1400e-003	6.5300e-003	263.9460
Total	0.1126	0.3311	0.9849	3.6300e-003	0.3214	4.3700e-003	0.3258	0.0860	4.1300e-003	0.0902		375.3150	375.3150	9.6100e-003	0.0234	382.5121

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968		2,001.7877	2,001.7877	0.3399		2,010.2858
Total	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968		2,001.7877	2,001.7877	0.3399		2,010.2858

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.4400e-003	0.2145	0.0685	1.0100e-003	0.0339	1.3000e-003	0.0352	9.7500e-003	1.2400e-003	0.0110		108.7305	108.7305	2.2300e-003	0.0161	113.5761
Worker	0.0947	0.0544	0.8367	2.4900e-003	0.2875	1.4300e-003	0.2889	0.0763	1.3100e-003	0.0776		255.0957	255.0957	6.4300e-003	6.0500e-003	257.0600
Total	0.1001	0.2688	0.9052	3.5000e-003	0.3214	2.7300e-003	0.3241	0.0860	2.5500e-003	0.0886		363.8262	363.8262	8.6600e-003	0.0221	370.6362

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968	0.0000	2,001.7877	2,001.7877	0.3399		2,010.2858
Total	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968	0.0000	2,001.7877	2,001.7877	0.3399		2,010.2858

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.4400e-003	0.2145	0.0685	1.0100e-003	0.0339	1.3000e-003	0.0352	9.7500e-003	1.2400e-003	0.0110		108.7305	108.7305	2.2300e-003	0.0161	113.5761
Worker	0.0947	0.0544	0.8367	2.4900e-003	0.2875	1.4300e-003	0.2889	0.0763	1.3100e-003	0.0776		255.0957	255.0957	6.4300e-003	6.0500e-003	257.0600
Total	0.1001	0.2688	0.9052	3.5000e-003	0.3214	2.7300e-003	0.3241	0.0860	2.5500e-003	0.0886		363.8262	363.8262	8.6600e-003	0.0221	370.6362

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205		1,297.378 ₉	1,297.378 ₉	0.4113		1,307.660 ₈
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205		1,297.378₉	1,297.378₉	0.4113		1,307.660₈

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371
Total	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205	0.0000	1,297.378 ₉	1,297.378 ₉	0.4113		1,307.660 ₈
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205	0.0000	1,297.378₉	1,297.378₉	0.4113		1,307.660₈

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371
Total	0.0378	0.0228	0.3361	9.6000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		97.2482	97.2482	2.6500e-003	2.4200e-003	98.0371

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	1.4858	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0204	0.0123	0.1810	5.1000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		52.3644	52.3644	1.4300e-003	1.3100e-003	52.7892
Total	0.0204	0.0123	0.1810	5.1000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		52.3644	52.3644	1.4300e-003	1.3100e-003	52.7892

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	1.4858	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0204	0.0123	0.1810	5.1000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		52.3644	52.3644	1.4300e-003	1.3100e-003	52.7892
Total	0.0204	0.0123	0.1810	5.1000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		52.3644	52.3644	1.4300e-003	1.3100e-003	52.7892

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690
Total	1.4729	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0189	0.0109	0.1673	5.0000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		51.0192	51.0192	1.2900e-003	1.2100e-003	51.4120
Total	0.0189	0.0109	0.1673	5.0000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		51.0192	51.0192	1.2900e-003	1.2100e-003	51.4120

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708	0.0000	281.4481	281.4481	0.0168		281.8690
Total	1.4729	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708	0.0000	281.4481	281.4481	0.0168		281.8690

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0189	0.0109	0.1673	5.0000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		51.0192	51.0192	1.2900e-003	1.2100e-003	51.4120
Total	0.0189	0.0109	0.1673	5.0000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		51.0192	51.0192	1.2900e-003	1.2100e-003	51.4120

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.3961	0.3637	3.2180	6.8200e-003	0.6982	4.8800e-003	0.7031	0.1860	4.5500e-003	0.1905		701.0634	701.0634	0.0429	0.0314	711.4905
Unmitigated	0.4039	0.3779	3.3508	7.1700e-003	0.7350	5.1100e-003	0.7401	0.1957	4.7600e-003	0.2005		736.8026	736.8026	0.0443	0.0326	747.6213

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Congregate Care (Assisted Living)	124.80	140.64	151.20	302,176	287,067
Total	124.80	140.64	151.20	302,176	287,067

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Congregate Care (Assisted	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Congregate Care (Assisted Living)	0.552821	0.058334	0.189005	0.121481	0.023262	0.005577	0.010166	0.007476	0.001000	0.000579	0.026545	0.000826	0.002928

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
NaturalGas Unmitigated	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Congregate Care (Assisted Living)	1102.25	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Total		0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Congregate Care (Assisted Living)	1.10225	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Total		0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

6.0 Area Detail

6.1 Mitigation Measures Area

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Unmitigated	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0702					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3895					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	19.7405	0.4364	26.0811	0.0503		3.7026	3.7026		3.7026	3.7026	401.8006	177.8824	579.6830	0.5498	0.0284	601.8924
Landscaping	0.1193	0.0457	3.9609	2.1000e-004		0.0219	0.0219		0.0219	0.0219		7.1305	7.1305	6.8600e-003		7.3019
Total	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0702					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3895					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	19.7405	0.4364	26.0811	0.0503		3.7026	3.7026		3.7026	3.7026	401.8006	177.8824	579.6830	0.5498	0.0284	601.8924
Landscaping	0.1193	0.0457	3.9609	2.1000e-004		0.0219	0.0219		0.0219	0.0219		7.1305	7.1305	6.8600e-003		7.3019
Total	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

7.0 Water Detail

7.1 Mitigation Measures Water

Apply Water Conservation Strategy

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Peak Avenue Assisted Living Project

Bay Area AQMD Air District, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Congregate Care (Assisted Living)	48.00	Dwelling Unit	1.94	18,201.00	137

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2023
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage adjusted to be consistent with site plan.

Construction Phase - Architectural coating phase adjusted to take place concurrently with building construction.

Demolition - demolition square footage of on-site sheds estimated from aerial maps.

Grading - Grading would require soil import, per site plans.

Mobile Land Use Mitigation - Project site located within 0.15-mile of bus stop.

Water Mitigation - Outdoor water conservation strategy applied to reflect compliance with MWELO.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	200.00
tblConstructionPhase	PhaseEndDate	4/12/2023	4/26/2023
tblConstructionPhase	PhaseEndDate	4/26/2023	7/20/2022

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	PhaseStartDate	4/27/2023	8/4/2022
tblConstructionPhase	PhaseStartDate	7/7/2022	7/21/2022
tblConstructionPhase	PhaseStartDate	4/13/2023	7/7/2022
tblGrading	MaterialImported	0.00	1,057.00
tblLandUse	LandUseSquareFeet	48,000.00	18,201.00
tblLandUse	LotAcreage	3.00	1.94

2.0 Emissions Summary

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	3.2699	22.7858	15.6586	0.0422	7.7718	0.8388	8.5655	3.6092	0.7838	4.3413	0.0000	4,345.624 8	4,345.624 8	0.7227	0.3634	4,471.980 8
2023	3.1179	13.3208	15.4546	0.0288	0.3789	0.5883	0.9672	0.1013	0.5705	0.6717	0.0000	2,676.538 6	2,676.538 6	0.3677	0.0245	2,693.025 6
Maximum	3.2699	22.7858	15.6586	0.0422	7.7718	0.8388	8.5655	3.6092	0.7838	4.3413	0.0000	4,345.624 8	4,345.624 8	0.7227	0.3634	4,471.980 8

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	3.2699	22.7858	15.6586	0.0422	7.7718	0.8388	8.5655	3.6092	0.7838	4.3413	0.0000	4,345.624 8	4,345.624 8	0.7227	0.3634	4,471.980 8
2023	3.1179	13.3208	15.4546	0.0288	0.3789	0.5883	0.9672	0.1013	0.5705	0.6717	0.0000	2,676.538 6	2,676.538 6	0.3677	0.0245	2,693.025 6
Maximum	3.2699	22.7858	15.6586	0.0422	7.7718	0.8388	8.5655	3.6092	0.7838	4.3413	0.0000	4,345.624 8	4,345.624 8	0.7227	0.3634	4,471.980 8

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Energy	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Mobile	0.3643	0.4358	3.5820	6.7700e-003	0.7350	5.1100e-003	0.7401	0.1957	4.7600e-003	0.2005		695.5758	695.5758	0.0504	0.0358	707.5069
Total	20.6958	1.0195	33.6673	0.0579	0.7350	3.7378	4.4728	0.1957	3.7375	3.9332	401.8006	1,010.2650	1,412.0656	0.6096	0.0666	1,447.1481

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Energy	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Mobile	0.3562	0.4196	3.4540	6.4400e-003	0.6982	4.8800e-003	0.7031	0.1860	4.5500e-003	0.1905		661.9329	661.9329	0.0490	0.0345	673.4428
Total	20.6876	1.0032	33.5393	0.0576	0.6982	3.7376	4.4358	0.1860	3.7373	3.9232	401.8006	976.6220	1,378.4227	0.6082	0.0653	1,413.0840

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.04	1.60	0.38	0.57	5.00	0.01	0.83	5.00	0.01	0.25	0.00	3.33	2.38	0.23	1.95	2.35

3.0 Construction Detail**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	6/1/2022	6/28/2022	5	20	
2	Site Preparation	Site Preparation	6/29/2022	6/30/2022	5	2	
3	Grading	Grading	7/1/2022	7/6/2022	5	4	
4	Building Construction	Building Construction	7/21/2022	4/26/2023	5	200	
5	Paving	Paving	7/7/2022	7/20/2022	5	10	
6	Architectural Coating	Architectural Coating	8/4/2022	5/10/2023	5	200	

Acres of Grading (Site Preparation Phase): 1.88**Acres of Grading (Grading Phase): 4****Acres of Paving: 0****Residential Indoor: 36,857; Residential Outdoor: 12,286; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Paving	Pavers	1	6.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	1	7.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	5.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	132.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	35.00	5.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	7.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0492	0.0000	0.0492	7.4500e-003	0.0000	7.4500e-003			0.0000			0.0000
Off-Road	1.6889	16.6217	13.9605	0.0241		0.8379	0.8379		0.7829	0.7829		2,323.4168	2,323.4168	0.5921		2,338.2191
Total	1.6889	16.6217	13.9605	0.0241	0.0492	0.8379	0.8871	7.4500e-003	0.7829	0.7903		2,323.4168	2,323.4168	0.5921		2,338.2191

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	1.1500e-003	0.0438	9.2400e-003	1.6000e-004	4.3700e-003	3.9000e-004	4.7600e-003	1.2000e-003	3.7000e-004	1.5700e-003		17.2777	17.2777	5.7000e-004	2.7400e-003	18.1074
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450
Total	0.0398	0.0719	0.3298	1.0500e-003	0.1112	9.5000e-004	0.1121	0.0295	8.8000e-004	0.0304		107.6154	107.6154	3.5700e-003	5.5300e-003	109.3524

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0492	0.0000	0.0492	7.4500e-003	0.0000	7.4500e-003			0.0000			0.0000
Off-Road	1.6889	16.6217	13.9605	0.0241		0.8379	0.8379		0.7829	0.7829	0.0000	2,323.4168	2,323.4168	0.5921		2,338.2191
Total	1.6889	16.6217	13.9605	0.0241	0.0492	0.8379	0.8871	7.4500e-003	0.7829	0.7903	0.0000	2,323.4168	2,323.4168	0.5921		2,338.2191

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	1.1500e-003	0.0438	9.2400e-003	1.6000e-004	4.3700e-003	3.9000e-004	4.7600e-003	1.2000e-003	3.7000e-004	1.5700e-003		17.2777	17.2777	5.7000e-004	2.7400e-003	18.1074
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450
Total	0.0398	0.0719	0.3298	1.0500e-003	0.1112	9.5000e-004	0.1121	0.0295	8.8000e-004	0.0304		107.6154	107.6154	3.5700e-003	5.5300e-003	109.3524

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.2662	0.0000	6.2662	3.0041	0.0000	3.0041			0.0000			0.0000
Off-Road	1.3122	14.6277	7.0939	0.0172		0.6225	0.6225		0.5727	0.5727		1,666.173 8	1,666.173 8	0.5389		1,679.645 7
Total	1.3122	14.6277	7.0939	0.0172	6.2662	0.6225	6.8887	3.0041	0.5727	3.5768		1,666.173 8	1,666.173 8	0.5389		1,679.645 7

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0238	0.0173	0.1973	5.5000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		55.5924	55.5924	1.8500e-003	1.7200e-003	56.1508
Total	0.0238	0.0173	0.1973	5.5000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		55.5924	55.5924	1.8500e-003	1.7200e-003	56.1508

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Site Preparation - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.2662	0.0000	6.2662	3.0041	0.0000	3.0041			0.0000			0.0000
Off-Road	1.3122	14.6277	7.0939	0.0172		0.6225	0.6225		0.5727	0.5727	0.0000	1,666.173 8	1,666.173 8	0.5389		1,679.645 7
Total	1.3122	14.6277	7.0939	0.0172	6.2662	0.6225	6.8887	3.0041	0.5727	3.5768	0.0000	1,666.173 8	1,666.173 8	0.5389		1,679.645 7

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0238	0.0173	0.1973	5.5000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		55.5924	55.5924	1.8500e-003	1.7200e-003	56.1508
Total	0.0238	0.0173	0.1973	5.5000e-004	0.0657	3.4000e-004	0.0661	0.0174	3.2000e-004	0.0178		55.5924	55.5924	1.8500e-003	1.7200e-003	56.1508

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					7.1125	0.0000	7.1125	3.4293	0.0000	3.4293			0.0000			0.0000
Off-Road	1.5403	16.9836	9.2202	0.0206		0.7423	0.7423		0.6829	0.6829		1,995.4825	1,995.4825	0.6454		2,011.6169
Total	1.5403	16.9836	9.2202	0.0206	7.1125	0.7423	7.8548	3.4293	0.6829	4.1122		1,995.4825	1,995.4825	0.6454		2,011.6169

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1519	5.7806	1.2201	0.0210	0.5771	0.0510	0.6281	0.1582	0.0488	0.2070		2,280.6518	2,280.6518	0.0750	0.3612	2,390.1754
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0297	0.0217	0.2466	6.8000e-004	0.0822	4.3000e-004	0.0826	0.0218	4.0000e-004	0.0222		69.4905	69.4905	2.3100e-003	2.1500e-003	70.1885
Total	0.1816	5.8022	1.4666	0.0216	0.6593	0.0514	0.7107	0.1800	0.0492	0.2292		2,350.1424	2,350.1424	0.0773	0.3634	2,460.3638

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Grading - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					7.1125	0.0000	7.1125	3.4293	0.0000	3.4293			0.0000			0.0000
Off-Road	1.5403	16.9836	9.2202	0.0206		0.7423	0.7423		0.6829	0.6829	0.0000	1,995.4825	1,995.4825	0.6454		2,011.6169
Total	1.5403	16.9836	9.2202	0.0206	7.1125	0.7423	7.8548	3.4293	0.6829	4.1122	0.0000	1,995.4825	1,995.4825	0.6454		2,011.6169

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1519	5.7806	1.2201	0.0210	0.5771	0.0510	0.6281	0.1582	0.0488	0.2070		2,280.6518	2,280.6518	0.0750	0.3612	2,390.1754
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0297	0.0217	0.2466	6.8000e-004	0.0822	4.3000e-004	0.0826	0.0218	4.0000e-004	0.0222		69.4905	69.4905	2.3100e-003	2.1500e-003	70.1885
Total	0.1816	5.8022	1.4666	0.0216	0.6593	0.0514	0.7107	0.1800	0.0492	0.2292		2,350.1424	2,350.1424	0.0773	0.3634	2,460.3638

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689		2,001.5429	2,001.5429	0.3486		2,010.2581
Total	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689		2,001.5429	2,001.5429	0.3486		2,010.2581

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0107	0.2845	0.0829	1.0600e-003	0.0339	2.8800e-003	0.0367	9.7500e-003	2.7600e-003	0.0125		113.5389	113.5389	2.4600e-003	0.0168	118.6194
Worker	0.1040	0.0758	0.8630	2.3900e-003	0.2875	1.5000e-003	0.2890	0.0763	1.3800e-003	0.0777		243.2169	243.2169	8.0800e-003	7.5200e-003	245.6596
Total	0.1147	0.3602	0.9459	3.4500e-003	0.3214	4.3800e-003	0.3258	0.0860	4.1400e-003	0.0902		356.7558	356.7558	0.0105	0.0244	364.2789

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689	0.0000	2,001.5429	2,001.5429	0.3486		2,010.2581
Total	1.6487	12.5031	12.7264	0.0221		0.5889	0.5889		0.5689	0.5689	0.0000	2,001.5429	2,001.5429	0.3486		2,010.2581

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0107	0.2845	0.0829	1.0600e-003	0.0339	2.8800e-003	0.0367	9.7500e-003	2.7600e-003	0.0125		113.5389	113.5389	2.4600e-003	0.0168	118.6194
Worker	0.1040	0.0758	0.8630	2.3900e-003	0.2875	1.5000e-003	0.2890	0.0763	1.3800e-003	0.0777		243.2169	243.2169	8.0800e-003	7.5200e-003	245.6596
Total	0.1147	0.3602	0.9459	3.4500e-003	0.3214	4.3800e-003	0.3258	0.0860	4.1400e-003	0.0902		356.7558	356.7558	0.0105	0.0244	364.2789

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968		2,001.7877	2,001.7877	0.3399		2,010.2858
Total	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968		2,001.7877	2,001.7877	0.3399		2,010.2858

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.2600e-003	0.2269	0.0708	1.0100e-003	0.0339	1.3000e-003	0.0352	9.7500e-003	1.2500e-003	0.0110		108.8860	108.8860	2.2100e-003	0.0161	113.7435
Worker	0.0971	0.0671	0.8013	2.3200e-003	0.2875	1.4300e-003	0.2889	0.0763	1.3100e-003	0.0776		237.0141	237.0141	7.3100e-003	6.9700e-003	239.2728
Total	0.1024	0.2940	0.8722	3.3300e-003	0.3214	2.7300e-003	0.3241	0.0860	2.5600e-003	0.0886		345.9001	345.9001	9.5200e-003	0.0231	353.0163

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968	0.0000	2,001.7877	2,001.7877	0.3399		2,010.2858
Total	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968	0.0000	2,001.7877	2,001.7877	0.3399		2,010.2858

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.2600e-003	0.2269	0.0708	1.0100e-003	0.0339	1.3000e-003	0.0352	9.7500e-003	1.2500e-003	0.0110		108.8860	108.8860	2.2100e-003	0.0161	113.7435
Worker	0.0971	0.0671	0.8013	2.3200e-003	0.2875	1.4300e-003	0.2889	0.0763	1.3100e-003	0.0776		237.0141	237.0141	7.3100e-003	6.9700e-003	239.2728
Total	0.1024	0.2940	0.8722	3.3300e-003	0.3214	2.7300e-003	0.3241	0.0860	2.5600e-003	0.0886		345.9001	345.9001	9.5200e-003	0.0231	353.0163

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205		1,297.378 ₉	1,297.378 ₉	0.4113		1,307.660 ₈
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205		1,297.378₉	1,297.378₉	0.4113		1,307.660₈

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450
Total	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205	0.0000	1,297.378 ₉	1,297.378 ₉	0.4113		1,307.660 ₈
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.6877	6.7738	8.8060	0.0135		0.3474	0.3474		0.3205	0.3205	0.0000	1,297.378₉	1,297.378₉	0.4113		1,307.660₈

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450
Total	0.0386	0.0282	0.3206	8.9000e-004	0.1068	5.6000e-004	0.1074	0.0283	5.1000e-004	0.0288		90.3377	90.3377	3.0000e-003	2.7900e-003	91.2450

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062
Total	1.4858	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817		281.4481	281.4481	0.0183		281.9062

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0208	0.0152	0.1726	4.8000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		48.6434	48.6434	1.6200e-003	1.5000e-003	49.1319
Total	0.0208	0.0152	0.1726	4.8000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		48.6434	48.6434	1.6200e-003	1.5000e-003	49.1319

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2045	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062
Total	1.4858	1.4085	1.8136	2.9700e-003		0.0817	0.0817		0.0817	0.0817	0.0000	281.4481	281.4481	0.0183		281.9062

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0208	0.0152	0.1726	4.8000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		48.6434	48.6434	1.6200e-003	1.5000e-003	49.1319
Total	0.0208	0.0152	0.1726	4.8000e-004	0.0575	3.0000e-004	0.0578	0.0153	2.8000e-004	0.0155		48.6434	48.6434	1.6200e-003	1.5000e-003	49.1319

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690
Total	1.4729	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0194	0.0134	0.1603	4.6000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		47.4028	47.4028	1.4600e-003	1.3900e-003	47.8546
Total	0.0194	0.0134	0.1603	4.6000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		47.4028	47.4028	1.4600e-003	1.3900e-003	47.8546

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.7 Architectural Coating - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.2813					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708	0.0000	281.4481	281.4481	0.0168		281.8690
Total	1.4729	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708	0.0000	281.4481	281.4481	0.0168		281.8690

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0194	0.0134	0.1603	4.6000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		47.4028	47.4028	1.4600e-003	1.3900e-003	47.8546
Total	0.0194	0.0134	0.1603	4.6000e-004	0.0575	2.9000e-004	0.0578	0.0153	2.6000e-004	0.0155		47.4028	47.4028	1.4600e-003	1.3900e-003	47.8546

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.3562	0.4196	3.4540	6.4400e-003	0.6982	4.8800e-003	0.7031	0.1860	4.5500e-003	0.1905		661.9329	661.9329	0.0490	0.0345	673.4428
Unmitigated	0.3643	0.4358	3.5820	6.7700e-003	0.7350	5.1100e-003	0.7401	0.1957	4.7600e-003	0.2005		695.5758	695.5758	0.0504	0.0358	707.5069

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Congregate Care (Assisted Living)	124.80	140.64	151.20	302,176	287,067
Total	124.80	140.64	151.20	302,176	287,067

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Congregate Care (Assisted	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Congregate Care (Assisted Living)	0.552821	0.058334	0.189005	0.121481	0.023262	0.005577	0.010166	0.007476	0.001000	0.000579	0.026545	0.000826	0.002928

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
NaturalGas Unmitigated	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Congregate Care (Assisted Living)	1102.25	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Total		0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Congregate Care (Assisted Living)	1.10225	0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469
Total		0.0119	0.1016	0.0432	6.5000e-004		8.2100e-003	8.2100e-003		8.2100e-003	8.2100e-003		129.6763	129.6763	2.4900e-003	2.3800e-003	130.4469

6.0 Area Detail

6.1 Mitigation Measures Area

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943
Unmitigated	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0702					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3895					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	19.7405	0.4364	26.0811	0.0503		3.7026	3.7026		3.7026	3.7026	401.8006	177.8824	579.6830	0.5498	0.0284	601.8924
Landscaping	0.1193	0.0457	3.9609	2.1000e-004		0.0219	0.0219		0.0219	0.0219		7.1305	7.1305	6.8600e-003		7.3019
Total	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0702					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.3895					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	19.7405	0.4364	26.0811	0.0503		3.7026	3.7026		3.7026	3.7026	401.8006	177.8824	579.6830	0.5498	0.0284	601.8924
Landscaping	0.1193	0.0457	3.9609	2.1000e-004		0.0219	0.0219		0.0219	0.0219		7.1305	7.1305	6.8600e-003		7.3019
Total	20.3195	0.4821	30.0420	0.0505		3.7245	3.7245		3.7245	3.7245	401.8006	185.0129	586.8135	0.5567	0.0284	609.1943

7.0 Water Detail

7.1 Mitigation Measures Water

Apply Water Conservation Strategy

Peak Avenue Assisted Living Project - Bay Area AQMD Air District, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied****Bay Area AQMD Air District, Mitigation Report****Construction Mitigation Summary**

Phase	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction												
Architectural Coating	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Building Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Demolition	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Site Preparation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

OFFROAD Equipment Mitigation

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Equipment Type	Fuel Type	Tier	Number Mitigated	Total Number of Equipment	DPF	Oxidation Catalyst
Air Compressors	Diesel	No Change	0	1	No Change	0.00
Cement and Mortar Mixers	Diesel	No Change	0	1	No Change	0.00
Concrete/Industrial Saws	Diesel	No Change	0	1	No Change	0.00
Cranes	Diesel	No Change	0	1	No Change	0.00
Forklifts	Diesel	No Change	0	1	No Change	0.00
Generator Sets	Diesel	No Change	0	1	No Change	0.00
Graders	Diesel	No Change	0	2	No Change	0.00
Pavers	Diesel	No Change	0	1	No Change	0.00
Paving Equipment	Diesel	No Change	0	1	No Change	0.00
Rollers	Diesel	No Change	0	1	No Change	0.00
Rubber Tired Dozers	Diesel	No Change	0	3	No Change	0.00
Tractors/Loaders/Backhoes	Diesel	No Change	0	8	No Change	0.00
Welders	Diesel	No Change	0	3	No Change	0.00

Peak Avenue Assisted Living Project

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Equipment Type	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Unmitigated tons/yr							Unmitigated mt/yr					
Air Compressors	1.98500E-002	1.35940E-001	1.81240E-001	3.00000E-004	7.66000E-003	7.66000E-003	0.00000E+000	2.55325E+001	2.55325E+001	1.60000E-003	0.00000E+000	2.55725E+001
Cement and Mortar Mixers	2.20000E-004	1.38000E-003	1.16000E-003	0.00000E+000	5.00000E-005	5.00000E-005	0.00000E+000	1.71850E-001	1.71850E-001	2.00000E-005	0.00000E+000	1.72300E-001
Concrete/Industrial Saws	3.58000E-003	2.80100E-002	3.66500E-002	6.00000E-005	1.50000E-003	1.50000E-003	0.00000E+000	5.37656E+000	5.37656E+000	2.90000E-004	0.00000E+000	5.38390E+000
Cranes	2.73000E-002	3.02340E-001	1.40120E-001	4.30000E-004	1.25800E-002	1.15800E-002	0.00000E+000	3.80219E+001	3.80219E+001	1.23000E-002	0.00000E+000	3.83293E+001
Forklifts	8.18000E-003	7.61500E-002	8.62500E-002	1.10000E-004	4.91000E-003	4.52000E-003	0.00000E+000	1.00719E+001	1.00719E+001	3.26000E-003	0.00000E+000	1.01533E+001
Generator Sets	3.20000E-002	2.84000E-001	3.67320E-001	6.60000E-004	1.39200E-002	1.39200E-002	0.00000E+000	5.65208E+001	5.65208E+001	2.60000E-003	0.00000E+000	5.65858E+001
Graders	1.24000E-003	1.57700E-002	5.17000E-003	2.00000E-005	5.00000E-004	4.60000E-004	0.00000E+000	1.74528E+000	1.74528E+000	5.60000E-004	0.00000E+000	1.75939E+000
Pavers	7.80000E-004	7.87000E-003	1.08100E-002	2.00000E-005	3.70000E-004	3.40000E-004	0.00000E+000	1.54876E+000	1.54876E+000	5.00000E-004	0.00000E+000	1.56128E+000
Paving Equipment	8.90000E-004	8.69000E-003	1.27300E-002	2.00000E-005	4.20000E-004	3.90000E-004	0.00000E+000	1.78928E+000	1.78928E+000	5.80000E-004	0.00000E+000	1.80375E+000
Rollers	7.30000E-004	7.55000E-003	8.14000E-003	1.00000E-005	4.40000E-004	4.00000E-004	0.00000E+000	1.00852E+000	1.00852E+000	3.30000E-004	0.00000E+000	1.01668E+000
Rubber Tired Dozers	1.07800E-002	1.13220E-001	4.61200E-002	1.10000E-004	5.37000E-003	4.94000E-003	0.00000E+000	9.65978E+000	9.65978E+000	3.12000E-003	0.00000E+000	9.73788E+000
Tractors/Loaders/Backhoes	1.84400E-002	1.87500E-001	2.56040E-001	3.60000E-004	9.87000E-003	9.08000E-003	0.00000E+000	3.13000E+001	3.13000E+001	1.01200E-002	0.00000E+000	3.15531E+001
Welders	8.02500E-002	4.33600E-001	5.06520E-001	7.70000E-004	1.80800E-002	1.80800E-002	0.00000E+000	5.64662E+001	5.64662E+001	6.51000E-003	0.00000E+000	5.66289E+001

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Equipment Type	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Mitigated tons/yr							Mitigated mt/yr					
Air Compressors	1.98500E-002	1.35940E-001	1.81240E-001	3.00000E-004	7.66000E-003	7.66000E-003	0.00000E+000	2.55325E+001	2.55325E+001	1.60000E-003	0.00000E+000	2.55725E+001
Cement and Mortar Mixers	2.20000E-004	1.38000E-003	1.16000E-003	0.00000E+000	5.00000E-005	5.00000E-005	0.00000E+000	1.71850E-001	1.71850E-001	2.00000E-005	0.00000E+000	1.72300E-001
Concrete/Industrial Saws	3.58000E-003	2.80100E-002	3.66500E-002	6.00000E-005	1.50000E-003	1.50000E-003	0.00000E+000	5.37656E+000	5.37656E+000	2.90000E-004	0.00000E+000	5.38389E+000
Cranes	2.73000E-002	3.02340E-001	1.40120E-001	4.30000E-004	1.25800E-002	1.15800E-002	0.00000E+000	3.80218E+001	3.80218E+001	1.23000E-002	0.00000E+000	3.83292E+001
Forklifts	8.18000E-003	7.61500E-002	8.62500E-002	1.10000E-004	4.91000E-003	4.52000E-003	0.00000E+000	1.00718E+001	1.00718E+001	3.26000E-003	0.00000E+000	1.01533E+001
Generator Sets	3.20000E-002	2.84000E-001	3.67320E-001	6.60000E-004	1.39200E-002	1.39200E-002	0.00000E+000	5.65207E+001	5.65207E+001	2.60000E-003	0.00000E+000	5.65858E+001
Graders	1.24000E-003	1.57700E-002	5.17000E-003	2.00000E-005	5.00000E-004	4.60000E-004	0.00000E+000	1.74527E+000	1.74527E+000	5.60000E-004	0.00000E+000	1.75938E+000
Pavers	7.80000E-004	7.87000E-003	1.08100E-002	2.00000E-005	3.70000E-004	3.40000E-004	0.00000E+000	1.54876E+000	1.54876E+000	5.00000E-004	0.00000E+000	1.56128E+000
Paving Equipment	8.90000E-004	8.69000E-003	1.27300E-002	2.00000E-005	4.20000E-004	3.90000E-004	0.00000E+000	1.78928E+000	1.78928E+000	5.80000E-004	0.00000E+000	1.80374E+000
Rollers	7.30000E-004	7.55000E-003	8.14000E-003	1.00000E-005	4.40000E-004	4.00000E-004	0.00000E+000	1.00852E+000	1.00852E+000	3.30000E-004	0.00000E+000	1.01667E+000
Rubber Tired Dozers	1.07800E-002	1.13220E-001	4.61200E-002	1.10000E-004	5.37000E-003	4.94000E-003	0.00000E+000	9.65976E+000	9.65976E+000	3.12000E-003	0.00000E+000	9.73787E+000
Tractors/Loaders/Balckhoes	1.84400E-002	1.87500E-001	2.56040E-001	3.60000E-004	9.87000E-003	9.08000E-003	0.00000E+000	3.13000E+001	3.13000E+001	1.01200E-002	0.00000E+000	3.15531E+001
Welders	8.02500E-002	4.33600E-001	5.06520E-001	7.70000E-004	1.80800E-002	1.80800E-002	0.00000E+000	5.64661E+001	5.64661E+001	6.51000E-003	0.00000E+000	5.66289E+001

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Equipment Type	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction												
Air Compressors	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.17497E-006	1.17497E-006	0.00000E+000	0.00000E+000	1.17313E-006
Cement and Mortar Mixers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000
Concrete/Industrial Saws	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.85739E-006
Cranes	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.05203E-006	1.05203E-006	0.00000E+000	0.00000E+000	1.30449E-006
Forklifts	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	9.92866E-007	9.92866E-007	0.00000E+000	0.00000E+000	9.84903E-007
Generator Sets	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.23848E-006	1.23848E-006	0.00000E+000	0.00000E+000	1.06034E-006
Graders	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	5.72974E-006	5.72974E-006	0.00000E+000	0.00000E+000	5.68379E-006
Pavers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000
Paving Equipment	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	5.54401E-006
Rollers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	9.83594E-006
Rubber Tired Dozers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	2.07044E-006	2.07044E-006	0.00000E+000	0.00000E+000	1.02692E-006
Tractors/Loaders/Backhoes	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.27795E-006	1.27795E-006	0.00000E+000	0.00000E+000	1.26770E-006
Welders	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	1.23968E-006	1.23968E-006	0.00000E+000	0.00000E+000	1.23612E-006

Fugitive Dust Mitigation

Yes/No Mitigation Measure Mitigation Input Mitigation Input Mitigation Input

No	Soil Stabilizer for unpaved Roads	PM10 Reduction		PM2.5 Reduction		
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Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

No	Replace Ground Cover of Area Disturbed	PM10 Reduction		PM2.5 Reduction			
No	Water Exposed Area	PM10 Reduction		PM2.5 Reduction		Frequency (per day)	
No	Unpaved Road Mitigation	Moisture Content %		Vehicle Speed (mph)	0.00		
No	Clean Paved Road	% PM Reduction	0.00				

Phase	Source	Unmitigated		Mitigated		Percent Reduction	
		PM10	PM2.5	PM10	PM2.5	PM10	PM2.5
Architectural Coating	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Architectural Coating	Roads	0.01	0.00	0.01	0.00	0.00	0.00
Building Construction	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Building Construction	Roads	0.03	0.01	0.03	0.01	0.00	0.00
Demolition	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Demolition	Roads	0.00	0.00	0.00	0.00	0.00	0.00
Grading	Fugitive Dust	0.01	0.01	0.01	0.01	0.00	0.00
Grading	Roads	0.00	0.00	0.00	0.00	0.00	0.00
Paving	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Paving	Roads	0.00	0.00	0.00	0.00	0.00	0.00
Site Preparation	Fugitive Dust	0.01	0.00	0.01	0.00	0.00	0.00
Site Preparation	Roads	0.00	0.00	0.00	0.00	0.00	0.00

Operational Percent Reduction Summary

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Category	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction												
Architectural Coating	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hearth	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	2.19	3.75	3.70	4.67	3.75	4.00	0.00	4.84	4.84	2.95	3.67	4.82
Natural Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water Indoor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.79	3.99	0.02	0.00	1.99
Water Outdoor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Operational Mobile Mitigation

Project Setting: Low Density Suburban

Mitigation	Category	Measure	% Reduction	Input Value 1	Input Value 2	Input Value 3
No	Land Use	Increase Density	0.00			
No	Land Use	Increase Diversity	-0.01	0.13		
No	Land Use	Improve Walkability Design	0.00			
No	Land Use	Improve Destination Accessibility	0.00			
Yes	Land Use	Increase Transit Accessibility	0.20	0.15		
No	Land Use	Integrate Below Market Rate Housing	0.00			
	Land Use	Land Use SubTotal	0.05			

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

No	Neighborhood Enhancements	Improve Pedestrian Network			
No	Neighborhood Enhancements	Provide Traffic Calming Measures			
No	Neighborhood Enhancements	Implement NEV Network	0.00		
	Neighborhood Enhancements	Neighborhood Enhancements Subtotal	0.00		
No	Parking Policy Pricing	Limit Parking Supply	0.00		
No	Parking Policy Pricing	Unbundle Parking Costs	0.00		
No	Parking Policy Pricing	On-street Market Pricing	0.00		
	Parking Policy Pricing	Parking Policy Pricing Subtotal	0.00		
No	Transit Improvements	Provide BRT System	0.00		
No	Transit Improvements	Expand Transit Network	0.00		
No	Transit Improvements	Increase Transit Frequency	0.00		
	Transit Improvements	Transit Improvements Subtotal	0.00		
		Land Use and Site Enhancement Subtotal	0.05		
No	Commute	Implement Trip Reduction Program			
No	Commute	Transit Subsidy			
No	Commute	Implement Employee Parking "Cash Out"	3.00		
No	Commute	Workplace Parking Charge			
No	Commute	Encourage Telecommuting and Alternative Work Schedules	0.00		
No	Commute	Market Commute Trip Reduction Option	0.00		
No	Commute	Employee Vanpool/Shuttle	0.00		2.00

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

No	Commute	Provide Ride Sharing Program	5.00		
	Commute	Commute Subtotal	0.00		
No	School Trip	Implement School Bus Program	0.00		
		Total VMT Reduction	0.05		

Area Mitigation

Measure Implemented	Mitigation Measure	Input Value
No	Only Natural Gas Hearth	
No	No Hearth	
No	Use Low VOC Cleaning Supplies	
No	Use Low VOC Paint (Residential Interior)	100.00
No	Use Low VOC Paint (Residential Exterior)	150.00
No	Use Low VOC Paint (Non-residential Interior)	100.00
No	Use Low VOC Paint (Non-residential Exterior)	150.00
No	Use Low VOC Paint (Parking)	150.00
No	% Electric Lawnmower	
No	% Electric Leafblower	
No	% Electric Chainsaw	

Energy Mitigation Measures

Measure Implemented	Mitigation Measure	Input Value 1	Input Value 2
No	Exceed Title 24		

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

No	Install High Efficiency Lighting		
No	On-site Renewable		

Appliance Type	Land Use Subtype	% Improvement
ClothWasher		30.00
DishWasher		15.00
Fan		50.00
Refrigerator		15.00

Water Mitigation Measures

Measure Implemented	Mitigation Measure	Input Value 1	Input Value 2
Yes	Apply Water Conservation on Strategy	0.00	20.00
No	Use Reclaimed Water	0.00	0.00
No	Use Grey Water	0.00	
No	Install low-flow bathroom faucet	32.00	
No	Install low-flow Kitchen faucet	18.00	
No	Install low-flow Toilet	20.00	
No	Install low-flow Shower	20.00	
No	Turf Reduction	0.00	
No	Use Water Efficient Irrigation Systems	6.10	
No	Water Efficient Landscape	0.00	0.00

Solid Waste Mitigation

Peak Avenue Assisted Living Project**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied**

Mitigation Measures	Input Value
Institute Recycling and Composting Services Percent Reduction in Waste Disposed	

Appendix B

Tree Inventory Report

HORTICULTURAL *Associates*

Consultants in Horticulture and Arboriculture

TREE INVENTORY REPORT

17097 Peak Avenue
Morgan Hill, CA

Prepared for:

Raney Management
1501 Sports Drive, Suite A
Sacramento, CA 95834

Prepared by:

John C. Meserve
ISA Certified Arborist, WE #0478A
ISA Qualified Tree Risk Assessor/TRAQ
ASCA Qualified Tree and Plant Appraiser/TPAQ

March 9, 2022

March 9, 2022

Megane Brown-Allard
Raney Management
1501 Sports Drive, Suite A
Sacramento, CA 95834

Re: Completed *Tree Inventory Report*, 17097 Peak Avenue in Morgan Hill, California

Megane,

Attached you will find our completed *Tree Inventory Report* for the above noted site in Morgan Hill, California. A total of 74 trees were evaluated and this includes all trees that are present 6 inches or greater in trunk diameter and located on or near the proposed development.

All trees in this report were evaluated and documented for species, size, health, and structural condition. The *Tree Inventory Chart* also provides an assessment of expected impact for each tree based on the Tentative Map that was provided, as well as recommendations for preservation or removal. A *Tree Location Plan* shows the location and numbering sequence of all trees that were included. Also included are a *Fencing Detail*, *Tree Preservation Guidelines*, and *Pruning Standards* for your reference.

This report is intended to be a basic inventory of trees present at this site, which includes a general review of tree health and structural condition. No in-depth evaluation has occurred on any tree, and assessment has included only external visual examination without probing, drilling, coring, root collar examination, root excavation, or dissecting any tree part. Failures, deficiencies, and problems may occur in these trees in the future, and this inventory in no way guarantees or provides a warranty for their condition. No other trees are included in this report. If other trees need to be included it your responsibility to provide that direction to us.

EXISTING SITE CONDITION SUMMARY

The project site consists of an existing support facility with outbuildings and parking areas. The balance of the site contains some remnant improvements and vegetation.

EXISTING TREE SUMMARY

Species that are native to the site include Coast Live Oak and Valley Oak.

Species that are native to California, but not native to this site include Monterey Cypress.

Species that are not native include Chinese Pistache, English Walnut, Black Walnut, Stone Pine, Grapefruit, Orange, Black Acacia, Brazilian Pepper, Almond, Wild Plum, Mexican Fan Palm, Silk Oak, Canary Island Date Palm, and Italian Cypress.

CONSTRUCTION IMPACT SUMMARY

The development plan that was provided for our use did not illustrate grading or underground utilities that can affect existing trees. Based on this plan the following summary of impacts is provided:

(52) Trees that can be preserved.

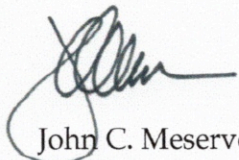
(21) Trees that need to be removed due to expected construction impacts.

(1) Trees that need to be removed due to poor existing condition and expected development impacts.

All trees that will require removal are ornamental or fruit tree species. No native species will require removal.

Please feel free to contact me if you have questions regarding this report, or if further discussion would be helpful.

Regards,

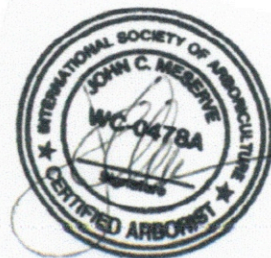


John C. Meserve

ISA Certified Arborist, WE #0478A

ISA Qualified Tree Risk Assessor/TRAQ

ASCA Qualified Tree and Plant Appraiser/TPAQ



TREE INVENTORY CHART

TREE INVENTORY
17097 Peak Avenue
Morgan Hill, CA

March 9, 2022

Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
1	<i>Pistache chinensis</i>	Chinese Pistache	7	14	8	5	4	1	6, 7, 8
2	<i>Pistache chinensis</i>	Chinese Pistache	6	14	8	5	4	1	6, 7, 8
3	<i>Juglans regia</i>	English Walnut	8+10+30	40	28	4	3	2	6, 7, 8, 9
4	<i>Juglans nigra</i>	Black Walnut	15+15+16	35	21	3	2	2	6, 7, 8, 9
5	<i>Pinus pinea</i>	Stone Pine	9	20	10	3	4	3	2
6	<i>Pistache chinensis</i>	Chinese Pistache	12+15+17	35	21	4	2.5	3	2
7	<i>Quercus agrifolia</i>	Coast Live Oak	18	40	18	5	2.5	0	6, 7
8	<i>Citrus paradisi</i>	Grapefruit	9+11	18	8	4	3	0	6, 7
9	<i>Citrus sinensis</i>	Orange	4+5+7	14	8	4	3	0	6, 7
10	<i>Pistache chinensis</i>	Chinese Pistache	6+6+7	14	12	4	2.5	0	6, 7
11	<i>Pistache chinensis</i>	Chinese Pistache	3+4+5+6	14	12	4	2.5	0	6, 7

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TREE INVENTORY
17097 Peak Avenue
Morgan Hill, CA

March 9, 2022

Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
12	<i>Acacia melanoxylon</i>	Black Acacia	7+8	40	12	4	3	0	6
13	<i>Pistache chinensis</i>	Chinese Pistache	29+33	45	22	4	3	0	6
14	<i>Pistache chinensis</i>	Chinese Pistache	7+8+9+9	35	20	4	2.5	0	6
15	<i>Pistache chinensis</i>	Chinese Pistache	6+6+12+12+13	30	18	4	2.5	0	6
16	<i>Pistache chinensis</i>	Chinese Pistache	8+8+9+10	35	18	3	2.5	0	6, 11
17	<i>Pistache chinensis</i>	Chinese Pistache	10+10+10+14	35	18	3	2.5	0	6, 11
18	<i>Pistache chinensis</i>	Chinese Pistache	42	35	20	3	2.5	0	6, 11
19	<i>Pistache chinensis</i>	Chinese Pistache	12	35	18	3	3	0	6, 11
20	<i>Pistache chinensis</i>	Chinese Pistache	4+6	12	12	3	3	0	6, 7
21	<i>Pistache chinensis</i>	Chinese Pistache	4	10	4	4	4	0	6, 7
22	<i>Quercus agrifolia</i>	Coast Live Oak	10	25	20	4	3	1	6, 7, 8, 9

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TREE INVENTORY
17097 Peak Avenue
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March 9, 2022

Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
23	<i>Quercus agrifolia</i>	Coast Live Oak	10+15	30	18	4	3	1	6, 7, 8, 9
24	<i>Quercus agrifolia</i>	Coast Live Oak	11	35	18	4	3	1	6, 7, 8, 9
25	<i>Pistache chinensis</i>	Chinese Pistache	13+27	25	21	4	3	0	6, 7
26	<i>Schinus molle</i>	Brazilian Pepper	30	20	12	3	2	0	6, 7
27	<i>Pistache chinensis</i>	Chinese Pistache	8+12	20	16	4	3	1	6, 7, 8, 9
28	<i>Pistache chinensis</i>	Chinese Pistache	11	20	14	4	3	1	6, 7, 8, 9
29	<i>Pistache chinensis</i>	Chinese Pistache	6+6+10	10	6	1	1	3	4
30	<i>Prunus dulcis</i>	Almond	6	14	6	4	3	0	6, 7
31	<i>Prunus domestica</i>	Wild Plum	multiple trunks	12	12	3	2	0	6, 7
32	<i>Quercus agrifolia</i>	Coast Live Oak	9	21	12	4	3	1	6, 7, 9
33	<i>Pistache chinensis</i>	Chinese Pistache	12+13	35	18	4	3	0	6, 7, 9

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TREE INVENTORY
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Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
34	<i>Pistache chinensis</i>	Chinese Pistache	6+10+10+12	35	18	4	3	3	2
35	<i>Pistache chinensis</i>	Chinese Pistache	6+7+7+8	25	18	4	3	3	2
36	<i>Quercus agrifolia</i>	Coast Live Oak	8+10	13	12	4	3	1	6, 7
37	<i>Pistache chinensis</i>	Chinese Pistache	10	18	10	4	3	1	6, 7, 8, 9
38	<i>Prunus dulcis</i>	Almond	12	20	1'4	4	3	3	2
39	<i>Pistache chinensis</i>	Chinese Pistache	7	18	12	3	2	3	2
40	<i>Pistache chinensis</i>	Chinese Pistache	9+10+12	25	15	4	3	2	6, 7, 8, 9
41	<i>Prunus dulcis</i>	Almond	multiple trunks	18	18	4	3	3	2
42	<i>Washingtonia robusta</i>	Mexican Fan Palm	6	4	4	5	4	3	2
43	<i>Prunus dulcis</i>	Almond	3+4	12	10	3	2	3	2
44	<i>Quercus agrifolia</i>	Coast Live Oak	14+16+19	40	25	4	3	2	6, 7, 8, 9

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TREE INVENTORY
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Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
45	<i>Grevillea robusta</i>	Silk Oak	21	45	15	4	3	3	2
46	<i>Phoenix canariensis</i>	Canary Island Date Palm	12	8	6	5	4	3	2
47	<i>Phoenix canariensis</i>	Canary Island Date Palm	18	8	6	5	4	3	2
48	<i>Phoenix canariensis</i>	Canary Island Date Palm	24	8	6	5	3	3	2
49	<i>Prunus dulcis</i>	Almond	multiple trunks	25	16	4	2	3	2
50	<i>Prunus dulcis</i>	Almond	5+8+8+10	20	16	4	3	3	2
51	<i>Prunus dulcis</i>	Almond	6+9	22	14	4	3	3	2
52	<i>Pistache chinensis</i>	Chinese Pistache	3+3+5	8	4	4	2	0	13
53	<i>Pistache chinensis</i>	Chinese Pistache	6	18	14	4	3	0	11, 13
54	<i>Pistache chinensis</i>	Chinese Pistache	6	16	14	4	3	0	11, 13
55	<i>Quercus lobata</i>	Valley Oak	49	50	30	4	3	0	9

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Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
56	<i>Pistache chinensis</i>	Chinese Pistache	4+6+6+9	25	1'4	3	3	0	9
57	<i>Pistache chinensis</i>	Chinese Pistache	6+7+9	20	12	2	3	0	9, 11
58	<i>Pistache chinensis</i>	Chinese Pistache	6x4+8	22	16	4	3	3	2
59	<i>Pistache chinensis</i>	Chinese Pistache	10+12+15+15	25	20	3	1.5	1	6, 7, 8, 9, 11
60	<i>Prunus dulcis</i>	Almond	5	15	8	2	2	2	6, 7, 8, 9, 11
61	<i>Pistache chinensis</i>	Chinese Pistache	10	15	15	3	3	2	6, 7, 8, 9, 11
62	<i>Pistache chinensis</i>	Chinese Pistache	6+8+8+3x12	25	21	3	2	1	6, 7, 8, 9, 11
63	<i>Pistache chinensis</i>	Chinese Pistache	8+10+12	25	16	3	2	1	6, 7, 8, 9, 11
64	<i>Pistache chinensis</i>	Chinese Pistache	6+18+22	30	20	3	1.5	2	6, 7, 8, 9, 11
65	<i>Phoenix canariensis</i>	Canary Island Date Palm	50	22	12	5	4	1	6, 7, 11
66	<i>Phoenix canariensis</i>	Canary Island Date Palm	50	22	12	5	4	1	6, 7, 11

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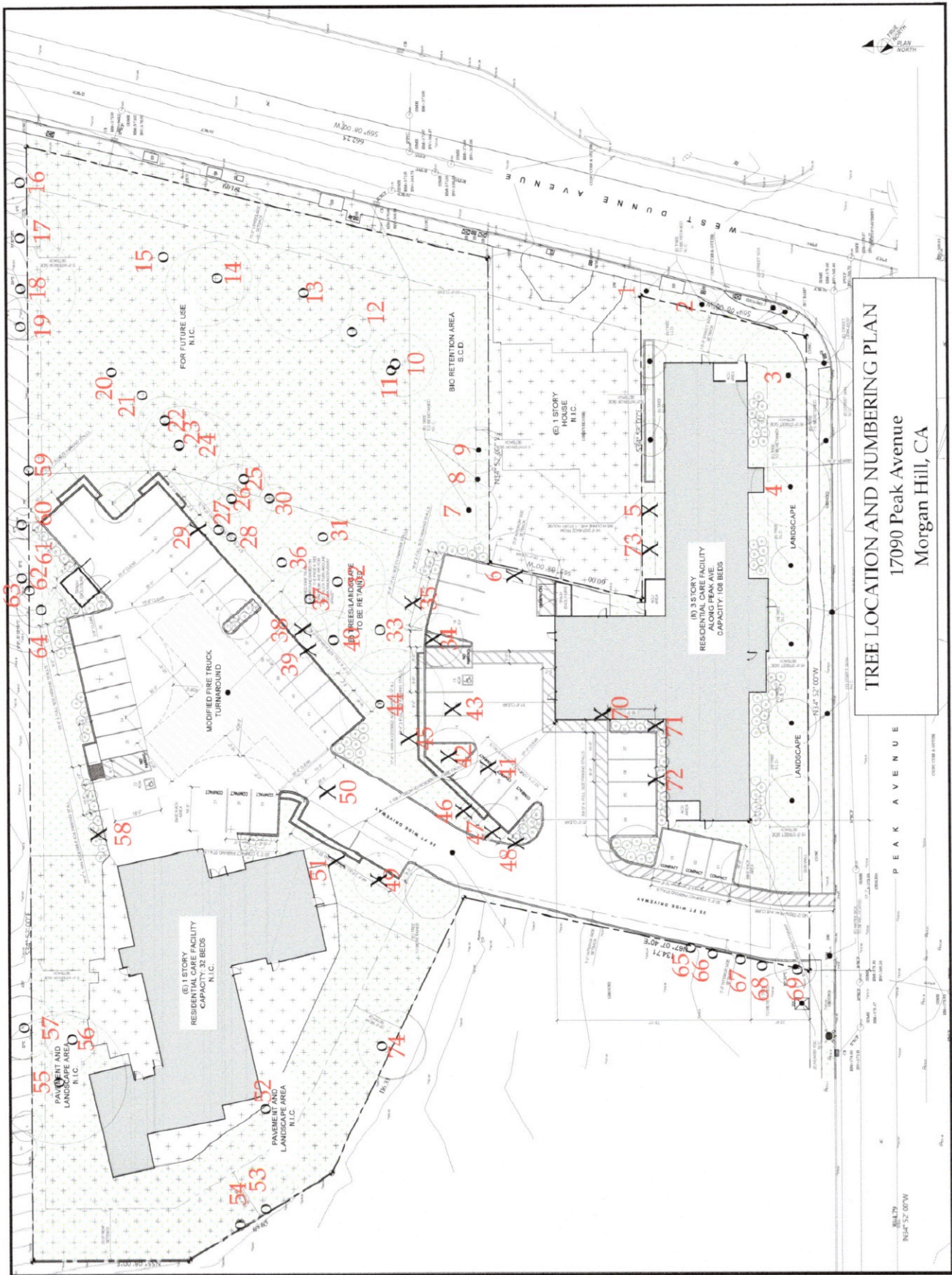
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Tree #	Species	Common Name	Trunk (dbh ± inches)	Height (± feet)	Radius (± feet)	Health 1 - 5	Structure 1 - 4	Expected Impact	Recommendations
67	<i>Cupressus sempervirens</i>	Italian Cypress	8	35	2	5	4	2	6, 7, 11
68	<i>Cupressus sempervirens</i>	Italian Cypress	8	35	2	5	4	2	6, 7, 11
69	<i>Washingtonia robusta</i>	Mexican Fan Palm	24+24	50	12	5	4	1	6, 7, 11
70	<i>Cupressus macrocarpa</i>	Monterey Cypress	5+6	20	14	4	3	3	2
71	<i>Cupressus sempervirens</i>	Italian Cypress	6	25	2	4	3	3	2
72	<i>Washingtonia robusta</i>	Mexican Fan Palm	24	25	8	4	3	3	2
73	<i>Juglans nigra</i>	Black Walnut	6	18	10	4	3	3	2
74	<i>Pistache chinensis</i>	Chinese Pistache	10	15	16	3	3	0	11, 13

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TREE LOCATION PLAN



KEY TO TREE
INVENTORY CHART

KEY TO TREE INVENTORY CHART

17097 Peak Avenue
Morgan Hill, CA

Tree Number

Each tree has been identified in the field with an aluminum tag and reference number. Tags are attached to the trunk at approximately eye level. The *Tree Location Plan* illustrates the location of each numbered tree.

Species

Each tree has been identified by genus, species and common name. Many species have more than one common name.

Trunk

Each trunk has been measured or estimated, in inches, to document its diameter, at 4.5 feet above adjacent grade. Trunk diameter is a good indicator of age, and is commonly used to determine mitigation replacement requirements.

Height

Height is estimated in feet, using visual assessment.

Radius

Radius is estimated in feet, using visual assessment. Since many canopies are asymmetrical, it is not uncommon for a radius estimate to be an average of the canopy size.

Health

The following descriptions are used to rate the health of a tree. Trees with a rating of 4 or 5 are very good candidates for preservation and will tolerate more construction impacts than trees in poorer condition. Trees with a rating of 3 may or may not be good candidates for preservation, depending on the species and expected construction impacts. Trees with a rating of 1 or 2 are generally poor candidates for preservation.

- (5) Excellent - health and vigor are exceptional, no pest, disease, or distress symptoms.
- (4) Good - health and vigor are average, no significant or specific distress symptoms, no significant pest or disease.
- (3) Fair - health and vigor are somewhat compromised, distress is visible, pest or disease may be present and affecting health, problems are generally correctable.
- (2) Marginal - health and vigor are significantly compromised, distress is highly visible and present to the degree that survivability is in question.
- (1) Poor - decline has progressed beyond the point of being able to return to a healthy condition again. Long-term survival is not expected. This designation includes dead trees.

Structure

The following descriptions are used to rate the structural integrity of a tree. Trees with a rating of 3 or 4 are generally stable, sound trees which do not require significant pruning, although cleaning, thinning, or raising the canopy might be desirable. Trees with a rating of 2 are generally poor candidates for preservation unless they are preserved well away from improvements or active use areas. Significant time and effort would be required to reconstruct the canopy and improve structural integrity. Trees with a rating of 1 are hazardous and should be removed.

- (4) Good structure - minor structural problems may be present which do not require corrective action.
- (3) Moderate structure - normal, typical structural issues which can be corrected with pruning.
- (2) Marginal structure - serious structural problems are present which may or may not be correctable with pruning, cabling, bracing, etc.
- (1) Poor structure - hazardous structural condition which cannot be effectively corrected with pruning or other measures, may require removal depending on location and the presence of targets.

Construction Impacts

Considering the proximity of construction activities, type of activities, tree species, and tree condition - the following ratings are used to estimate the amount of impact on tree health and stability. Most trees will tolerate a (1) rating, many trees could tolerate a (2) rating with careful consideration and mitigation, but trees with a (3) rating are poor candidates for preservation.

- (4) Impacts are unknown at this time and will depend on the location of improvements inside the illustrated building envelope.
- (3) A significant impact on long term tree integrity can be expected as a result of proposed development.
- (2) A moderate impact on long term tree integrity can be expected as a result of proposed development.
- (1) A minor impact on long term tree integrity can be expected as a result of proposed development.
- (0) No impact on long term tree integrity can be expected as a result of proposed development

Recommendations

Recommendations are provided for removal or preservation. For those being preserved, protection measures and mitigation procedures to offset impacts and improve tree health are provided.

- (1) Preservation appears to be possible.
- (2) Removal is required due to significant development impacts.

- (3) Removal is required due to poor health or hazardous structure.
- (4) Removal is required due to significant development impacts and poor existing condition.
- (5) Removal is recommended due to poor species characteristics.
- (6) Install temporary protective fencing at the edge of the dripline, or edge of approved construction, prior to beginning grading or construction. Maintain fencing in place for duration of all construction activity in the area.
- (7) Maintain existing grade within the fenced portion of the dripline. Route drainage swales and all underground work outside the dripline.
- (8) Place a 4" layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Maintain this layer of mulch throughout construction.
- (9) Prune to clean the canopy, per International Society of Arboriculture pruning standards.
- (10) Prune to provide clearance for adjacent improvements, per International Society of Arboriculture pruning standards.
- (11) This trunk may be located off site, but the canopy overhangs the project site.
- (12) Excavation may be required within the TPZ and the dripline for development. Excavation within the TPZ of any type must adhere to the following guidelines:

All roots encountered that are 2 inches or larger in diameter must be cleanly cut as they are encountered by excavating equipment.

Roots may not be ripped from the ground and then trimmed. They must be trimmed as encountered and this will require the use of a ground man working with a suitable power tool.

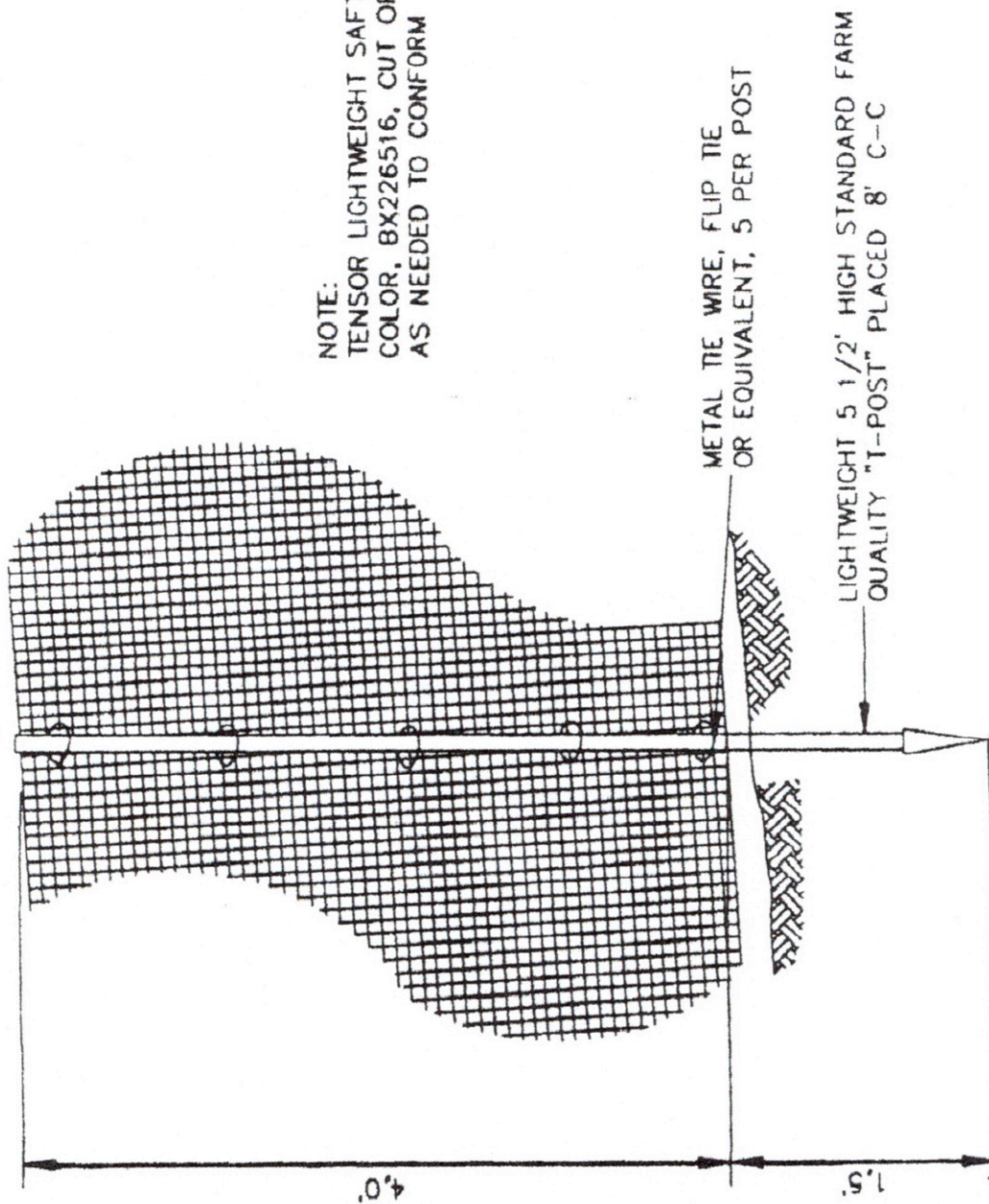
Pruned and exposed roots greater than 2 inches in diameter must be protected from desiccation if left exposed for more than 24 hours. Cover cut roots with heavy cloth, burlap, used carpeting, or similar material that has been soaked in water, until trench or excavation has been backfilled.

If excavation impacts more than 20% of the defined TPZ then supplemental irrigation may be required to offset loss of roots. Excavation in this case should be directed by the project arborist who will determine whether excavation is required, when, and how.

Any excavation within the defined TPZ will require that the tree be monitored on a monthly basis by the project arborist for the duration of construction and for one year beyond completion of construction. Monitoring may determine other mitigation measures that may be required to offset root loss or damage.

- (13) No action is required. This tree is located away from development areas.

TREE FENCING DETAIL



NOTE:
 TENSOR LIGHTWEIGHT SAFETY GRID, ORANGE
 COLOR, BX226516, CUT OR FOLD AT POSTS
 AS NEEDED TO CONFORM TO SLOPING TERRAIN.

TREE PROTECTION FENCING DETAIL

TREE PRESERVATION GUIDELINES

TREE PRESERVATION GUIDELINES

17097 Peak Avenue
Morgan Hill, CA

INTRODUCTION

Great care must be exercised when development is proposed in the vicinity of established trees of any type. The trees present at this site require specialized protection techniques during all construction activities to minimize negative impact on their long term health and vigor. The area immediately beneath and around canopy driplines is especially critical, and the specifications that follow are established to protect short and long term tree integrity. The purpose of this specification is therefore to define the procedures that must be followed during any and all phases of development in the immediate vicinity of designated protected trees.

Established, mature trees respond in a number of different ways to the disruption of their natural conditions. Change of grade within the root system area or near the root collar, damage to the bark of the trunk, soil compaction above the root system, root system reduction or damage, or alteration of summer soil moisture levels may individually or collectively cause physiological stress leading to tree decline and death. The individual impacts of these activities may cause trees to immediately exhibit symptoms and begin to decline, but more commonly the decline process takes many years, with symptoms appearing slowly and over a period of time. Trees may not begin to show obvious signs of decline from the negative impacts of construction until many years after construction is completed. It is not appropriate to wait for symptoms to appear, as this may be too late to correct the conditions at fault and to halt decline.

It is therefore critical to the long-term health of all protected trees that a defined protection program be established before beginning any construction activity where protected trees are found. Once incorporated at the design level, it is mandatory that developers, contractors, and construction personnel understand the critical importance of these guidelines, and the potential penalties that will be levied if they are not fully incorporated at every stage of development.

The following specifications are meant to be utilized by project managers and those supervising any construction in the vicinity of protected trees including grading contractors, underground contractors, all equipment operators, construction personnel, and landscape contractors. Questions which arise, or interpretation of specifications as they apply to specific site activities, must be referred to the project arborist as they occur.

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TREE PROTECTION ZONE

1. The canopy dripline is illustrated on the Improvement Plans and represents the area around each tree, or group of trees, which must be protected at all times with tree protection fencing.
2. No encroachment into the dripline is allowed at any time without approval from the project arborist, and unauthorized entry may be subject to civil action and penalties.
3. The dripline will be designated by the project arborist at a location determined to be adequate to ensure long term tree viability and health. This is to occur prior to installation of fencing and in conjunction with the fencing contractor

TREE PROTECTION FENCING

1. Prior to initiating any construction activity on a construction project, including demolition or grading, temporary protective fencing shall be installed at each site tree, or group of trees. Fencing shall be located at the dripline designated by the project arborist and generally illustrated on the Improvement Plans.
2. Fencing shall be minimum 4' height at all locations, and shall form a continuous barrier without entry points around all individual trees, or groups of trees. Barrier type fencing such as *Tensar* plastic fencing is recommended, but any fencing system that adequately prevents entry will be considered for approval by the project arborist. The use of post and cable fencing is not acceptable, however.
3. Fencing shall be installed tightly between steel fence posts (standard quality farm 'T' posts work well) placed no more than 8 feet on center. Fencing shall be attached to each post at 5 locations with plastic electrical ties, metal tie wire, or flip ties. See attached fencing detail.
4. Fencing shall serve as a barrier to prevent encroachment of any type by construction activities, equipment, materials storage, or personnel.
5. All encroachment into the fenced dripline must be approved and supervised by the project arborist. Approved dripline encroachment may require

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additional mitigation or protection measures that will be determined by the project arborist at the time of the request.

6. Contractors and subcontractors shall direct all equipment and personnel to remain outside the fenced area at all times until project is complete, and shall instruct personnel and sub-contractors as to the purpose and importance of fencing and preservation.
7. Fencing shall be upright and functional at all times from start to completion of project. Fencing shall remain in place and not be moved or removed until all construction activities at the site are completed.

TREE PRUNING AND TREATMENTS

1. All recommendations for pruning or other treatments must be completed prior to acceptance of the project. It is strongly recommended that pruning be completed prior to the start of grading to facilitate optimum logistics and access.
2. All pruning shall be conducted in conformance with International Society of Arboriculture pruning standards, and all pruning must occur by, or under the direct supervision of, an arborist certified by the International Society of Arboriculture.

GRADING AND TRENCHING

1. Any construction activity that necessitates soil excavation in the vicinity of preserved trees shall be avoided where possible, or be appropriately mitigated under the guidance of the project arborist. All contractors must be aware at all times that specific protection measures are defined, and non conformance may generate stop-work orders.
2. The designated dripline is defined around all site trees to be preserved. Fences protect the designated areas. No grading or trenching is to occur within this defined area unless so designated by the Improvement Plan, and where designated shall occur under the direct supervision of the project arborist.
3. Trenching should be routed around the dripline. Where trenching has been designated within the dripline, utilization of underground technology to bore, tunnel or excavate with high-pressure air or water will be specified. Hand digging will be generally discouraged unless site conditions restrict the use of alternate technology.

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4. All roots greater than one inch in diameter shall be cleanly hand-cut as they are encountered in any trench or during any grading activity. The tearing of roots by equipment shall not be allowed. Mitigation treatment of pruned roots shall be specified by the project arborist as determined by the degree of root pruning, location of root pruning, and potential exposure to desiccation. No pruning paints or sealants shall be used on cut roots.
5. Where significant roots are encountered mitigation measures such as supplemental irrigation and/or organic mulches may be specified by the project arborist to offset the reduction of root system capacity.
6. Retaining walls are effective at holding grade changes outside the area of the dripline and are recommended where necessary. Retaining walls shall be constructed in post and beam or drilled pier construction styles where they are necessary near or within a dripline.
7. Grade changes outside the dripline, or those necessary in conjunction with retaining walls, shall be designed so that drainage water of any type or source is not diverted toward or around the root crown in any manner. Grade shall drain away from root crown at a minimum of 2%. If grading toward the root collar is unavoidable, appropriate surface and/or subsurface drain facilities shall be installed so that water is effectively diverted away from root collar area.
8. Grade reduction within the designated dripline shall be generally discouraged, and where approved, shall be conducted only after careful consideration and coordination with the project arborist.
9. Foundations of all types within the dripline shall be constructed using design techniques that eliminate the need for trenching into natural grade. These techniques might include drilled piers, grade beams, bridges, or cantilevered structures. Building footprints should generally be outside the dripline whenever possible.

DRAINAGE

The location and density of native trees may be directly associated with the presence of naturally occurring water, especially ephemeral waterways. Project design, especially drainage components, should take into consideration that these trees may begin a slow decline if this naturally present association with water is changed or eliminated.

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TREE DAMAGE

1. Any form of tree damage which occurs during the demolition, grading, or construction process shall be evaluated by the project arborist. Specific mitigation measures will be developed to compensate for or correct the damage. Fines and penalties may also be levied.

2. Measures may include, but are not limited to, the following:

- pruning to remove damaged limbs or wood
- bark scoring to remove damaged bark and promote callous formation
- alleviation of compaction by lightly scarifying the soil surface
- installation of a specific mulching material
- supplemental irrigation during the growing season for up to 5 years
- treatment with specific amendments intended to promote health, vigor, or root growth
- vertical mulching or soil fracturing to promote root growth
- periodic post-construction monitoring at the developer's expense
- tree replacement, or payment of the established appraised value, if the damage is so severe that long term survival is not expected.

3. Any tree that is significantly damaged and whose survivability is threatened, due to negligence by any contractor, shall be appraised using the Trunk Formula Method provided in the 9th Edition of the Guide For Plant Appraisal. This appraisal value will be the basis for any fines levied on the offending contractor.

MULCHING

1. Trees will benefit from the application of a 4 inch layer of chipped bark mulch over the soil surface within the Tree Protection Zone. Ideal mulch material is a chipped bark containing a wide range of particle sizes. Bark mulches composed of shredded redwood, bark screened for uniformity of size, dyed bark, or chipped lumber will not function as beneficially. All trees that are expected to be

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impacted in any way by project activities shall have mulch placed prior to the installation of protection fencing.

2. Mulch should be generated from existing site trees that are removed or pruned as part of the project. Much brought onto the site from an outside source must be from trees that are verified to be free of the Sudden Oak Death pathogen *Phytophthora ramorum*.

ISA PRUNING STANDARDS

ISA

PRUNING STANDARDS

Purpose:

Trees and other woody plants respond in specific and predictable ways to pruning and other maintenance practices. Careful study of these responses has led to pruning practices which best preserve and enhance the beauty, structural integrity, and functional value of trees.

In an effort to promote practices which encourage the preservation of tree structure and health, the W.C. ISA Certification Committee has established the following Standards of Pruning for Certified Arborists. The Standards are presented as working guidelines, recognizing that trees are individually unique in form and structure, and that their pruning needs may not always fit strict rules. The Certified Arborist must take responsibility for special pruning practices that vary greatly from these Standards.

I. Pruning Techniques

- A. A thinning cut removes a branch at its point of attachment or shortens it to a lateral large enough to assume the terminal role. Thinning opens up a tree, reduces weight on heavy limbs, can reduce a tree's height, distributes ensuing invigoration throughout a tree and helps retain the tree's natural shape. Thinning cuts are therefore preferred in tree pruning.

When shortening a branch or leader, the lateral to which it is cut should be at least one-half the diameter of the cut being made. Removal of a branch or leader back to a sufficiently large lateral is often called "drop crotching."

- B. A heading cut removes a branch to a stub, a bud or a lateral branch not large enough to assume the terminal role. Heading cuts should seldom be used because vigorous, weakly attached upright sprouts are forced just below such cuts, and the tree's natural form is altered. In some situations, branch stubs die or produce only weak sprouts.

- C. When removing a live branch, pruning cuts should be made in branch tissue just outside the branch bark ridge and collar, which are trunk tissue. *(Figure 1)* If no collar is visible, the angle of the cut should approximate the angle formed by the branch bark ridge and the trunk. *(Figure 2)*
- D. When removing a dead branch, the final cut should be made outside the collar of live callus tissue. If the collar has grown out along the branch stub, only the dead stub should be removed, the live collar should remain intact, and uninjured. *(Figure 3)*
- E. When reducing the length of a branch or the height of a leader, the final cut should be made just beyond (without violating) the branch bark ridge of the branch being cut to. The cut should approximately bisect the angle formed by the branch bark ridge and an imaginary line perpendicular to the trunk or branch cut. *(Figure 4)*
- F. A goal of structural pruning is to maintain the size of lateral branches to less than three-fourths the diameter of the parent branch or trunk. If the branch is codominant or close to the size of the parent branch, thin the branch's foliage by 15% to 25%, particularly near the terminal. Thin the parent branch less, if at all. This will allow the parent branch to grow at a faster rate, will reduce the weight of the lateral branch, slow its total growth, and develop a stronger branch attachment. If this does not appear appropriate, the branch should be completely removed or shortened to a large lateral. *(Figure 5)*
- G. On large-growing trees, except whorl-branching conifers, branches that are more than one-third the diameter of the trunk should be spaced along the trunk at least 18 inches apart, on center. If this is not possible because of the present size of the tree, such branches should have their foliage thinned 15% to 25%, particularly near their terminals. *(Figure 6)*
- H. Pruning cuts should be clean and smooth with the bark at the edge of the cut firmly attached to the wood.
- I. Large or heavy branches that cannot be thrown clear, should be lowered on ropes to prevent injury to the tree or other property.
- J. Wound dressings and tree paints have not been shown to be effective in preventing or reducing decay. They are therefore not recommended for routine use when pruning.

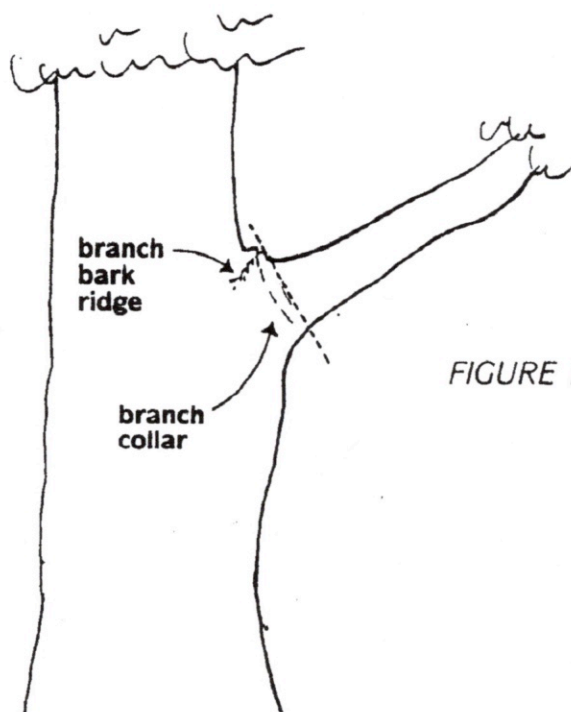


FIGURE 1. When removing a branch, the final cut should be just outside the branch bark ridge and collar.

FIGURE 2. In removing a limb without a branch collar, the angle of the final cut to the branch bark ridge should approximate the angle the branch bark ridge forms with the limb. Angle AB should equal Angle BC.

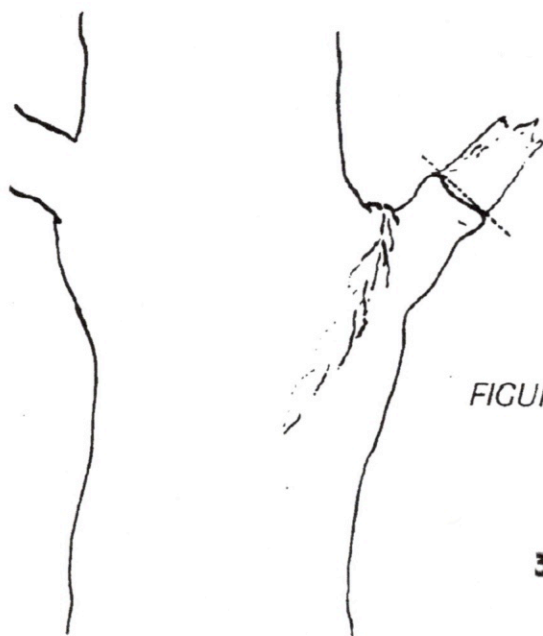
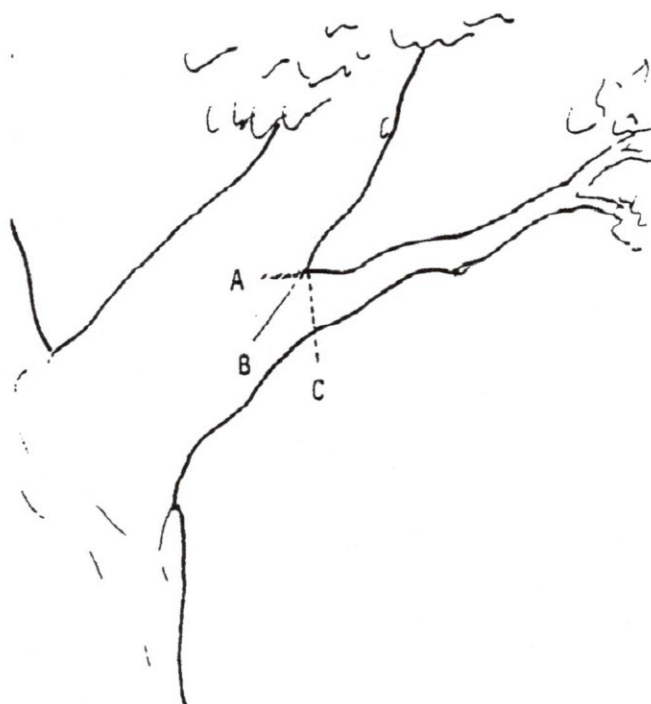


FIGURE 3. When removing a dead branch, cut outside the callus tissue that has begun to form around the branch.

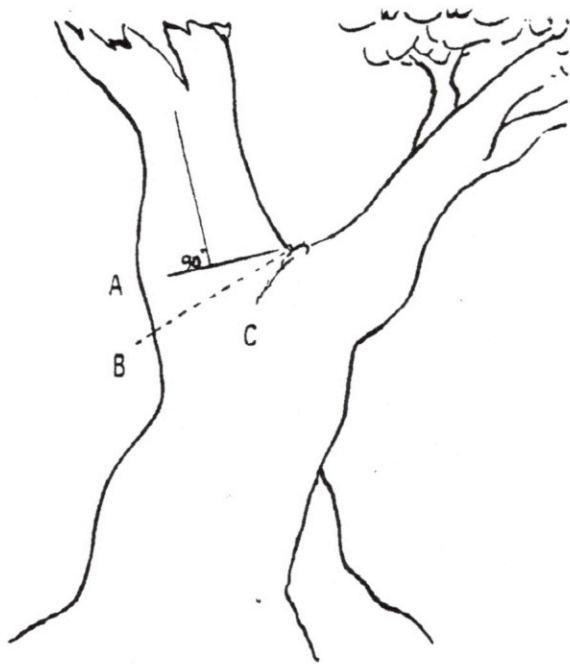
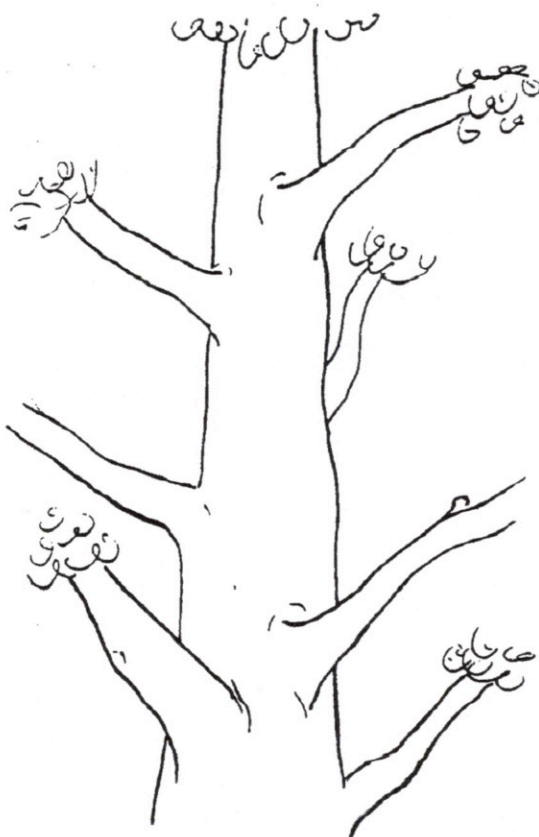


FIGURE 4. In removing the end of a limb to a large lateral branch, the final cut is made along a line that bisects the angle between the branch bark ridge and a line perpendicular to the limb being removed. Angle AB is equal to Angle BC.

FIGURE 5. A tree with limbs tending to be equal-sized, or codominant. Limbs marked B are greater than $\frac{3}{4}$ the size of the parent limb A. Thin the foliage of branch B more than branch A to slow its growth and develop a stronger branch attachment.



FIGURE 6. Major branches should be well spaced both along and around the stem.



II. Types of Pruning — Mature Trees

A. CROWN CLEANING

Crown cleaning or cleaning out is the removal of dead, dying, diseased, crowded, weakly attached, and low-vigor branches and watersprouts from a tree crown.

B. CROWN THINNING

Crown thinning includes crown cleaning and the selective removal of branches to increase light penetration and air movement into the crown. Increased light and air stimulates and maintains interior foliage, which in turn improves branch taper and strength. Thinning reduces the wind-sail effect of the crown and the weight of heavy limbs. Thinning the crown can emphasize the structural beauty of trunk and branches as well as improve the growth of plants beneath the tree by increasing light penetration. When thinning the crown of mature trees, seldom should more than one-third of the live foliage be removed.

At least one-half of the foliage should be on branches that arise in the lower two-thirds of the trees. Likewise, when thinning laterals from a limb, an effort should be made to retain inner lateral branches and leave the same distribution of foliage along the branch. Trees and branches so pruned will have stress more evenly distributed throughout the tree or along a branch.

An effect known as "lion's-tailing" results from pruning out the inside lateral branches. Lion's-tailing, by removing all the inner foliage, displaces the weight to the ends of the branches and may result in sunburned branches, watersprouts, weakened branch structure and limb breakage.

C. CROWN REDUCTION

Crown reduction is used to reduce the height and/or spread of a tree. Thinning cuts are most effective in maintaining the structural integrity and natural form of a tree and in delaying the time when it will need to be pruned again. The lateral to which a branch or trunk is cut should be at least one-half the diameter of the cut being made.

D. CROWN RESTORATION

Crown restoration can improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One to three sprouts on main branch stubs should be selected to reform a more natural appearing crown. Selected vigorous sprouts may need to be thinned to a lateral, or even headed, to control length growth in order to ensure adequate attachment for the size of the sprout. Restoration may require several prunings over a number of years.

II. Types of Pruning — Mature Trees (*continued*)

E. CROWN RAISING

Crown raising removes the lower branches of a tree in order to provide clearance for buildings, vehicles, pedestrians, and vistas. It is important that a tree have at least one-half of its foliage on branches that originate in the lower two-thirds of its crown to ensure a well-formed, tapered structure and to uniformly distribute stress within a tree.

When pruning for view, it is preferable to develop "windows" through the foliage of the tree, rather than to severely raise or reduce the crown.

III. Size of Pruning Cuts

Each of the Pruning Techniques (Section I) and Types of Pruning (Section II) can be done to different levels of detail or refinement. The removal of many small branches rather than a few large branches will require more time, but will produce a less-pruned appearance, will force fewer watersprouts and will help to maintain the vitality and structure of the tree. Designating the maximum size (base diameter) that any occasional undesirable branch may be left within the tree crown, such as $\frac{1}{2}$ ", 1" or 2" branch diameter, will establish the degree of pruning desired.

IV. Climbing Techniques

- A. Climbing and pruning practices should not injure the tree except for the pruning cuts.
- B. Climbing spurs or gaffs should not be used when pruning a tree, unless the branches are more than throw-line distance apart. In such cases, the spurs should be removed once the climber is tied in.
- C. Spurs may be used to reach an injured climber and when removing a tree.
- D. Rope injury to thin barked trees from loading out heavy limbs should be avoided by installing a block in the tree to carry the load. This technique may also be used to reduce injury to a crotch from the climber's line.

Appendix C

Preliminary Hydrology Report

**PRELIMINARY HYDROLOGY
AND DETENTION REPORT
FOR
MONTE VILLA CARE FACILITY
17090 PEAK AVENUE**

**CITY OF MORGAN HILL
SANTA CLARA COUNTY
CALIFORNIA**

Prepared for:

Huston General Contracting, Inc.
112 Spaulding Street, Unit A
San Anselmo, CA 94960

Prepared by:

Easton McAllister, PE
Talus, Inc.
811 San Ramon Valley Blvd #201
Danville, CA 94526



Overview

The purpose of this memorandum is to provide the analysis of the anticipated impacts by the proposed development on the existing drainage system.

Pre-Development Conditions

The property includes approximately 2 acres of hilly terrain with an existing a senior care facility and associated parking and access drive. The property is bordered by Peak Avenue to the southwest, W Dunne Ave to the southeast, and private properties to the north. A single family residential out-parcel is located along W Dunne Avenue, surrounded by the subject property on three sides. The majority of the site is vacant, with elevations ranging from a maximum of 424 to the northeast, sloping southerly to a low elevation of 372 along West Dunne Avenue. Site drainage follows the terrain with surface flows discharging to the existing storm drain system in West Dunne Avenue.

Post-Development Conditions

The proposed project will reconfigure existing parking to support the existing structure as well as a second building at the corner of Peak Avenue and West Dunne Avenue. New impervious pavement and building area will be collected through an underground storm drain system that will direct runoff to C.3 flow-through treatment planters designed in accordance with the Santa Clara Valley Urban Runoff Pollution Prevention Program. Site drainage will be split in two directions on either side of the existing out-parcel along West Dunne Avenue. Drainage Area 1 will include new improvements along Peak Avenue and after treatment, will be connected directly (without detention) to the existing storm drain system on West Dunne Avenue. Drainage area two will include the existing facility, entry drive and a portion of the new building. Storm waters will be directed to a flow-through treatment planter for treatment prior to discharge to the existing storm drain system on West Dunne Avenue. Detention of additional flows caused by redevelopment of the site will be provided in 8" deep ponding above the flow-through planter.

Hydrology Calculations

Hydrologic calculations are provided for the project site based on the City's Storm Drain Design Standards. The maximum published rainfall intensity of 1.244 in/hr ($T_c = 20$ min) is used from the City's rainfall intensity Table for a -year storm event. Exhibits and calculation tables are attached.

Rational Method (Pre-Development):

The existing 10-year storm event runoff rate is calculated for the 2-acre site including approximately 0.51 acres of impervious surface and 1.49 acres of pervious surfaces. With a weighted coefficient of 0.45, the existing site runoff is calculated as follows:

$$\Rightarrow \text{Total Tributary Area: } Q = ciA = (0.45)(1.244)(2.00) = 1.13 \text{ cfs}$$

Rational Method (Post-Development Area #1):

The 10-year storm event runoff rate is calculated for the 1.35 sub-area including approximately 0.17 acres of impervious surface and 1.18 acres of pervious surfaces. With a weighted coefficient of 0.38, the future sub-area runoff is calculated as follows:

$$\Rightarrow \text{Total Tributary Area: } Q = ciA = (0.38)(1.244)(1.18) = 0.63 \text{ cfs}$$

Rational Method (Post-Development Area #2):

The 10-year storm event runoff rate is calculated for the 0.65 sub-area including approximately 0.65 acres of impervious surface and less than 0.01 acres of pervious surfaces. With a weighted coefficient of 0.90, the future sub-area runoff is calculated as follows:

$$\Rightarrow \text{Total Tributary Area: } Q = ciA = (0.90)(1.244)(0.65) = 0.72 \text{ cfs}$$

Storm Water Detention

Based on the hydrologic analysis above, the proposed development will increase peak flow rates from the project site. For a 10-year storm event, the calculated additional flow rate is 0.22 cfs. To mitigate the increase in flows, the proposed development has been designed to detain waters above Flow-through planter #2 (IMP #2). Using the Synthetic Unit Hydrograph method, a required detention volume of 397 cu.ft. is calculated. By storing 8-inches of waters above the flow-through planter, a detention volume of 485 cu.ft is provided.

Flood Protection - FEMA

Based on the Flood Insurance Rate Map (FIRM# 06085C0606H) dated May 18, 2009, the project site is situated in Flood Zone X, identified as areas outside the 100-year flood. No processing with FEMA will be required for development on the site.

Findings

Based on the information included in this study, construction of the proposed project is adequately designed to accommodate the 10-year storm event without increasing flows to the existing storm drain system.

Signed,



Easton C. McAllister, PE

Attachments:

Hydrology Exhibits – Pre- and Post-Development Conditions

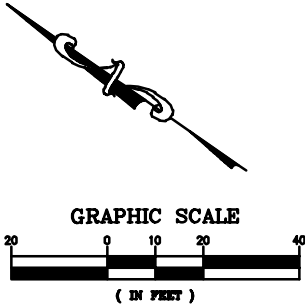
Rainfall Intensity Table

Hydrology and Detention Calculations

Synthetic Unit Hydrograph

FEMA Flood Insurance Rate Map Panel 06085C0606H

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PLOT DATE: 10-29-20 PLOTTED BY: Easton

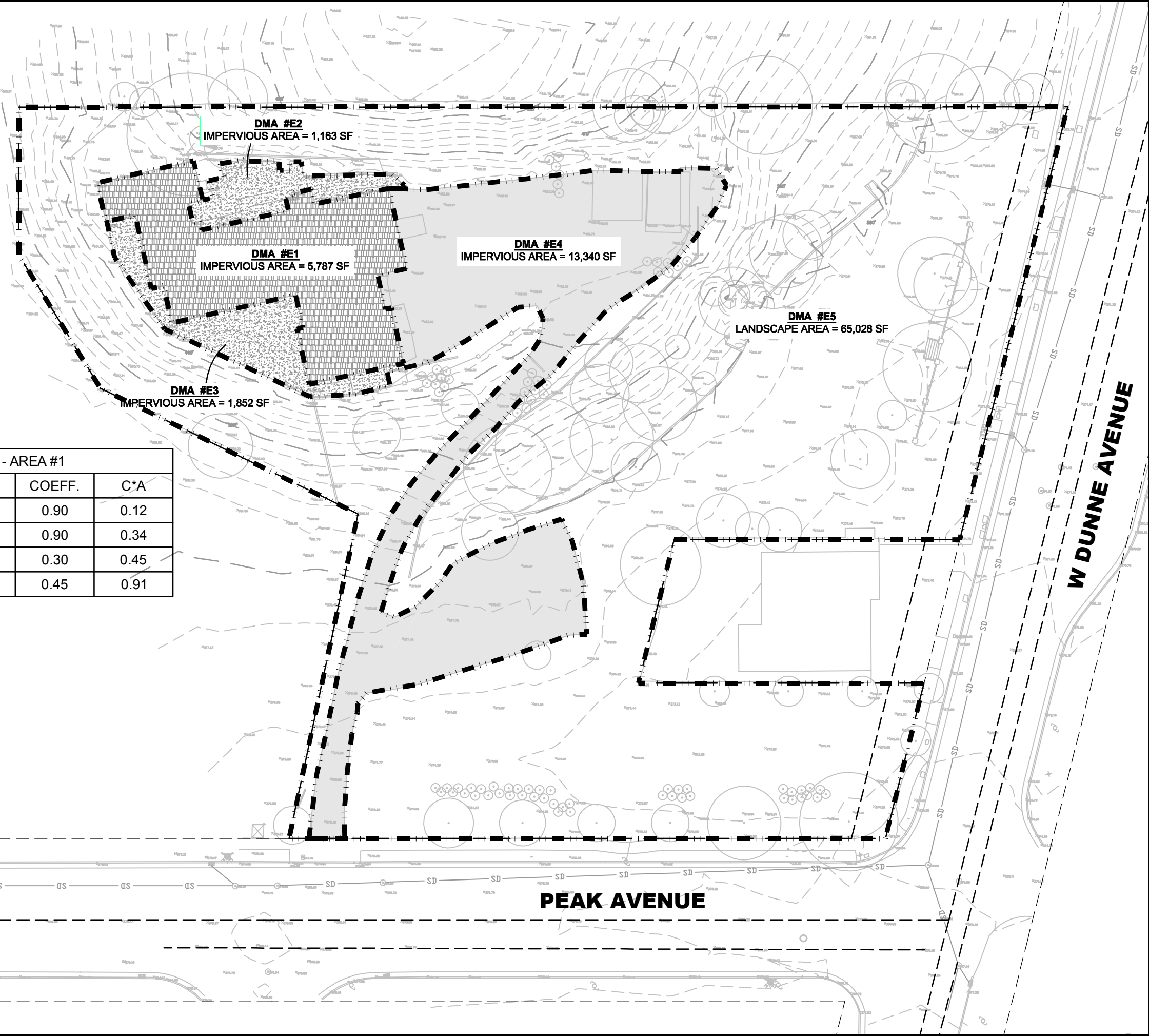


LEGEND:

- BUILDING ROOFS
- ASPHALTIC PAVEMENT
- CONCRETE PAVEMENT
- LANDSCAPE AREA

PRE-DEVELOPMENT HYDROLOGY - AREA #1				
SURFACE	AREA (SF)	ACRES	COEFF.	C*A
BUILDING ROOFS	5,787	0.13	0.90	0.12
IMPERVIOUS PAVEMENT	16,355	0.38	0.90	0.34
LANDSCAPE AREA	65,029	1.49	0.30	0.45
TOTAL	87,171	2.00	0.45	0.91

RATIONAL METHOD $Q=ciA$ ($i_{10} = 1.244$ in/hr)
PEAK FLOW = $(0.45)(1.244)(2.00) = 1.13$ CFS





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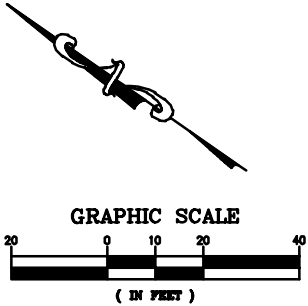
PRELIMINARY HYDROLOGY EXHIBITS
17090 PEAK AVENUE - VILLA MONTE CARE FACILITY
PRE-DEVELOPMENT CONDITIONS

SANTA CLARA COUNTY
CITY OF MORGAN HILL
CALIFORNIA

No.				
Date	10/29/20			
Scale	1" = 40'			
Job No.	20265			

Drawing Number:
EXIST
1 OF 2

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PLOT DATE: 10-29-20 PLOTTED BY: Easton



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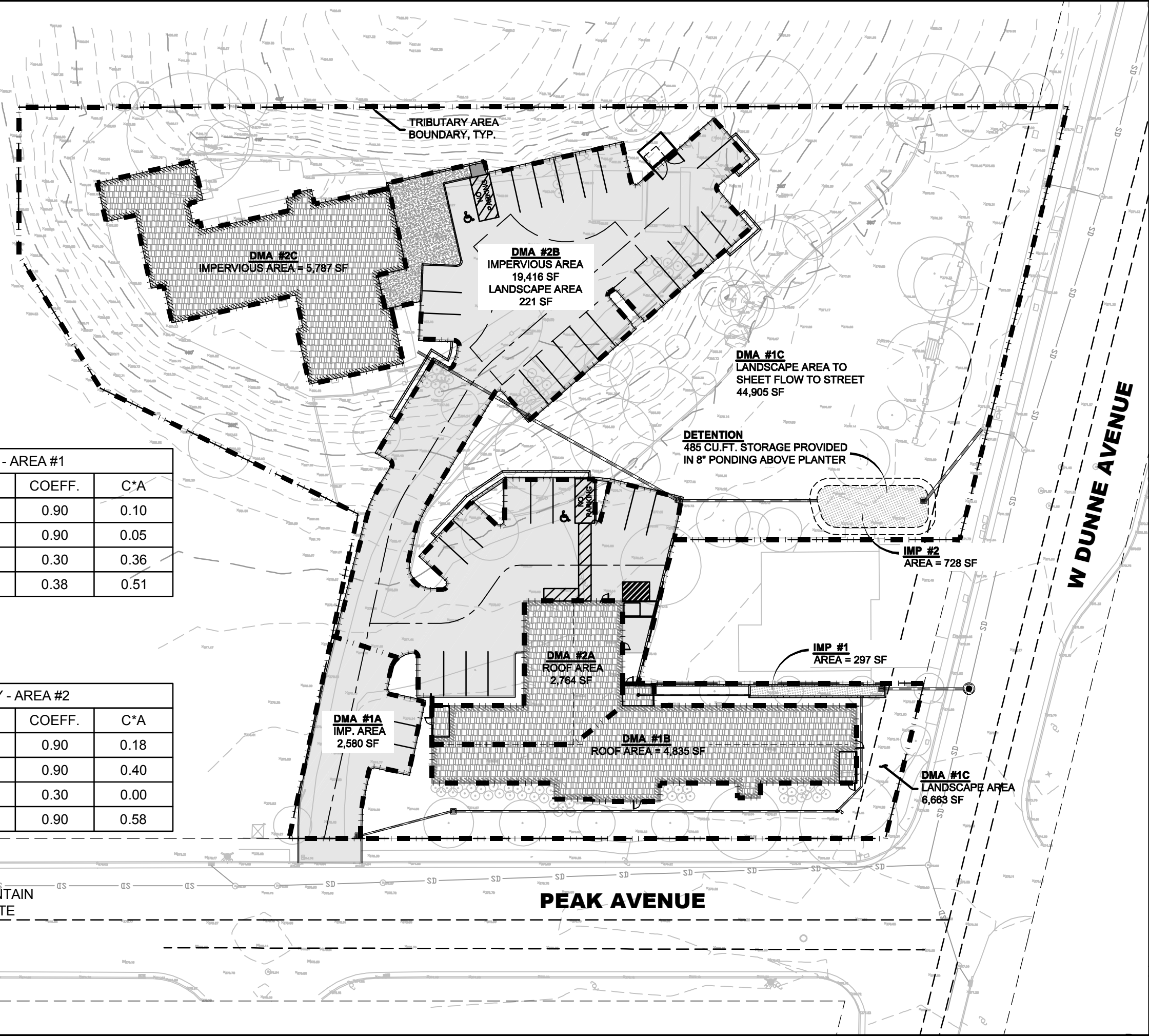
- BUILDING ROOFS
- ASPHALTIC PAVEMENT
- CONCRETE PAVEMENT
- LANDSCAPE AREA

PRE-DEVELOPMENT HYDROLOGY - AREA #1				
SURFACE	AREA (SF)	ACRES	COEFF.	C*A
BUILDING ROOFS	4,835	0.11	0.90	0.10
IMPERVIOUS PAVEMENT	2,580	0.06	0.90	0.05
LANDSCAPE AREA	51,568	1.18	0.30	0.36
TOTAL	58,983	1.35	0.38	0.51

RATIONAL METHOD $Q=ciA$ ($i_{10} = 1.244$ in/hr)
PEAK FLOW = $(0.38)(1.244)(1.35) = 0.63$ CFS

POST-DEVELOPMENT HYDROLOGY - AREA #2				
SURFACE	AREA (SF)	ACRES	COEFF.	C*A
BUILDING ROOFS	8,551	0.20	0.90	0.18
IMPERVIOUS PAVEMENT	19,416	0.45	0.90	0.40
LANDSCAPE AREA	221	0.01	0.30	0.00
TOTAL	28,188	0.65	0.90	0.58

RATIONAL METHOD $Q=ciA$ ($i_{10} = 1.75$ in/hr)
PEAK FLOW = $(0.90)(1.244)(0.65) = 0.72$ CFS
=> FLOW TO BE RESTRICTED TO 0.50 CFS TO MAINTAIN
EXISTING FLOW RATES FROM THE PROJECT SITE



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PRELIMINARY HYDROLOGY EXHIBITS
17090 PEAK AVENUE - VILLA MONTE CARE FACILITY
POST-DEVELOPMENT CONDITIONS

Revisions
No. Date Scale Job No. Drawing Number:
10/29/20 1" = 40' 20265
PROP 2 OF 2

CITY OF MORGAN HILL
SANTA CLARA COUNTY
CALIFORNIA

Page 279 of 793

Manning's formula shall be used to determine the relation of design flow, slope, velocity and pipe diameter. The friction factor, "n", shall be 0.013 for concrete pipe.

The underground system shall be designed to handle a 10-year storm.

The streets shall be designed to carry a 100-year storm. The streets should carry this water to a release point where the water can get back into the natural water course of flood control facility. These overland flows should be kept in their original drainage basin if possible.

RAINFALL INTENSITY TABLE							
TC MIN	I ₅	I ₁₀	I ₁₀₀	TC MIN	I ₅	I ₁₀	I ₁₀₀
20	0.897	1.244	1.897	90	0.495	0.696	1.111
21	0.880	1.221	1.864	100	0.475	0.668	1.070
22	0.860	1.195	1.828	110	0.458	0.645	1.035
23	0.851	1.183	1.811	120	0.442	0.623	1.002
24	0.834	1.159	1.778	140	0.416	0.587	0.949
25	0.818	1.138	1.747	160	0.394	0.557	0.904
26	0.811	1.127	1.733	180	0.376	0.535	0.868
27	0.796	1.108	1.705	210	0.354	0.502	0.821
28	0.783	1.089	1.679	240	0.336	0.477	0.783
29	0.776	1.081	1.666	300	0.308	0.437	0.723
30	0.764	1.064	1.642	360	0.286	0.408	0.678
32	0.747	1.040	1.608	420	0.269	0.384	0.642
34	0.725	1.011	1.567	480	0.256	0.365	0.612
36	0.711	0.991	1.539	540	0.244	0.349	0.587
38	0.697	0.973	1.512	600	0.234	0.335	0.565
40	0.682	0.952	1.482	660	0.225	0.323	0.546
45	0.651	0.910	1.421	720	0.218	0.312	0.530
50	0.624	0.873	1.369	840	0.205	0.294	0.501
55	0.600	0.841	1.322	960	0.194	0.279	0.478
60	0.581	0.814	1.283	1080	0.186	0.267	0.459
70	0.546	0.766	1.213	1200	0.178	0.256	0.442
80	0.519	0.728	1.158	1320	0.171	0.247	0.427

Note: Formulas used for rainfall intensity data on following page.

TABLE 1 - HYDROLOGY

PRE-DEVELOPMENT	AREA		Runoff	c*A
Description	(sf)	(acres)	Coeff.	(acres)
Roof	5,787	0.13	0.90	0.12
Impervious Pavement	16,355	0.38	0.90	0.34
Pervious (Landscape)	65,029	1.49	0.30	0.45
Total	87,171	2.00	0.45	0.91

$$Q_{10} = (i=1.244) \quad 1.13$$

POST-DEVELOPMENT (AREA #1)	AREA		Runoff	c*A
Description	(sf)	(acres)	Coeff.	(acres)
Roof	4,835	0.11	0.90	0.10
Impervious Pavement	2,580	0.06	0.90	0.05
Pervious (Landscape)	51,568	1.18	0.30	0.36
Total	58,983	1.35	0.38	0.51

$$Q1_{pd} = (i=1.244) \quad 0.63$$

POST-DEVELOPMENT (AREA #2)	AREA		Runoff	c*A
Description	(sf)	(acres)	Coeff.	(acres)
Roof	8,551	0.20	0.90	0.18
Impervious Pavement	19,416	0.45	0.90	0.40
Pervious (Landscape)	221	0.01	0.30	0.00
Total	28,188	0.65	0.90	0.58

$$Q2_{pd} = (i=1.244) \quad 0.72$$

$$Q2_r = (restricted)^* \quad 0.50$$

TABLE 2 - DETENTION SIZING

Unit Hydrograph Equation

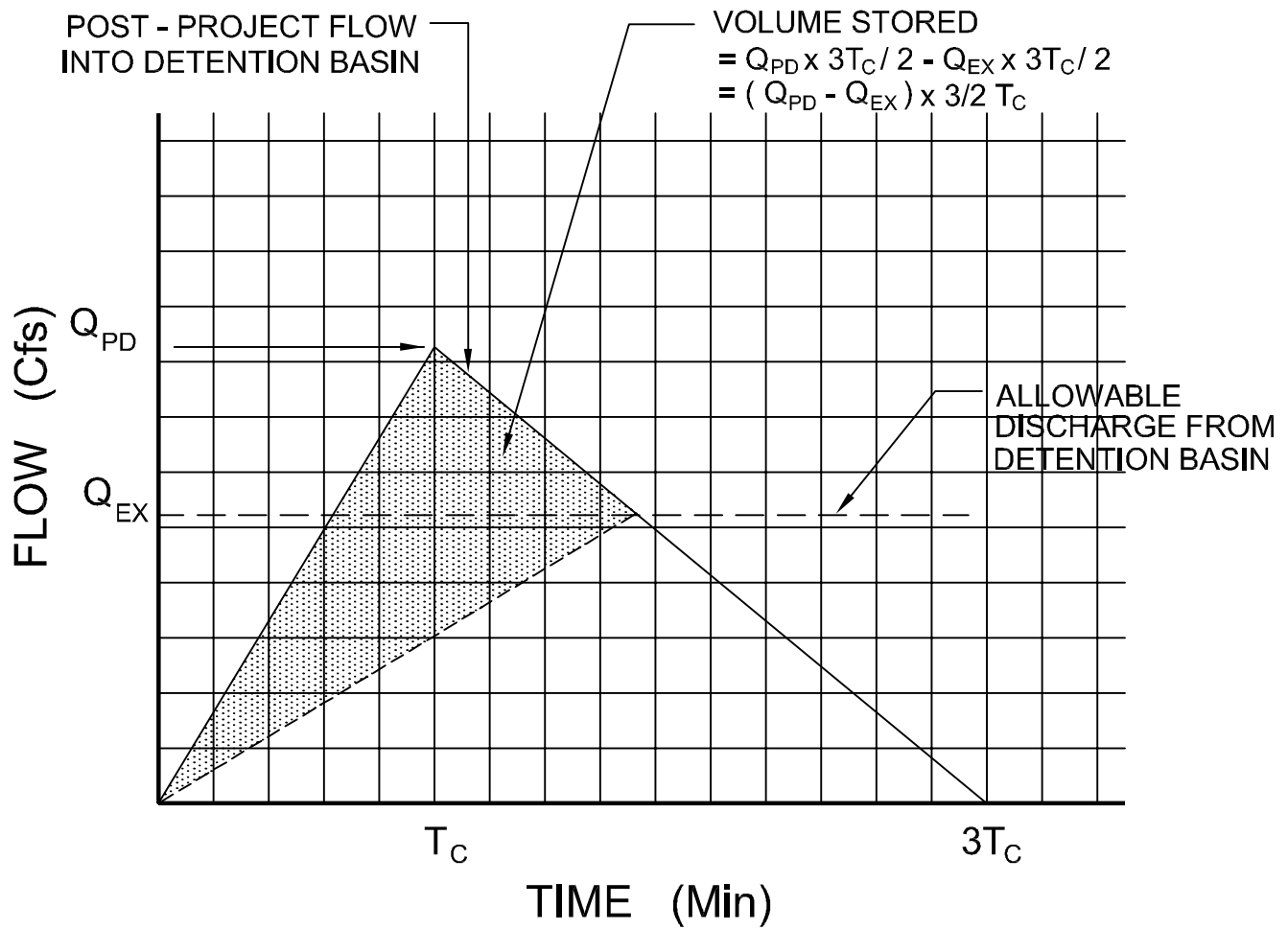
$Q_{ex} = (10\text{-yr } i=1.244)$	1.13	cfs
$Q2_{pd} = (unrestricted)$	0.72	cfs
$Q2_r = (outlet \text{ restricted})$	0.50	cfs
$Q_d (Q1_{pd} - Q1_{or}) =$	0.22	cfs
$T_c =$	20	min
Detention = $Q_d * 3/2T_c$	397	cu-ft*

$\leq$ matches Q_{ex}

* 485 cu.ft. storage provided above C.3 planter IMP #2 (8" storage depth)

SYNTHETIC UNIT HYDROGRAPH

FOR ESTIMATING POST-DEVELOPMENT STORMWATER STORAGE



$$Q_{PD} = C_{PD} IA$$

$$Q_{EX} = C_{EX} IA$$

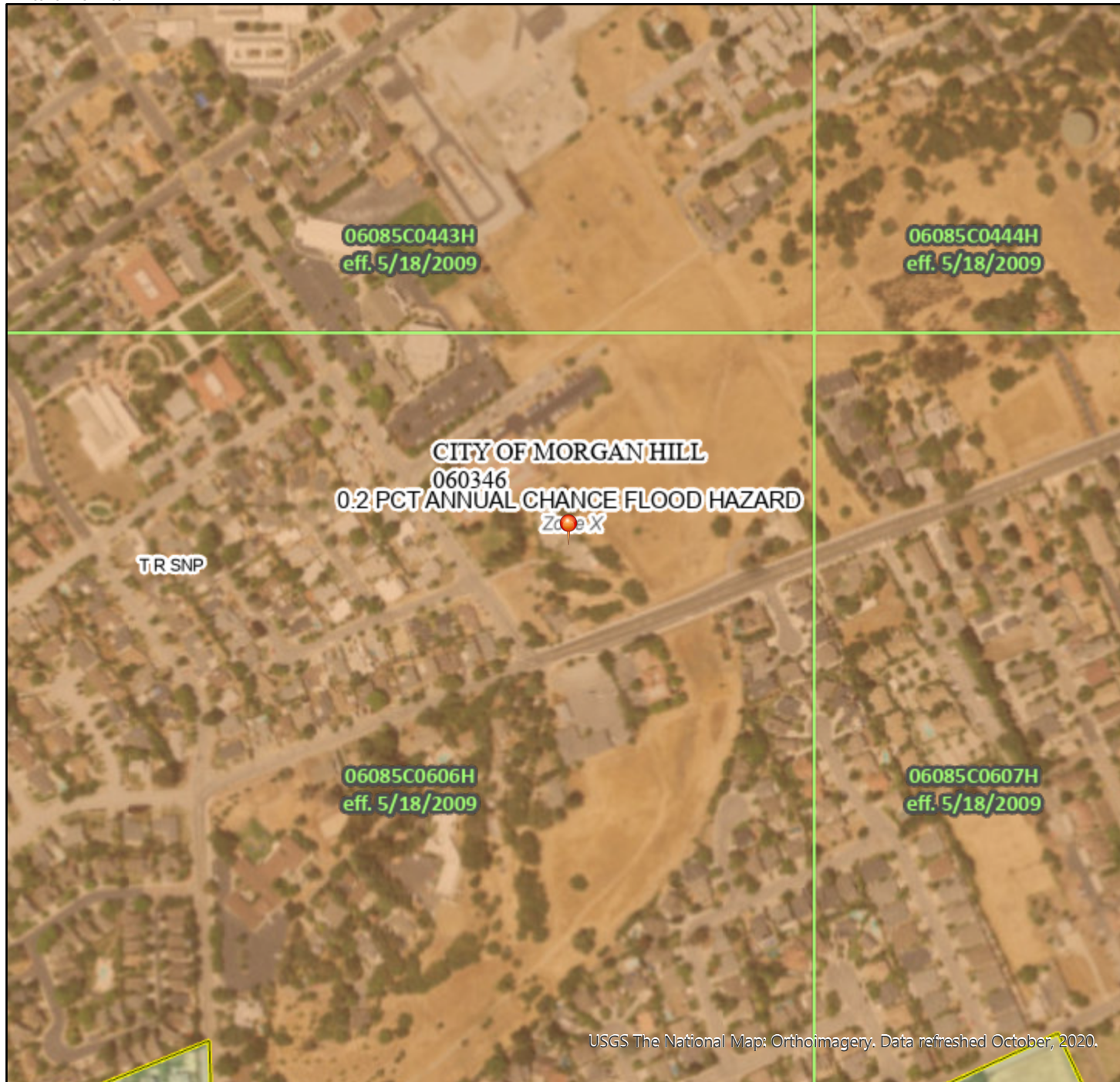
PD = POST - DEVELOPMENT CONDITIONS

EX = EXISTING PRE - DEVELOPMENT CONDITIONS

National Flood Hazard Layer FIRMette



121°39'49"W 37°7'39"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/29/2020 at 9:38 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 26, 2022

PREPARED BY:

Adam Paszkowski, Principal Planner

APPROVED BY: Jennifer Carmen

PUBLIC REVIEW OF THE DRAFT CITY OF MORGAN HILL 2023-2031 HOUSING ELEMENT UPDATE

RECOMMENDATION(S)

1. Planning Commission to review the Draft City of Morgan Hill 2023-2031 Housing Element Update and adopt the Resolution recommending that the City Council direct the City to submit the Draft 2023-2031 Housing Element to the California Department of Housing and Community Development for review.

LOCATION MAP/PROJECT INFORMATION:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Morgan Hill's current Housing Element is for the 2015-2023 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. In order to meet that mandate, the Housing Element Update must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) prior to that date. The City prepared the Draft 2023-2031 Housing Element Update, which was available for public review from June 3, 2022 to July 5, 2022 (Attachment 2). The Planning Commission is requested to review the Draft 2023-2031 Housing Element and provide a recommendation to the City Council.

BACKGROUND:

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing needs are determined through the Regional Housing Needs Allocation (RHNA) process.

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, the California Department of Housing and Community Development (HCD) identifies the total housing need for the nine counties within the Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's RHND across local jurisdictions, resulting in each jurisdiction's RHNA. Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very low-, low-, moderate-, and above moderate-income).

On December 16, 2021, the ABAG Executive Board adopted the "Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031". The plan allocates 1,037 housing units to the City of Morgan Hill. The table below shows the City's final RHNA by household income category for the 2023-2031 planning period. The City's Housing Element must demonstrate how it can accommodate its RHNA.

Morgan Hill's 2023-2031 Regional Housing Needs Allocation					
	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Final Allocation	262	151	174	450	1,037

PROJECT DESCRIPTION:

The City prepared the Draft 2023-2031 Housing Element Update, which was available for public review from June 3, 2022 to July 5, 2022. The Draft 2023-2031 Housing Element includes the following components:

- **Chapter 1: Introduction.** Provides an overview of the Housing Element, State requirements, and a summary of the organization of the Housing Element.
- **Chapter 2: Community Engagement.** Describes the City's efforts to engage all segments of the community during the preparation of the Housing Element, including the numerous individuals, organizations, and agencies with which the City consulted, and the methods of community outreach.
- **Chapter 3: Summary of Land Available for Housing.** Presents a summary of the City's Regional Housing Needs Allocation and the inventory of sites within Morgan Hill City Limits that are suitable for residential development during the planning period.
- **Chapter 4: Goals and Policies.** Contains the City's housing goals and policies that provide direction to help the City meet its housing goals. The Housing Element includes seven goals that create the framework for how the City will address housing needs.
- **Chapter 5: Implementation.** Contains the implementation programs (actions) that the City and its partner agencies are committed to implementing over the planning period. A summary of the City's quantified objectives for housing development, rehabilitation, and conservation is also included.
- **Appendix H-1: Housing Needs Assessment.** Describes the characteristics of Morgan Hill's population and housing that are essential to understanding the City's housing needs including population and household characteristics, income and employment, housing costs and affordability, special housing needs, and at-risk housing (Attachment 3).
- **Appendix H-2: Site Inventory.** Presents the detailed results of the inventory of sites within the City that are suitable for residential development during the eight-year planning period. It includes a description of the City's RHNA, number of residential units in the pipeline of planned and entitled projects, and a summary of capacity/potential to accommodate the City's RHNA (Attachment 4).
- **Appendix H-3: Opportunities for Energy Conservation.** Summarizes the ways the City is currently addressing the conservation of energy resources as part of larger climate action and adaptation planning processes (Attachment 5).
- **Appendix H-4: Constraints Analysis.** Identifies nongovernmental and governmental constraints that inhibit the development, maintenance, or improvement of housing (Attachment 6).

- **Appendix H-5: Assessment of Fair Housing.** Provides an assessment of fair housing practices in Morgan Hill and a summary of strategies to affirmatively further fair housing within Morgan Hill (Attachment 7).
- **Appendix H-6: Evaluation of Past Housing Element.** Summarizes the City's achievements in implementing programs under the previous (2015-2023) Housing Element (Attachment 8).
- **Appendix H-7: Public Participation.** Includes the compilation of community input and feedback received during the various meetings and engagement events (Attachment 9).

The Housing Element includes seven goals that create the framework for how the City of Morgan Hill will address housing needs during the planning period. The Draft 2023-2031 Housing Element includes the following Goals:

- **Goal 1:** Provide a diversified housing stock to meet the full range of future community housing needs.
- **Goal 2:** Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing.
- **Goal 3:** Advance equity and inclusion throughout the City.
- **Goal 4:** Preserve and rehabilitate existing housing supply.
- **Goal 5:** Promote housing for people experiencing homelessness.
- **Goal 6:** Provide adequate housing for groups with special needs.
- **Goal 7:** Increase community outreach and promote education of affordable housing.

The Planning Commission is being asked to review the Draft 2023-2031 Housing Element and provide a recommendation to the City Council.

PROJECT ANALYSIS AND FINDINGS:

The following discussion focuses on two key components of the Draft 2023-2031 Housing Element, Chapter 5: Implementation and Appendix H-2: Site Inventory.

Chapter 5: Implementation

The Housing Element must identify specific programs to implement stated policies and achieve goals and objectives, including specific actions the City will take. Programs must also identify: a specific implementation timeframe; responsible party; a description of the responsible party's specific role in implementation; and specific, measurable outcomes, whenever possible.

Chapter 5 includes housing programs that reflect the results and analyses of the City's local housing needs, available land and financial resources, and mitigation of identified governmental and non-governmental constraints, which are contained in Appendix H-1: Housing Needs Assessment and Appendix H-4: Constraints Analysis, and Affirmatively Furthering Fair Housing, which is contained in Appendix H-5: Assessment of Fair Housing. Many of the proposed housing programs are continuations of successful programs from the 2015-2023 Housing Element.

In accordance with State law, the following are new notable housing programs included in the Draft 2023-2031 Housing Element:

- **Action HE-1.J Downtown Specific Plan.** Update the Downtown Specific Plan to accommodate the expanded Priority Development Area.
- **Action HE-2.K Commercial Linkage Fee.** Develop and consider a Commercial Linkage Fee Ordinance or similar mechanism when the City has met a housing-job balance of 1:1 ratio.

- **Action HE-2.L Agricultural Labor Accommodations.** Amend the Zoning Code by 2024 to facilitate by-right Agricultural Labor Accommodations within the OS (Open Space) zoning district consistent with Section 17021.6 of the California Health and Safety Code.
- **Action HE-3.A Affordable Housing in Eastern Morgan Hill.** Identify opportunities and sites for affordable housing development in eastern Morgan Hill.
- **Action HE-3.B Affordable Housing Overlay Districts.** Study the creation of affordable housing overlay districts in advance of the next Housing Element cycle.
- **Action HE-3.C Rent Increase Mediation.** Consider adoption of a mediation requirement for rent increases of 5% or more.
- **Action HE-3.G Review Inclusionary Housing Ordinance.** Review the Inclusionary Housing Ordinance to provide deeper for-sale affordability beyond the updated 2021 Inclusionary Housing Ordinance.
- **Action HE-3.I Create Jobs within Downtown Morgan Hill Priority Development Area.** Prioritize the creation of jobs that are accessible to low- and very low-income workers who reside within the Downtown Morgan Hill Priority Development Area (PDA).
- **Action HE-3.L Local First Mile/Last Mile Transit Service.** Study local first mile/last mile transit service solutions in Morgan Hill building on lessons learned from the first on-call shuttle service established within the City.
- **Action HE-5.A Low Barrier Navigation Centers.** Amend the Zoning Code by 2024 to facilitate by-right processing procedures for Low Barrier Navigation Centers consistent with Assembly Bill 101.
- **Action HE-5.I By-Right Transitional and Supportive Housing.** Amend the Zoning Code by 2024 to facilitate by-right transitional and supportive housing where multi-unit and mixed-use development is permitted consistent with Assembly Bill 2162.
- **Action HE-7.A Outreach and Education.** Implement a community engagement and awareness campaign around affordable housing with the intent to raise awareness of Housing Programs, Housing Search, and to demystify Affordable Housing.

Appendix H-2: Site Inventory

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. The City of Morgan Hill's share of the regional housing need was determined by a methodology prepared by ABAG as part of the Regional Housing Needs Plan, adopted in December 2021. For the low- and very low-income allocations, the methodology used three adjustments: access to high opportunity areas, job proximity by automobile, and job proximity by transit. For the moderate and above moderate allocations, the methodology used two adjustments: access to high opportunity areas, and job proximity by automobile. Lastly, the methodology applied an equity adjustment that identified 49 jurisdictions that exhibited higher racial segregation and high median incomes than regional averages. As a result, Morgan Hill's RHNA was reduced by 10 units due to the equity adjustment.

In accordance with ABAG's Regional Housing Needs Plan, the City must plan to accommodate a total of 1,037 housing units between January 31, 2023, and January 31, 2031. Of the 1,037 total units, the City must plan to accommodate 262 units for very low-income households, 151 units for low-income households, 174 units for moderate-income households, and 450 units for above moderate-income households.

State law also requires the City to identify the projected need for extremely low-income housing. The City assumes that 50 percent of the very low-income housing need is equal to the extremely low-income housing need. As such, there is a projected need for 131 extremely low-income housing units.

Morgan Hill has a significant pipeline of development projects that are seeking entitlements or are entitled and actively pursuing construction. Table H 2-2 summarizes the current inventory of residential and mixed-use projects with submitted or active entitlements. As of March 1, 2022, there were an estimated 1,823 housing units in the pipeline that are counted toward meeting the RHNA, which include single-family dwellings, deed-restricted affordable units, market rate condominiums and multi-unit development, and individual affordable housing developments. Based on affordability restrictions, the projects listed in Appendix D: Adequate Sites Analysis are anticipated to provide 545 affordable lower-income units consisting of 158 extremely low-income units, 149 very low-income units, and 238 low-income units. In addition to the affordable lower-income units, there are 445 moderate-income units in the pipeline and 833 above moderate-income units.

Although 1,823 housing units are within the pipeline, the City acknowledges that not all development projects are constructed; therefore, the City analyzed the number of proposed pipeline development projects that are expected to reach completion during the 6th cycle by examining completion rates of pipeline development projects during the 5th cycle (2015 through 2022). For discretionary entitlements, completion rates were found by drawing upon all planning entitlement applications and approvals and finding the percentage of those projects which have obtained a building permit and therefore reached completion. This analysis found that entitlement applications had a completion rate of 88.7 percent, while approved entitlements had a completion rate of 91.7 percent. For building permit applications and approved permits, completion rates were established based on evaluating all residential building permits issued for new residential units, as well as all issued building permits that have been finalized/received a certificate of occupancy, from January 1, 2015, through December 31, 2020. The report found that building permits have a 99.2 percent completion rate for issued permits. Those completion rates were then applied to the current pipeline to determine the number that would be expected to be completed within the next eight years.

Of the 1,823 projects in the pipeline, the City team estimated that 1,738 of those units will be constructed within the planning period. Of those 1,738 units, 151 units would be for extremely low-income, 146 units would be for very low-income, 233 units would consist of low-income, 433 units would consist of moderate-income, and 775 units would consist of above moderate-income; thereby providing sufficient capacity to accommodate Morgan Hill's RHNA requirements in every income category with no need to identify additional sites for the Housing Element.

Appendix H-2: Site Inventory provides detailed information on the sites identified to meet the City's RHNA.

Project Schedule and Next Steps

The Housing Element must be updated and certified by HCD by January 2023 for the 2023-2031 planning period. The table below summarizes the key dates to ensure the City receives HCD certification by the January 2023 deadline.

Key Dates	
Step/Task	Date(s)
Public Review of Draft Housing Element	June 3, 2022 - July 5, 2022
City Council Review of Draft Housing Element	August 17, 2022
HCD 90-Day Review of Draft Housing Element	August 2022 - November 2022
Revise Housing Element in Response to HCD's Comments	November 2022 - December 2022
Adopt Housing Element Update	January 2023

CONCLUSION:

The Planning Commission is being asked to review the Draft 2023-2031 Housing Element and adopt the Resolution (Attachment 1) recommending that the City Council direct the City submit the Draft 2023-2031 Housing Element to HCD for review.

CEQA (California Environmental Quality Act):

Pursuant to the provisions of the California Environmental Quality Act (CEQA), the City will be preparing an addendum for when the City Council considers the adoption of the 2023-2031 Housing Element, pursuant to CEQA Guidelines Section 15164.

COMMUNITY ENGAGEMENT:

The City implemented an outreach and engagement program to inform the community and seek input regarding the Housing Element Update. The initial efforts began in May and June of 2021, with a series of workshops. The initial workshops served as a springboard to leap into a deeper community engagement process. The City used a variety of methods to solicit public input on the Housing Element update, including distributing three surveys (two pertaining to Assessment of Fair Housing (AFH)), hosting public workshops, providing information at community events, conducting focus groups, giving presentations to the Community, and holding several workshops with the community and the Planning Commission. The City prioritized involvement and engagement of residents and community members that are most directly impacted by the plan and development, especially Latinx, homeless, and other underrepresented or underserved groups.

The City held 25 virtual stakeholder focus group meetings from January 2022 through March 2022 to gather input from various stakeholders, including developers, home builders, non-profit organizations, advocacy groups, and public agencies on key housing issues. The City also issued a follow-up survey to the stakeholders to address barriers to accessing decent, safe, affordable housing and which housing priorities are most important for Morgan Hill.

The City held workshops with the Planning Commission on January 25, February 22, March 8, April 12, April 26, May 10, and May 24, 2022 to share work progress to date and obtain early direction and feedback. The City also held a virtual Citywide Town Hall on June 23, 2022 to accompany the release of the Public Draft Housing Element.

In accordance with State law, a display ad was placed in the newspaper notifying the public of the 30-day public review period. Additionally, a Housing Element Update webpage was established on the City's website and the Planning Commission Agenda and the Staff Report for this public meeting was also made available on the City's website.

Public comments received during the public review period have been provided (Attachment 10).

ATTACHMENTS:

1. Planning Commission Resolution
2. Draft 2023-2031 Housing Element - Redline Version
3. Draft Housing Element Appendix H1 Housing Needs Assessment
4. Draft Housing Element Appendix H2 Site Inventory
5. Draft Housing Element Appendix H3 Opportunities for Energy Conservation
6. Draft Housing Element Appendix H4 Constraints Analysis

7. Draft Housing Element Appendix H5 Assessment of Fair Housing
8. Draft Housing Element Appendix H6 Evaluation of Past Performance
9. Draft Housing Element Appendix H7 Public Participation
10. Public Comments on Draft Housing Element

RESOLUTION NO. 22-15**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF MORGAN HILL RECOMMENDING THAT
THE CITY COUNCIL DIRECT STAFF TO SUBMIT THE
DRAFT 2023-2031 HOUSING ELEMENT TO THE
CALIFORNIA DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT FOR REVIEW**

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City;

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community;

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years;

WHEREAS, the City of Morgan Hill has prepared the Draft 2023-2031 Housing Element in accordance with State law;

WHEREAS, the Draft 2023-2031 Housing Element includes goals to accomplish the following:

- Provide a diversified housing stock to meet the full range of future community housing needs;
- Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing;
- Advance equity and inclusion throughout the City;
- Preserve and rehabilitate existing housing supply;
- Promote housing for people experiencing homelessness;
- Provide adequate housing for groups with special needs;
- Increase community outreach and promote education of affordable housing.

WHEREAS, the Draft 2023-2031 Housing Element includes specific Housing Programs to implement the goals outlined above;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City will be preparing an addendum for when the City Council considers the adoption of the 2023-2031 Housing Element, pursuant to CEQA Guidelines Section 15164;

WHEREAS, such request was considered by the Planning Commission at its regular meeting of July 26, 2022; and

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

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

SECTION 1. The Draft 2023-2031 Housing Element is found to be consistent with the policies and provisions 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 and City Council's action to direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15164, as the City will be preparing an addendum for when the City Council considers the adoption of the 2023-2031 Housing Element.

SECTION 3. The Planning Commission recommends that the City Council direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review.

PASSED AND ADOPTED THIS 26th DAY OF JULY 2022, 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

JOESEPH MUELLER, Chair

City of Morgan Hill

Housing Element

Adopted XXXXX XX, 2022

DRAFT

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CHAPTER 1 | Introduction

Housing continues to be one of the biggest challenges in Morgan Hill and throughout California.

With Morgan Hill seeing some of the highest increases in rent in recent years and home prices continuing to rise, the City is facing an unprecedented housing crisis. As housing becomes less affordable and the supply of housing continues to not meet demand, it is becoming harder for residents, especially low- and middle-income families and individuals, to afford housing.

Gentrification and displacement pressures have intensified, and homelessness continues to increase in the City. Morgan Hill's most vulnerable communities, including low- and middle-income households and communities of color, continue to be disproportionately affected by the housing crisis.

The City has taken a number of actions to accelerate the production of housing and to address the housing issues of current residents, but a more holistic plan is needed to address this complex issue.

Morgan Hill's Eight-Year Housing Strategy

This Housing Element is the City's eight-year housing strategy and commitment for how it will meet the housing needs of everyone in the community. This housing strategy, which covers the planning period of January 31, 2023, to January 31, 2031, will help address the housing crisis in Morgan Hill through a number of goals, policies, and actions that focus on expanding the housing stock and offering a wider range of housing choices for everyone in the City.

The Housing Element is mandated by State law and is part of the City's General Plan. It outlines the City's strategy for housing and how it will comprehensively address the existing and projected housing needs of everyone in the City for the next eight years (2023-2031).

This Housing Element presents an important opportunity for the City to address housing issues in a comprehensive manner and develop a bold and implementable housing strategy.

The Regional Housing Needs Allocation (RHNA) projection period is January 31, 2023, to January 31, 2031 (see Chapter 3 for more details).

Equity, inclusion, and diversity are themes that are woven throughout the document and reflected in a number of policies and actions. The City aims to ensure that Morgan Hill is an equitable and inclusive city by protecting and providing opportunities to those residents who are most vulnerable.

State Requirements

State law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a housing element, which is one of the eight mandated elements of the General Plan. The City is required to prepare an annual progress report on the status and progress of implementing its housing element.

The purpose of this Housing Element is to:

- ❖ Identify the City's housing needs;
- ❖ State the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs; and
- ❖ Define the policies and programs that will be implemented to achieve goals and objectives.

State law (Government Code Section 65583) requires the City to adopt a Housing Element that addresses the needs of everyone in the community, at all income levels.

HOUSING ELEMENT REQUIREMENTS

- ❖ An analysis of existing and projected housing needs
- ❖ An inventory of land suitable for housing
- ❖ An analysis of potential constraints on housing
- ❖ A fair housing analysis
- ❖ An analysis of any special housing needs
- ❖ Identification of zone(s) where emergency shelters are allowed by-right
- ❖ An evaluation of the previous element
- ❖ An analysis of opportunities for residential energy conservation
- ❖ An analysis of assisted housing developments that are "at-risk" and eligible to change from low-income housing uses
- ❖ Goals, policies, and implementation programs

In order for the private market to adequately address the housing needs and demand of Californians, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain), housing development. As a result, housing policy in California rests largely on the effective implementation of local general plans and, in particular, local housing elements.

- California Department of Housing and Community Development (HCD)

Housing Element Organization

This Housing Element and associated appendices satisfy the requirements of State law (Government Code Section 65583(a)) and are organized as follows:

Housing Element Contents

The Housing Element is divided into the following chapters:

1. Introduction provides an overview of the Housing Element, State requirements, and a summary of the organization of the Housing Element.

2. Community Engagement describes the City's efforts to engage all segments of the community during the preparation of the Housing Element, including the numerous individuals, organizations, and agencies with which the City consulted, and the methods of community outreach.

3. Summary of Land Available for Housing presents a summary of the City's Regional Housing Needs Allocation and the inventory of sites within Morgan Hill City Limits that are suitable for residential development during the planning period.

4. Goals and Policies contains the City's housing goals and policies that provide direction to help the City meet its housing goals. The Housing Element includes seven goals that create the framework for how the City will address housing needs.

5. Implementation contains the implementation programs (actions) that the City and its partner agencies are committed to implementing over the planning period. A summary of the City's quantified objectives for housing development, rehabilitation, and conservation is also included.



HOUSING ELEMENT GOALS

- Goal 1.** Provide a diversified housing stock to meet the full range of future community housing needs.
- Goal 2.** Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing.
- Goal 3.** Advance equity and inclusion throughout the City.
- Goal 4.** Preserve and rehabilitate existing housing supply.
- Goal 5.** Promote housing for people experiencing homelessness.
- Goal 6.** Provide adequate housing for groups with special needs.
- Goal 7.** Increase community outreach and promote education of affordable housing.

Appendices

The following appendices contain important information and analysis to inform and support the Housing Element. They provide the foundation for the goals, policies, and actions.

H-1 Housing Needs Assessment

describes the characteristics of Morgan Hill's population and housing that are essential to understanding the City's housing needs including population and household characteristics, income and employment, housing costs and affordability, special housing needs, and at-risk housing.

H-2 Site Inventory presents the detailed results of the inventory of sites within the City that are suitable for residential development during the eight-year planning period. It includes a description of the City's RHNA, number of residential units in the pipeline of planned and entitled projects, and a summary of capacity/potential to accommodate the City's RHNA.

H-3 Opportunities for Energy Conservation summarizes the ways the City is currently addressing the conservation of energy resources as part of larger climate action and adaptation planning processes.

H-4 Constraints Analysis identifies nongovernmental and governmental constraints that inhibit the development, maintenance, or improvement of housing.

H-5 Assessment of Fair Housing provides an assessment of fair housing practices in Morgan Hill and a summary of strategies to affirmatively further fair housing within Morgan Hill.

H-6 Evaluation of Past Housing Element summarizes the City's achievements in implementing programs under the previous (2015-2023) Housing Element.

H-7 Public Participation includes the compilation of community input and feedback received during the various meetings and engagement events.

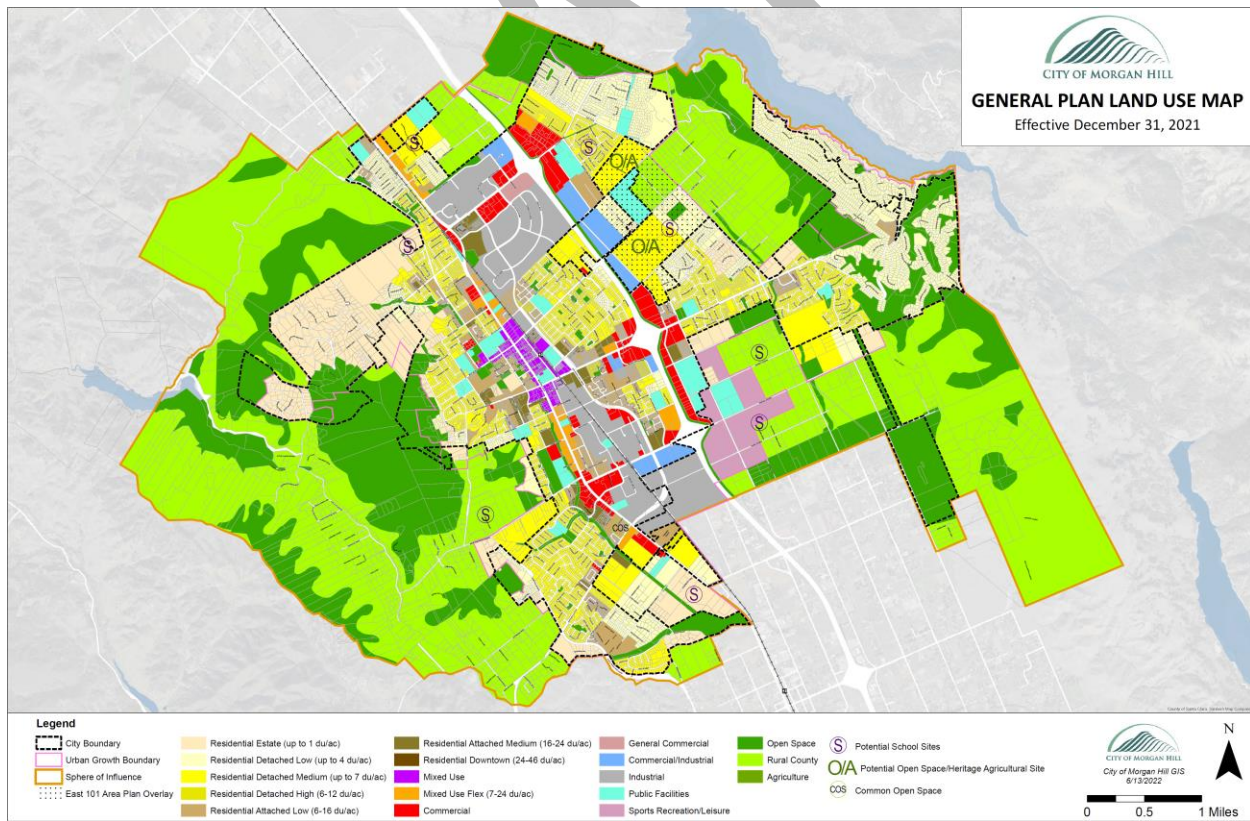
General Plan Consistency

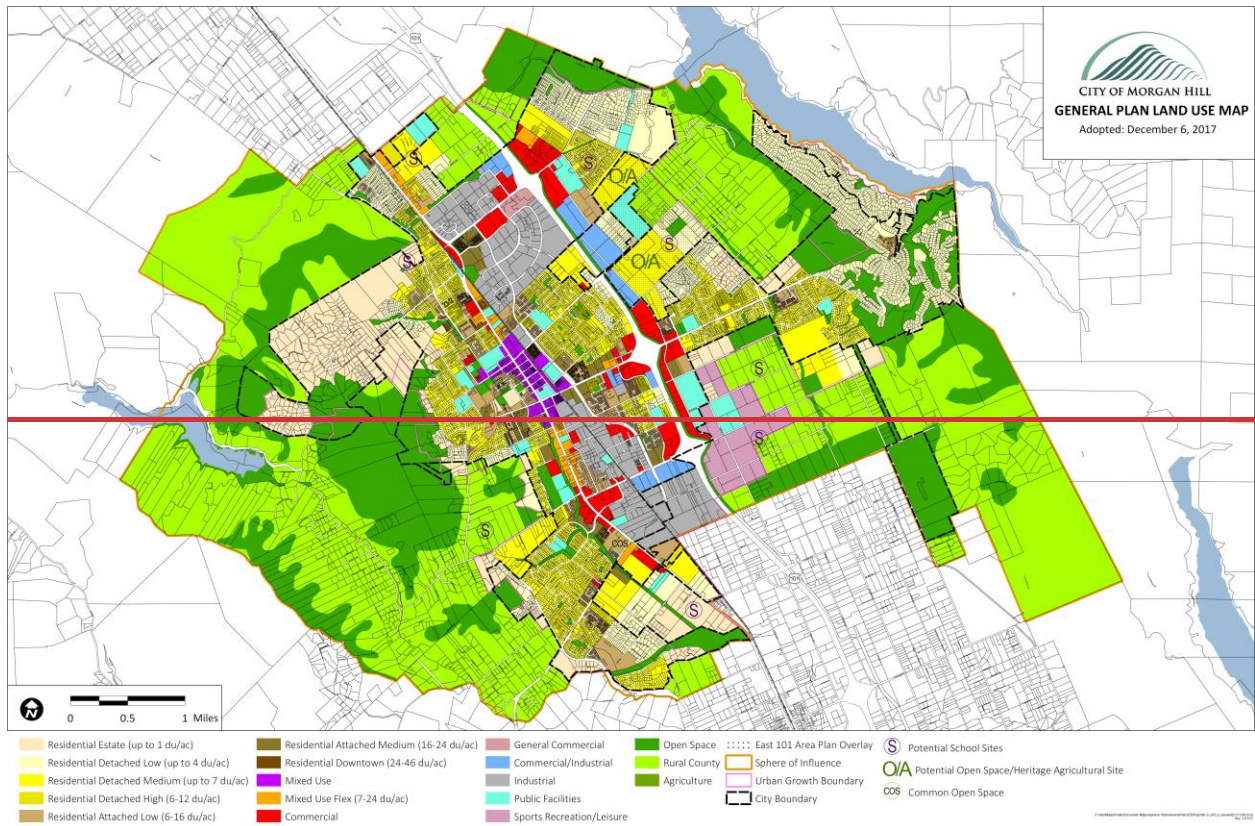
The City of Morgan Hill is a General Law City and is subject to the requirements of State law. One of the State's planning law requirements is that all of the goals and policies of the City's General Plan elements must be internally consistent. Internal consistency of Morgan Hill's General Plan has been achieved by ensuring that all elements are mutually supportive. Further, consistency is provided by assuring that all elements of the General Plan meet State law requirements. The Housing Element addresses all State requirements, including relevant legislation enacted subsequent to adoption of the previous Element. It contains information on housing constraints and actions to deal with constraints; and reflects recent population, housing, land use, environmental, and employment data.

The Housing Element includes information on the number of units required to meet Morgan Hill's housing needs, and its share of the regional housing need (RHNA). Sites with development potential that align with the City's housing needs are evaluated, consistent with the land use designations contained in the General Plan. The entire General Plan, including this revised Housing Element, reaffirms City goals by: (1) acting as a guide for municipal decisions which affect the quality and quantity of housing; and, (2) maintaining Morgan Hill's present quality of life by balancing the availability of housing with other considerations.

The Housing Element is also consistent with Morgan Hill's Downtown Specific Plan, which was adopted in November 2009.

Figure 1-1 Morgan Hill General Plan Land Use Map







CHAPTER 2 | Community Engagement

This Housing Element has been prepared with extensive community input and a robust public participation plan to ensure a wide range of input and feedback was received on key components of the plan.

This chapter describes the City's efforts to engage all segments of the community during the preparation of the Housing Element, including the numerous individuals, organizations, and agencies with which the City consulted, and the methods of community outreach.

State law (Section 65583[c][7]) of the California Government Code) requires cities and counties to make a diligent effort to achieve public participation that includes all economic segments of the community.

The 2022 update of the Housing Element involved an extensive community engagement process. The initial efforts began in May and June of 2021, with a series of workshops that were held to provide a roadmap of the past, present, and future housing in Morgan Hill, to communicate how we got here, and to discuss the housing needs for current and future residents. The opportunity was taken to share the State mandates for housing production that are in response to the housing crisis and geared towards increasing the supply. The initial workshops served as a springboard to leap into a deeper community engagement process. City staff used a variety of methods to solicit public input on the Housing Element update, including distributing three survey's (two pertaining to Assessment of Fair Housing (AFH)), hosting public workshops, providing information at community events, conducting focus groups, giving presentations to the Community, and holding several workshops with the community and the Planning Commission. Staff prioritized involvement and engagement of residents and community

members that are most directly impacted by the plan and development, especially Latinx, homeless, and other underrepresented or underserved groups. Key themes of feedback received from community members were consistent with the findings of Appendix H-1 Housing Needs Assessment and were used to guide new policies and programs in this Housing Element.

Community outreach and engagement opportunities were designed to provide a safe engagement process that followed safe public health protocols around COVID-19, and to implement a meaningful engagement process that promoted a sense of ownership and real participation among community members. Staff involved a diverse range of participants, seeking input from the business community, community-based organizations, and other stakeholders.

PUBLIC ENGAGEMENT SUMMARY

- 9 2021 Housing Conversation Workshops**
- 7 Workshops with the Planning Commission**
- 25 Stakeholder Focus Group Meetings**
- 977 Responses to Housing Surveys**
- 2 Town Hall Meetings**
- 2 Regional Meetings**

Spanish and conducting in person meetings as well as Zoom workshops in Spanish. City staff also conducted outreach during the Spanish mass at St. Catherine's.

In addition, two AFH surveys were provided (both in English and Spanish), one for Community Based Organizations (in which the City received 25 responses) and another survey geared towards underrepresented or underserved individuals and families (in which the City received 651 responses). The surveys were provided electronically and in hard-copy format.

Provide a range of housing opportunities and preventing homelessness were emerging themes amongst resident and stakeholder concerns and feedback.

Summary of Outreach Activities

The City of Morgan Hill started the engagement process for the Housing Element in May 2021. Summary notes from the various community engagement efforts are compiled in Appendix H-7.

Analysis of Impediments to Fair Housing

The outreach activities elicited broad community participation during the development of the AFH. The City conducted numerous outreach activities to reach all segments of the community and purposely focused on reaching Latinx residents, individuals and families currently housed in affordable housing, homeless, and other underrepresented or underserved groups. The City prioritized outreach by conducting small interactive focus groups with service providers/CBO's via Zoom. The City also reached out purposefully to the Latinx community by translating all surveys to

Stakeholder Focus Group Meetings

The City held 25 virtual stakeholder focus group meetings from January 2022 through March 2022 to gather input from various stakeholders, including developers, home builders, non-profit organizations, advocacy groups, and public agencies on key housing issues. The City also issued a follow-up survey to the stakeholders to address barriers to accessing decent, safe, affordable housing and which housing priorities are most important for Morgan Hill.

Key themes of feedback received from the focus group meetings were incorporated into the Housing Element Update and used to guide new policies and programs. Appendix H-7 contains summaries of the Stakeholder survey results.

List of Attendees and Organizations Represented

Throughout the process of updating the Housing Element, many different organizations and groups have provided input. This list includes some of those organizations and residents of affordable housing apartments but is not exhaustive and does not include the many individual citizens who also participated.

- Affordable Rental Housing locations
 - Cochrane Village
 - Crest Avenue Apartments
 - The Crossings at Morgan Hill
 - The Crossings Monterey
 - Depot-Commons
 - Jasmine Square
 - Murphy Ranch Family Townhomes
 - Royal Court Apartments
 - San Pedro Gardens
 - The Skeel Apartments
 - Terracina at Morgan Hill
 - The Willows Apartments
 - Villa Ciolino
 - Orchards Ranch Scattered Sites
 - Park Place
- Building Back Better, Joint Venture Silicon Valley
- Catholic Charities
- Christopher Ranch
- Destination Home Silicon Valley
- Digital Nest
- Employment Development Department
- Eden Housing
- Gavilan College
- Morgan Hill Unified School District
- Parents Helping Parents
- The Compassion Center
- Morgan Hill Library
- Saint Louise Hospital
- St. Vincent De Paul
- St. Catherine's
- Saint Joseph's Food Pantry
- Silicon Valley @Home
- Silicon Valley Independent Living Center
- Social Services Agency
- Valley Health Center
- Voices School
- Unhoused individuals

KEY THEMES OF COMMUNITY FEEDBACK

- ❖ Provide a range of housing opportunities affordable to Morgan Hill workforce.
- ❖ Prevent homelessness and address the housing needs of people experiencing homelessness.
- ❖ Promote Extremely Low-Income housing.
- ❖ Establish special needs housing for seniors, persons with disabilities, and veterans.
- ❖ Conduct community education/outreach to inform residents about affordable housing and how to seek assistance.
- ❖ Integrate affordable housing throughout the community.
- ❖ Ensure that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults.
- ❖ Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability.
- ❖ Create an affordable housing overlay district.
- ❖ Zone more land and/or change zoning regulations for multi-family to increase affordable housing.
- ❖ Pass a commercial linkage fee ordinance.
- ❖ Pass a rent stabilization ordinance.



Citywide Town Hall Workshop on Draft Housing Element

The City held a virtual Citywide Town Hall in June 2022 to accompany release of the Public Draft Housing Element. City staff was available to take phone calls and e-mails for participants who lack internet access or who are visually impaired.

Workshops and Public Hearings

The City held workshops with the Planning Commission on January 25th, February 22nd, March 8th, April 12th, April 26th, May 10th, and May 24th to share work progress to date and obtain early direction and feedback. A subsequent public hearing was held with the Planning Commission on July 12th to recommend submittal of the draft Housing Element to the City Council and the California Department of Housing and Community Development (HCD). In August the City Council held a public meeting on the Draft Housing Element authorizing submittal of the Draft Housing Element to HCD for their 90-day review.

Planning Commission Workshops

- ❖ On **January 25, 2022**, the Planning Commission held an **Introduction to the 2023-2031 Housing Element Update** workshop.
- ❖ On **February 22, 2022**, staff presented and gathered feedback on the preliminary draft **Site Inventory** and methodology for the Housing Element.
- ❖ On **March 8, 2022**, staff presented on the **Evaluation of Past Performance** and gathered feedback from the Planning Commission.
- ❖ On **April 12, 2022**, the Planning Commission provided feedback on preliminary draft **Goals & Policies**.
- ❖ On **April 26, 2022**, staff presented on **Affirmatively Furthering Fair Housing (AFFH)** and gathered feedback from the Planning Commission.
- ❖ On **May 10, 2022**, staff presented and gathered feedback on the **Constraints Analysis** for the Housing Element.
- ❖ On **May 24, 2022**, staff gave an overall presentation on the **2023-2031 Housing Element Update** and discussed the Housing Element Completeness Checklist.
- ❖ On **July 12, 2022** the Planning Commission reviewed, provided feedback, and recommended approval of the **Draft Housing Element**.





CHAPTER 3 | Summary of Land Available for Housing

A key component of the Housing Element is demonstrating how the City will meet its fair share of the regional housing need.

Regional Housing Needs Allocation

The Regional Housing Needs Assessment (RHNA) is the California State- required process that seeks to ensure cities and counties are planning for enough housing to accommodate all economic segments of the community. The State assigns each region in California a regionwide housing target that is distributed to jurisdictions through a methodology prepared by the regional councils of Government. The City of Morgan Hill is within the region covered by the Association of Bay Area Governments (ABAG). For this 2023-2031 Housing Element, the State issued a target of 441,176 housing units for the entire ABAG Region. This is the total number of units that the cities and counties in the ABAG region must collectively plan to accommodate.

The City of Morgan Hill's share of the regional housing need was determined through a methodology prepared by the Association of Bay Area Governments (ABAG). The City must plan to accommodate a total of 1,037 housing units between January 31, 2023 and January 31, 2031. This is equal to a yearly average of 130 housing units. Table 3-1 below shows the City's RHNA by income category.

Of the 1,037 total units, the City must plan to accommodate 262 units for extremely low- and very low-income households, 151 units for low-income households, 174 units for moderate-income households, and 450 units for above moderate-income households.

Table 3-1 Regional Housing Needs Allocation, City of Morgan Hill 2023-2031		
<i>Income Category</i>	<i>Units</i>	<i>Percent of Total</i>
Extremely Low- and Very Low-Income	262	25.3%
Low-Income	151	14.6%
Moderate-Income	174	16.8%
Above Moderate-Income	450	43.4%
TOTAL	1,037	100.0%

Source: Association of Bay Area Governments, Regional Housing Needs Plan, 2023-2031. Adopted December 2021.

INCOME LEVELS AND ABILITY TO PAY

State law defines affordability in terms of target household incomes and the relative percentage these households must pay to purchase or rent decent and safe housing. Affordability is therefore relative to both household income and housing unit cost. In most cases, affordable housing is defined as housing and related costs (e.g., utilities, insurance, property taxes for owner-occupied properties) that requires no more than 30 percent of a household's gross income.

The income categories (e.g., extremely low-, very low-, low-, or moderate- income) and relative ability to pay for housing are determined in relation to the median household income for the City, adjusted by household size. Table 3-2 below shows the 2022 State and Federal income limits for Santa Clara County based on household size. The area median income (AMI) for a four-person household in Santa Clara County was \$168,500 in 2022.

Table 3-2 HCD Income Limits based on Persons per Household, 20202022					
<i>Income Categories</i>	<i>Persons per Households</i>				
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
Extremely Low-Income (≤30% AMI)	\$35,400	\$40,250	\$45,500	\$50,500	\$54,600
Very Low-Income (31-50% AMI)	\$59,000	\$67,400	\$75,850	\$84,250	\$91,000
Low-Income (51-80% AMI)	\$92,250	\$105,400	\$118,600	\$131,750	\$142,300
Median-Income (100% AMI)	\$117,950	\$134,800	\$151,650	\$168,500	\$182,000
Moderate-Income (81-120% AMI)	\$141,550	\$161,750	\$182,000	\$202,200	\$218,400

Source: CA Department of Housing and Community Development (HCD), 2022.

Inventory of Housing Capacity

State law requires the City to demonstrate that sufficient land is zoned to provide housing capacity that is adequate to meet the RHNA for each income level. In addition, Assembly Bill 686, Statutes 2018, requires that a jurisdiction identify sites throughout the community, in a manner that is consistent with its duty to affirmatively further fair housing (AFFH) pursuant to Government Code Section 65583. In the context of AFFH, the site identification requirement involves not only an analysis of site capacity to accommodate the RHNA, but also an analysis and conclusion of whether the identified sites improve or exacerbate conditions for each of the fair housing areas as outlined in Appendix H-5 Assessment of Fair Housing. However, pursuant to Government Code Section 65583 and HCD's Housing Element Site Inventory Guidebook, the fair housing analysis does not apply to pending, approved, or permitted development.

As part of this Housing Element update, City staff conducted a comprehensive inventory of residential units in the pipeline (i.e., planned and entitled pending, approved or permitted) and evaluated the capacity to accommodate the RHNA for each income level within the Housing Element planning period, 2023-2031.

Planned and Entitled Projects

Morgan Hill has a significant pipeline of development projects that are seeking entitlements or are entitled and actively pursuing construction. As of March 1, 2022, there were an estimated 1,823 housing units in the pipeline that are counted toward meeting the RHNA. About 30 percent of the units in the pipeline will provide affordable housing for lower-income households. More than 24 percent of the units in the pipeline will provide affordable housing for moderate-income households, and the remaining 46 percent of the units consist of lower-density single-unit above moderate-income units. Based on affordability restrictions, the

projects are anticipated to provide 545 affordable lower-income units consisting of 158 extremely low-income units, 149 very low-income units, and 238 low-income units. In addition to the affordable lower-income units, there are 445 moderate-income units in the pipeline and 833 above moderate-income units. The inventory includes several individual affordable housing developments in the pipeline, including a 249-unit affordable development at 18960 Monterey Road; a 66-unit affordable development at 17965 Monterey Road; a 73-unit affordable development at 15440 Monterey Road; and an 82-unit affordable development at 16685 Church Street.

To estimate the number of proposed pipeline development projects that are expected to reach completion during the 6th cycle, the City examined completion rates of pipeline development projects during the 5th cycle (2015 through 2022). For discretionary entitlements, completion rates were found by drawing upon all planning entitlement applications and approvals and finding the percentage of those projects which have obtained a building permit and therefore reached completion. This analysis found that entitlement applications had a completion rate of 88.7%, while approved entitlements had a completion rate of 91.7%. For building permit applications and approved permits, completion rates were established based on evaluating all residential building permits issued for new residential units, as well as all issued building permits that have been finalized/received a certificate of occupancy, from January 1, 2015, through December 31, 2020. The report found that building permits have a 99.2% completion rate for issued permits. Those completion rates were then applied to the current pipeline to determine the number that would be expected to be completed within the next eight years.

Table 3-3 shows the expected breakdown of this pipeline development potential, by expected income category. The income categories for individual development projects are based on the actual proposed affordability level requested or approved as part of the

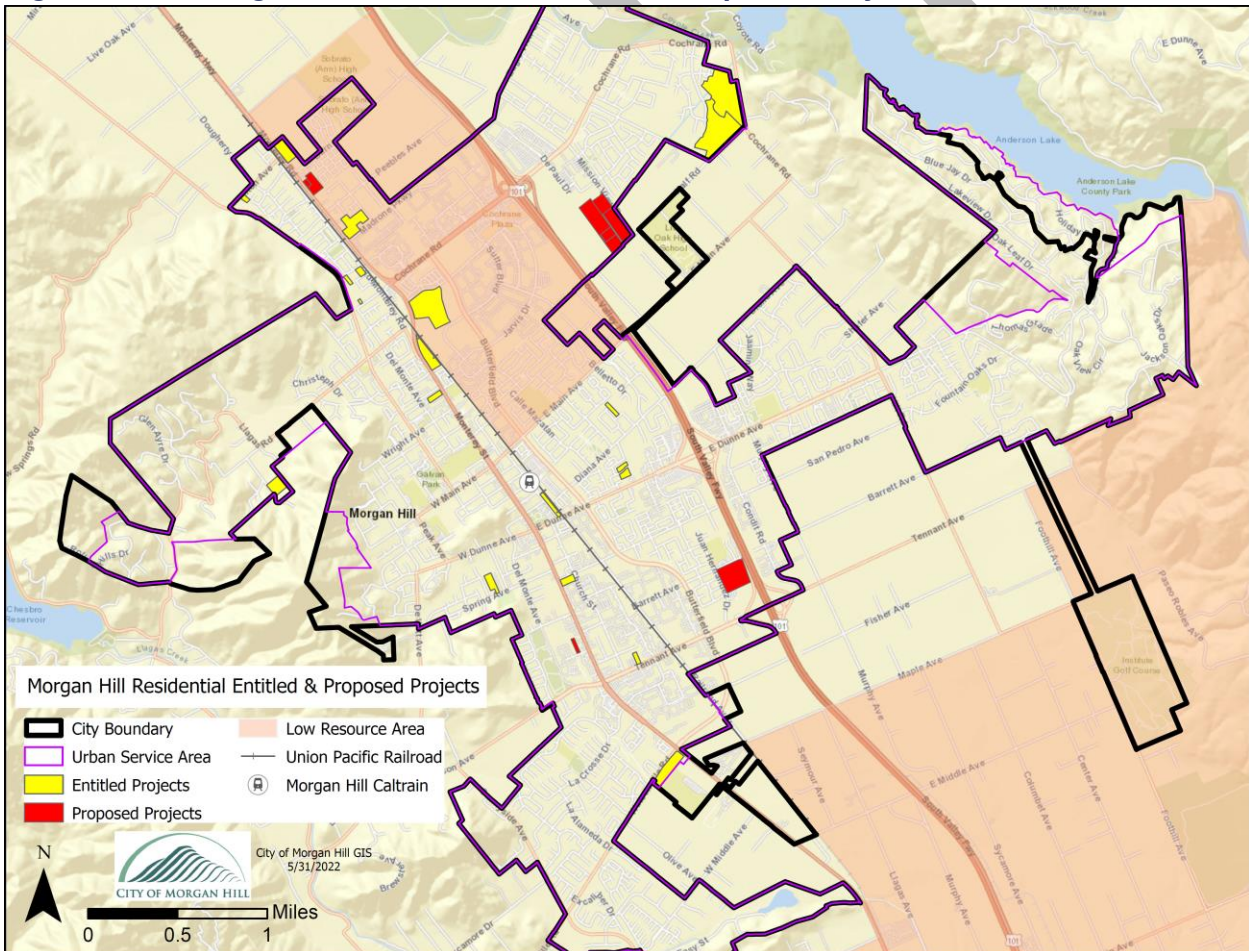
entitlement request.

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Table 3-3 Total Pipeline Development Potential, by Income Category						
	Above Mod. Income Units	Moderate Income Units	Low-Income Units	Very Low-Income Units	Extremely Low-Income Units	Total Development Potential
Active Planning Entitlements	388	59	-	-	-	447
Approved Planning Entitlements with No Building Permit Applications	79	18	36	20	78	231
Building Permit Applications	308	356	197	126	73	1,060
Total Pipeline Development Projects	775	433	233	146	151	1,738

Source: City of Morgan Hill, 2022.

Figure 3-1 Morgan Hill Residential Entitled & Proposed Projects



Source: City of Morgan Hill, 2022.

Capacity to Accommodate the RHNA

Table 3-4 below provides a summary of total residential capacity included in the site inventory compared to the City's 6th Cycle RHNA. As shown in the table, the City has a total capacity for 1,738 units within pipeline residential developments (a total success potential of over 95%), which is sufficient capacity to accommodate the RHNA of 1,037 units. The land inventory includes capacity for 530 lower-income units (i.e., extremely low-, very low-, and low-income units), 233 moderate income units, and 775 above moderate-income units. It is important to note that the City did not analyze accessory dwelling units (ADUs) within this Housing Element; therefore ADUs were not counted towards the identified residential capacity in Morgan Hill.

	Extremely Low-Income Units	Very Low-Income Units	Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
RHNA	131	131	151	174	450	1,037
Pipeline Residential Capacity	158	149	238	445	833	1,823
Pipeline Residential Potential	151	146	233	433	775	1,738
Surplus(+)/ Deficit(-)	+20	+15	+82	+259	+325	+701

Source: City of Morgan Hill 2022.





CHAPTER 4 | Goals and Policies

The goals and policies provide direction to help the City reach its housing goals.

The Housing Element includes seven goals that create the framework for how the City of Morgan Hill will address housing needs during the planning period. Within each goal section, the policies provide direction for how the City will achieve that goal.

The goals and policies were developed with extensive community input and reflect the City's ambition to create equitable and inclusive neighborhoods and to provide opportunities for a variety of housing at all levels of affordability to meet the current and future needs of all residents.

HOUSING ELEMENT GOALS

- Goal 1.** Provide a diversified housing stock to meet the full range of future community housing needs.
- Goal 2.** Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing.
- Goal 3.** Advance equity and inclusion throughout the City.
- Goal 4.** Preserve and rehabilitate existing housing supply.
- Goal 5.** Promote housing for people experiencing homelessness.
- Goal 6.** Provide adequate housing for groups with special needs.
- Goal 7.** Increase community outreach and promote education of affordable housing.

Goal 1. Provide a diversified housing stock to meet the full range of future community housing needs



Facilitate the construction of 1,037 new housing units by 2031 by providing a range of housing types for all age groups, served by transit, recreational amenities, shopping, and health and personal services, that allow residents to age in place.

Morgan Hill, like most communities in California, is facing a housing crisis.

Housing demand continues to outpace supply. This lack of supply drives up housing costs, greatly impacting affordability. Through the Housing Element update process, every city and county in the state is given a target number of housing units it must plan to accommodate, called the Regional Housing Needs Allocation (RHNA). **The City's target for this Housing Element is 1,037 units over the next eight years, an average of about 130 housing units annually.**

Policies

HE-1.1 Adequate Land for New Development. Ensure that an adequate amount of land is available for new residential development, zoned for a range of residential densities and a variety of housing types.

HE-1.2 Capital Improvement Programming. Give high priority in the annual Capital Improvement Program to providing adequate public facilities for residentially zoned land needed to accommodate the City's ABAG projected regional housing needs allocation (RHNA).

HE-1.3 Flexible Housing. Encourage and design alternative housing solutions that support affordable and intergenerational housing, including micro-unit housing, attached or detached accessory dwelling units, home sharing, and cohousing to help meet the housing needs of aging

adults, students, and lower-income individuals and growing families.

HE-1.4 Market Rate Developments. Encourage income-diverse neighborhoods and promote extremely low-, very low-, low-, median-, and moderate-income households within new market rate development.

HE-1.5 Accessory Dwelling Units. Encourage development of accessory dwelling units.

HE-1.6 Advocate with Local Legislators. Advocate with local legislatures and provide input to the State Legislature to ensure that State programs and legislation meet local housing needs, support local housing programs, and encourage capacity building opportunities to implement the Housing Element work program.

HE-1.7 Housing Assistance Funds. Provide housing assistance funds in the form of loans wherever possible so that the funds will eventually return to the City for future housing use.

HE-1.8 Annual Monitoring. Monitor housing development and RHNA housing needs annually to ensure that goals and quantified objectives are being met.

HE-1.9 Review Potential Governmental Constraints to Housing. Review governmental constraints to ensure that they do not pose an undue impediment to the provision of new housing or the rehabilitation of

existing housing.

HE-1.10 Sales Prices and Rental Rates. Require developers to report initial sales price and rents of new units prior to occupancy approval.

HE-1.11 Downtown Specific Plan. Continue to implement the Downtown Specific Plan by encouraging a vibrant mix of residential and commercial development in the Mixed Use-Neighborhood (MU-N) zoning district.

HE-1.12 Impact Fee Credits for Previous Uses. Allow projects to receive a credit of impact fees, based on the previous uses.

HE-1.13 Land Acquisition for Affordable Housing. Pursue opportunities for land acquisition for future affordable housing development in areas zoned for multi-family or areas that permit mixed projects, either through acquisition by the City or by nonprofit housing developers.

HE-1.14 Facilitate Land Assembly. Facilitate assembling parcels to develop residential projects to yield multi-family and affordable units by making the Available Land Inventory available to developers.

HE-1.15 Variety of Single-family Homes. Support the creation of smaller single-family lot sizes to encourage home ownership for a wider range of income levels.

HE-1.16 Housing Coordinated with

Transportation. Seek to ensure new housing developments are connected to pedestrian and bicycle routes and amenities.

HE-1.17 Relocation Assistance. Require relocation assistance in the event of displacement of extremely low, very low-, low-, or moderate-income residents.

HE-1.18 Rental Assistance Programs. Educate and encourage landlords of the requirement to accept rental assistance programs, such as housing vouchers and Section 8 vouchers administered by the Housing Authority of Santa Clara County and emergency rental assistance.

HE-1.19 Neighborhood Character. Maintain and enhance the quality of life within residential neighborhoods, including those identified as low resource and/or disadvantaged, through responsible development and investment by providing adequate maintenance to streets, sidewalks, alleys, parks, and other community facilities.

HE-1.20 Expand Housing Types Throughout the City. Expand multiple-family zoning areas throughout the City, and revise design standards, to allow for a greater array of housing types throughout the city to create more inclusive and equitable neighborhoods.

Goal 2: Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing



Support the production of 413 new lower-income housing units by 2031 and increase other affordable housing opportunities within the existing housing stock.

Morgan Hill housing costs have skyrocketed in recent years, making it especially hard for lower-income households to afford housing.

The short supply of affordable and workforce housing coupled with increasing costs of housing not only have negative impacts on the City's lower-income households, but they also have a destabilizing impact on the overall economy as fewer household financial resources are able to be spent on other sectors of the economy. Many lower-income families must choose between paying rent or paying for other basic needs like healthcare, food, and transportation. Others are forced into overcrowded or substandard housing conditions or join the increasingly large population of people experiencing homelessness.

KEY FACTS

- ❖ As defined by the U.S. Department of Housing and Urban Development (HUD), **lower-income households** are those that earn **less than 80% of area median income (AMI)**, or \$131,750 for a family of four within Santa Clara County in 2022.
- ❖ The **median home sale price** in the Morgan Hill has increased from about \$472,850 in 2001 to **over \$1,055,000 in 2021**.
- ❖ **Less than 65% of homes** in Morgan Hill are sold at prices affordable for a household regardless of income in 2020.

Housing is considered "affordable" if no more than 30 percent of a household's gross monthly income is spent on rent and utilities. Households are considered "cost burdened" if they spend more than 30 percent of their income on housing costs, and "severely cost burdened" if they spend more than 50 percent.

DEFINITIONS

- ❖ **Affordable Housing:** Under State and federal statutes, housing which costs no more than 30 percent of gross household income. Housing costs include rent or mortgage payments, utilities, taxes, insurance, homeowner association fees, and related costs.
- ❖ **Workforce Housing:** housing that is affordable to households earning between 60 and 120 percent of area median income (AMI). Workforce housing targets middle-income workers including teachers, health care workers, retail clerks, young professionals, and more.

As shown below in Figures 4-1 and 4-2, 35.4 percent of all Morgan Hill households were considered cost burdened in 2019, and 15.3 percent of households were considered severely cost-burdened. Lower-income families were more likely than others to overpay for housing.

Figure 4-1 Cost-Burdened by Tenure in Morgan Hill, 2019

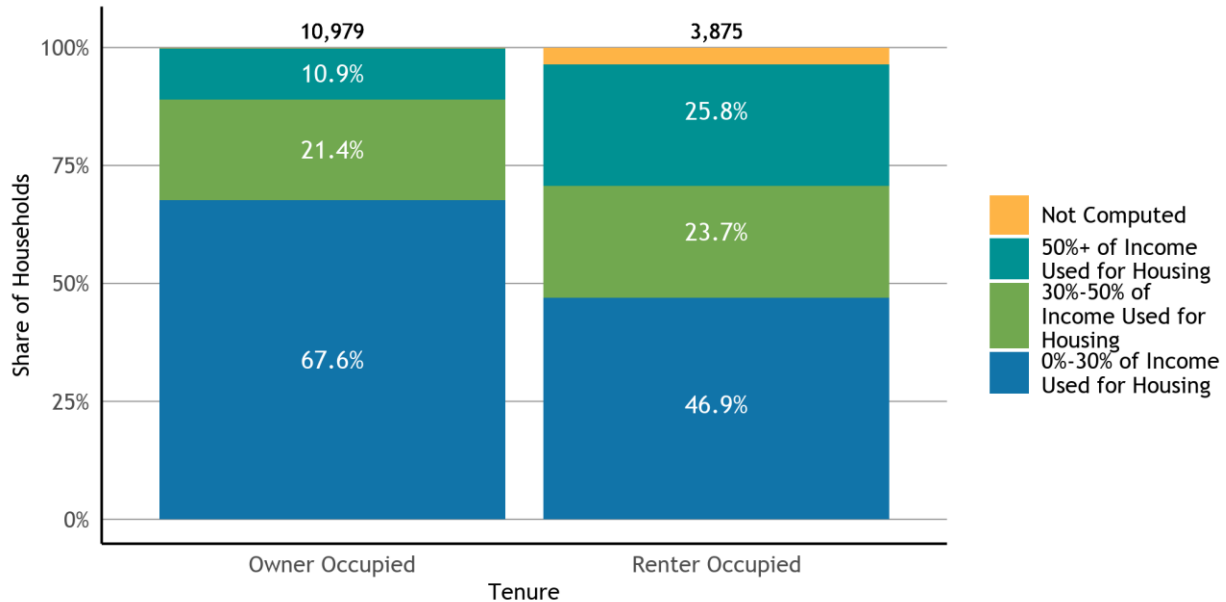
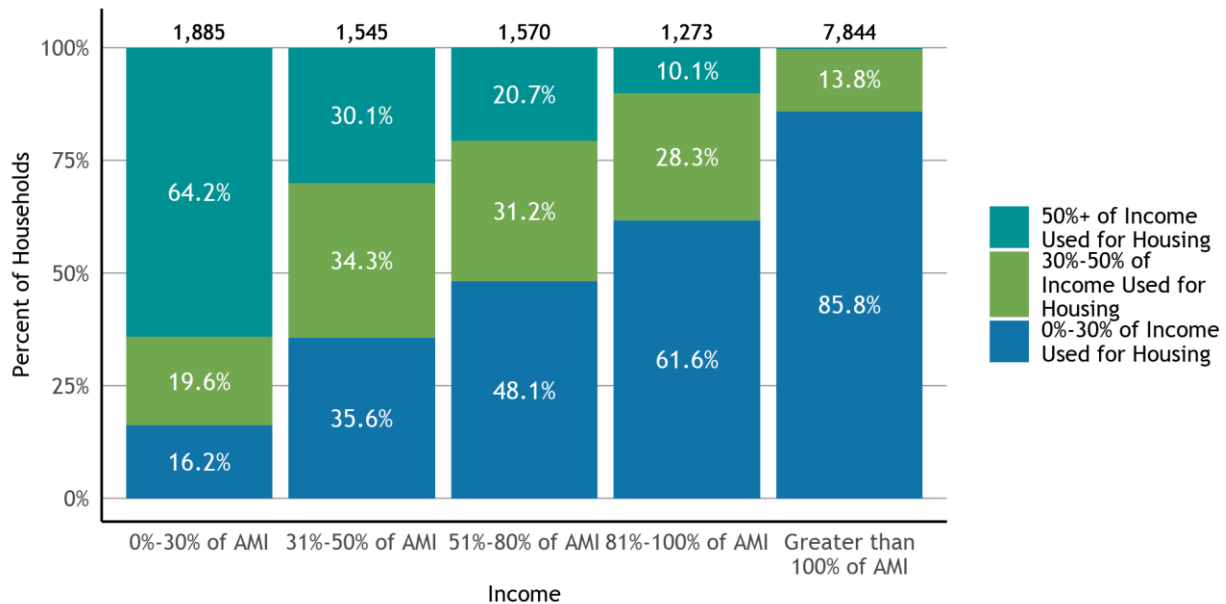


Figure 4-2 Cost-Burdened by Income Level in Morgan Hill, 2019



The private market has largely been unable to produce homes affordable to lower-income households since affordable rents do not cover the cost to construct these housing units. Between 2015- 2019, the City constructed an average of 41 lower-income housing units per year, which represents less than 14 percent of all housing permitted within Morgan Hill.

There are several barriers to developing affordable housing in Morgan Hill and in California. A historical focus on building single family homes and neighborhoods has made it harder to build housing for lower-income households throughout the City. That, coupled with high construction and land costs and the severe disinvestment in affordable housing subsidies from the state and federal governments, has created major challenges to building new affordable housing. However, the City can play a part in supporting the production of more affordable housing units.

As part of California's 6th Cycle Housing Element, the City of Morgan Hill must adequately plan for and accommodate a total of 413 new lower-income housing units by 2031, which represents 40 percent of the City's overall RHNA.

- ❖ Within that 413 figure, 262 units should be affordable to very low-income households making less than 50 percent AMI, and the remaining 151 units should be affordable to low-income households making between 50-80 percent AMI.
- ❖ The allocation is equivalent to producing 52 lower-income units annually over the next eight years.

Policies

HE-2.1 Affordable Housing Strategy Implementation. Encourage the production of rental housing, including housing for extremely low-income households, through available funds, banked land, and community partnerships.

HE-2.2 Funds for Affordable Units. Prioritize housing funds to finance affordable projects for extremely low-income households.

HE-2.3 Rental Housing Incentives. Assist for-profit and nonprofit developers in developing affordable rental housing.

HE-2.4 Programs Providing Extremely Low-, Very Low-, and Low-Income Housing. Participate in programs that assist extremely low-, very low-, and low-income households to secure adequate housing.

HE-2.5 Santa Clara County Housing Programs. Collaborate with the County of Santa Clara Office of Supportive Housing, Destination Home, Housing Trust of Silicon Valley, and Housing providers to promote housing programs.

HE-2.6 Leverage Funding. Leverage

housing assistance funds whenever possible by combining them with funds from State, Federal, County, and other sources.

HE-2.7 Below Market Rate (BMR) Occupancy. Require all BMR units to be income-restricted to ensure their use as affordable housing as required by funding source or the Inclusionary Housing Ordinance and facilitate rehabilitation and resales of the BMR ownership units to new income-qualified first-time homebuyers.

HE-2.8 BMR Deed Restrictions. Continue to require the recordation of deed restrictions for all affordable units except accessory dwelling

HE-2.9 Assist in the Development of Extremely Low and Very Low-Income Affordable Housing. Assist affordable housing developments through site identification, direct funding, supporting funding applications, land donation, and other incentives.

HE-2.10 Create Additional Local Funding for Affordable Housing. Strive to create additional local funding for affordable housing.

HE-2.11 Advocate for State and Federal Legislative Changes. Advocate for additional financial resources and legislative changes from the State and Federal government to support the funding and production of affordable housing.

HE-2.12 Commercial Linkage Fee. Consider new commercial and industrial development to meet the housing demand they generate, particularly the need for affordable housing for lower-income workers, through a Commercial Linkage Fee Ordinance or similar mechanism only when the City has met a housing-job balance of 1:1 ratio.

HE-2.13 Support Innovative Construction Methods. Support and encourage the development and construction industries to implement new technologies and opportunities to build housing that is more affordable by design.

HE-2.14 Support Farmworker Housing. Establish farmworker housing as an affordable housing need within the City.

HE-2.15 Farm Worker Housing Advocacy. Advocate for federal, State, and County funding for

farmworker/agricultural employee housing, including housing that meets the needs of the County's agricultural industry and its workers.

HE-2.16 Partner with Developers. Collaborate with developers and employers to develop innovative housing solutions for farmworkers and agricultural employees and identify and pursue all potential funding sources and assist owners and developers in applying for funding.

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Goal 3: Advance equity and inclusion throughout the City



Create more equitable and inclusive neighborhoods.

Where we live directly impacts our health and our ability to achieve our full potential. Equitable housing must be more than affordable; it must also connect residents to the jobs, schools, services, and community assets that will enable them to thrive and be healthy.

With a population of 44,686 as of the 2015-2019 American Community Survey 5-Year Estimates, Morgan Hill has experienced significant growth in recent decades as Santa Clara County has emerged as the center of the global technology industry. High and rising housing costs have come with the incredible growth of both Morgan Hill and the Region, and the impact of those high housing costs have not been felt equally by all. Hispanic households, persons with disabilities, and large families all face housing insecurity at higher rates and tend to have less access to the highest resource parts of the Region. Although the Region and Morgan Hill have small Black populations, which makes it difficult to draw some conclusions about disparities, rates of homelessness among the Region's small Black population are shockingly high.

Within Morgan Hill, income levels are similar to those countywide, housing is slightly more affordable, and access to opportunity is moderate in most neighborhoods. With regard to race and ethnicity, Morgan Hill is slightly more heavily Hispanic and White than the Region and less heavily Asian. Additionally, within Morgan Hill, housing patterns are not highly segregated. Although the eastern portion of the city is slightly more heavily White and less heavily Hispanic than the downtown area, which is home to a large majority of the city's subsidized housing), those differences are modest in comparison to most communities within the Region. Due to its location in the

southern portion of Santa Clara County (often called South County), Morgan Hill residents have somewhat limited access to public transportation, less proximity to job centers, and, as a result, longer and more burdensome commutes than many other residents of the Region.

It is incumbent on the City of Morgan Hill to take proactive steps, consistent with its AFFH obligation, to address existing disparities in housing and access to opportunity in regional context and to take steps to prevent the emergence of segregated patterns. The policies identified below, which are discussed in much greater detail Appendix H-5, are a roadmap for doing so.

The City is committed to creating more opportunities for affordable housing dispersed more equitably throughout the City; as neighborhood investments increase, protecting existing residents from displacement; connecting Morgan Hill residents to employment opportunities; and, expanding outreach and education to better reach vulnerable and at-risk households and to demystify affordable housing.

Policies

HE-3.1 Increase Affordable Housing Opportunities.

Increase affordable housing opportunities for protected class members in eastern Morgan Hill.

HE-3.2 Displacement.

Protect tenants from displacement.

HE-3.3 Employment Opportunities.

Connect Morgan Hill Residents to Employment Opportunities.

HE-3.4 Fair Housing Education.

Increase Fair Housing enforcement, outreach, and education in Morgan Hill.

Goal 4: Preserve and rehabilitate existing housing supply



Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability.

The policies in this section focus on preserving the existing housing stock, with an emphasis on preserving affordable housing.

The City of Morgan Hill is home to 1,160 deed-restricted affordable units, not including privately owned deed-restricted affordable units. In general, once the period of restricted rent/occupancy expires, a property owner may charge market rents for the previously restricted units. State law requires that housing elements include an inventory of all publicly assisted multi-unit rental housing projects within the local jurisdiction that are at risk of conversion to uses other than low-income residential during the next 10 years from the start of the housing element planning period (i.e., January 31, 2023). No units are at-risk of converting to market rate by 2031. The preservation of affordable units is not only more cost effective than building replacement units, but it is a key element of anti-displacement policy.

Beyond subsidized affordable housing, there is a need to maintain and improve the quality of existing marketrate housing. While the age of housing, by itself, does not necessarily equate with poor housing conditions, a neighborhood with a large stock of older housing (particularly older non-subsidized rental housing) occupied by a high percentage of lower-income households has a much greater potential for housing problems than an affluent neighborhood with older housing.

If not properly maintained, housing can exhibit obvious signs of “wear and tear” after 30 years (or even less, depending on the quality of materials and construction). The housing stock of Morgan Hill in 2020 was made up of 59.0% single family detached homes, 17.7% single family attached homes, 5.5% multifamily homes with 2 to 4 units, 9.8% multifamily homes with 5 or more units,

and 8.0% mobile homes. In Morgan Hill, the housing type that experienced the most growth between 2010 and 2020 was *Single-Family Home: Detached*.

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Morgan Hill, the largest proportion of the housing stock was built from 1980 to 1999, with 5,632 units constructed during this period (see Table 4-1). Since 2010, 11.6% of the current housing stock was built, which is 1,761 units.

The City takes a proactive approach toward housing conditions through housing rehabilitation programs. The City has participated in the Urban Counties Consortium Community Development Block Grant (CDBG) funds to provide rehabilitation assistance. Over the last housing element period, from January 1, 2015 through January 1, 2020, 159 units were rehabilitated within the City of Morgan Hill.

KEY FACTS

- ❖ None of the 1,160 subsidized affordable units are at risk of converting to market rate by 2031.
- ❖ The housing stock of Morgan Hill comprises of **76.7% Single-Family homes**.
- ❖ **74%** of Morgan Hill homes were built before 2000.

Table 4-1 Housing Stock by Year Built

Year Built	Number of Units	% of Total
2010-or later	1,761	11.6%
2000-2009	2,252	14.8%
1980-1999	5,632	37.0%
1960-1979	4,803	31.5%
1940-1959	525	3.4%
1939 or earlier	260	1.7%
Total	15,233	100%

Source: U.S. Census Bureau, 2019 American Community Survey 5-Year Estimates

Policies

HE-4.1 **Preserve At-Risk Units.**

Preserve as many below market rate ownership and rental units as possible.

HE-4.2 **Affordability Controls.**

Continue to extend the affordability restrictions as part of the next sale to eligible buyers and, if necessary, exercise the City's right of first refusal to purchase BMR units to ensure they remain affordable.

HE-4.3 **Assist Non-profits in Acquisition of At-Risk Units.**

Assist non-profit housing organizations in acquiring and/or rehabilitating existing affordable rental housing through financial assistance in exchange for extending the affordability period as required by the applicable funding source.

HE-4.4 **Preservation of Existing Affordable Housing Stock.**

Preserve and grow the existing affordable housing stock through the acquisition, conversion, rehabilitation, and replacement of affordable units. Monitor and report progress of affordable housing stock to the State Housing and Community Development Department.

HE-4.5 **Code Enforcement.**

Support the long-term maintenance and improvement of existing housing through code enforcement with emphasis on rental units, assistance in maintaining affordability, and non-displacement of existing tenants.

HE-4.6 **Renovations under the Downtown Specific Plan.**

Encourage the renovation of buildings consistent with the Downtown Specific Plan.

HE-4.7 **Rehabilitation Loan Programs.**

Support Housing Rehabilitation Loan Programs that provide home improvements and rehabilitation assistance using CDBG and City housing funds.

HE-4.8 **Capital Improvement Program.**

Coordinate the planning and funding of neighborhood infrastructure improvements by integrating the Capital Improvement Program goals, the Housing Element Policies and the opportunities that are available through the Urban County Community Develop Block Grant Program.

HE-4.9 **Overcrowding.**

Support the addition of bedrooms and other expansions as an eligible rehabilitation activity to alleviate overcrowding.

HE-4.10 **Preserve Existing Mobile Home Parks.**

Support efforts by tenants and nonprofits to preserve existing mobile home parks.

HE-4.11 **Rent Stabilization Ordinance.**

Maintain the City's rent stabilization ordinance for mobile home parks.

HE-4.12 **Rehabilitation and Sustainability.**

Ensure that all housing units rehabilitated with City assistance are environmentally friendly and energy-efficient.

HE-4.13 **Protection and Preservation of Existing Affordable Housing.**

Work with property owners, tenants, and nonprofit purchasers to preserve assisted rental and ownership housing and implement a strong affordable housing monitoring program.

HE-4.14 **No Net Loss of Housing Stock.**

Ensure that affordable housing sites identified in the Housing

Element Pipeline do not result in a net reduction of affordable housing units if they are redeveloped.

HE-4.15 Conversions to Affordable Housing. Explore new strategies to convert abandoned and blighted properties into affordable housing.

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Goal 5: Promote Housing for people experiencing homelessness



Prevent the occurrences of homelessness and address the housing needs of people experiencing homelessness.

Similar to other regions in California with ~~double-digit~~ increases in reported homelessness, the ~~Sacramento~~ Santa Clara County region is in the middle of a homelessness crisis.

The 2022 Santa Clara County Point-in-Time (PIT) Homeless Count reinforce what we already know: Homelessness remains a severe crisis in our community. While the PIT count is an imperfect way to measure homelessness in our community, it can provide key insight into year-over-year trends. The preliminary data shows that from 2019-2022:

- The overall number of homeless people remain relatively steady countywide. Santa Clara County saw a 3% increase (to 10,028); while San Jose saw a 11% increase (to 6,739) during that time.
- At the same time, the number of unsheltered individuals decreased, with a 3% decrease (down to 7,708) in Santa Clara County; and a 2% decrease (down to 5,031) in San Jose.

KEY FACTS

- ❖ From 2019 to 2022, Santa Clara County saw a **3%** increase of people experiencing homelessness on any given night.
- ❖ About **77%** of people experiencing homelessness on any given night are unsheltered.
- ❖ **11.5%** of people experiencing homelessness are youth.

The homelessness population includes veterans, women, children, persons with disabilities, older adults, and other vulnerable groups. These individuals lack adequate sanitary facilities and are at risk from theft, crime, and extreme weather conditions. These

conditions threaten the physical and mental health and safety of those experiencing homelessness and these conditions pose a threat to the public health and well-being of the entire community.

The crisis of unsheltered homelessness is one that impacts the entire Morgan Hill community; both those experiencing homelessness and the broader community of housed residents, businesses, and neighborhoods. As residential rents continue to climb, many housed residents also face the threat of homelessness due to lack of access to affordable housing.

The Housing Element includes a variety of policies to help the City address the homelessness crisis. Policies range from working with the County and partner agencies on a regional approach, removing barriers to emergency shelter access, and to improve data quality and regularly report on metrics.

Policies

HE-5.1 Housing First Principles. Encourage ongoing supportive services as needed and prioritize solutions that are consistent with the notion that stable housing is the first, critical step towards addressing human needs.

HE-5.2 Support Homeless and Service Agencies. Meet the needs of residents who are homeless or at risk of homelessness by collaborating with agencies providing emergency shelter for homeless Morgan Hill residents. When appropriate and possible, provide funding.

HE-5.3 Work with Santa Clara County Agencies. Collaborate with Santa

Clara County agencies and nonprofits to address homelessness and other housing or community service-related issues, such as the ongoing implementation of the Countywide Community Plan to End Homelessness.

HE-5.4 Religious Institutions Shelters.

Allow religious institutions to operate small emergency shelters and transitional facilities as an ancillary part of their regular operations with no additional local permitting requirements.

HE-5.5 Youth Experiencing Homelessness.

Coordinate and create partnerships to increase accessibility of safety net services through outreach and communication, to effectively link youth experiencing homelessness to housing and service solutions.

HE-5.6 Regional Coordination.

Coordinate with the region and work with the Continuum of Care, Santa Clara County, and partner agencies to develop strategies that address homelessness through a shared vision, coordinated programs, and joint funding opportunities.

HE-5.7 Innovative Solutions.

Employ innovative solutions that further collaboration and coordination of the homeless continuum of care. This will include effective responses and best practices for prevention services, emergency shelters, interim housing, permanent housing, and ongoing housing stability to address the homelessness crisis.

HE-5.8 Permanent Supportive Housing.

Partner with other agencies to facilitate and provide permanent supportive housing options that offer appropriate services and case managers so that people experiencing chronic homelessness

can maintain permanent housing.

HE-5.9 Prevention Resources.

Use data to focus on impactful solutions, long-term outcomes, and strategies that target those most at risk of homelessness by connecting them to affordable housing, prevention resources, workforce training, and supportive services that will help prevent them from losing their homes (e.g., rental assistance programs, tenant protections, and job assistance).

HE-5.10 Rental Housing Assistance.

Prioritize and facilitate programs and strategies that work to help those experiencing homelessness, or who are at risk of homelessness, find appropriate rental housing and prevention services.

HE-5.11 Diversion Approach.

Work with and provide resources to partner organizations to prevent people from seeking shelter by helping them identify immediate alternate housing arrangements and connecting them with services and financial assistance to help them return to permanent housing.

HE-5.12 Improve Connections Between Shelters and Housing.

Expand and improve the collaboration and connection between emergency shelters, temporary housing, and permanent housing in order to decrease the duration of homelessness and rehouse individuals quickly.

HE-5.13 Regular Reporting.

Use metrics and improve data quality to track and improve the efficacy of homeless services, programs, and investments.

Goal 6: Provide adequate housing for groups with special needs



ACCESSIBILITY

Promote greater universal access in housing and support efforts that provide older adults and people with disabilities the option to stay in their homes and neighborhoods.

The goals of the Housing Element reflect empowerment and inclusion for the broad range of human ability represented in Morgan Hill.

Individuals with disabilities have special needs related to relatively low incomes, housing accessibility, self-care, access to transit, and proximity to health care and supportive services. Disabilities can be both visible and invisible. It is important that there is just and fair inclusion throughout the city and that conditions create an environment where everyone can participate, prosper, and reach his or her full potential.

In 2019, over 4,000 Morgan Hill residents over age five had one or more disability. This number represents about 9 percent of the City's population over age five. In Morgan Hill, of the population with a developmental disability, children under the age of 18 make up 39.8%, while adults account for 60.2%.

Because disabilities include a wide range and severity of sensory, physical, mental, and developmental conditions, the special needs of persons with disabilities are wide ranging, as well. In addition to affordable and accessible housing opportunities in proximity of transportation and other services, persons with disabilities may also need on-site support or even full-time care in a group home environment.

Persons living with disabilities, especially with severe living or self-care difficulties, generally live with low to extremely low incomes. Of the total population of people with disabilities, 106 individuals or approximately 2.6 percent of people with disabilities in Morgan Hill between the age of 20 to 64 have incomes below the poverty line, by contrast, 852 individuals below

the poverty line do not have a disability. Median earnings for people without disabilities in Morgan Hill is \$58,721, while it is only \$34,700 for people with disabilities. This disparity in income between individuals with or without a disability means that individuals without a disability have median earnings that are \$20,000 dollars more than those with a disability. The economic gap for people with disabilities is likely even greater in reality, as the data does not include institutionalized individuals. There is not census data categorized by disability type for individuals living below the poverty line in Morgan Hill, so it is difficult to ascertain how many residents are in need of accessible and affordable units. Furthermore, the data does not indicate how much overlap there is between these categories, nor does the data say how many of those individuals need accessible units.

Older adults (persons age 65 or more) are a special needs group because a high percentage of them have relatively low incomes and decreasing mobility, which limit their housing options. Many older adults own homes that no longer meet their needs; their homes are too large, not located near health and social services, and/or need repairs or accessibility modifications. In Morgan Hill, the older adult population is rising rapidly. As of 2019, there were about 6,240 older adults living in the City, up nearly 150 percent since 2000. Older adults also represent an increasing proportion of the total population, from 7.5 percent in 2010 to 14 percent in 2019.

Older adults, as a group, have lower incomes than the population at large. Older adults who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of older adult households who rent make 0%-30% of AMI, while the largest proportion of older adult households who are homeowners falls in the income group *Greater than 100% of AMI*.

Although most older adults own their homes, often unencumbered by debt, many may be in a situation characterized as “house rich and cash poor.” In other words, a person may have large equity in a home, but still be forced to live on a minimal fixed income. Selling the home may not be an available option, because the cost to rent a housing unit may override the income made available by the home sale.

The vast majority of older adults and persons with disabilities desire to live an independent lifestyle as long as possible. The independent living movement supports the idea that individuals with disabilities can make their own decisions about living, working, and interacting with the surrounding community. Housing and assistance programs for older adults and those with disabilities should put priority on independent living, attempting first to maintain these persons in their own homes and to age in place. Other housing options are accessory dwelling units and duplexes that allow older adults to live near extended families while maintaining privacy.

As Morgan Hill’s population continues to age, there will be increasing demand for age-friendly housing built with universal design principles. A few universal design elements include: zero-step entrances, single-floor living, wide hallways and doorways, and electronic controls reachable from a wheelchair. Housing design features that increase accessibility and safety can allow those with mobility disabilities much more independent in their home.

The Housing Element contains policies to support the independent living movement by helping older adults and people with disabilities stay in their homes and promoting universal design and accessibility in housing throughout

the city.

KEY FACTS

- ❖ Approximately **4,000** Morgan Hill residents have a disability (about **9.1%** of the population).
- ❖ Of the total population of people with disabilities, over **100** Morgan Hill residents between the age of 20 to 64 have incomes below the poverty line (about **\$34,700**); in contrast 852 individuals below the poverty line do not have a disability.
- ❖ In 2019, seniors accounted for **14%** of the population in Morgan Hill.
- ❖ The senior population has increased nearly **150%** between 2000 and 2019.
- ❖ In 2019, **80%** of older adults were homeowners.

DEFINITIONS

- ❖ **Universal Design.** The design of buildings, products, and environments that make them accessible and safe to all people regardless of age, size, ability, or disability.

Policies

HE-6.1 Housing for Seniors and Persons with Disabilities. Promote housing that is appropriate for seniors and accessible to persons living with disabilities where appropriate, such as areas near amenities, shopping, and transit.

HE-6.2 State and Federal Accessibility Requirements. Continue to enforce State and federal requirements for accessibility to the disabled in new multi-family units.

HE-6.3 Work with Other Agencies. Continue to work with outside agencies and organizations to maximize housing opportunities for the full spectrum of housing needs.

HE-6.4 Use CDBG and Other Funding. Use CDBG and other available funds to support the provision of housing

related services for groups with special needs such as the elderly, single parents with children, and survivors of gender-based violence.

HE-6.5 Preferential Handling of Special Needs Populations. Provide preferential handling of special needs populations, such as survivors of gender-based violence cases, youth aging out of foster care, the developmentally disabled, single parents, farmworkers, the unhoused, veterans, etc., in the management plans and regulatory agreements of funded projects.

HE-6.6 Universal Design in New Housing. Strive to achieve universal design in new residential housing units to maximize visitability and provide housing for people with disabilities and allow older adults to age in place (for example, have a bedroom and bathroom on the ground floor, or have the entire unit contained within a single floor).

HE-6.7 Reasonable Accommodation Ordinance. Ensure people with disabilities have equal opportunity to use and enjoy their housing by providing a process to request modification to a land use or zoning standard, regulation, policy, or

procedure.

HE-6.8 Encourage Accessible Housing Near Transit and Amenities. Encourage the development, rehabilitation, and preservation of accessible housing, particularly in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.

HE-6.9 Financial Assistance for Accessible Affordable Housing. Seek opportunities to provide financial assistance and other incentives for affordable housing and permanent supportive housing projects that exceed the minimum accessibility provisions of State and Federal law.

HE-6.10 Partner with Community Based Non-profit Organizations. Support and partner with community-based organizations that develop affordable housing, retrofit existing housing, and provide supportive services for older adults and people with disabilities.

HE-6.11 Emergency Home Repairs and Accessibility Retrofits. Continue to provide low- and very low-income residents, seniors, and persons with disabilities with loans for emergency repairs and/or accessibility modifications to their homes.

Goal 7: Increase community outreach and promote education of affordable housing



Implement a community engagement and awareness campaign around affordable housing with the intent to raise awareness of Housing Programs, Housing Search, and to demystify Affordable Housing.

The City is committed to expanding outreach and education to better reach vulnerable and at-risk households and to demystify affordable housing.

During the public outreach component of the Housing Element Update it became apparent that there is not enough education or outreach about affordable housing within Morgan Hill and the South County as a whole. Nearly all of the stakeholder focus group meetings that City staff held, all groups indicated that there is not enough information available to families and individuals about affordable housing assistance; in particular, more outreach is needed for people experiencing homelessness or at-risk of homelessness.

Stakeholders indicated that many forms of education are needed; as their clients seek information for financial education, digital education, availability of affordable housing programs, accessory dwelling units. Another common theme that was brought up by stakeholders is the need for a Single Source Database to streamline affordable housing searches and to apply for affordable housing at multiple locations.

There are multiple fair housing organizations serving Morgan Hill. The organization most directly focused on fair housing is Project Sentinel, a non-profit based in Santa Clara (but serving the entire county) which aims to promote fair housing through fair housing testing, the filing of administrative complaints, and landlord-tenant mediation. Santa Clara County provides CDBG funds to Project Sentinel to serve a geographic area that includes Morgan Hill. However, this private fair housing outreach and enforcement may not be sufficient.

Through the multiple survey processes the City conducted, 24 percent of stakeholders indicated that the City needs to increase funding for fair housing education, outreach, and enforcement; and 36 percent of stakeholders indicated that the City needs to conduct additional community education and outreach to inform residents about affordable housing and how to seek assistance. In contrast, 29 percent of individuals who responded to the survey indicated the City needs to increase affordable housing education and outreach.

Policies

HE-7.1 Local Needs. Educate and market Housing programs to local residents and local employees on how to access housing programs, services and affordable housing opportunities throughout the City.

HE-7.2 Publicity for City Programs. Publicize and broaden understanding of City housing programs, including the discrimination complaints procedure, making special outreach efforts to the non-English speaking community and underserved/underrepresented populations.

HE-7.3 Single Source Database. Explore opportunities to streamline housing search, consider supporting a single source affordable housing database/portal that allows residents to submit a single application for multiple affordable housing developments.

HE-7.4 Unhoused and Homelessness Prevention Program Outreach.

Create opportunities to increase community knowledge of the existing range of service for the unhoused and homelessness prevention resources, including direct outreach and engagement with the unhoused community.

HE-7.5 Awareness and Support. Work to increase community knowledge of the shortage of housing statewide, the need for awareness, and work to harness support for affordable housing citywide.

HE-7.6 Community Education. Create opportunities for community discussions and education about homelessness, housing insecurity, and affordable housing, to achieve an atmosphere of acceptance and understanding.



CHAPTER 5 | Implementation

This Housing Element addresses the City's housing issues with a comprehensive and bold strategy.

The City is committed to implementing the programs outlined in this chapter over the eight-year planning period. These implementation programs/actions have been developed with extensive community input and with thoughtful consideration for what the City could feasibly accomplish during the planning period with current staff resources.

The result is a set of implementation programs/actions that prioritize what will be the most effective in terms of moving the needle and getting more housing, particularly affordable housing, built in Morgan Hill. Identification of actions is the first step towards implementing the City's housing strategy; successful implementation will require ongoing management, oversight, and collaboration. The City will continually monitor progress and report on these programs annually to the City Council and to the California Department of Housing and Community Development (HCD).

The implementation programs are first organized below by the overarching Goal. Each program then describes the proposed action, the policy(ies) it implements, the timeframe for accomplishing the action, and the City departments primarily responsible for implementing the program.

The Quantified objectives lay out the number of housing units that the City expects to be constructed, maintained, and preserved within the planning period. These numbers are based largely on the implementation actions, particularly the ones with measurable outcomes.

Implementation Programs/Actions

Action HE-1.A Evaluate Land Availability Annually



Evaluate annually the amount of land available for development and the projected eight-year need, and update the General Plan and zoning as necessary to accommodate the City's regional housing allocation.

- ❖ **Implements which Policy(ies):** HE-1.1
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** General Plan Update Fee

Action HE-1.B Coordination with Capital Improvement Plan



Evaluate annually submitted development projects and coordination with the Capital Improvement Program to assure adequate public facilities are provided for each development.

- ❖ **Implements which Policy(ies):** HE-1.2
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Engineering and Utilities Department
- ❖ **Source of Funding:** Capital Projects Funds

Action HE-1.C Smaller Lot Sizes



Evaluate the creation of smaller lot sizes through the Zoning Code to reduce the cost of single-family housing units obtainable to lower income households.

- ❖ **Implements which Policy(ies):** HE-1.3; HE-1.15
- ❖ **Timeframe:** 2023-2025
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund

Action HE-1.D Update Funding Information



Annually identify State, federal, and local funding programs that are most applicable to Morgan Hill and have the greatest potential for funding affordable housing and housing programs in the city.

- ❖ **Implements which Policy(ies):** HE-1.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.E Housing Rehabilitation



Examine opportunities to modify existing loan terms to support substantial housing rehabilitation to property owners with extremely low-, very low-, or low-income tenants in exchange for longer term affordability.

- ❖ **Implements which Policy(ies):** HE-1.7
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Community Development Block Grant

Action HE-1.F First-Time Homebuyer Program



Partner with agencies that provide a first-time homebuyer down payment assistance program targeted to below market rate income qualified applicants that are residents and employees of Morgan Hill.

- ❖ **Implements which Policy(ies):** HE-1.7
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.G Promote Extremely Low-Income Housing



Provide priority funding consideration from the Affordable Housing Funds for extremely low-income housing developments.

- ❖ **Implements which Policy(ies):** HE-1.7
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.H Update City's Affordable Housing Strategy



Continue to update the City's Affordable Housing Strategy with the most current Census data. Identify methods to create housing affordable to extremely low-income households.

- ❖ **Implements which Policy(ies):** HE-1.8
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.I Review Housing Objectives Annually



Review housing objectives annually and recommend program modifications if annual housing objectives are not being met.

- ❖ **Implements which Policy(ies):** HE-1.8
- ❖ **Timeframe:** Each Spring as part of annual report to City Council
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.J Downtown Specific Plan



Update the Downtown Specific Plan to accommodate the expanded Priority Development Area.

- ❖ **Implements which Policy(ies):** HE-1.11
- ❖ **Timeframe:** 2025
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund.

Action HE-1.K Review Affordable Housing Funds



Review annual Low to Moderate Housing Fund and Housing In-lieu Fund balance and prioritize a portion of existing and expected funds for land acquisition.

- ❖ **Implements which Policy(ies):** HE-1.13
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-1.L Rental Assistance Programs



Undertake the following: (1) Refer rental property owners to the Santa Clara County's Housing Authority's waiting list; (2) When in contact with rental property owners, inform them of the Housing Authority's vouchers program; and, (3) Promote the availability of vouchers for use in the rental rehabilitation program.

- ❖ **Implements which Policy(ies):** HE-1.18
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.A Review Height Limits



Review and update the Zoning Ordinance and other Objective Standards to ensure that height limits allow for a desirable design at the intended density.

- ❖ **Implements which Policy(ies):** HE-2.1
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund; Long Range Planning Fund

Action HE-2.B Partnership for Tax Credits



Continue to support applications for Low-Income Housing Tax Credits.

- ❖ **Implements which Policy(ies):** HE-2.2
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.C Promote Funding Opportunities



Promote affordable development funding opportunities, such as the Joe Serna Farmworker Housing Grant Program, and aid in the commission of a necessary market study for application purposes.

- ❖ **Implements which Policy(ies):** HE-2.3
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.D Support Measure A Applications



Continue to support applications for the Measure A Affordable Housing Bond, Community Development Block Grant Funds, HOME funds, and Project HomeKey.

- ❖ **Implements which Policy(ies):** HE-2.3
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.E Strategically Urban Housing Development Incentives



Provide incentives for residential and mixed-use development at major transit nodes, along transit corridors, and in other locations suitable for high-density housing development, as appropriate.

- ❖ **Implements which Policy(ies):** HE-2.3
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund

Action HE-2.F Community Plan to End Homelessness



Implement the Countywide Community Plan to End Homelessness adopted by the Santa Clara County Continuum of Care (CoC); review annual progress and report to the County and other community stakeholders.

- ❖ **Implements which Policy(ies):** HE-2.5; HE-5.1; 5.3
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund, Housing In-lieu Fund, and Destination Home Grant

Action HE-2.G Continuum of Care



Participate in the Continuum of Care (CoC), stakeholders dedicated to ending and preventing homelessness in Santa Clara County. The key CoC responsibilities are ensuring community-wide implementation of efforts to end homelessness, as well as ensuring programmatic and systemic effectiveness.

- ❖ **Implements which Policy(ies):** HE-2.5
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.H Direct Service to Unhoused Residents



Provide direct service and outreach to unhoused residents consistent with the community-wide intake process to match people experiencing homelessness to existing community resources that are best fit for their situation.

- ❖ **Implements which Policy(ies):** HE-2.5
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department

- ❖ **Source of Funding:** Destination Home Grant

Action HE-2.I Host Empower Homebuyers SCC Workshops



Continue to organize and host workshops for Empower Homebuyers SCC, a program of the County of Santa Clara administered by Housing Trust Silicon Valley.

- ❖ **Implements which Policy(ies):** HE-2.5
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.J Advocate for State and Federal Legislative Changes



Advocate for the availability of capacity building grants for jurisdictions charged with administering housing programs and assets.

- ❖ **Implements which Policy(ies):** HE-2.11
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-2.K Commercial Linkage Fee



Develop and consider a Commercial Linkage Fee Ordinance or similar mechanism when the City has met a housing-job balance of 1:1 ratio.

- ❖ **Implements which Policy(ies):** HE-2.12
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund

Action HE-2.L Agricultural Labor Accommodations



Amend the Zoning Code by 2024 to facilitate by-right Agricultural Labor Accommodations within the OS (Open Space) zoning district consistent with Section 17021.6 of the California Health and Safety Code.

- ❖ **Implements which Policy(ies):** HE-2.14
- ❖ **Timeframe:** 2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund

Action HE-2.M Farmworker Housing



Produce a Farmworker Housing Development Program with the County of Santa Clara through a Memorandum of Understanding.

- ❖ **Implements which Policy(ies):** HE-2.14; HE-2.15; HE-2.16
- ❖ **Timeframe:** 2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

DRAFT

Action HE-3.A Affordable Housing in Eastern Morgan Hill



Identify opportunities and sites for affordable housing development in eastern Morgan Hill.

- ❖ **Implements which Policy(ies):** HE-3.1
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund, Low to Moderate Housing Fund, and Housing In-lieu Fund

Action HE-3.B Affordable Housing Overlay Districts



Study the creation of affordable housing overlay districts in advance of the next Housing Element cycle.

- ❖ **Implements which Policy(ies):** HE-3.1
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund.

Action HE-3.C Rent Increase Mediation



Consider adoption of a mediation requirement for rent increases of 5% or more.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2025-2027
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.D Tenant Relocation Assistance Ordinance



Study the possibility of a tenant relocation assistance ordinance.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2025-2027
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.E Eviction Counsel



Seek funding or develop paths of support for access to counsel in possessory eviction cases.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2025-2027
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.F Shared-equity Homeownership Models



Study the possibility of shared-equity homeownership models.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2025-2027
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.G Review Inclusionary Housing Ordinance



Review the Inclusionary Housing Ordinance to provide deeper for-sale affordability beyond the updated 2021 Inclusionary Housing Ordinance.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.H Preferences for Displaced Tenants



Adopt preferences for tenants who have been displaced from rental housing in Morgan Hill.

- ❖ **Implements which Policy(ies):** HE-3.2
- ❖ **Timeframe:** 2025-2027
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-3.I Create Jobs within Downtown Morgan Hill Priority Development Area



Prioritize the creation of jobs that are accessible to low- and very low-income workers who reside within the Downtown Morgan Hill Priority Development Area (PDA).

- ❖ **Implements which Policy(ies):** HE-3.3
- ❖ **Timeframe:** 2023-2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** General Fund

Action HE-3.J Incentives to Hire Morgan Hill Residents



Create incentives for local businesses to hire Morgan Hill residents.

- ❖ **Implements which Policy(ies):** HE-3.3
- ❖ **Timeframe:** 2023-2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** General Fund

Action HE-3.K Expand Bus Service



Advocate for VTA to expand bus service in Morgan Hill.

- ❖ **Implements which Policy(ies):** HE-3.3
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** General Fund

Action HE-3.L Local First Mile/Last Mile Transit Service



Study local first mile/last mile transit service solutions in Morgan Hill building on lessons learned from the first on-call shuttle service established within the City.

- ❖ **Implements which Policy(ies):** HE-3.3
- ❖ **Timeframe:** 2028-2031
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Capital Projects Fund and General Fund

Action HE-4.A Annual Monitoring of Potential At-Risk BMR Units



Annually monitor the status of at-risk BMR housing units. Contact current property owners of at-risk units to determine their financial objectives and appropriate financial assistance needed to meet those objectives.

- ❖ **Implements which Policy(ies):** HE-4.1
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-4.B Preserve Affordable Housing



Prioritize the preservation of existing affordable housing at risk of loss of affordability covenants.

- ❖ **Implements which Policy(ies):** HE-4.1
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-4.C Rehabilitation



Promote grants to the disabled, seniors, and low-income homeowners to rehabilitate housing units through Rebuilding Together Silicon Valley.

- ❖ **Implements which Policy(ies):** HE-4.1
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Community Development Block Grant

Action HE-5.A Low Barrier Navigation Centers



Amend the Zoning Code by 2024 to facilitate by-right processing procedures for Low Barrier Navigation Centers consistent with Assembly Bill 101.

- ❖ **Implements which Policy(ies):** HE-5.1
- ❖ **Timeframe:** 2023-2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund

Action HE-5.B Biannual Homeless Survey



Coordinate the City's biannual Homeless Census and Survey in partnership with the County of Santa Clara every two years to conduct comprehensive counts of homeless residents to measure the prevalence of homelessness in the communities.

- ❖ **Implements which Policy(ies):** HE-5.1
- ❖ **Timeframe:** Ongoing; biannually
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-5.C Homeless Prevention Rental Assistance



Provide homeless prevention rental assistance through an ongoing County of Santa Clara Rapid Rehousing program, targeting families at risk of homelessness.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.2; HE-5.5; HE-5.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-5.D Safe Park Program



Operate a Safe Park Program with the faith-based community offering an eight space, pet friendly overnight respite at a local church for eight homeless families living in their cars.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.2; HE-5.4
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-5.E Inclement Cold Weather Shelter Program



Coordinate the Inclement Cold Weather Shelter operation with the faith-based community.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.2; HE-5.4
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-5.F List of Available Services



Provide a comprehensive, user friendly, list of homeless and social services available.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.2
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-5.G Provide Direct Services



Provide direct services, case management, and homeless outreach through the City's Unhoused Specialist to engage and offer support and basic needs to our homeless residents. Work alongside the Psychiatric Emergency Response Team (PERT), a Mental Health Collaboration with the County Behavioral Health Department.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.3; HE-5.5; HE-5.12
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Destination Home Grant

Action HE-5.H Supportive, Transitional, and Emergency Housing



Maintain provisions for supportive and transitional housing and emergency shelters in the City's Zoning.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.4; HE-5.7; HE-5.8; HE-6.9; HE-6.10
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department

- ❖ **Source of Funding:** Development Services Fund

Action HE-5.I By-right Transitional and Supportive Housing



Amend the Zoning Code by 2024 to facilitate by-right transitional and supportive housing where multi-unit and mixed-use development is permitted consistent with Assembly Bill 2162.

- ❖ **Implements which Policy(ies):** HE-5.1; HE-5.4; HE-5.7; HE-5.8; HE-6.9; HE-6.10
- ❖ **Timeframe:** 2023-2024
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Long Range Planning Fund

Action HE-5.J Shelter Bed Hotline



Participate and promote the countywide coordinated shelter bed hotline.

- ❖ **Implements which Policy(ies):** HE-5.12
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-6.A Housing for Developmentally Disabled Adults



Work with non-profit organizations to evaluate the need for additional units in Morgan Hill for developmentally disabled adults.

- ❖ **Implements which Policy(ies):** HE-6.2
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-6.B San Andreas Regional Center Coordination



Coordinate with San Andreas Regional Center to integrate adults with developmental disabilities into housing integrated with the rest of the community.

- ❖ **Implements which Policy(ies):** HE-6.2
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-6.C Emergency Voucher Program



Consider implementing a one-time emergency voucher program to assist residents displaced by criminal activity, natural disasters, or other emergencies. Coordinate with social service providers.

- ❖ **Implements which Policy(ies):** HE-6.5
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-6.D Increase Awareness of Universal Design Principles



Educate the Planning Commission about universal design. Make information available at the Development Services Center.

- ❖ **Implements which Policy(ies):** HE-6.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund

Action HE-6.E Universal Design Ordinance



Study, and if appropriate, adopt a universal design ordinance or policies or objective standards to encourage the inclusion of universal design features in new construction. Options include identifying minimum, cost-effective amenities for all new construction.

- ❖ **Implements which Policy(ies):** HE-6.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund

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Action HE-7.A Outreach and Education



Implement a community engagement and awareness campaign around affordable housing with the intent to raise awareness of Housing Programs, Housing Search, and to demystify Affordable Housing.

- ❖ **Implements which Policy(ies):** HE-3.4; HE-7.1; HE-7.2; HE-7.3; HE-7.4; HE-7.5; HE-7.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Low to Moderate Housing Fund and Housing In-lieu Fund

Action HE-7.B Market Accessory Dwelling Unit (ADU) Programs



Increase education and awareness of Accessory Dwelling Unit (ADU) programs to homeowners and partner with Community Development Financial Institutions (CDFIs) to market existing loan programs available for ADUs.

- ❖ **Implements which Policy(ies):** HE-1.3; HE-1.5; HE-7.1; HE-7.2; HE-7.5; HE-7.6
- ❖ **Timeframe:** Ongoing
- ❖ **Responsible Department or Agency:** Development Services Department
- ❖ **Source of Funding:** Development Services Fund, Low to Moderate Housing Fund, and Housing In-lieu Fund

Quantified Objectives

State law (California Government Code Section 65583[b]) requires that housing elements contain quantified objectives for the maintenance, preservation, and construction of housing. The quantified objectives set a target goal for Morgan Hill to strive for based on needs, resources, and constraints.

	<i>Extremely Low Income</i>	<i>Very Low Income</i>	<i>Low Income</i>	<i>Moderate Income</i>	<i>Above Moderate Income</i>	<i>TOTAL</i>
New Construction ¹	131	131	151	174	450	1,037
Rehabilitation	23	34	43	N/A	N/A	100
Conservation/ Preservation	N/A	N/A	N/A	N/A	N/A	N/A

¹ New construction objective is equal to the RHNA.



Appendix H1

Housing Needs Assessment

City of Morgan Hill Housing Element 2023-2031

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City of Morgan Hill Housing Element

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APPENDIX H-1 | Housing Needs Assessment

1.1 Introduction

The Bay Area continues to see growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In many cities, this has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

The 2023-2031 Housing Element Update provides a roadmap for how to meet our growth and housing challenges. Required by the state, the Housing Element identifies the existing housing conditions and community needs, reiterates goals, and creates a plan for more housing. The Housing Element is an integral part of the General Plan, which guides the policies of Morgan Hill.

1.2 Summary of Key Facts

- **Population** – Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Morgan Hill increased by 38.3% from 2000 to 2020, which is above the growth rate of the Bay Area.
- **Age** – In 2019, Morgan Hill's youth population under the age of 18 was 11,606, and senior population 65 and older was 6,240. These age groups represent 26.0% and 14.0%, respectively, of Morgan Hill's population.
- **Race/Ethnicity** – In 2020, 49.0% of Morgan Hill's population was White while 1.7% was African American, 13.7% was Asian, and 31.3% was Latinx. People of color in Morgan Hill comprise a proportion below the overall proportion in the Bay Area as a whole.¹
- **Employment** – Morgan Hill residents most commonly work in the *Health & Educational Services* industry. From January 2010 to January 2021, the unemployment rate in Morgan Hill decreased by 6.6 percentage points. Since 2010, the number of jobs located in the jurisdiction increased by 3,680 (28.0%). Additionally, the jobs-household ratio in Morgan Hill has increased from 1.18 in 2002 to 1.19 jobs per household in 2018.

¹ The Census Bureau's American Community Survey accounts for ethnic origin separate from racial identity. The numbers reported here use an accounting of both such that the racial categories are shown exclusive of Latinx status, to allow for an accounting of the Latinx population regardless of racial identity. The term Hispanic has historically been used to describe people from numerous Central American, South American, and Caribbean countries. In recent years, the term Latino or Latinx has become preferred. This report generally uses Latinx, but occasionally when discussing US Census data, we use Hispanic or Non-Hispanic, to clearly link to the data source.

- **Number of Homes** – The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in Morgan Hill increased, 19.4% from 2010 to 2020, which is *above* the growth rate for Santa Clara County and *above* the growth rate of the region’s housing stock during this time period.
- **Home Prices** – A diversity of homes at all income levels creates opportunities for all Morgan Hill residents to live and thrive in the community.
 - **Ownership** The largest proportion of homes had a value in the range of \$750k-\$1M in 2019. Home prices increased by 100.6% from 2010 to 2020.
 - **Rental Prices** – The typical contract rent for an apartment in Morgan Hill was \$1,680 in 2019. Rental prices increased by 37.2% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$67,440 per year.²
- **Housing Type** – It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 59.0% of homes in Morgan Hill were single family detached, 17.7% were single family attached, 5.5% were small multifamily (2-4 units), and 9.8% were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single-family units increased more than multi-family units. Generally, in Morgan Hill, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region.
- **Cost Burden** – The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” In Morgan Hill, 20.1% of households spend 30%-50% of their income on housing, while 15.3% of households are severely cost burden and use the majority of their income for housing.
- **Displacement/Gentrification** – According to research from The University of California, Berkeley, 0.0% of households in Morgan Hill live in neighborhoods that are susceptible to or experiencing displacement, and 0.0% live in areas at risk of or undergoing gentrification. 22.6% of households in Morgan Hill live in neighborhoods where low-income households are likely excluded due to prohibitive housing costs. There are various ways to address displacement including ensuring new housing at all income levels is built.
- **Neighborhood** – 0.0% of residents in Morgan Hill live in neighborhoods identified as “Highest Resource” or “High Resource” areas by State-commissioned research, while 23.9% of residents live in areas identified by this research as “Low Resource” or “High

² Note that contract rents may differ significantly from, and often being lower than, current listing prices.

Segregation and Poverty” areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.³

- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Morgan Hill, 9.1% of residents have a disability of any kind and may require accessible housing. Additionally, 13.3% of Morgan Hill households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 10.9% of households are female-headed families, which are often at greater risk of housing insecurity.

1.3 Looking to the Future: Regional Housing Needs

1.3.1 Regional Housing Needs Determination

The Plan Bay Area 2050⁴ Final Blueprint forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by this Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region’s housing need as 441,176 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing.⁵ This calculation, known as the Regional Housing Needs Determination (RHND), is based on population projections produced by the California Department of Finance, as well as adjustments that incorporate the region’s existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region’s vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones.⁶ These new laws governing the methodology for how HCD calculates the RHND resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous RHNA cycles.

³ For more information on the “opportunity area” categories developed by HCD and the California Tax Credit Allocation Committee, see this website: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing Element requirements related to affirmatively furthering fair housing. ABAG/MTC will be providing jurisdictions with technical assistance on this topic this summer, following the release of additional guidance from HCD.

⁴ Plan Bay Area 2050 is a long-range plan charting the course for the future of the nine-county San Francisco Bay Area. It covers four key issues: the economy, the environment, housing and transportation

⁵ HCD divides the RHND into the following four income categories:

Very Low-income: 0-50% of Area Median Income

Low-income: 50-80% of Area Median Income

Moderate-income: 80-120% of Area Median Income

Above Moderate-income: 120% or more of Area Median Income

⁶ For more information on HCD’s RHND calculation for the Bay Area, see this letter sent to ABAG from HCD on June 9, 2020: [https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920\(r\).pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920(r).pdf)

1.3.2 Regional Housing Needs Allocation

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation or RHNA – the share of the RHND assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). State Housing Element Law requires ABAG to develop a methodology that calculates the number of housing units assigned to each city and county and distributes each jurisdiction's housing unit allocation among four affordability levels. For this RHNA cycle, the RHND increased by 135%, from 187,990 to 441,776. For more information on the RHNA process this cycle, see ABAG's website: <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation>

Almost all jurisdictions in the Bay Area are likely to receive a larger RHNA this cycle compared to the last cycle, primarily due to changes in state law that led to a considerably higher RHND compared to previous cycles.

In January 2021, ABAG adopted the RHNA Methodology and adopted the Final RHNA Plan, issuing final RHNA allocations, on December 16, 2021. For Morgan Hill, the RHNA to be planned for this cycle is 1,037 units, a slated increase from the last cycle. The RHNA allocation that Morgan Hill received is broken down by income category as follows:

<i>Income Groups</i>	Morgan Hill Units	Santa Clara County Units	Bay Area Units	Morgan Hill Percent	Santa Clara County Percent	Bay Area Percent
Very Low Income (<50% of AMI)	262	32316	114442	25.3%	24.9%	25.9%
Low Income (50%-80% of AMI)	151	18607	65892	14.6%	14.4%	14.9%
Moderate Income (80%-120% of AMI)	174	21926	72712	16.8%	16.9%	16.5%
Above Moderate Income (>120% of AMI)	450	56728	188130	43.4%	43.8%	42.6%
Total	1,037	129,577	441,176	100%	100%	100%

Source: Association of Bay Area Governments Methodology and tentative numbers were approved by ABAG's Executive board on January 21, 2021 (Resolution No. 02-2021). ABAG's Executive board adopted the Final RHNA Plan on December 16, 2021.

1.4 Population, Employment, and Household Characteristics

1.4.1 Population

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth. Since 2000, Morgan Hill's population has increased by 38.3%; this rate is above that of the region as a whole, at 14.8%. In Morgan Hill, roughly 11.7% of its population moved during the past year, a number 1.7 percentage points smaller than the regional rate of 13.4%.

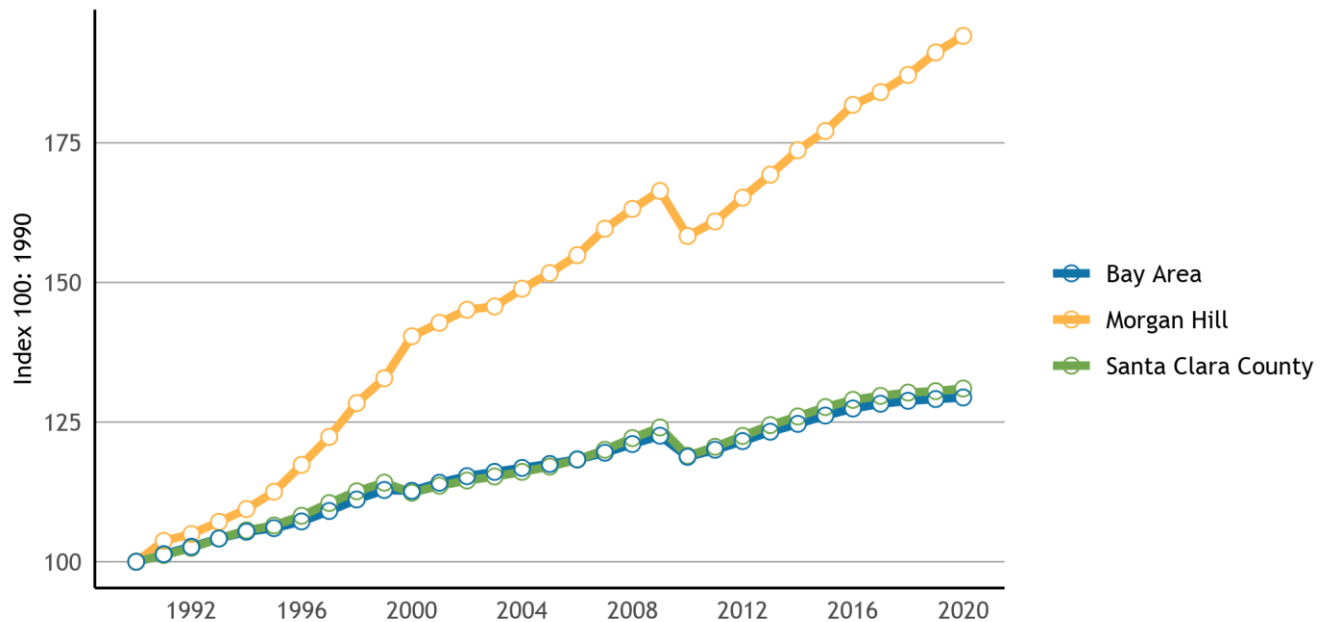
<i>Geography</i>	<i>1990</i>	<i>1995</i>	<i>2000</i>	<i>2005</i>	<i>2010</i>	<i>2015</i>	<i>2020</i>
Morgan Hill	23,928	26,924	33,586	36,292	37,882	42,380	46,454
Santa Clara County	1,497,577	1,594,818	1,682,585	1,752,696	1,781,642	1,912,180	1,961,969
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

Universe: Total population

Source: California Department of Finance, E-3 series

In 2020, the population of Morgan Hill was estimated to be 46,454 (see Table 2). From 1990 to 2000, the population increased by 40.4%, while it increased by 12.8% during the first decade of the 2000s. In the most recent decade, the population increased by 22.6%. The population of Morgan Hill makes up 2.4% of Santa Clara County.⁷

⁷ To compare the rate of growth across various geographic scales, Figure 1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e. percent change) in each of these geographies relative to their populations in 1990.

Figure H 1-1: Population Growth Trends

Source: California Department of Finance, E-5 series. Note: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the first year shown. The data points represent the relative population growth in each of these geographies relative to their populations in that year. DOF uses the decennial census to benchmark subsequent population estimates.

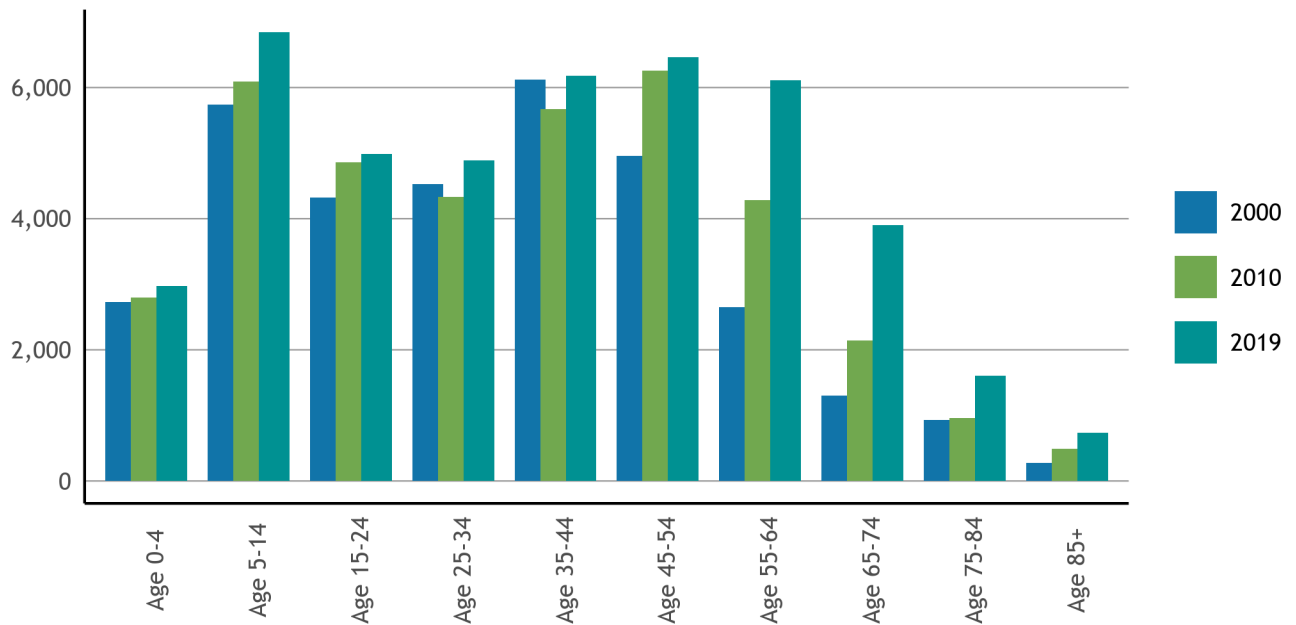
1.4.2 Age

The distribution of age groups in a city shapes what types of housing the community may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a move by many to age-in-place or downsize to stay within their communities, which can mean more multifamily and accessible units are also needed.

In Morgan Hill, the median age in 2000 was 32.9; by 2019, this figure had increased, landing at around 39 years. More specifically, the population of those under 14 has increased since 2010, while the 65-and-over population has increased (see Figure [H 1-22](#)).

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Figure H 1-2: Population by Age, 2000-2019



Universe: Total population

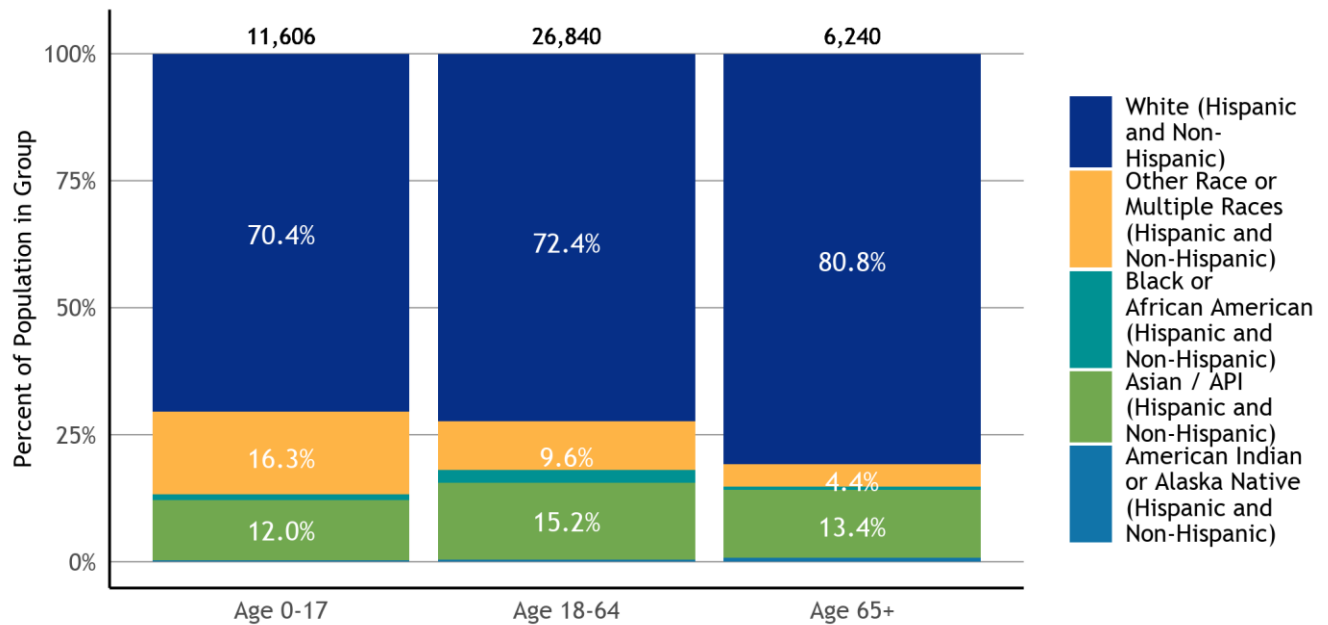
Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. People of color⁸ make up 19.2% of seniors and 29.6% of youth under 18 (see Figure [H 1-33](#)).

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⁸ Here, we count all non-white racial groups

Figure H 1-3: Senior and Youth Population by Race



Universe: Total population

Notes: In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity, and an overlapping category of Hispanic / non-Hispanic groups has not been shown to avoid double counting in the stacked bar chart.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G)

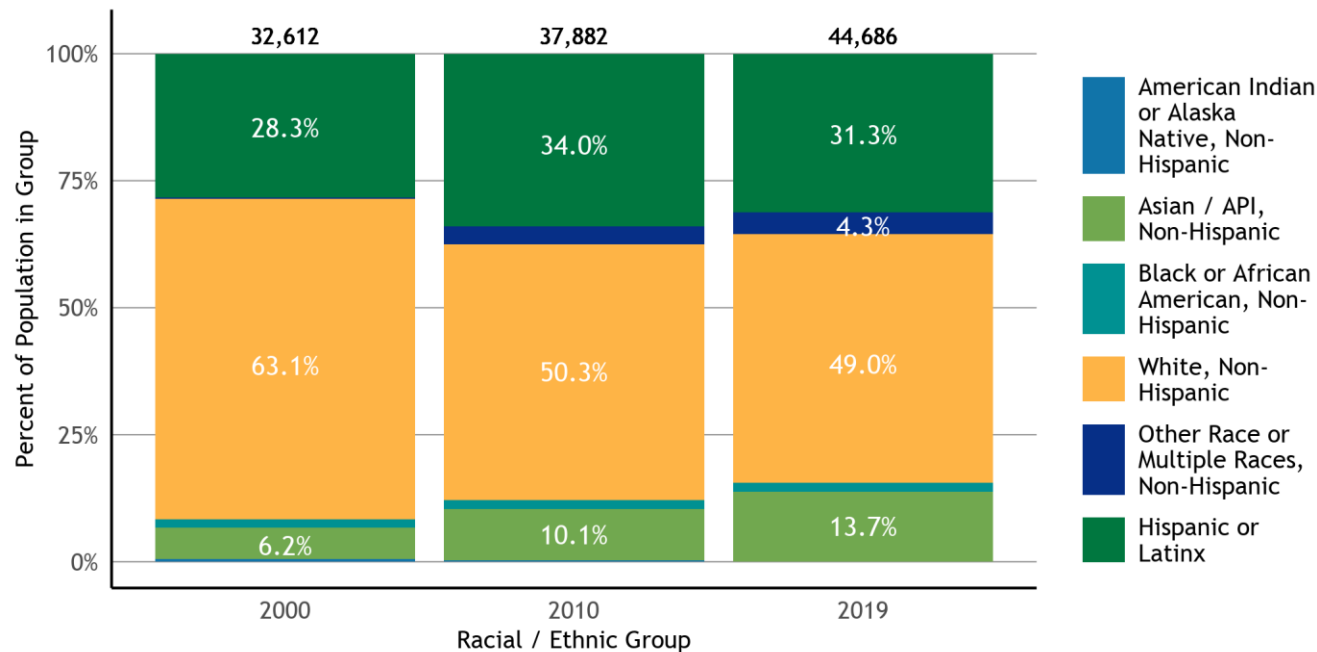
1.4.3 Race and Ethnicity

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today⁹. Since 2000, the percentage of residents in Morgan Hill identifying as White has decreased – and by the same token the percentage of residents of all *other* races and ethnicities has *increased* – by 14.2 percentage points, with the 2019 population standing at 21,880 (see Figure 1-44). In absolute terms, the *Hispanic or Latinx* population increased the most while the *American Indian or Alaska Native, Non-Hispanic* population decreased the most.

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⁹ See, for example, Rothstein, R. (2017). *The color of law: a forgotten history of how our government segregated America*. New York, NY & London, UK: Liveright Publishing.

Figure H 1-4: Population by Race, 2000-2019



Universe: Total population

Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

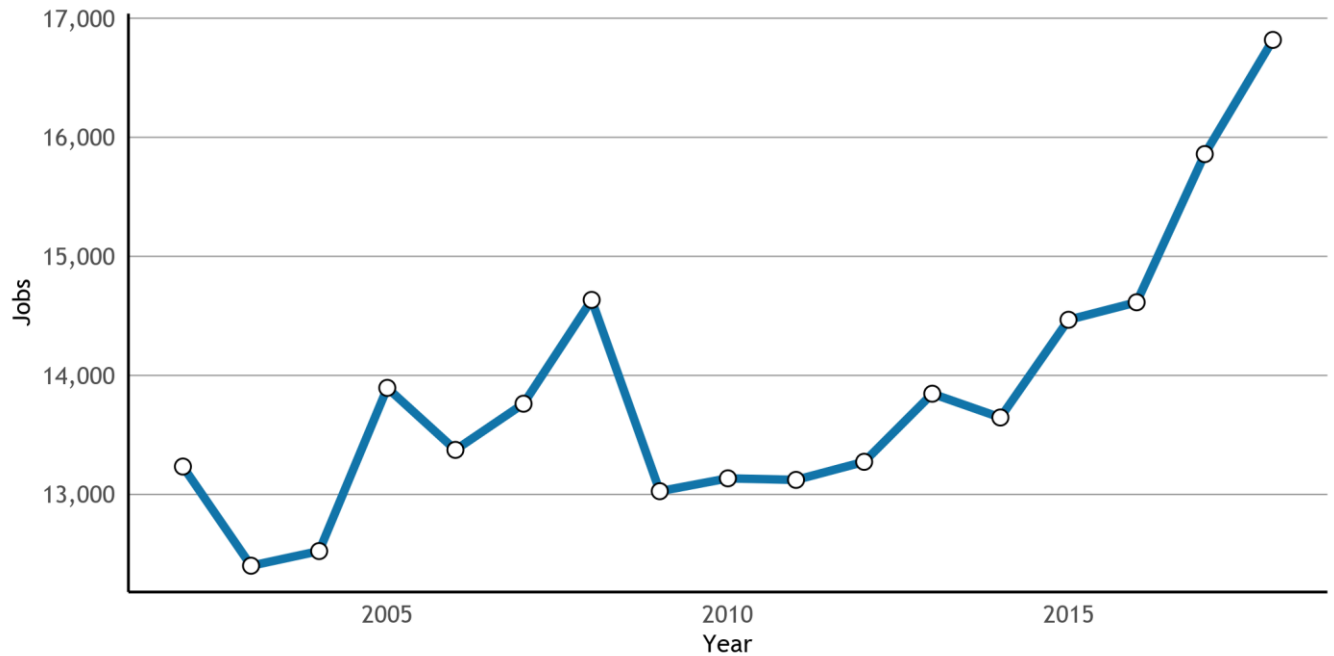
1.4.4 Employment Trends

1.4.4.1 Balance of Jobs and Workers

A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city, but more often employ workers commuting from outside of it. Smaller cities typically will have more employed residents than jobs there and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between *workers* and *jobs*. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" them. Between 2002 and 2018, the number of jobs in Morgan Hill increased by 27.1% (see Figure 5).

Figure H 1-5: Jobs in a Jurisdiction



Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018

There are 21,775 employed residents, and 18,428 jobs¹⁰ in Morgan Hill - the ratio of jobs to resident workers is 0.85; Morgan Hill is a *net exporter of workers*.

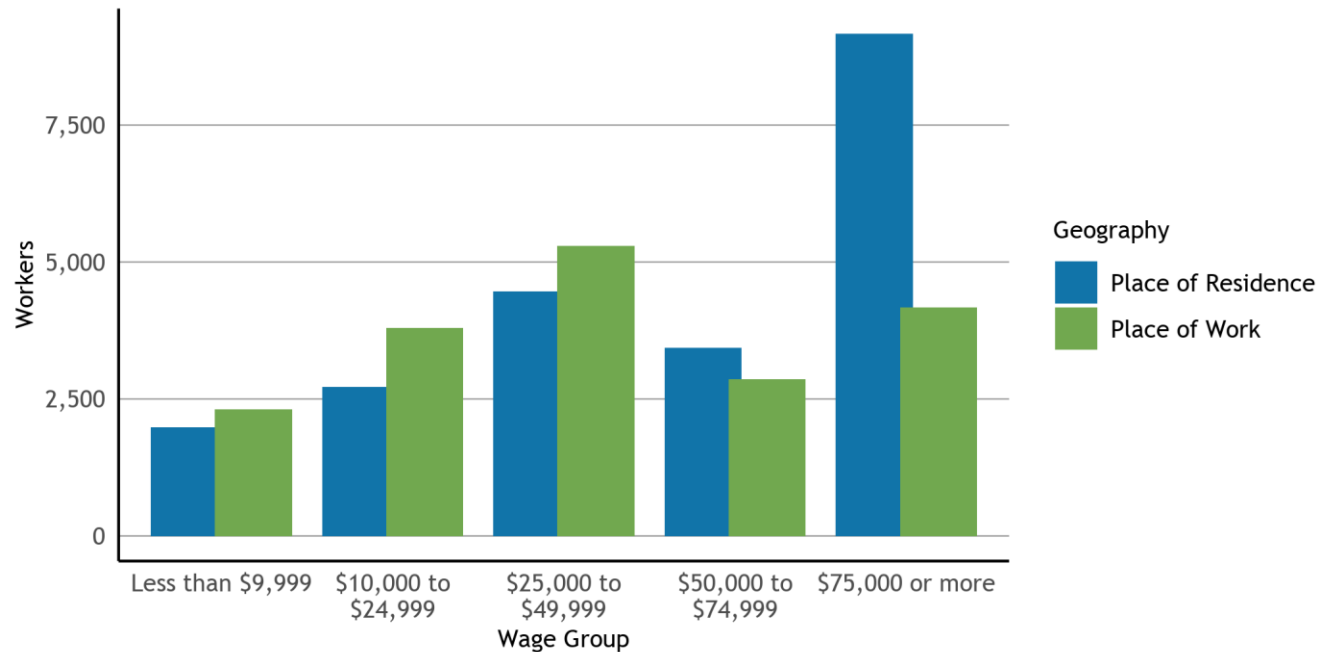
Figure H 1-66 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers. Conversely, it may house residents who are low wage workers, but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative *surplus* of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear. Morgan Hill has more low-wage *jobs* than low-wage *residents* (where low-wage refers to jobs paying less than \$25,000). At the other end of the wage spectrum, the city has more high-

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¹⁰ Employed *residents* in a jurisdiction is counted by place of residence (they may work elsewhere) while *jobs* in a jurisdiction are counted by place of work (they may live elsewhere). The jobs may differ from those reported in Figure 5 as the source for the time series is from administrative data, while the cross-sectional data is from a survey.

wage *residents* than high-wage *jobs* (where high-wage refers to jobs paying more than \$75,000) (see Figure [H 1-66](#)).¹¹

Figure H 1-6: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence



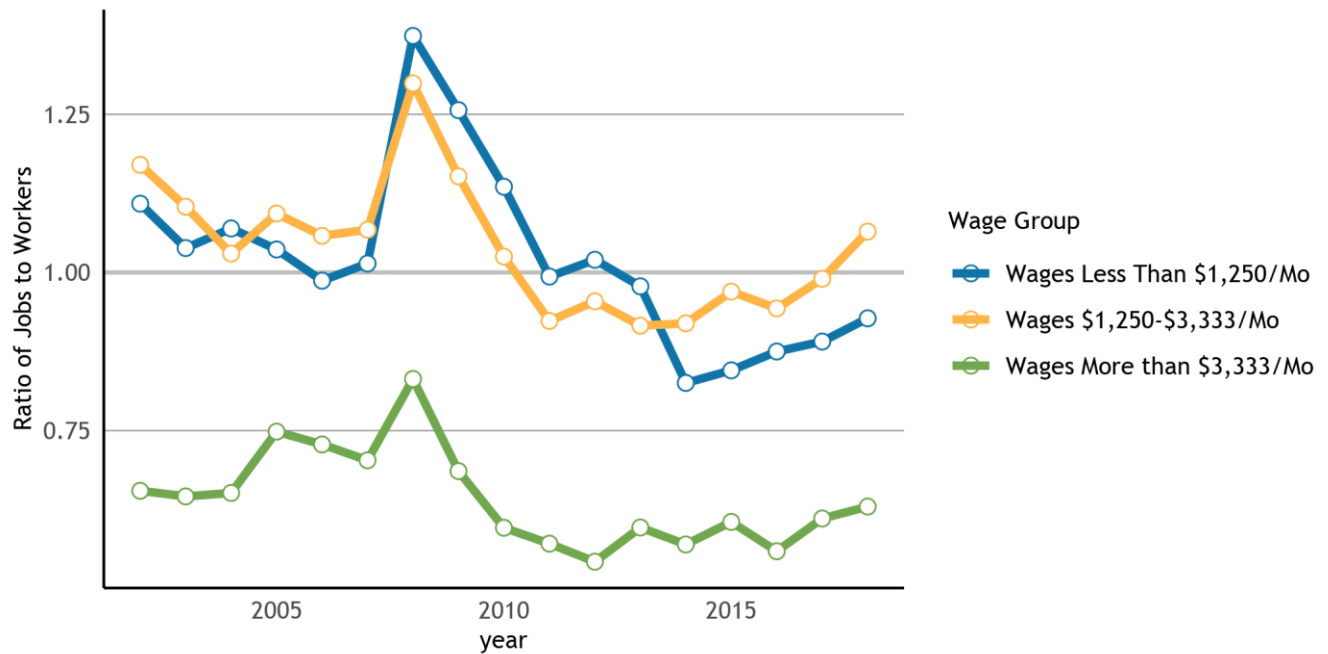
Universe: Workers 16 years and over with earnings

Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519

Figure [H 1-77](#) shows the balance of a jurisdiction's resident workers to the jobs located there for different wage groups as a ratio instead - a value of 1 means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above 1 indicate a jurisdiction will need to import workers for jobs in a given wage group. At the regional scale, this ratio is 1.04 jobs for each worker, implying a modest import of workers from outside the region (see Figure [H 1-77](#)).

¹¹ The source table is top-coded at \$75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

Figure H 1-7: Jobs-Worker Ratios, By Wage Group



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.

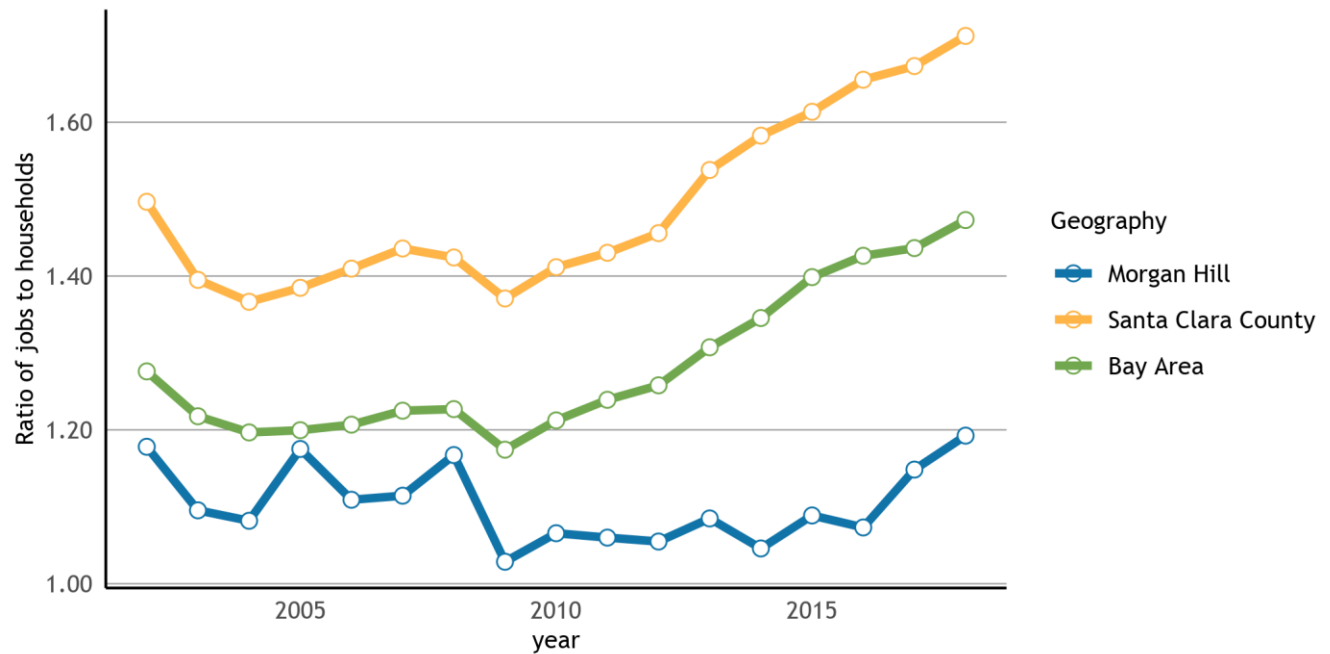
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018

Such balances between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate it contributes to traffic congestion and time lost for all road users.

If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs to household ratio. Thus bringing housing into the measure, the *jobs-household ratio* in Morgan Hill has increased from 1.18 in 2002, to 1.19 jobs per household in 2018 (see Figure [H 1-88](#)).

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Figure H 1-8: Jobs-Household Ratio



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction

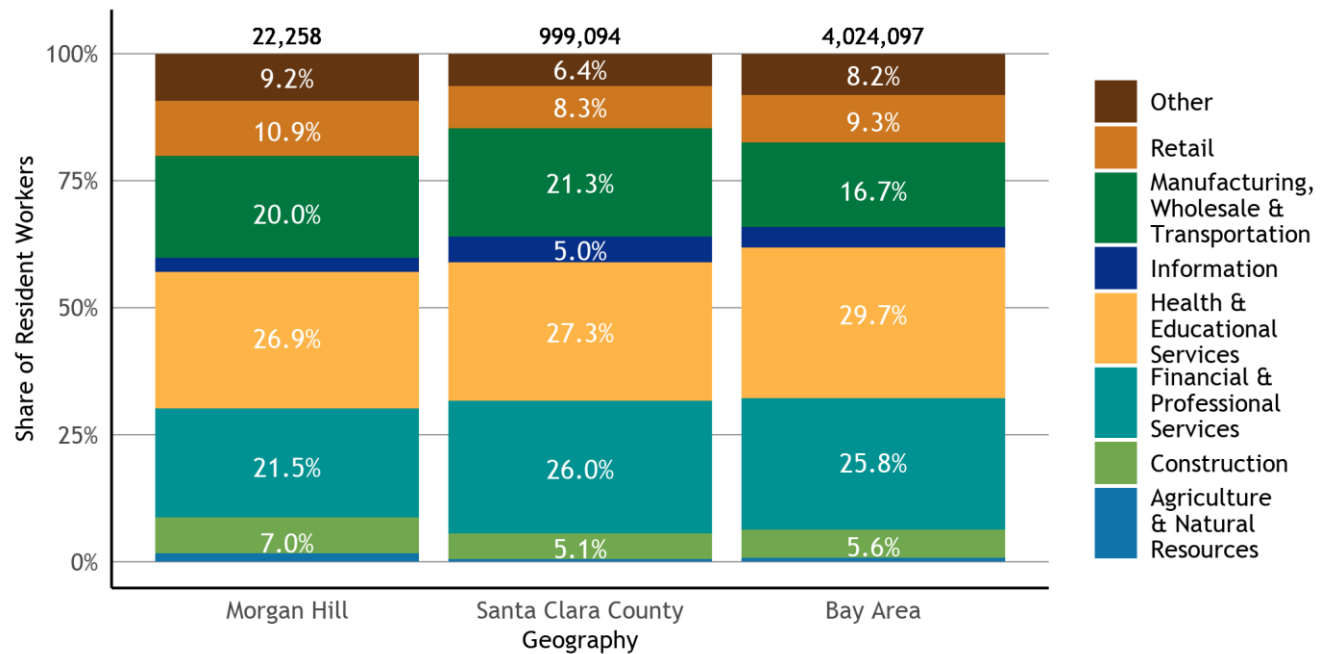
Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)

1.4.4.2 Sector Composition

In terms of sectoral composition, the largest industry in which Morgan Hill residents work is *Health & Educational Services*, and the largest sector in which Santa Clara residents work is *Health & Educational Services* (see Figure H 1-99). For the Bay Area as a whole, the *Health & Educational Services* industry employs the most workers.

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Figure H 1-9: Resident Employment by Industry

Universe: Civilian employed population age 16 years and over.

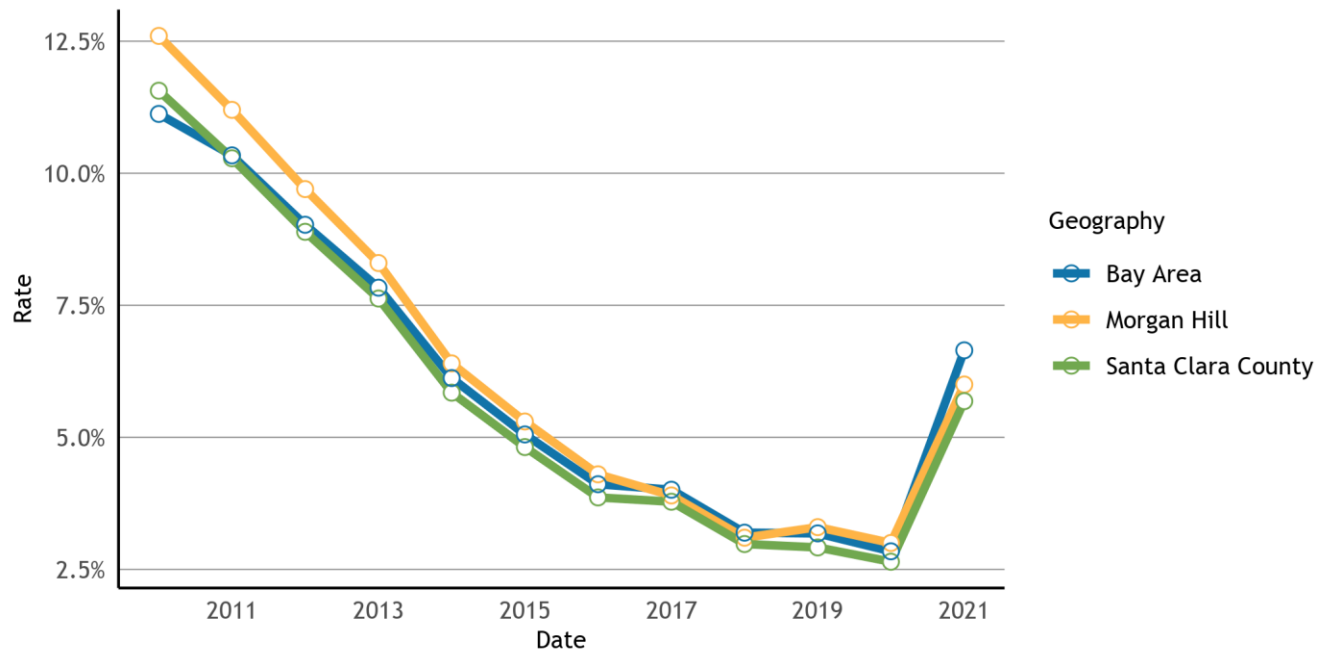
Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables: Agriculture & Natural Resources: C24030_003E, C24030_030E; Construction: C24030_006E, C24030_033E; Manufacturing, Wholesale & Transportation: C24030_007E, C24030_034E, C24030_008E, C24030_035E, C24030_010E, C24030_037E; Retail: C24030_009E, C24030_036E; Information: C24030_013E, C24030_040E; Financial & Professional Services: C24030_014E, C24030_041E, C24030_017E, C24030_044E; Health & Educational Services: C24030_021E, C24030_024E, C24030_048E, C24030_051E; Other: C24030_027E, C24030_054E, C24030_028E, C24030_055E

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030

1.4.4.3 Unemployment

In Morgan Hill, there was a 6.6 percentage point decrease in the unemployment rate between January 2010 and January 2021. Jurisdictions through the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and recovery in the later months of 2020.

Figure H 1-10: Unemployment Rate



Universe: Civilian noninstitutional population ages 16 and older

Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

1.4.5 Extremely Low-Income Households

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state¹².

In Morgan Hill, 55.2% of households make more than 100% of the Area Median Income (AMI)¹³, compared to 13.9% making less than 30% of AMI, which is considered extremely low-income (see Figure [H 1-1111](#)).

Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Santa Clara County, 30% AMI is the equivalent to the annual income of \$39,900 for a family of four. Many households with multiple wage earners – including food service workers,

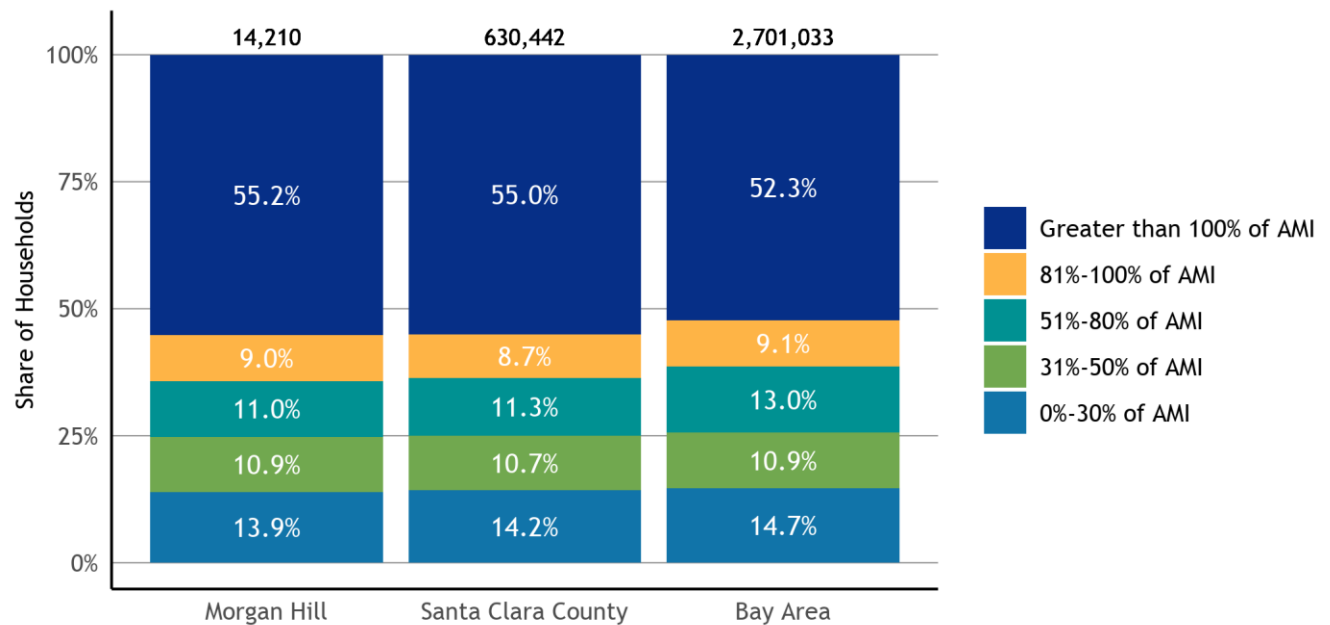
¹² Bohn, S. et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.

¹³ Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.

full-time students, teachers, farmworkers and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

HCD's guidance notes that instead of using U.S. Census data to calculate the percentage of very low-income RHNA that qualifies for extremely low-income households, local jurisdictions can presume that 50% of their RHNA for very low-income households qualifies for extremely low-income households. Therefore, the City of Morgan Hill assumes that 50% of Morgan Hill's very low-income RHNA is for extremely low-income households.

Figure H 1-11: Households by Household Income Level



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located. Local jurisdictions are required to provide an estimate for their projected extremely low-income households (0-30% AMI) in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50% AMI) to calculate their projected extremely low-income households.

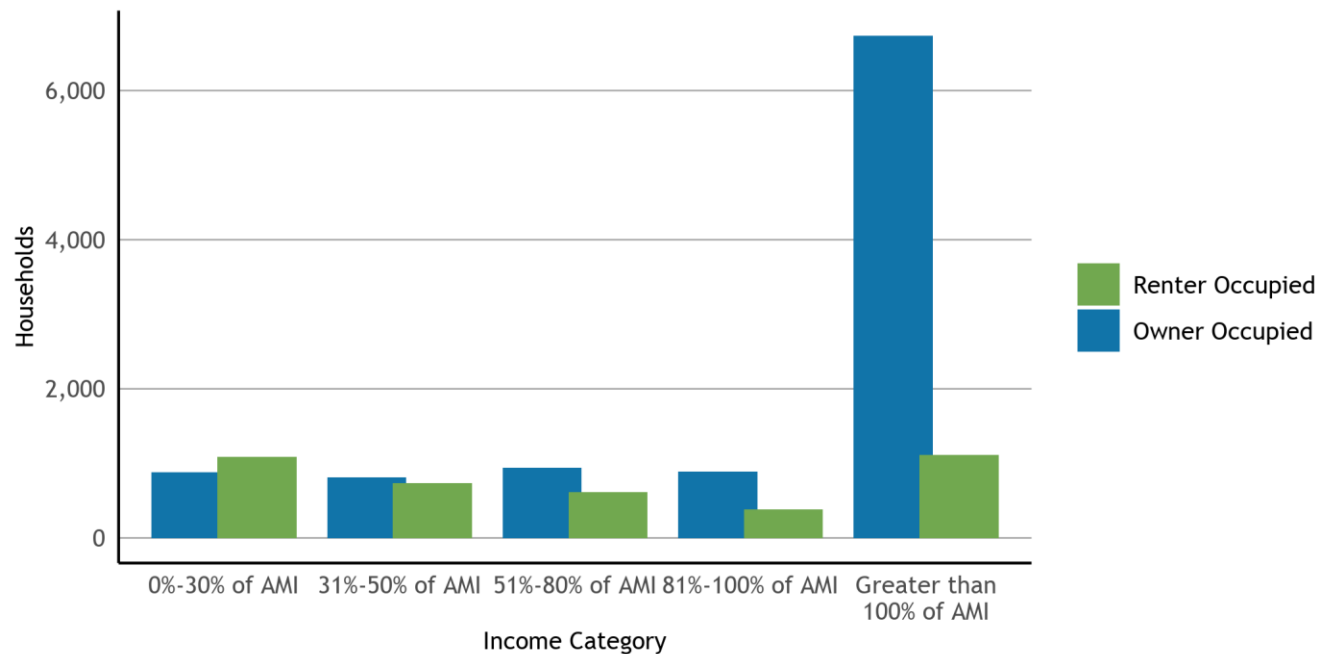
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households.

In Morgan Hill, the largest proportion of renters falls in the *Greater than 100% of AMI* income group, while the largest proportion of homeowners are found in the *Greater than 100% of AMI* group (see Figure [H 1-12](#)).

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Figure H 1-12: Household Income Level by Tenure



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

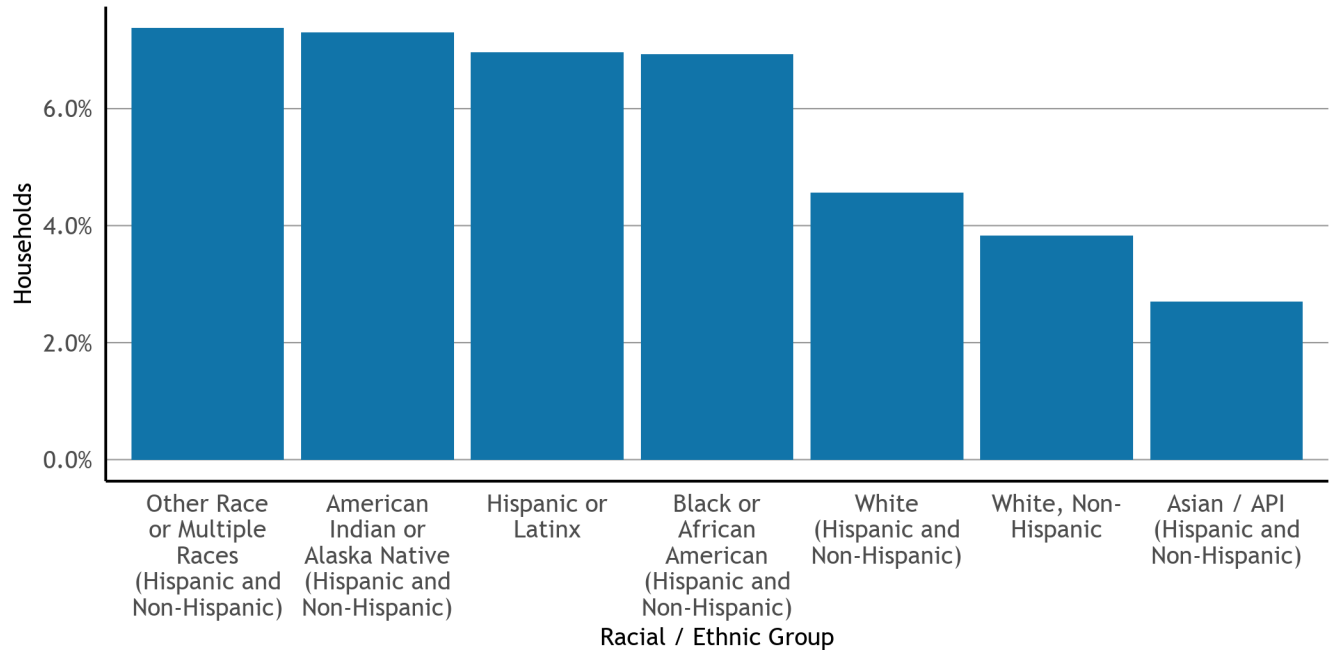
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-21.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.¹⁴ These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In Morgan Hill, Other Race or Multiple Races (Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by American Indian or Alaska Native (Hispanic and Non-Hispanic) residents (see Figure [H 1-1313](#)).

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¹⁴ Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

Figure H 1-13: Poverty Status by Race

Universe: Population for whom poverty status is determined

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.

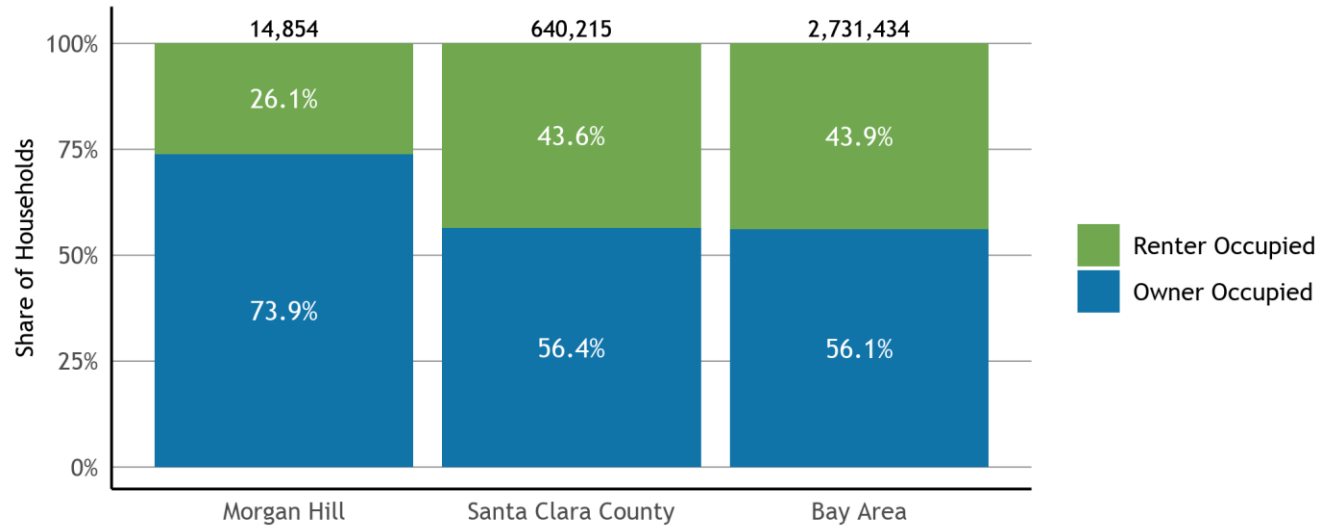
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I)

1.4.6 Tenure

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase. In Morgan Hill there are a total of 14,854 housing units, and fewer residents rent than own their homes: 26.1% versus 73.9% (see Figure [H 1-1414](#)). By comparison, 43.6% of households in Santa Clara County are renters, while 44% of Bay Area households rent their homes.

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Figure H 1-14: Housing Tenure

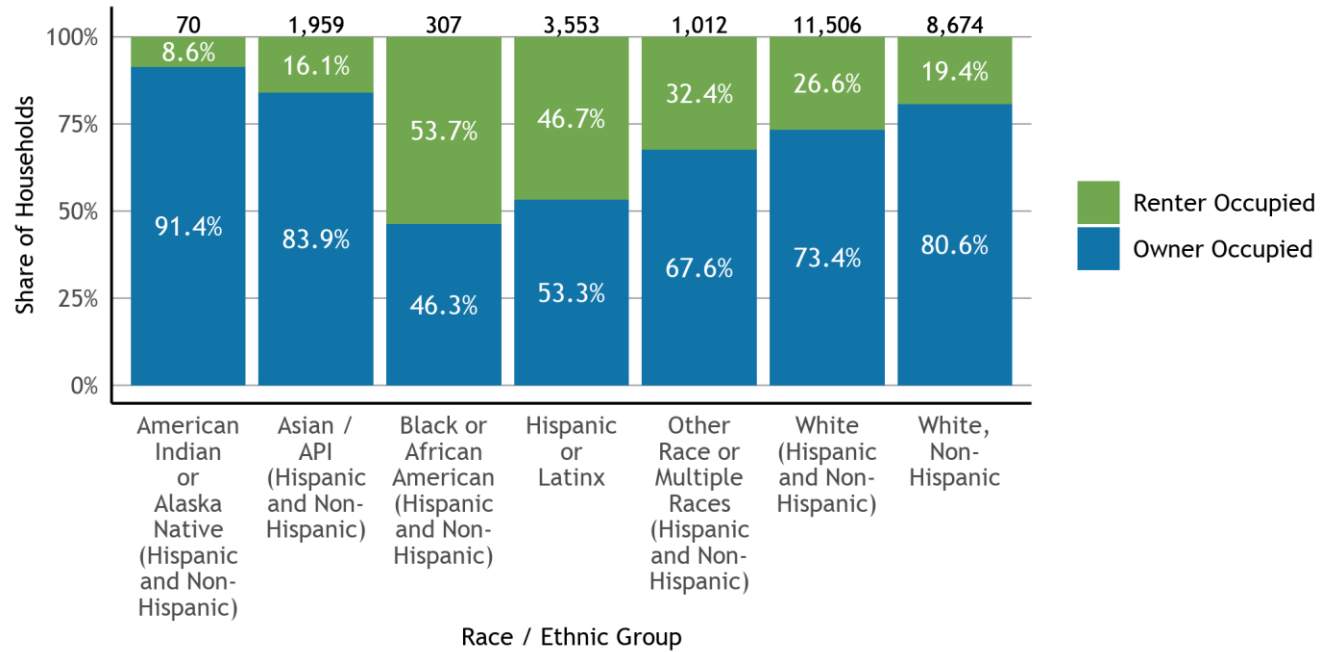


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities.¹⁵ In Morgan Hill, 46.3% of Black households owned their homes, while homeownership rates were 83.9% for Asian households, 53.3% for Latinx households, and 73.4% for White households. Notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

¹⁵ See, for example, Rothstein, R. (2017). *The color of law : a forgotten history of how our government segregated America*. New York, NY & London, UK: Liveright Publishing.

Figure H 1-15: Housing Tenure by Race of Householder

Universe: Occupied housing units

Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

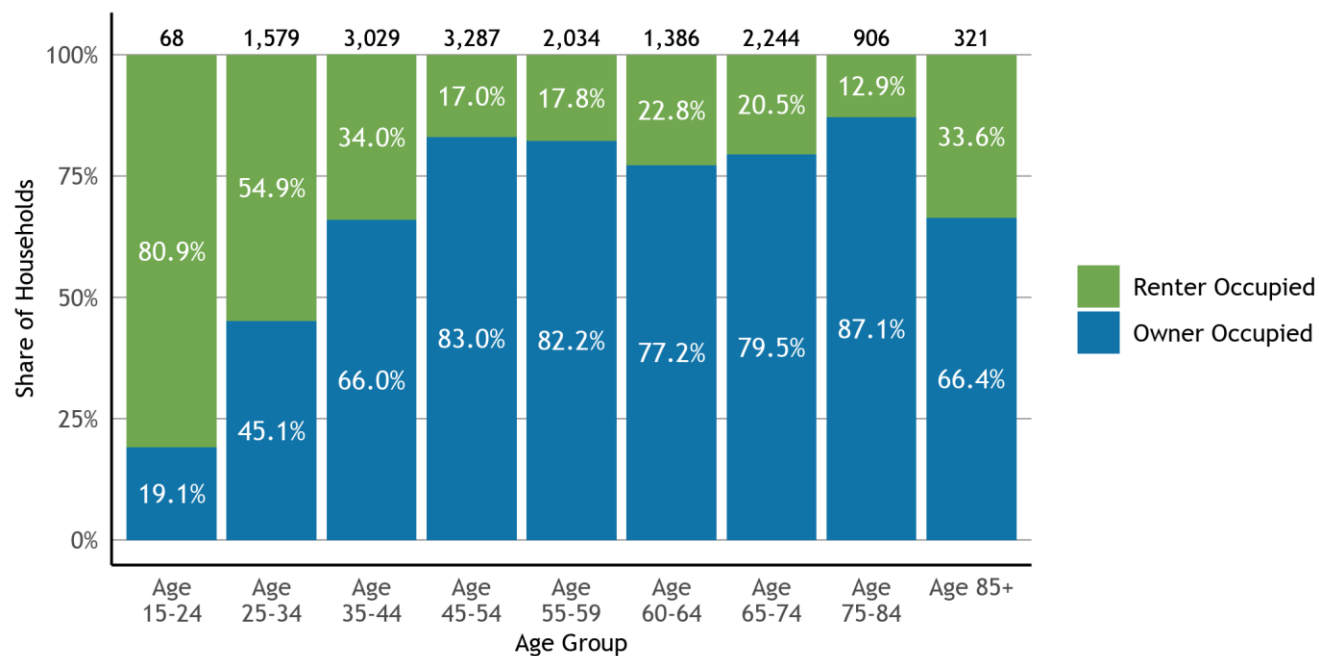
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I)

The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent and may struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market.

In Morgan Hill, 41.2% of householders between the ages of 25 and 44 are renters, while 19.8% of householders over 65 are (see Figure [H 1-16](#)).

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Figure H 1-16: Housing Tenure by Age



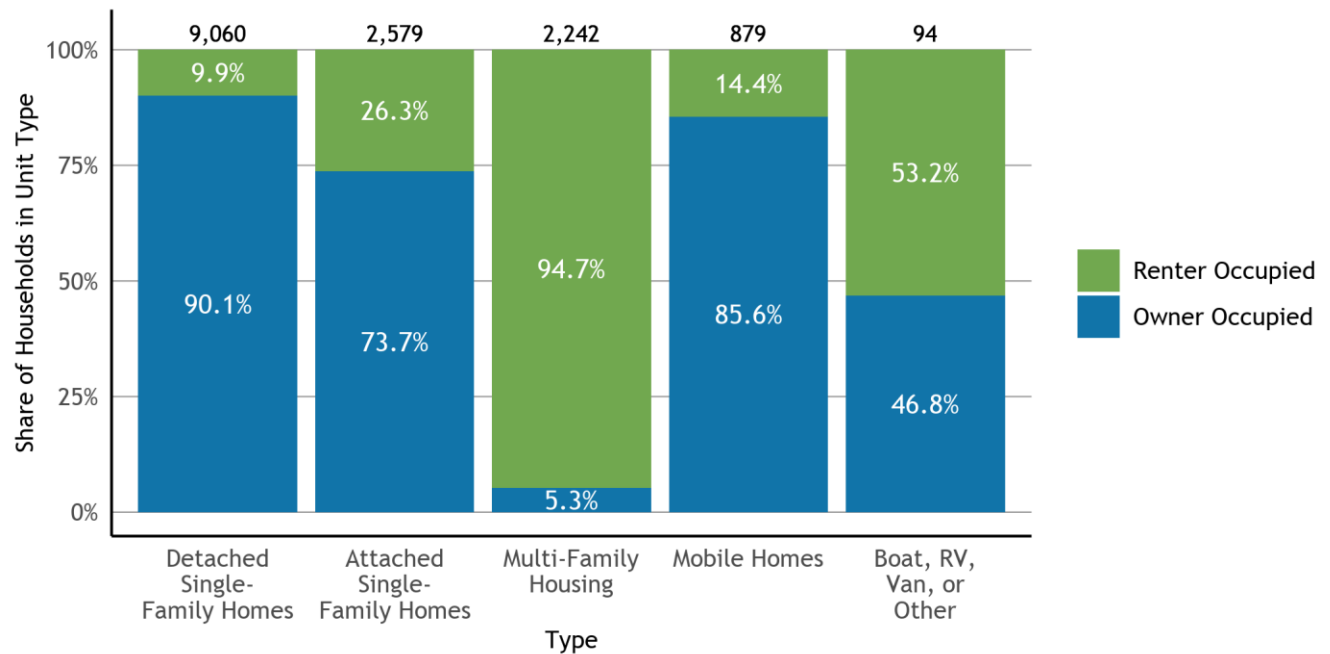
Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Morgan Hill, 90.1% of households in detached single-family homes are homeowners, while 5.3% of households in multi-family housing are homeowners (see Figure [H 1-1717](#)).

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Figure H 1-17: Housing Tenure by Housing Type



Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032

1.4.7 Displacement

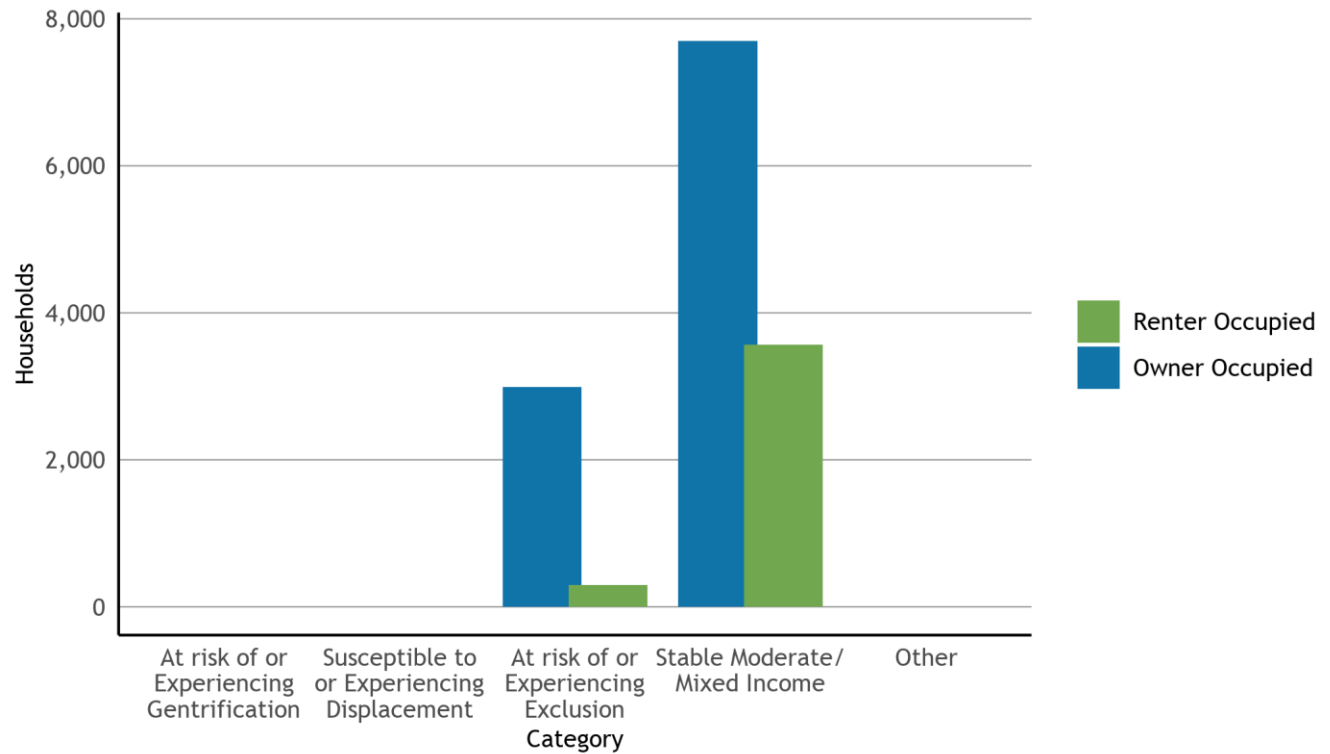
Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

The University of California, Berkeley has mapped all neighborhoods in the Bay area, identifying their risk for gentrification. They find that in Morgan Hill, 0.0% of households live in neighborhoods that are susceptible to or experiencing displacement and 0.0% live in neighborhoods at risk of or undergoing gentrification.

Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 22.6% of households in Morgan Hill live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.¹⁶

¹⁶ More information about this gentrification and displacement data is available at the Urban Displacement Project's webpage: <https://www.urbandisplacement.org/>. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 18 at this link: https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png. Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: <https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement>

Figure H 1-18: Households by Displacement Risk and Tenure



Universe: Households

Notes: Displacement data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources. Categories are combined as follows for simplicity: At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification Stable Moderate/Mixed Income: Stable Moderate/Mixed Income Susceptible to or Experiencing Displacement: Low-Income/Susceptible to Displacement; Ongoing Displacement Other: High Student Population; Unavailable or Unreliable Data

Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure.

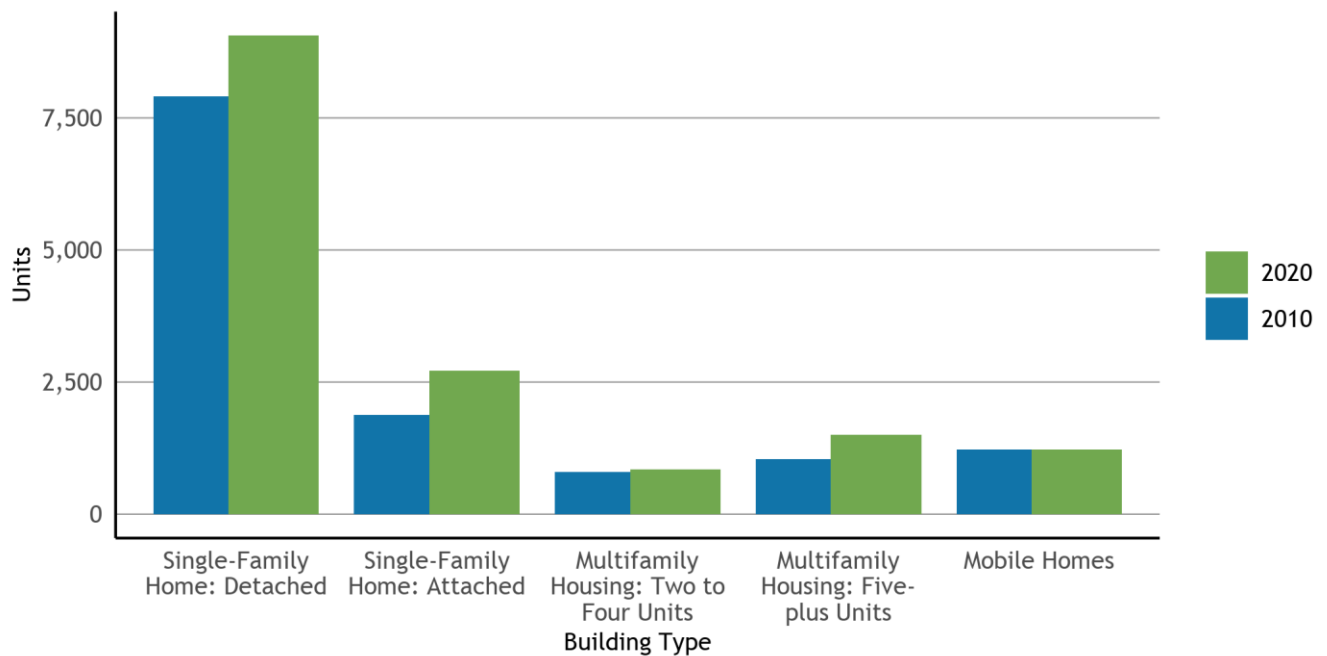
1.5 Housing Stock Characteristics

1.5.1 Housing Types, Year Built, Vacancy, and Permits

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing” – including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units (ADUs). These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

The housing stock of Morgan Hill in 2020 was made up of 59.0% single family detached homes, 17.7% single family attached homes, 5.5% multifamily homes with 2 to 4 units, 9.8% multifamily homes with 5 or more units, and 8.0% mobile homes (see Figure [H 1-19](#)). In Morgan Hill, the housing type that experienced the most growth between 2010 and 2020 was *Single-Family Home: Detached*.

Figure H 1-19: Housing Type Trends

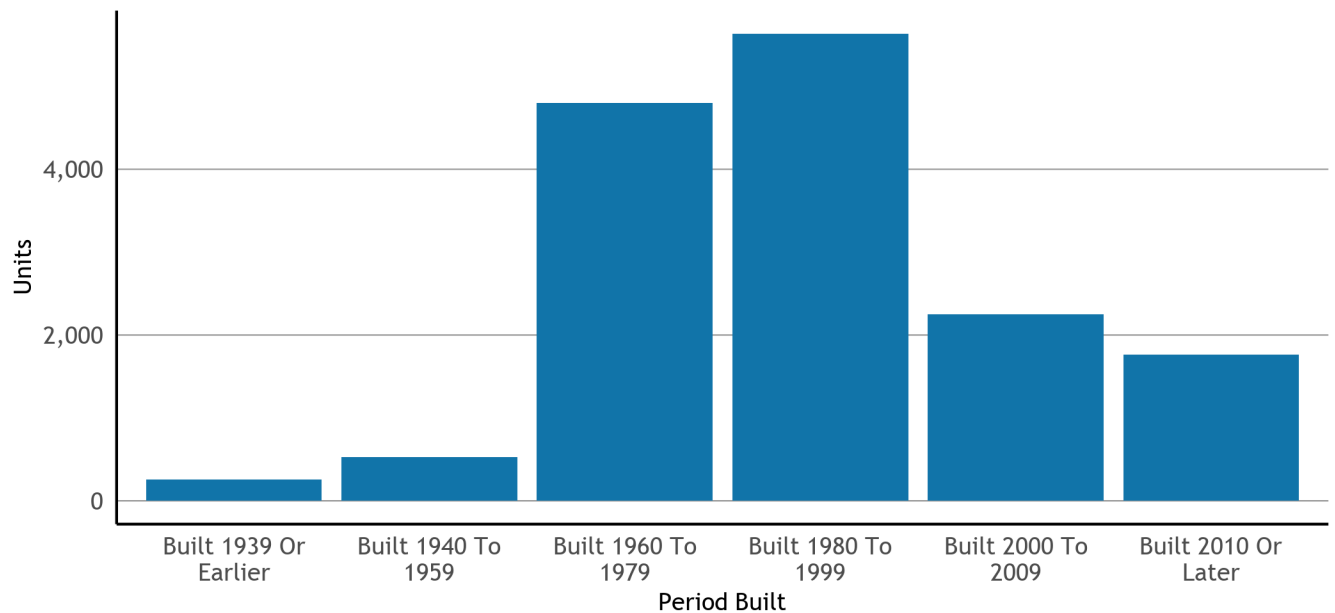


Universe: Housing units

Source: California Department of Finance, E-5 series

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Morgan Hill, the largest proportion of the housing stock was built 1980 to 1999, with 5,632 units constructed during this period (see Figure [H 1-20](#)). Since 2010, 11.6% of the current housing stock was built, which is 1,761 units.

Figure H 1-20: Housing Units by Year Structure Built



Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034

Vacant units make up 2.5% of the overall housing stock in Morgan Hill. The rental vacancy stands at 4.3%, while the ownership vacancy rate is 0.7%. Of the vacant units, the most common type of vacancy is *For Rent* (see Figure [H 1-2124](#)).¹⁷

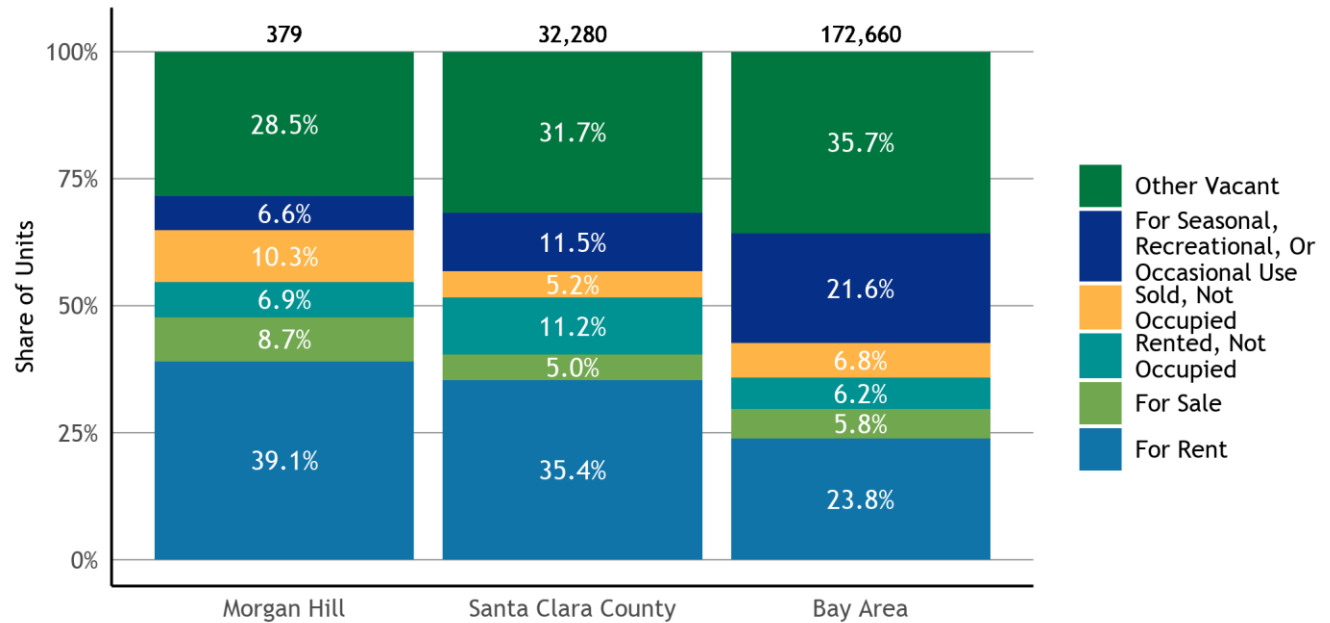
Throughout the Bay Area, vacancies make up 2.6% of the total housing units, with homes listed for rent; units used for *recreational or occasional use*, and units not otherwise classified (*other vacant*) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.¹⁸ In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the “other vacant” category.

¹⁷ The vacancy rates by tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (2.5%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a significant number of vacancy categories, including the numerically significant *other vacant*.

¹⁸ For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: <https://www.census.gov/housing/hvs/definitions.pdf>.

Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of “other vacant” units in some jurisdictions.¹⁹

Figure H 1-21: Vacant Units by Type



Universe: Vacant housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004

Between 2015 and 2019, 1,542 housing units were issued permits in Morgan Hill. 77.8% of permits issued in Morgan Hill were for above moderate-income housing, 8.8% were for moderate-income housing, and 13.4% were for low- or very low-income housing (see Table 3).

Table H 1-3 Housing Permitting	
Income Group	Value
Above Moderate Income Permits	1,200
Low Income Permits	165
Moderate Income Permits	136
Very Low Income Permits	41

Universe: Housing permits issued between 2015 and 2019

Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50% of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50% and 80% of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80% and 120% of the Area Median Income for the county in which the jurisdiction is located.

¹⁹ See Dow, P. (2018). Unpacking the Growth in San Francisco’s Vacant Housing Stock: Client Report for the San Francisco Planning Department. University of California, Berkeley.

Above Moderate Income: units affordable to households making above 120% of the Area Median Income for the county in which the jurisdiction is located.

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020)

1.5.2 Assisted Housing Developments At-Risk of Conversion

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

The data in the table below comes from the California Housing Partnership's Preservation Database, the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing. However, this database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured in this data table. There are 1,160 assisted units in Morgan Hill in the Preservation Database. Of these units, 0.0% are at *High Risk* or *Very High Risk* of conversion.²⁰

Table H 1-4 Assisted Units at Risk of Conversion			
Income	Morgan Hill	Santa Clara County	Bay Area
Low	1,160	28,001	110,177
Moderate	0	1,471	3,375
High	0	422	1,854
Very High	0	270	1,053
Total Assisted Units in Database	1,160	30,164	116,459

Universe: HUD, Low-Income Housing Tax Credit (LIHTC), USDA, and CalHFA projects. Subsidized or assisted developments that do not have one of the aforementioned financing sources may not be included.

Notes: While California Housing Partnership's Preservation Database is the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing, this database does not include all deed-restricted affordable units in the state. Consequently, there may be at-risk assisted units in a jurisdiction that are not captured in this data table. California Housing Partnership uses the following categories for assisted housing developments in its database: Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. High

²⁰ California Housing Partnership uses the following categories for assisted housing developments in its database: Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

High Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

Source: California Housing Partnership, Preservation Database (2020)

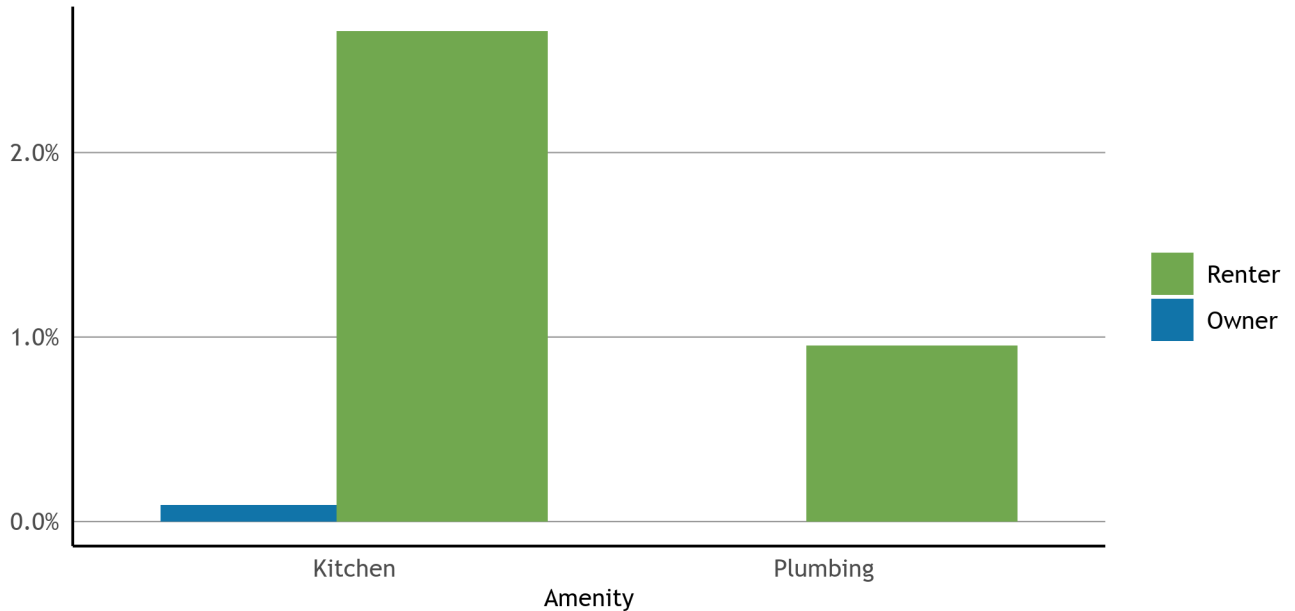
1.5.3 Substandard Housing

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. The City's Building Division was surveyed to determine the number of housing units that are in need of rehabilitation (repair) or those in need of replacement (demolition) in calendar year 2021. The Building Division serves the residents and developers within the City by providing plan review services, issuing grading and building permits, and much more. In addition, the Building Division is responsible for code compliance and enforcement of the Morgan Hill Municipal Code. The Building Division indicated that there were zero units in dire need of rehabilitation or replacement that have been made aware to the City in 2021. Although the City's housing stock is in good condition, more than a third (37%) of the City's housing stock is more than 40 years old and may also be in need of rehabilitation. Programs which assist lower-income and/or elderly homeowners with home maintenance and repair should continue to be an important part of the City's housing program.

The City takes a proactive approach toward housing conditions through housing rehabilitation programs. The City has participated in the Urban Counties Consortium Community Development Block Grant (CDBG) funds to provide rehabilitation assistance. Over the last housing element period, from January 1, 2015 through January 1, 2020, 159 units were rehabilitated within the City of Morgan Hill.

Although the City's housing stock is in good condition, the Census Bureau data included in the graph below gives a sense of some of the substandard conditions that may be present in Morgan Hill. For example, 2.7% of renters in Morgan Hill reported lacking a kitchen and 1.0% of renters lack plumbing, compared to 0.1% of owners who lack a kitchen and 0.0% of owners who lack plumbing.

Figure H 1-22: Substandard Housing Issues



Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049

1.5.4 Home and Rent Values

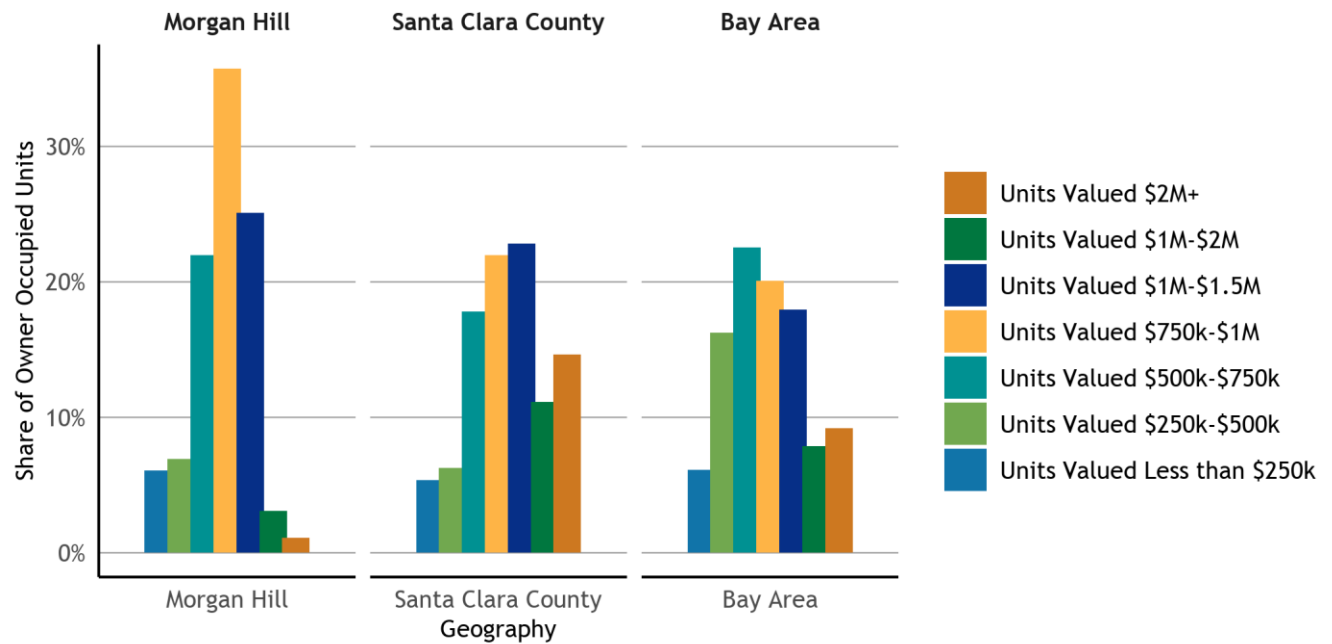
Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. The typical home value in Morgan Hill was estimated at \$1,055,130 by December of 2020, per data from Zillow. The largest proportion of homes were valued between \$750k-\$1M (see Figure [H 1-2323](#)). By comparison, the typical home value is \$1,290,970 in Santa Clara County and \$1,077,230 in the Bay Area, with the largest share of units valued \$1m-\$1.5m (county) and \$500k-\$750k (region).

The region's home values have increased steadily since 2000, besides a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical home value has increased 123.1% in Morgan Hill from \$472,850 to \$1,055,130. This change is below the change in Santa Clara County, and below the change for the region (see Figure [H 1-2424](#)).

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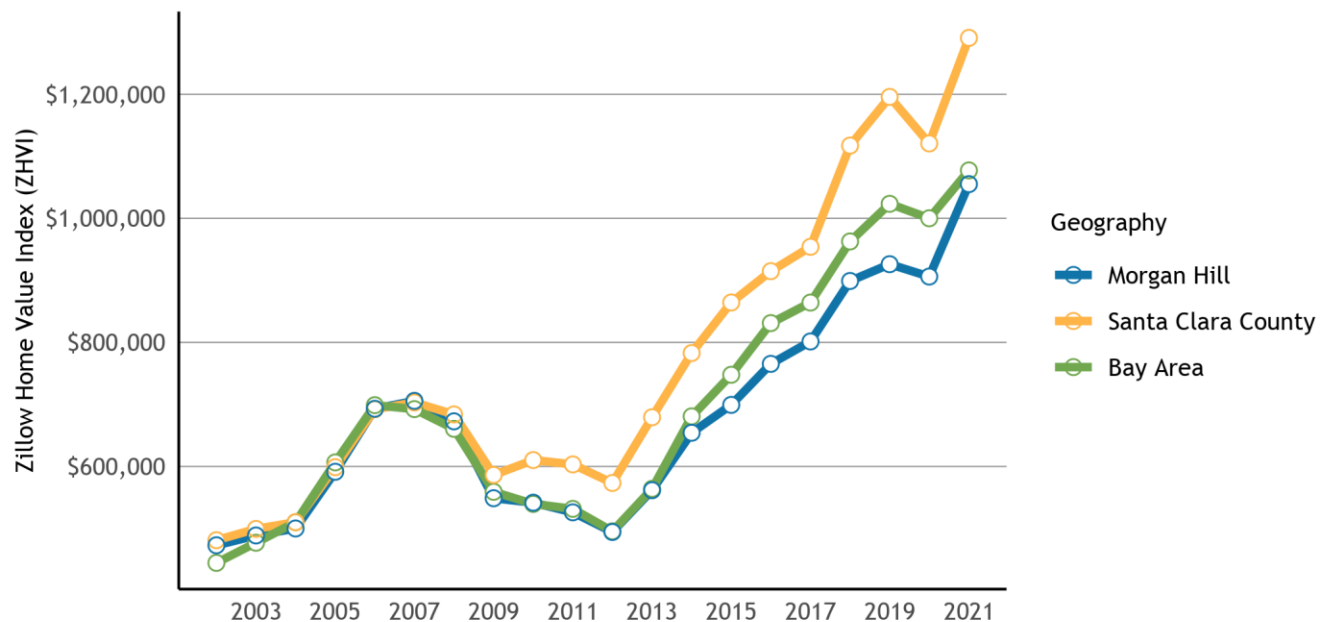
Figure H 1-23: Home Values of Owner-Occupied Units



Universe: Owner-occupied units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075

Figure H 1-24: Zillow Home Value Index (ZHVI)



Universe: Owner-occupied housing units

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available

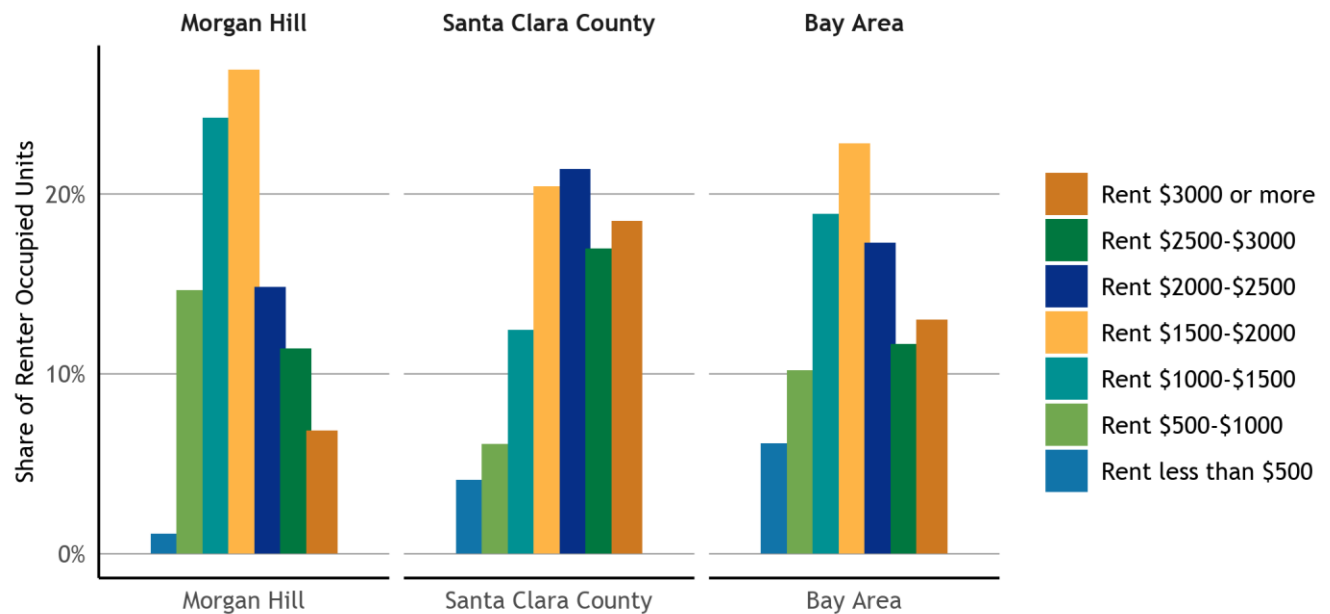
from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.

Source: Zillow, Zillow Home Value Index (ZHVI)

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Many renters have been priced out, evicted or displaced, particularly communities of color. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In Morgan Hill, the largest proportion of rental units rented in the *Rent \$1500-\$2000* category, totaling 26.9%, followed by 24.2% of units renting in the *Rent \$1000-\$1500* category (see Figure H 1-25²⁵). Looking beyond the city, the largest share of units is in the *\$2000-\$2500* category (county) compared to the *\$1500-\$2000* category for the region as a whole.

Figure H 1-25: Contract Rents for Renter-Occupied Units

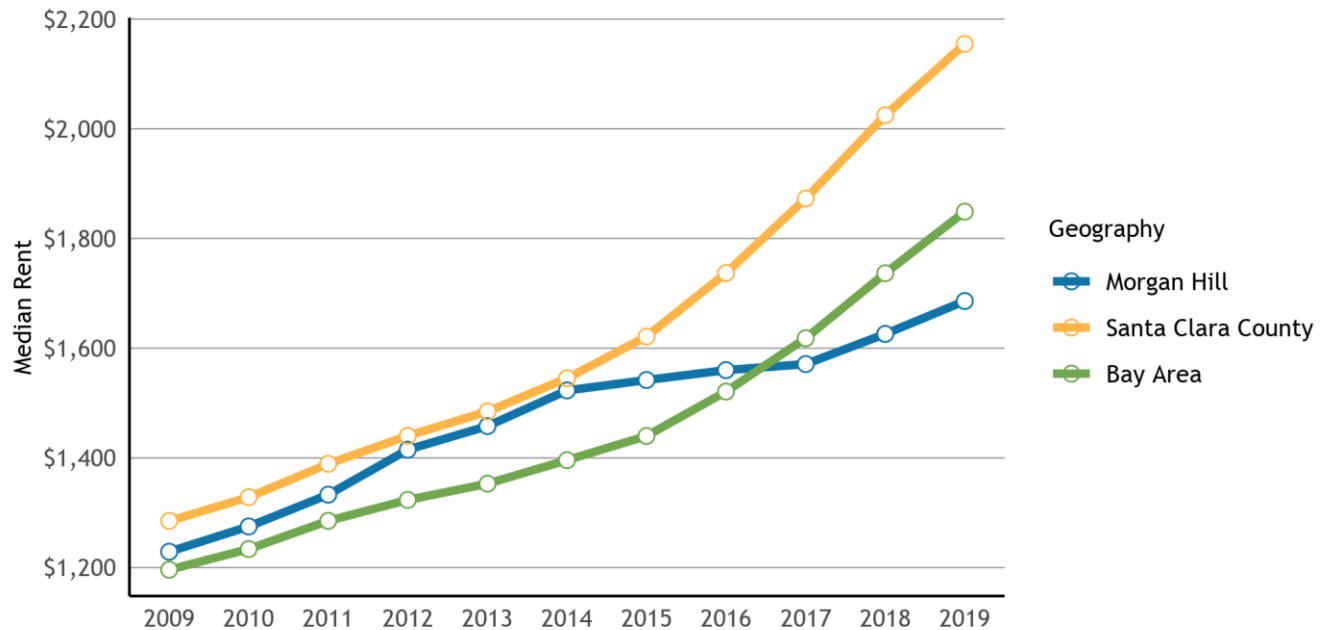


Universe: Renter-occupied housing units paying cash rent

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056

Since 2009, the median rent has increased by 36.6% in Morgan Hill, from \$1,230 to \$1,680 per month (see Figure H 1-26²⁶). In Santa Clara County, the median rent has increased 67.7%, from \$1,285 to \$2,150. The median rent in the region has increased significantly during this time from \$1,200 to \$1,850, a 54% increase.²¹

²¹ While the data on home values shown in Figure H 1-24²⁴ comes from Zillow, Zillow does not have data on rent prices available for most Bay Area jurisdictions. To have a more comprehensive dataset on rental data for the region, the rent data in this document comes from the U.S. Census Bureau's American Community Survey, which may not fully

Figure H 1-26: Median Contract Rent

Universe: Renter-occupied housing units paying cash rent

Notes: For unincorporated areas, median is calculated using distribution in B25056.

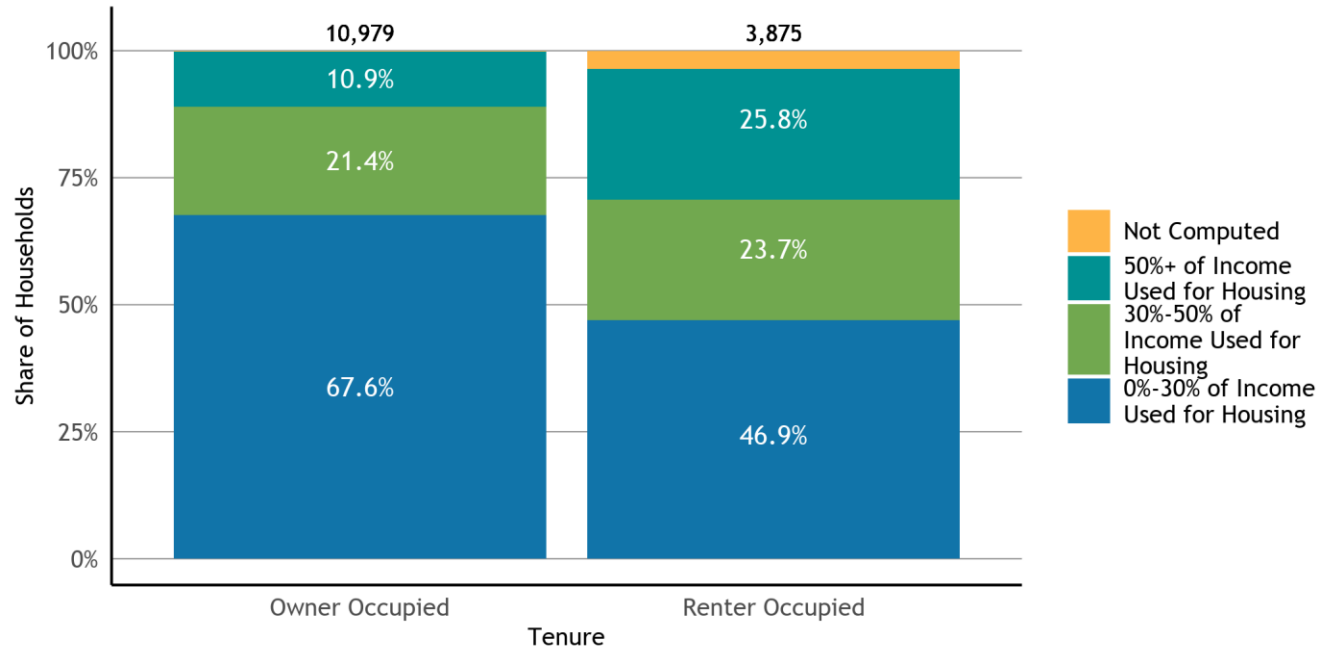
Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas). County and regional counts are weighted averages of jurisdiction median using B25003 rental unit counts from the relevant year.

1.5.5 Overpayment and Overcrowding

A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

reflect current rents. Local jurisdiction staff may want to supplement the data on rents with local realtor data or other sources for rent data that are more current than Census Bureau data.

Figure H 1-27: Cost Burden by Tenure



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091

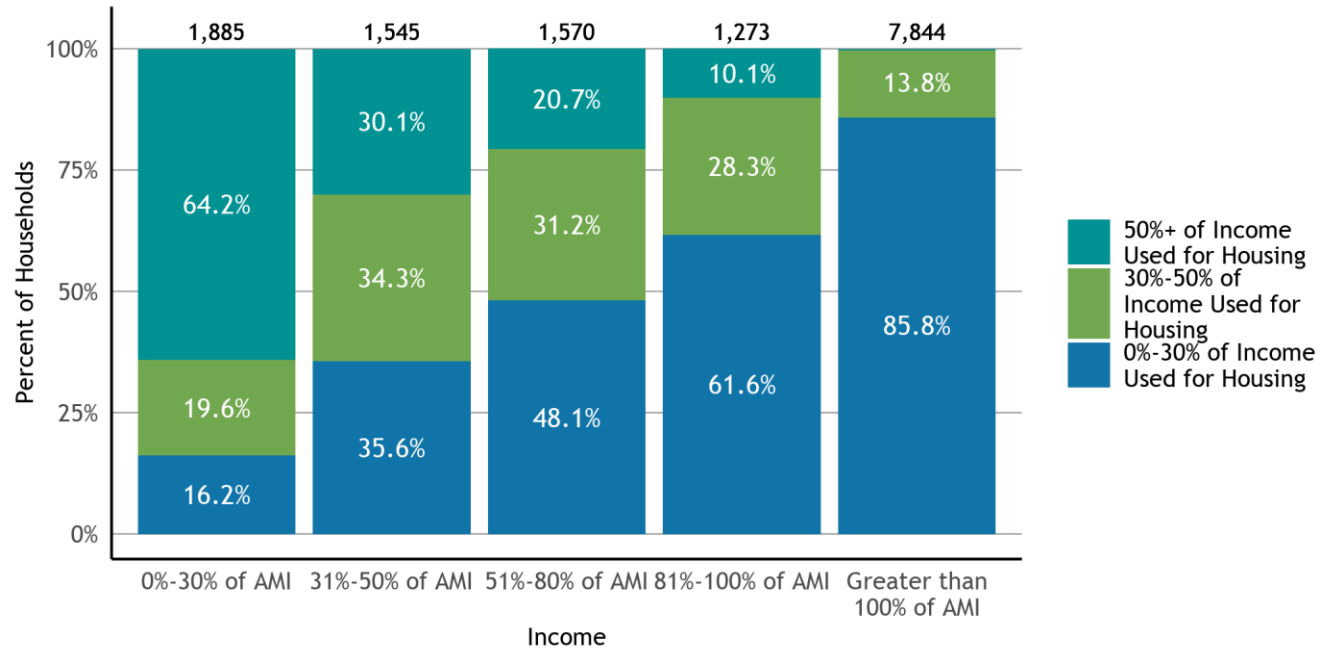
Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Morgan Hill, 23.7% of renters spend 30% to 50% of their income on housing compared to 21.4% of those that own (see Figure [H 1-2727](#)). Additionally, 25.8% of renters spend 50% or more of their income on housing, while 10.9% of owners are severely cost-burdened.

In Morgan Hill, 15.3% of households spend 50% or more of their income on housing, while 20.1% spend 30% to 50%. However, these rates vary greatly across income categories (see Figure [H 1-2828](#)). For example, 64.2% of Morgan Hill households making less than 30% of AMI spend the majority of their income on housing. For Morgan Hill residents making more than 100% of AMI, just 0.4% are severely cost-burdened, and 85.8% of those making more than 100% of AMI spend less than 30% of their income on housing.

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Figure H 1-28: Cost Burden by Income Level



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

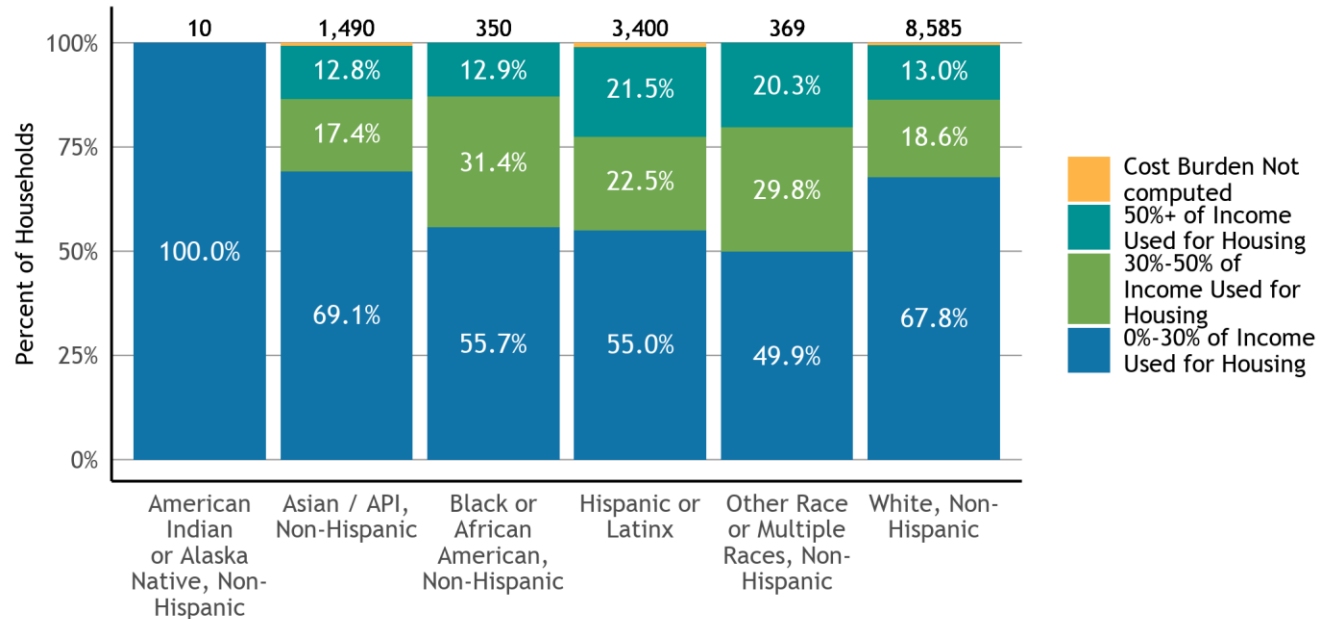
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity.

Black or African American, Non-Hispanic residents are the most cost burdened with 31.4% spending 30% to 50% of their income on housing, and *Hispanic or Latinx* residents are the most severely cost burdened with 21.5% spending more than 50% of their income on housing (see Figure [H 1-2929](#)).

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Figure H 1-29: Cost Burden by Race



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

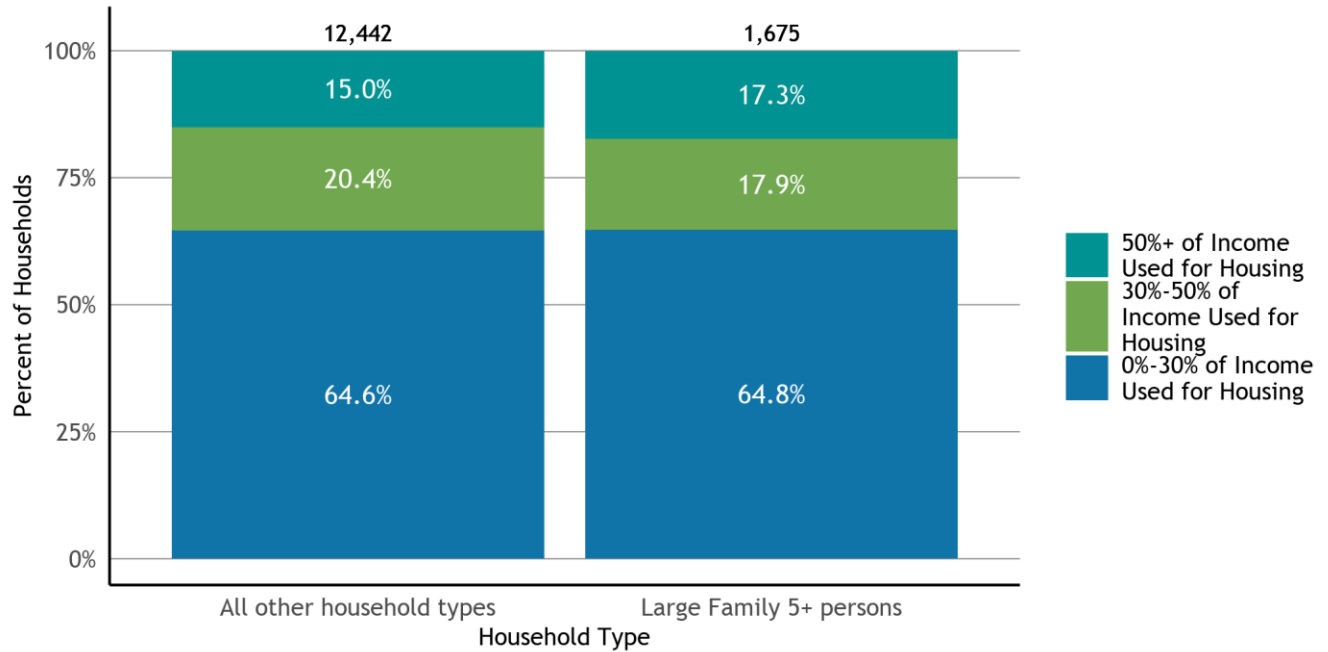
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Large family households often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.

In Morgan Hill, 17.9% of large family households experience a cost burden of 30%-50%, while 17.3% of households spend more than half of their income on housing. Some 20.4% of all other households have a cost burden of 30%-50%, with 15.0% of households spending more than 50% of their income on housing (see Figure [H 1-3030](#)).

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Figure H 1-30: Cost Burden by Household Size

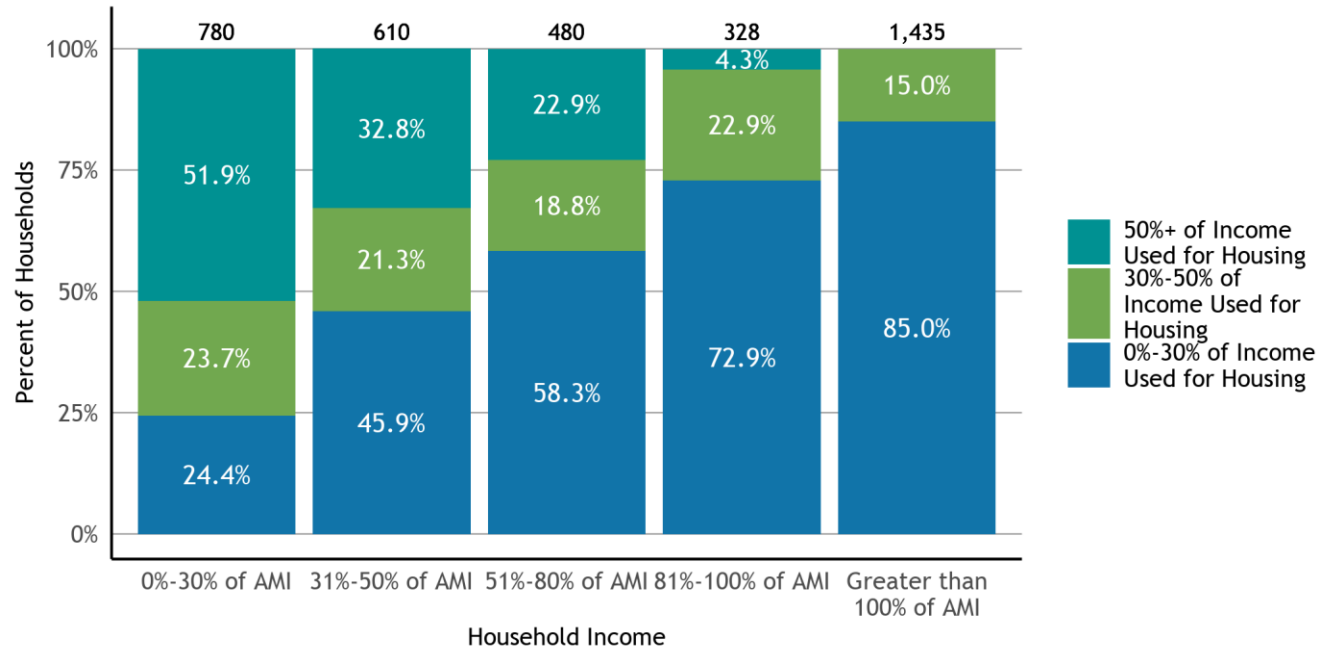


Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. 51.9% of seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 85.0% are not cost-burdened and spend less than 30% of their income on housing (see Figure [1-3131](#)).

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Figure 1-31: Cost-Burdened Senior Households by Income Level

Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded.

Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities. In Morgan Hill, 4.6% of households that rent are severely overcrowded (more than 1.5 occupants per room), compared to 0.2% of households that own (see Figure [H 1-3232](#)). In Morgan Hill, 9.2% of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 1.6% for those own.

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Figure H 1-32: Overcrowding by Tenure and Severity



Universe: Occupied housing units

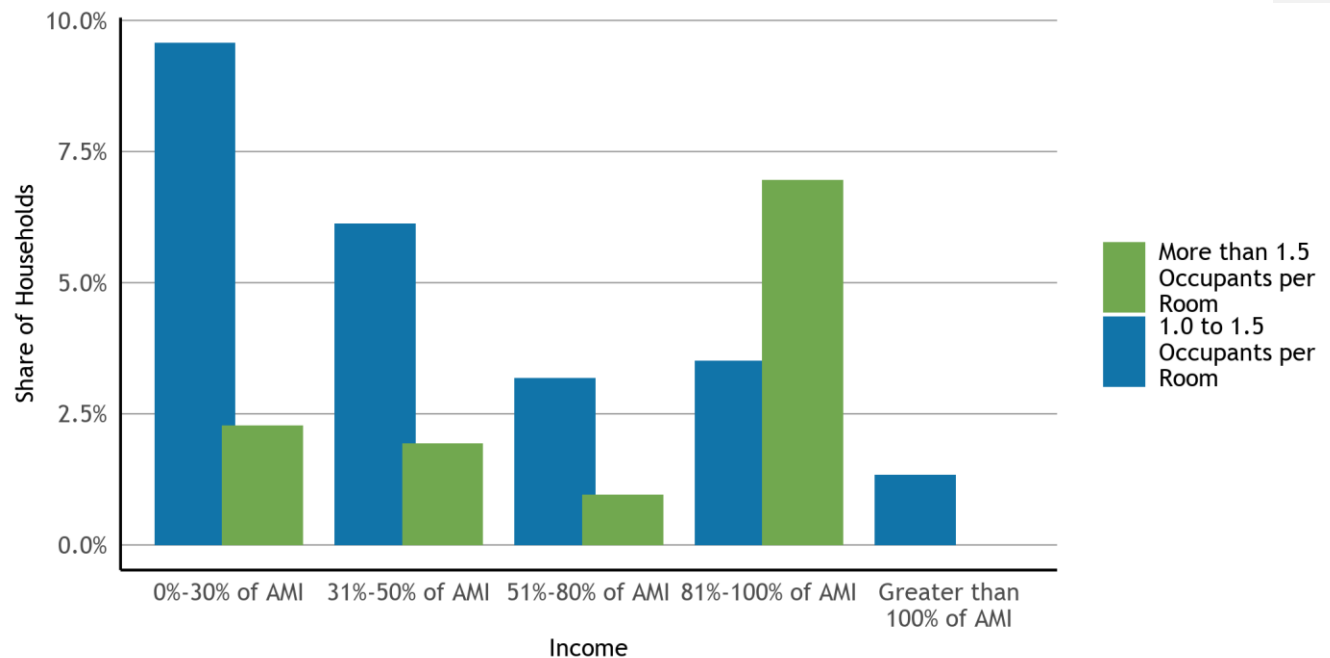
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Overcrowding often disproportionately impacts low-income households. 2.3% of very low-income households (below 50% AMI) experience severe overcrowding, while 0.0% of households above 100% experience this level of overcrowding (see Figure [H 1-3333](#)).

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Figure H 1-33: Overcrowding by Income Level and Severity



Universe: Occupied housing units

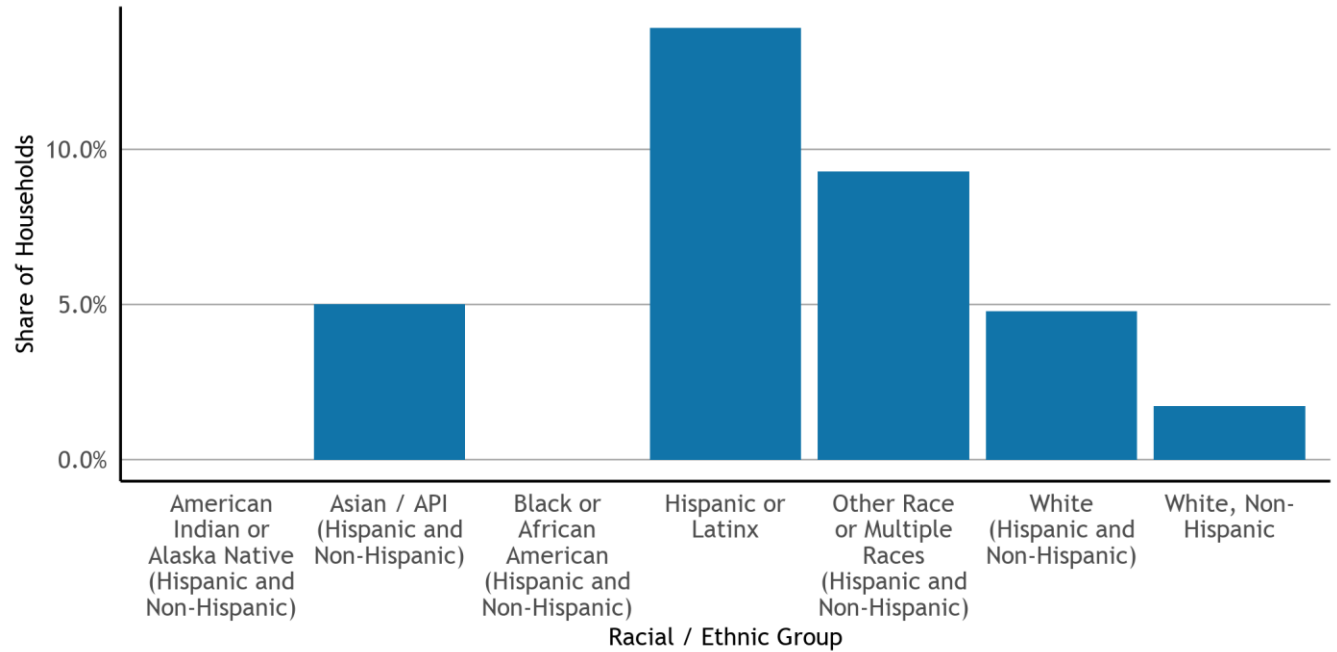
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Communities of color are more likely to experience overcrowding similar to how they are more likely to experience poverty, financial instability, and housing insecurity. People of color tend to experience overcrowding at higher rates than White residents. In Morgan Hill, the racial group with the largest overcrowding rate is *Hispanic or Latinx* (see Figure [H 1-3434](#))

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Figure H 1-34: Overcrowding by Race



Universe: Occupied housing units

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

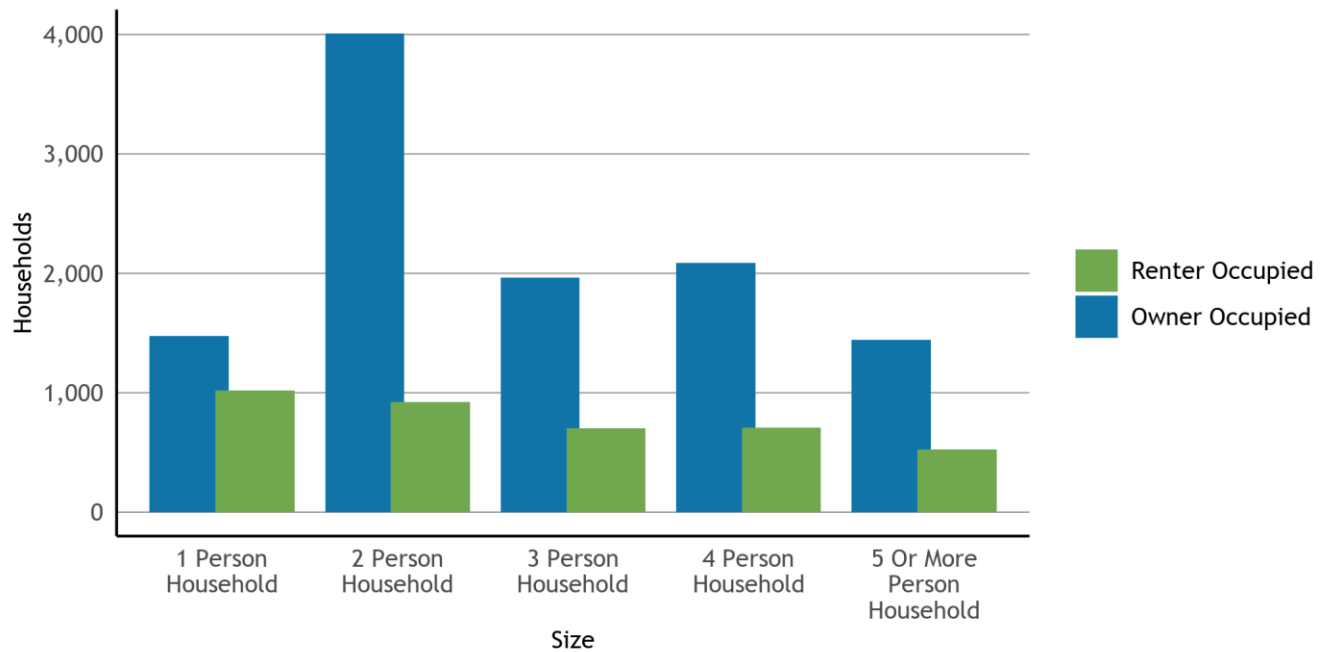
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

1.6 Special Housing Needs

1.6.1 Large Households

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In Morgan Hill, for large households with 5 or more persons, most units (73.2%) are owner occupied (see Figure [H 1-3535](#)). In 2017, 23.3% of large households were very low-income, earning less than 50% of the area median income (AMI).

Figure H 1-35: Household Size by Tenure

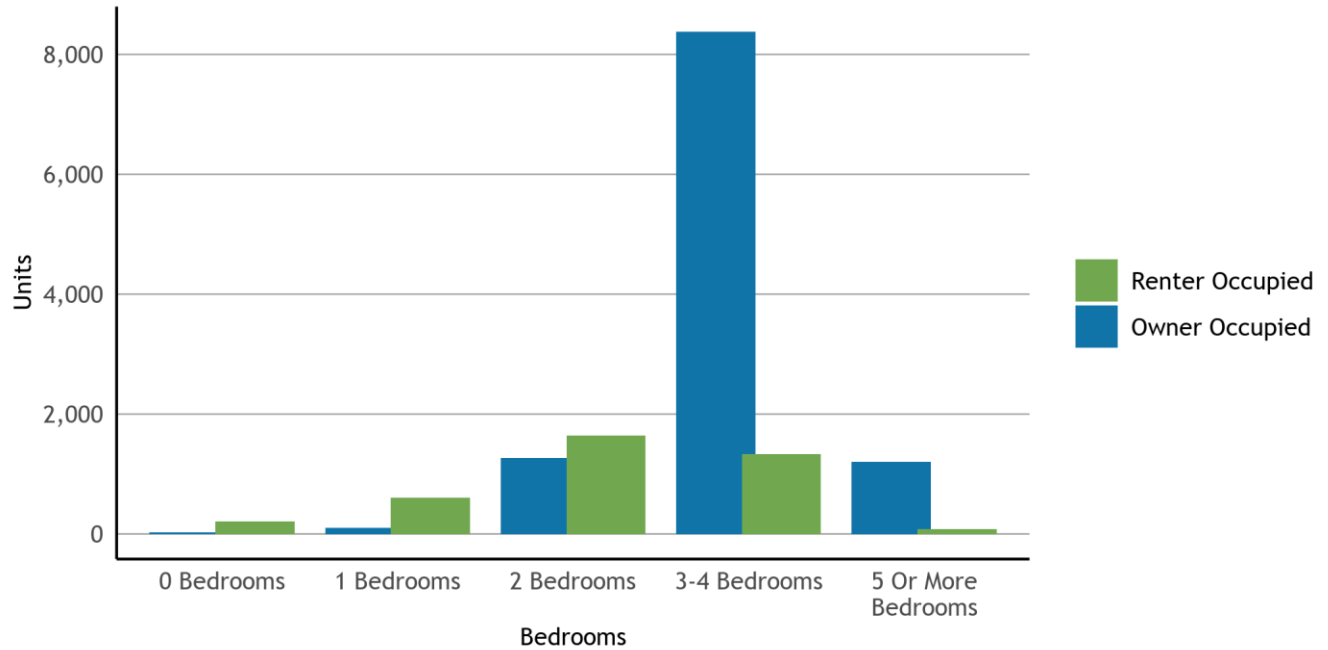


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with 3 or more bedrooms, of which there are 10,992 units in Morgan Hill. Among these large units with 3 or more bedrooms, 12.9% are renter-occupied and 87.1% are owner-occupied (see Figure [H 1-3636](#)).

Figure H 1-36: Housing Units by Number of Bedrooms



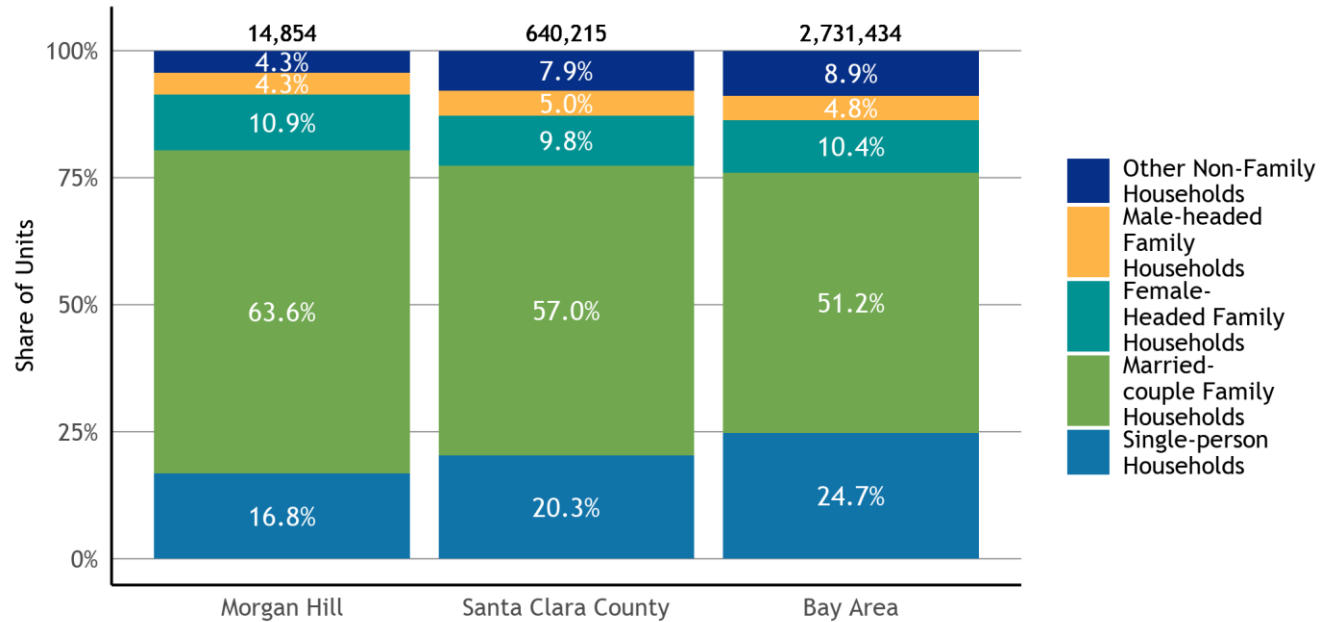
Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042

1.6.2 Female-Headed Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. In Morgan Hill, the largest proportion of households is *Married-couple Family Households* at 63.6% of total, while *Female-Headed Households* make up 10.9% of all households.

Figure H 1-37: Household Type



Universe: Households

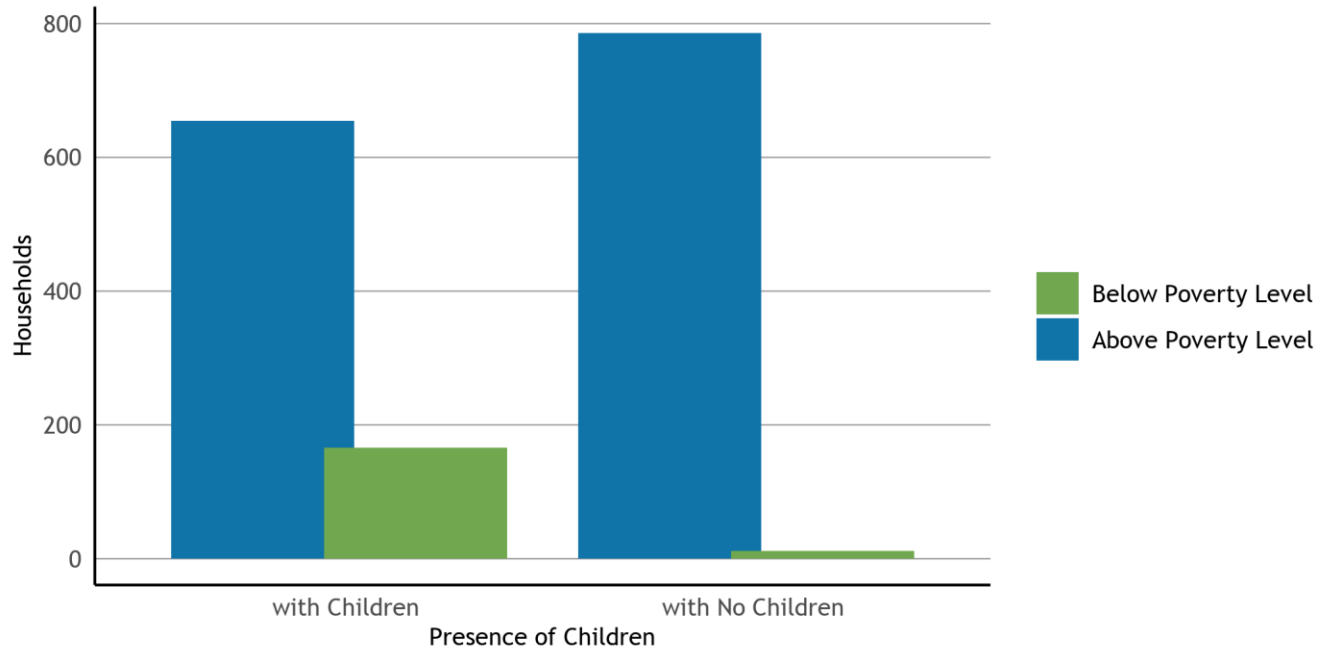
Notes: For data from the Census Bureau, a "family household" is a household where two or more people are related by birth, marriage, or adoption. "Non-family households" are households of one person living alone, as well as households where none of the people are related to each other.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging.

In Morgan Hill, 20.2% of female-headed households with children fall below the Federal Poverty Line, while 1.5% of female-headed households *without* children live in poverty (see Figure [H 1-3838](#)).

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Figure H 1-38: Female-Headed Households by Poverty Status

Universe: Female Households

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.

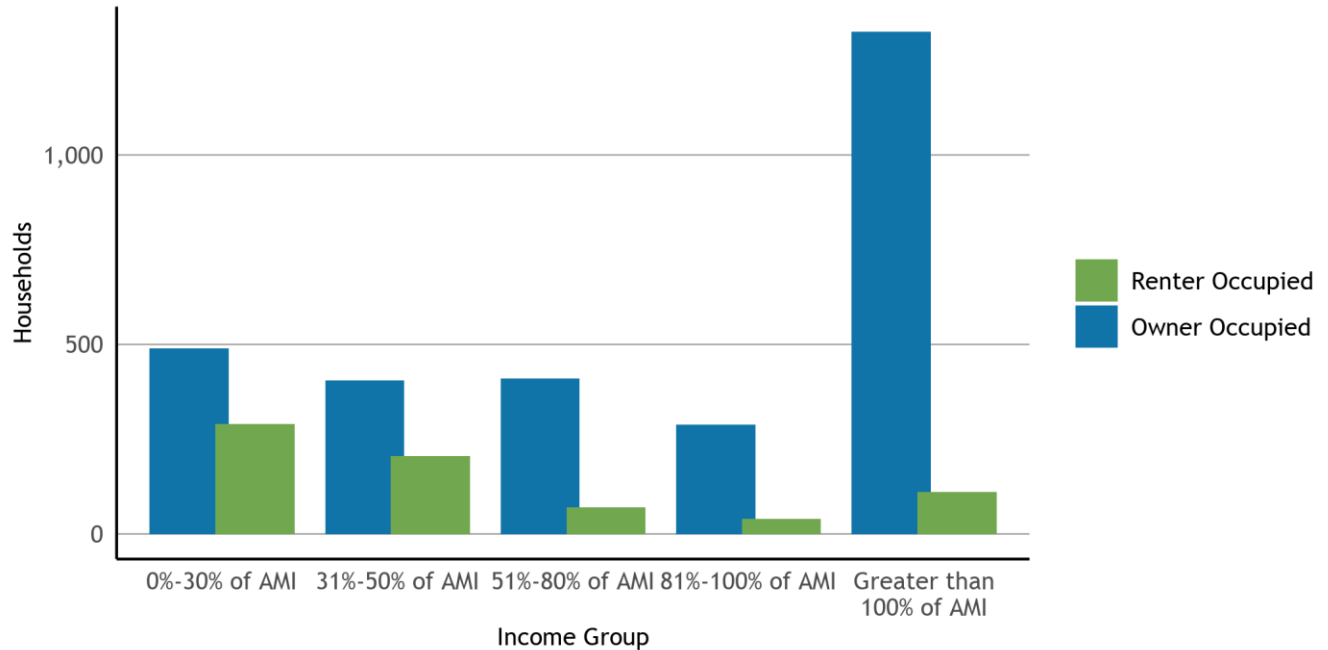
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012

1.6.3 Seniors

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility.

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of senior households who rent make 0%-30% of AMI, while the largest proportion of senior households who are homeowners falls in the income group *Greater than 100% of AMI* (see Figure [H 1-3939](#)).

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Figure H 1-39: Senior Households by Income and Tenure

Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

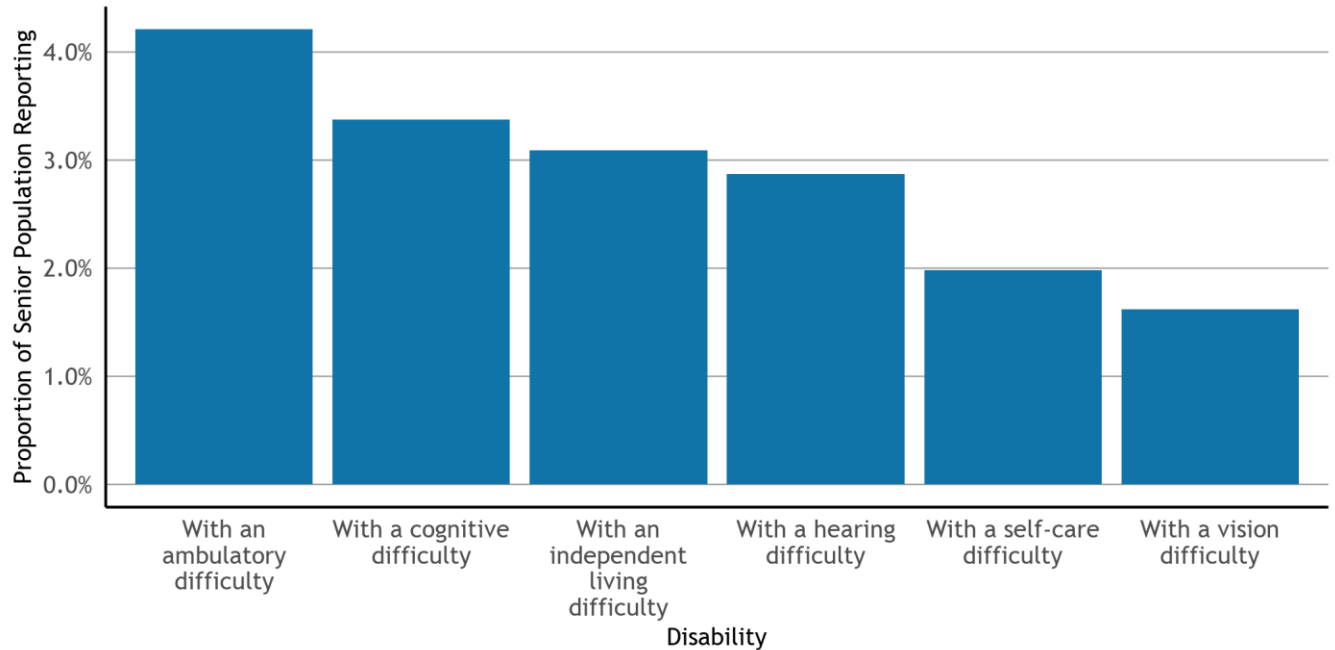
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

1.6.4 People with Disabilities

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive and sensory impairments, many people with disabilities live on fixed incomes and are in need of specialized care, yet often rely on family members for assistance due to the high cost of care.

When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness and institutionalization, particularly when they lose aging caregivers. Figure [H 1-4040](#) shows the rates at which different disabilities are present among residents of Morgan Hill. Overall, 9.1% of people in Morgan Hill have a disability of any kind.²²

²² These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

Figure H 1-40: Disability by Type

Universe: Civilian noninstitutionalized population 18 years and over

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. The Census Bureau provides the following definitions for these disability types: Hearing difficulty: deaf or has serious difficulty hearing. Vision difficulty: blind or has serious difficulty seeing even with glasses. Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions. Ambulatory difficulty: has serious difficulty walking or climbing stairs. Self-care difficulty: has difficulty dressing or bathing. Independent living difficulty: has difficulty doing errands alone such as visiting a doctor's office or shopping.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.

In Morgan Hill, of the population with a developmental disability, children under the age of 18 make up 39.8%, while adults account for 60.2%.

Table H 1-5 Population with Developmental Disabilities by Age	
Age Group	Value
Age 18+	171
Age Under 18	113

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)

The most common living arrangement for individuals with disabilities in Morgan Hill is the home of parent /family /guardian.

Table H 1-6 Population with Developmental Disabilities by Residence	
<i>Residence Type</i>	<i>Value</i>
Home of Parent / Family / Guardian	235
Community Care Facility	30
Independent / Supported Living	16
Other	4
Foster / Family Home	0
Intermediate Care Facility	0

Universe: Population with developmental disabilities

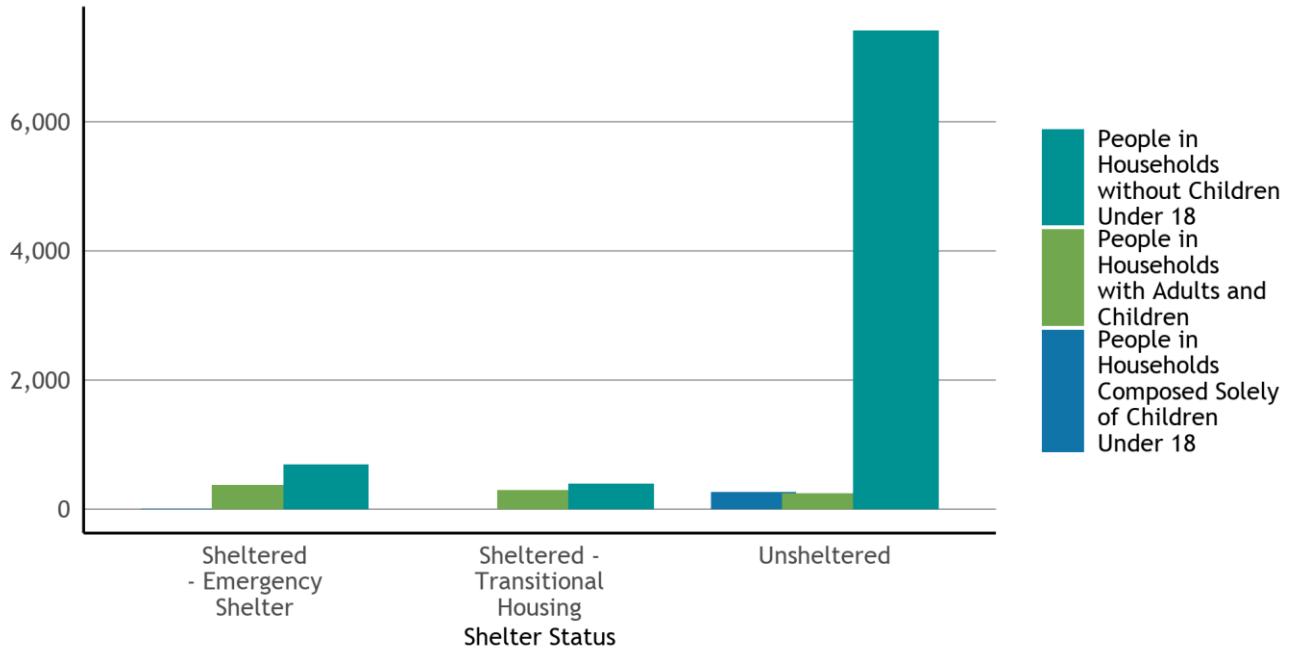
Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)

1.6.5 Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances. In Santa Clara County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 76.4% are unsheltered. Of homeless households with children, most are sheltered in emergency shelter (see Figure [H 1-4141](#)).

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Figure H 1-41: Homelessness by Household Type and Shelter Status, Santa Clara County

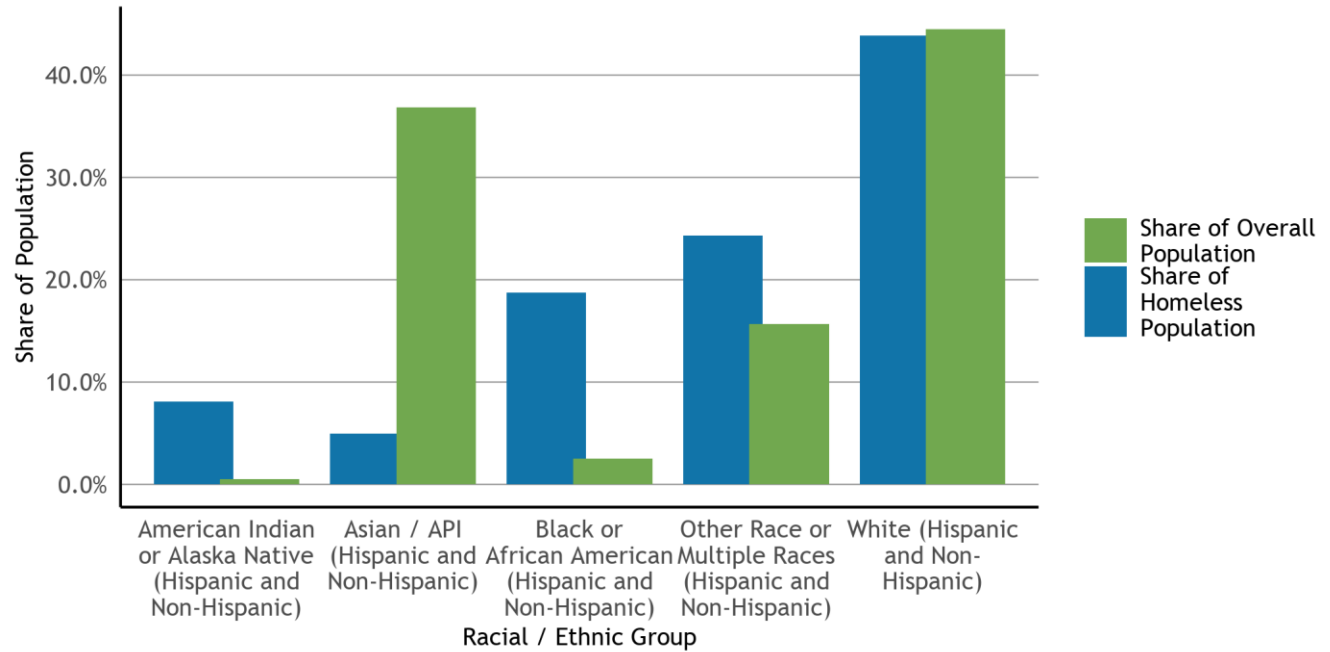
Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Santa Clara County, White (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 43.9% of the homeless population, while making up 44.5% of the overall population (see Figure [H 1-4242](#)).

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Figure H 1-42: Racial Group Share of General and Homeless Populations, Santa Clara County

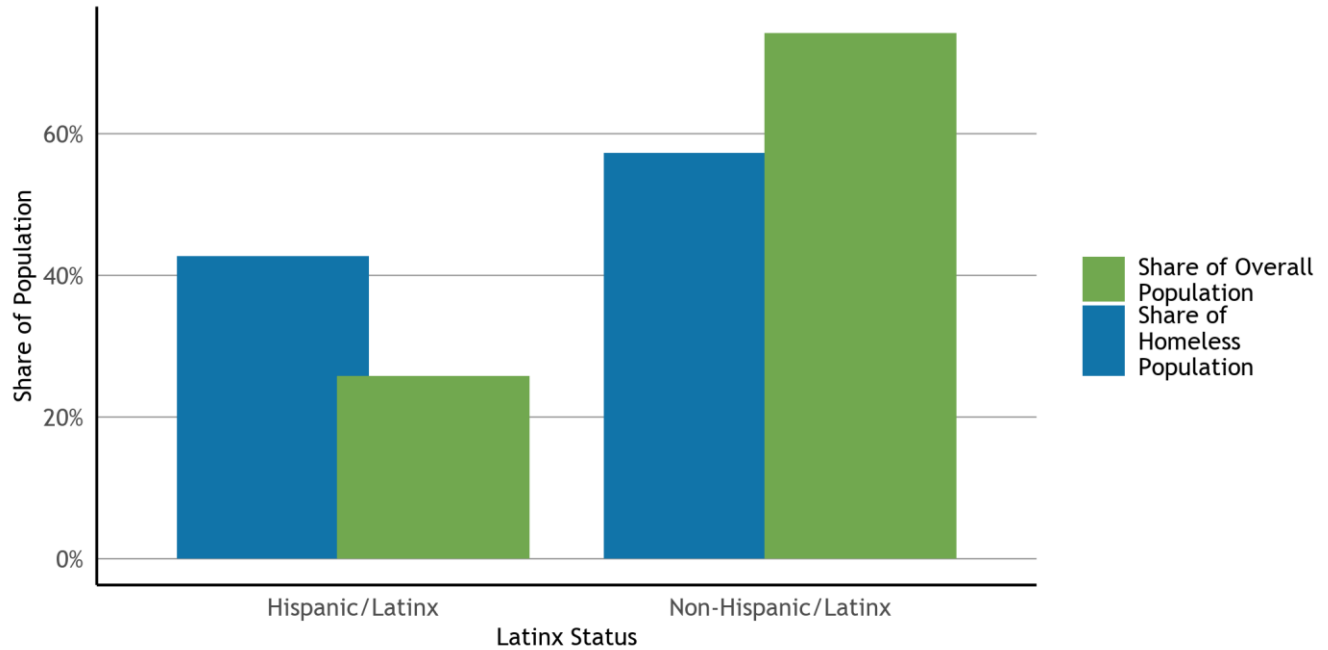
Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)

In Santa Clara, Latinx residents represent 42.7% of the population experiencing homelessness, while Latinx residents comprise 25.8% of the general population (see Figure [H 1-4343](#)).

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Figure H 1-43: Latinx Share of General and Homeless Populations, Santa Clara County

Universe: Population experiencing homelessness

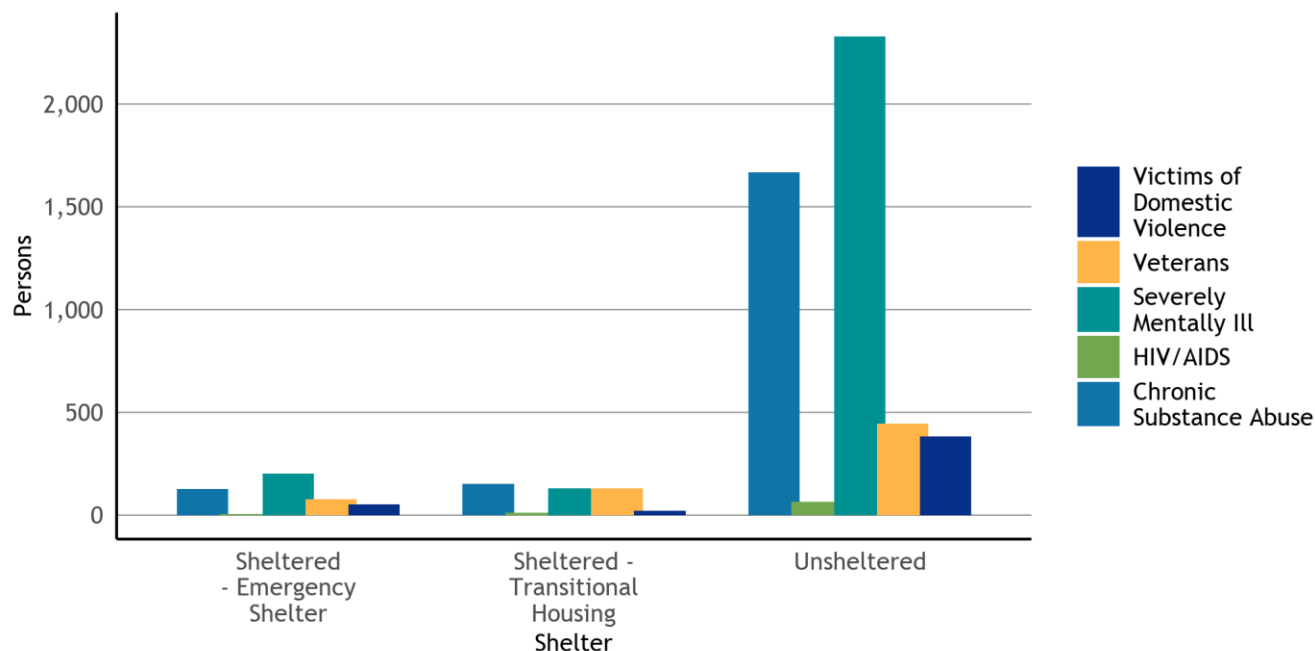
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Santa Clara County, homeless individuals are commonly challenged by severe mental illness, with 2,659 reporting this condition (see Figure [H 1-1242](#)). Of those, some 87.6% are unsheltered, further adding to the challenge of handling the issue. According to the Santa Clara County Homeless Census and Survey, within Morgan Hill there were 114 persons experiencing homelessness, a 71% decrease from 2017 (388 persons experiencing homelessness). However, the number of persons experiencing homelessness has increased since 2013; in which the Santa Clara County Homeless Census and Survey identified 61 people experiencing homelessness in 2013 and 81 people experiencing homelessness in 2015.

Table H 1-7 Homeless Population within Morgan Hill			
2013	2015	2017	2019
61	81	388	114

Figure H 1-44: Characteristics for the Population Experiencing Homelessness, Santa Clara County



Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

In Morgan Hill, the student population experiencing homelessness totaled 280 during the 2019-20 school year and increased by 23.3% since the 2016-17 school year. By comparison, Santa Clara County has seen a 3.5% increase in the population of students experiencing homelessness since the 2016-17 school year, and the Bay Area population of students experiencing homelessness decreased by 8.5%. During the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

The number of students in Morgan Hill experiencing homelessness in 2019 represents 12.2% of the Santa Clara County total and 2.0% of the Bay Area total.

Table H 1-8 Students in Local Public Schools Experiencing Homelessness			
Academic Year	Morgan Hill	Santa Clara County	Bay Area
2016-17	227	2,219	14,990
2017-18	320	2,189	15,142
2018-19	292	2,405	15,427
2019-20	280	2,297	13,718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

1.6.6 Farmworkers

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

In Morgan Hill, the migrant worker student population totaled 120 during the 2019-20 school year and has decreased by 34.9% since the 2016-17 school year. The trend for the region for the past few years has been a decline of 2.4% in the number of migrant worker students since the 2016-17 school year. The change at the county level is a 49.7% decrease in the number of migrant worker students since the 2016-17 school year.

Table H 1-9 Migrant Worker Student Population			
Academic Year	Morgan Hill	Santa Clara County	Bay Area
2016-17	149	978	4,630
2017-18	151	732	4,607
2018-19	120	645	4,075
2019-20	97	492	3,976

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

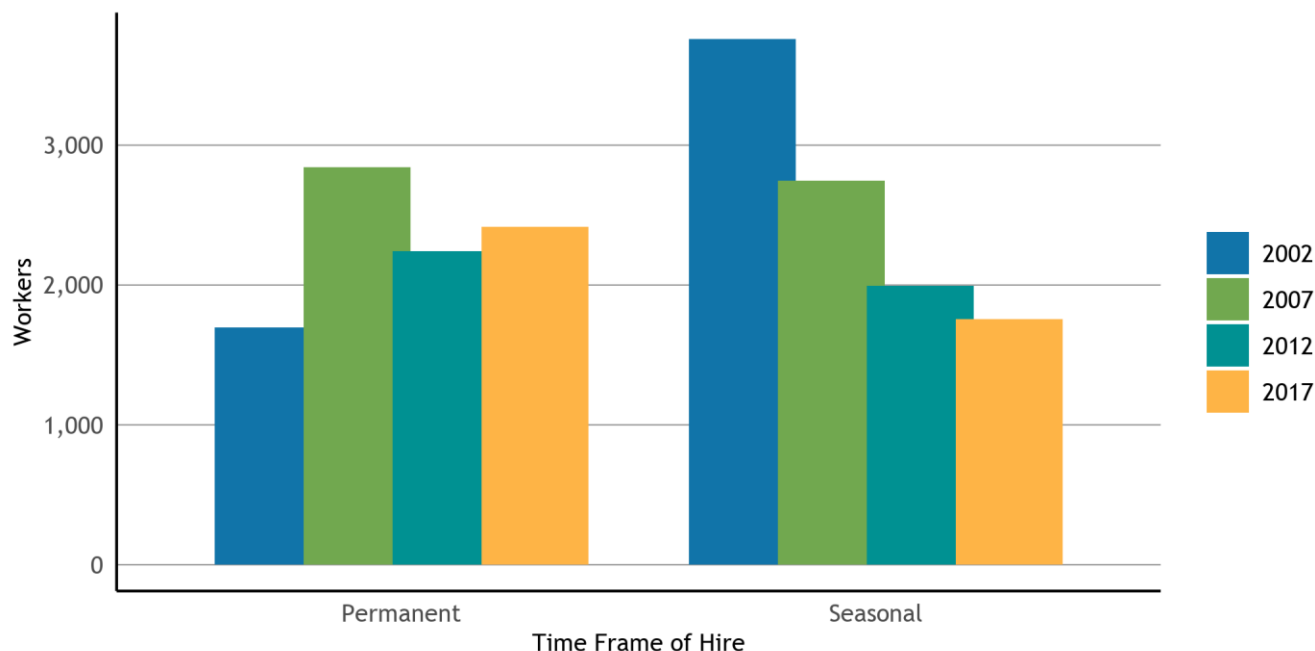
Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Santa Clara County has increased since 2002, totaling 2,418 in 2017, while the number of seasonal farm workers has decreased, totaling 1,757 in 2017 (see Figure [H 1-4545](#)).

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Figure H 1-45: Farm Operations and Farm Labor by County, Santa Clara County



Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)

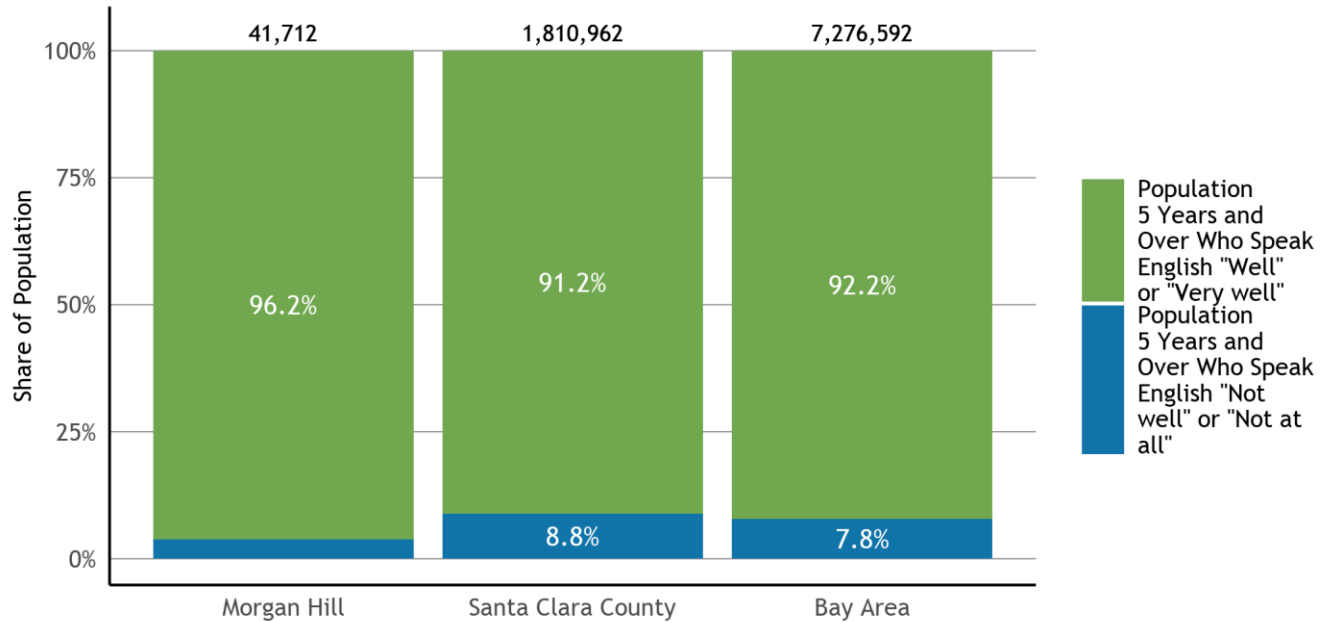
Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor

1.6.7 Non-English Speakers

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights or they might be wary to engage due to immigration status concerns. In Morgan Hill, 3.8% of residents 5 years and older identify as speaking English not well or not at all, which is below the proportion for Santa Clara County. Throughout the region the proportion of residents 5 years and older with limited English proficiency is 8%.

Figure H 1-46: Population with Limited English Proficiency



Universe: Population 5 years and over

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005

1.7 Summary

Although data in this appendix is derived from a variety of sources (the most prominent data source used is the U.S. Census data, in varying forms), and compiled to show relationships, major trends, and to respond to known issues and concerns, as well as to inform the Housing Element as well as the community of the trends of Morgan Hill, the data is consistent with local knowledge gathered through the City's outreach process. City staff used a variety of methods to solicit public input on the Housing Element update, including distributing three survey's (two pertaining to Assessment of Fair Housing (AFH)), hosting public workshops, providing information at community events, conducting focus groups, giving presentations to the Community, and holding several workshops with the community and the Planning Commission. Staff prioritized involvement and engagement of residents and community members that are most directly impacted by the plan and development, especially Latinx, homeless, and other underrepresented or underserved groups.

The key themes gathered from community feedback, which reflects the findings of this appendix, included: provide a range of housing opportunities affordable to Morgan Hill workforce; prevent homelessness and address the housing needs of people experiencing homelessness; promote extremely low-income housing; establish special needs housing for seniors, persons with disabilities, and veterans; conduct community education/outreach to inform residents about affordable housing and how to seek assistance; integrate affordable housing throughout the

community; ensure children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults; preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability; create an affordable housing overlay district; zone more land and/or change zoning regulations for multi-family to increase affordable housing; pass a commercial linkage fee ordinance; and pass a rent stabilization ordinance. These key themes, coupled with the findings of this appendix, were incorporated into goals, policies, and implementation programs/actions of the 2023-2031 City of Morgan Hill Housing Element.

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Appendix H2

Site Inventory

City of Morgan Hill Housing Element 2023-2031

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City of Morgan Hill Housing Element

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APPENDIX H-2 | Site Inventory

2.1 Introduction

California law (Government Code Sections 65583 (a)(3)) requires that the Housing Element contain an inventory of land suitable for residential development, that can be developed for housing within the planning period and nonvacant (i.e., underutilized) sites having potential for redevelopment. State law also requires an analysis of the relationship of zoning and public facilities and services to these sites. In addition, Assembly Bill 686, Statutes 2018, requires that a jurisdiction identify sites throughout the community, in a manner that is consistent with its duty to affirmatively further fair housing (AFFH) pursuant to Government Code Section 65583. In the context of AFFH, the site identification requirement involves not only an analysis of site capacity to accommodate the RHNA, but also an analysis and conclusion of whether the identified sites improve or exacerbate conditions for each of the fair housing areas as outlined in Appendix H-5 Assessment of Fair Housing.

Pursuant to the California Department of Housing and Community Development (HCD) Housing Element Inventory Guidebook, projects that have been approved, permitted, or received a certificate of occupancy since the beginning of the Regional Housing Needs Allocation (RHNA) project period may be credited toward meeting the RHNA allocation based on the affordability and unit count of the development. In addition, Government Code Section 65583 identifies a city's or county's inventory of land suitable for residential development, or a "site", as: (1) Vacant sites zoned for residential use; (2) Vacant sites zoned for nonresidential use that allows residential development; (3) Residentially zoned sites that are capable of being developed at a higher density; or (4) Sites zoned for nonresidential use that can be redeveloped for residential use. Therefore, the fair housing analysis requirement does not apply to residential units in the pipeline (i.e. pending, approved, or permitted development).

This appendix presents an inventory of sites/residential projects within Morgan Hill city limits that are suitable for residential development expected to be developed and occupied during the planning period of this Housing Element, January 31, 2023 to January 31, 2031. The analysis presented in this appendix chapter demonstrates there is an adequate supply of residential projects in the "Pipeline" to accommodate the City's housing allocation of 1,037 units, including housing at all income levels. The analysis also demonstrates that a limited number of residential projects in the "Pipeline" allowing for higher density development are located within existing communities considered "low resource". There are 1,183 acres of low resource area within the City boundary, which is approximately 14 percent of the City. Consequently, there are no areas within the City of Morgan Hill which are classified as "high resource".

The appendix starts with a description of the City's housing target for the 2023-2031 planning period, called the Regional Housing Needs Allocation (RHNA). It then describes the number of residential units in the "Pipeline", consisting of both planned and entitled projects. The appendix then provides information on the availability of infrastructure to support development of housing.

2.2 Regional Housing Needs Allocation

RHNA is the California State-required process that seeks to ensure cities and counties are planning for enough housing to accommodate all economic segments of the community. The process is split into the following three steps:

1. **Regional Determination:** The California Department of Housing and Community Development (HCD) provides each region a Regional Determination of housing need, which

includes a total number of units split into four income categories. The City of Morgan Hill is within the region covered by the Association of Bay Area Governments (ABAG). HCD provided ABAG a Regional Determination of 441,176 units for the 6th Cycle RHNA (2023-2031). This is the total number of units that the cities and counties in the ABAG region must collectively plan to accommodate.

2. **RHNA Methodology:** Councils of Governments (COG), including ABAG, are responsible for developing a RHNA Methodology for allocating the Regional Determination to each city and county in the COG's region. This methodology must further specific state objectives, including but not limited to: promoting infill, equity, and environmental protection; ensuring jobs-housing balance; and affirmatively furthering fair housing.
3. **Housing Element Updates:** Each city and county must then adopt a housing element that demonstrates how the jurisdiction can accommodate its assigned RHNA through its zoning. HCD reviews each jurisdiction's housing element for compliance with state law.

The City of Morgan Hill's share of the regional housing need was determined by a methodology prepared by ABAG as part of the Regional Housing Needs Plan, adopted in December 2021. For the low- and very low-income allocations, the methodology used three adjustments: access to high opportunity areas, job proximity by automobile, and job proximity by transit. For the moderate and above moderate allocations, the methodology used two adjustments: access to high opportunity areas, and job proximity by automobile. Lastly, the methodology applied an equity adjustment that identified 49 jurisdictions that exhibited higher racial segregation and high median incomes than regional averages. As a result, Morgan Hill's RHNA was reduced by 10 units due to the equity adjustment.

In accordance with ABAG's Regional Housing Needs Plan, the City must plan to accommodate a total of 1,037 housing units between January 31, 2023, and January 31, 2031. This is equal to a yearly average of 130 housing units. Table H 2-1 below shows the City's RHNA by income category. Of the 1,037 total units, the City must plan to accommodate 262 units for very low-income households, 151 units for low-income households, 174 units for moderate-income households, and 450 units for above moderate-income households.

Income Category	Units	Percent of Total
Very Low-Income	262	25.3%
Low-Income	151	14.6%
Moderate-Income	174	16.8%
Above Moderate-Income	450	43.4%
TOTAL	1,037	100.0%

Source: Association of Bay Area Governments, Regional Housing Needs Plan, 2023-2031. Adopted December 2021.

State law also requires the City to identify the projected need for extremely low-income housing. The City assumes that 50 percent of the very low-income housing need is equal to the extremely low-income housing need. As such, there is a projected need for 131 extremely low-income housing units.

2.3 Planned and Entitled Projects

2.3.1 Overview

Morgan Hill has a significant pipeline of development projects that are seeking entitlements or are entitled and actively pursuing construction. Table H 2-2 summarizes the current inventory of residential and mixed-use projects with submitted or active entitlements. As of March 1, 2022, there were an estimated 1,823 housing units in the pipeline that are counted toward meeting the RHNA, which include single-family dwellings, deed-restricted affordable units, market rate condominiums and multi-unit development, and individual affordable housing developments. These projects range in size from smaller infill projects with fewer than 100 units, to larger developments with hundreds of units.

There are 545 units in the pipeline that will provide affordable housing for lower-income households. The inventory includes several individual affordable housing developments in the pipeline, including a 249-unit affordable development at 18960 Monterey Road; a 66-unit affordable development at 17965 Monterey Road; a 73-unit affordable development at 15440 Monterey Road; and an 82-unit affordable development at 16685 Church Street.

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2.3.2 Summary of Pipeline Residential Development

In total, there are 1,823 units in planned and entitled projects that are counted toward meeting the RHNA. Based on affordability restrictions, the projects listed in Table H 2-2 are anticipated to provide 545 affordable lower-income units consisting of 158 extremely low-income units, 149 very low-income units, and 238 low-income units. In addition to the affordable lower-income units, there are 445 moderate-income units in the pipeline and 833 above moderate-income units.

Project Name	Above Mod. Income Units	Moderate Income Units	Low-Income Units	Very Low-Income Units	Extremely Low-Income Units	Total Units
SR2020-0017 Monterey-Lucky Shing Manzanita Park (APN 725-010-18) ²	57	10	-	-	-	67
SR2018-0020 E. Dunne- Young (Andalusia) (APNs 726-020-51 & 726-020-52) ³	42	1	3	-	-	46
SR2021-0003 Dakota-Dunne (APN 726-090-24) ²	3	3	-	-	-	6
SR2019-0003 Depot-Latala (Hale Lumber) (APN 726-130-49) ³	49	-	-	-	-	49
SR2019-0026 Monterey-City Ventures (APN 726-250-06) ³	86	15	-	-	-	101
SR2019-0015 Jarvis-MH Apartments (Braddock & Logan) (APN 726-250-95) ³	-	311	-	78	-	389
SR2020-0027 Monterey-Minor (Jemcor) (APN 726-360-59) ³	-	3	196	25	25	249
SR2021-0014 Monterey-Kerley (DeNova Homes) (APNs 726-420-01 & 726-420-02) ¹	79	14	-	-	-	93
SR2020-0010 Half-Dividend (Crosswinds) (APNs 728-300-01 through 728-300-04) ¹	229	40	-	-	-	269
SR2021-0011 Cochrane-Toll Brothers (APNs 728-340-32 & 728-340-33) ³	114	25	-	-	-	139
SR2018-0009 Tilton-Lee Schmidt (APN 764-090-04) ²	1	1	-	-	-	2
SR2021-0005 Monterey-First Community Housing (Magnolias) (APN 764-120-06) ²	-	1	14	9	42	66
SD2021-0002 Campoli-Squires (APN 764-240-05) ²	1	-	-	-	-	1

Table H 2-2 Pipeline Residential Projects (cont.)						
Project Name	Above Mod. Income Units	Moderate Income Units	Low-Income Units	Very Low-Income Units	Extremely Low-Income Units	Total Units
SD2020-0001 Sanchez-Brewer (APN 764-240-76) ²	1	-	-	-	-	1
AAE2021-0002 Old Monterey-Appletree (Kelly Vo) (APN 764-240-61) ²	5	2	-	-	-	7
SR2020-0028 Spring-Ginacola (APN 767-110-30) ³	19	3	-	-	-	22
SR2022-0001 Edes-Alcini (TTLC Morgan Hill) (APN 767-180-46) ¹	18	3	-	-	-	21
SR2018-0025 Llagas-Strolata Properties (Silvas) (APN 773-320-13) ²	4	-	-	-	-	4
SR2020-0023 Watsonville-Hordness (Crossings at Monterey/Royal Oaks Village) (APN 779-040-75) ³	-	1	-	24	48	73
SR2020-0005 Monterey-Morgan Hill Senior Housing (APN 817-020-67) ²	-	1	25	13	43	82
SR2020-0014 Tennant-Osito Holdings (APN 817-040-59) ²	14	2	-	-	-	16
SR2022-0002 (Lillian Commons/Rosewood) (APN 817-090-41) ¹	111	9	-	-	-	120
Subtotal	833	445	238	149	158	1,823

Source: City of Morgan Hill Development Services Department, May 1, 2022.

Notes: ¹ Pending project based on the affordability and unit count within the proposed project expected to be built within the 2023-2031 planning period.

² Entitled project based on the affordability and unit count of the approved development expected to be built within the 2023-2031 planning period.

³ Affordability and unit count of the approved development based on Building Permits submitted to City of Morgan Hill and expected to be built within the 2023-2031 planning period.

The City of Morgan Hill received Building Permit applications for several of the projects identified in Table H 2-2 totaling 1,068 units. These projects include: 1. SR2018-0020 E. Dunne-Young (Andalusia) (APNs 726-020-51 & 726-020-52); 2. SR2019-0003 Depot-Latala (Hale Lumber) (APN 726-130-49); 3. SR2019-0026 Monterey-City Ventures (APN 726-250-06); 4. SR2019-0015 Jarvis-MH Apartments (Braddock & Logan) (APN 726-250-95); 5. SR2020-0027 Monterey-Minor (Jemcor) (APN 726-360-59); 6. SR2021-0011 Cochrane-Toll Brothers (APNs 728-340-32 & 728-340-33); 7. SR2020-0028 Spring-Ginacola (APN 767-110-30); and 8) SR2020-0023 Watsonville-Hordness (Crossings at Monterey/Royal Oaks Village) (APN 779-040-75).

To estimate the number of proposed pipeline development projects that are expected to reach completion during the 6th cycle, the City examined completion rates of pipeline development projects during the 5th cycle (2015 through 2022). For discretionary entitlements, completion rates were found by drawing upon all planning entitlement applications and approvals and finding the percentage of those projects which have obtained a building permit and therefore reached completion. This analysis found that entitlement applications had a completion rate of 88.7%, while approved entitlements had a completion rate of 91.7%. For building permit applications and

approved permits, completion rates were established based on evaluating all residential building permits issued for new residential units, as well as all issued building permits that have been finalized/received a certificate of occupancy, from January 1, 2015, through December 31, 2020. The report found that building permits have a 99.2% completion rate for issued permits. Those completion rates were then applied to the current pipeline to determine the number that would be expected to be completed within the next eight years.

Table H 2-3 Summary of Expected Pipeline Residential Projects			
Project Type by Income Category	Proposed Units Added	% Units Expected to be Completed	Units Expected to be Completed
Active Planning Entitlements			
Lower Income	-	-	-
Moderate Income	66	88.7%	59
Above Moderate Income	437	88.7%	388
Total Units	503	88.7%	447
Approved Planning Entitlements with No Building Permit			
Lower Income	146	91.7%	134
Moderate Income	20	91.7%	18
Above Moderate Income	86	91.7%	79
Total Units	252	91.7%	231
Building Permit Applications			
Lower Income	399	99.2%	396
Moderate Income	359	99.2%	356
Above Moderate Income	310	99.2%	308
Total Units	1,068	99.2%	1,060

Table H 2-4 shows the expected breakdown of this pipeline development potential, by expected income category. The income categories for individual development projects are based on the actual proposed affordability level requested or approved as part of the entitlement request.

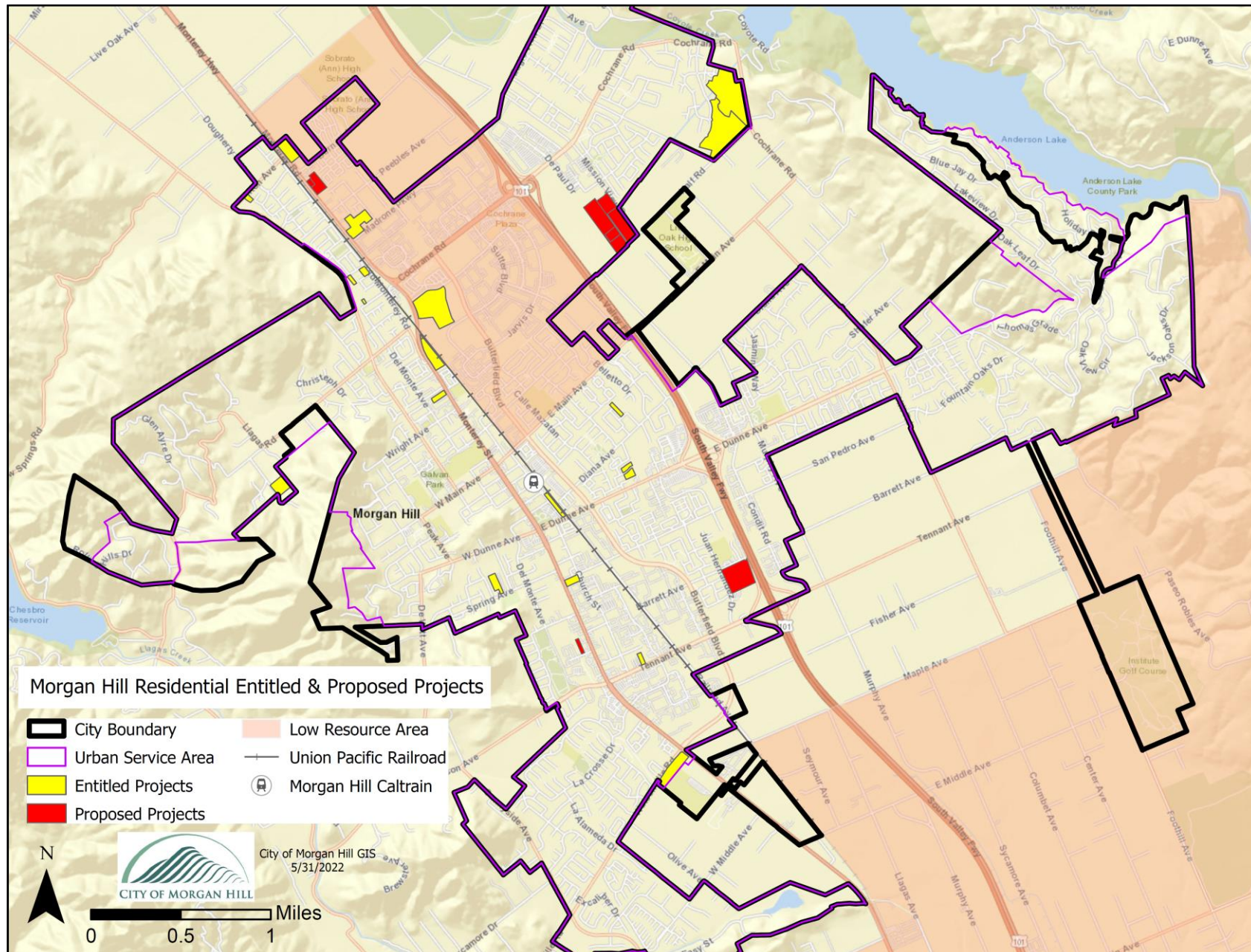
Table H 2-4 Total Pipeline Development Potential, by Income Category						
	Above Mod. Income Units	Moderate Income Units	Low-Income Units	Very Low-Income Units	Extremely Low-Income Units	Total Development Potential
Active Planning Entitlements	388	59	-	-	-	447
Approved Planning Entitlements with No Building Permit	79	18	36	20	78	231
Building Permit Applications	308	356	197	126	73	1,060
Total Pipeline Development Projects	775	433	233	146	151	1,738

2.4 Summary of Capacity/Potential to Accommodate the RHNA

State law requires each jurisdiction to demonstrate that sufficient land is zoned to provide housing capacity that is adequate to meet the RHNA for each income level. Table H 2-5 below provides a summary of total residential development capacity and potential included in the site inventory compared to the City's 6th Cycle RHNA. As shown in the table, the City has a total residential development pipeline capacity for 1,823 units. After incorporating the success criteria percentages identified in Table H 2-3 above, the City has a total residential development pipeline potential of 1,738 units, which is sufficient capacity to accommodate the RHNA of 1,037 units. The site inventory includes capacity for 413 lower-income units (i.e., extremely low-, very low-, and low-income units), 174 moderate income units, and 450 above moderate-income units.

Table H 2-5 Summary of Residential Capacity/Potential Compared to 6th Cycle RHNA by Income, City of Morgan Hill, January 31, 2023 to January 31, 2031						
	Extremely Low-Income Units	Very Low-Income Units	Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
RHNA	131	131	151	174	450	1,037
Pipeline Residential Capacity	158	149	238	445	833	1,823
Pipeline Residential Potential	151	146	233	433	775	1,738
Surplus(+)/ Deficit(-)	+20	+15	+82	+259	+325	+701

Figure H 2-1: Morgan Hill Residential Entitled & Proposed Projects



2.5 Infrastructure Availability

This section addresses the availability of infrastructure to accommodate planned residential growth throughout the Housing Element planning period (2023-2031). The Housing Element includes programs to help support infrastructure improvements in areas targeted for development to ensure that there is enough water, sewer, and dry utility capacity to meet housing units projected in the RHNA.

As development occurs throughout the city, upgrades to water and wastewater conveyance facilities may be required. The precise location and connection would need to be determined at the time development is proposed. Any future line size modifications or connections would be designed in accordance with applicable provisions of the Morgan Hill Municipal Code and to the satisfaction of the City Engineer. Increased development density has the potential to impact the capacities of local utilities infrastructure, which may require the expansion or construction of new facilities. However, all new development is subject to its own CEQA process where project-specific impacts associated with water supply and wastewater would be analyzed.

The availability of adequate public facilities and services in relation to the pending pipeline residential projects identified in Table H 2-2 has been evaluated, and the City has determined there are no public facilities or service constraints that would impede development of housing units to meet Morgan Hill's allocation. Existing water delivery and wastewater collection infrastructure is available to all properties located in the City's Urban Service Area, which includes all the pipeline residential projects identified in Table H 2-2, and the City has adequate water and wastewater capacity to accommodate the RHNA of 1,037 units. All of the pipeline residential projects are adjacent to existing public roadways and are serviceable by the City's police and fire departments, as well as private companies that provide telephone, cable, gas, and electric service.

Senate Bill (SB) 1087, effective January 2006, requires water and sewer providers to grant priority for service allocations to proposed developments that include units affordable to lower income households. Pursuant to these statutes, upon adoption of its Housing Element, the City of Morgan Hill will immediately deliver the Housing Element to local water and sewer providers, along with a summary of its RHNA.

Appendix H3

Opportunities for Energy Conservation

City of Morgan Hill Housing Element 2023-2031

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APPENDIX H-3 | Opportunities for Energy Conservation

3.1 Introduction

California law (Government Code Sections 65583(a)(8)) requires Housing Elements to contain an analysis of opportunities for residential energy conservation. According to the California Department of Housing and Community Development (HCD), the energy conservation section of a Housing Element must inventory and analyze the opportunities to encourage energy saving features, energy saving materials, and energy efficient systems and design for residential development.

The term “residential energy” refers to the total energy used in residential buildings, including heating, cooling, and “plug load” from appliances, lights, and electrical devices. “Energy conservation” refers to reducing energy use through using less of an energy service, such as lowering the thermostat in the winter or raising the thermostat in the summer.

Housing and energy efficient, resilient, and healthy buildings are key components for achieving community vitality and serving the needs of residents. Energy efficient buildings increase occupant health by reducing infiltration of moisture, pests, or air pollution. They increase comfort and decrease utility bills. In the case of existing buildings, this can help prevent residents from having utilities turned off due to inability to pay or resorting to unsafe practices for heating a home, such as relying on gas ovens. Energy efficient housing is also more resilient to climate change, preventing infiltration of wildfire smoke and keeping homes thermally comfortable during extreme heat events.

Residential energy efficiency can be improved by sealing the building envelope and HVAC ducts; insulating the attic or ceiling, walls, and floor; installing efficient heating and cooling systems; and energy efficient lighting and appliances. Passive heating, cooling, and lighting can also be employed when designing new buildings. Housing type also makes a difference in building energy consumption, with the average multi-unit housing unit using half the energy of an average single-unit detached home.¹ Multi-unit homes tend to be more energy efficient because they tend to be smaller than single-unit detached homes and the shared walls amongst units have a self-insulating effect that create further efficiencies.

In addition to reducing greenhouse gas (GHG) emissions and conserving limited energy resources, reducing residential energy consumption also has economic benefits. Energy conservation measures can result in lower monthly housing costs and contribute to greater long-term housing affordability.

The City of Morgan Hill has a central goal of reducing GHG emissions and reaching carbon neutrality by 2045 and is committed to reaching this goal through a number of goals, action items, and planning efforts identified in the Morgan Hill 2021 Climate Action Plan. Energy efficiency and conservation measures are key components of these efforts. Energy conservation can help achieve the City’s goal for carbon neutrality by both reducing use of natural gas, which will reduce emissions, and reducing use of electricity, which will reduce demand on the grid and increase

¹ Location Efficiency and Housing Type: Boiling it Down to BTUs, U.S. EPA and Jonathan Rose Companies. 2011

reliability. In addition, energy conservation reduces residents' energy costs and makes their homes more comfortable, healthy, and resilient. Using electricity instead of natural gas to fuel homes can also help to reduce climate impacts and improve health. Housing needs to be constructed expeditiously in order to address the housing crisis; however, if it is not built to also address the climate crisis, it will be challenging for jurisdictions and the State to meet aggressive climate goals. This Energy Conservation appendix describes the ways the City is currently addressing the conservation of energy resources as part of larger climate action and adaptation processes.

3.2 Framework for Conserving Energy Resources

3.2.1 2035 General Plan Update

The City of Morgan Hill adopted the 2035 General Plan on July 27, 2016, which includes a set of policies and actions within the Natural Resources and Environment Element, with an overall goal to conserve energy resources, that guides future development in an effort to reduce the City's greenhouse gas (GHG) emissions. The following is a summary of residential conservation of energy resources policies and actions from the City's 2035 General Plan:

- Policy NRE-16.1 Energy Standards for New Development.** New development, including public buildings, should be designed to exceed State standards for the use of energy.
- Policy NRE-16.2 Energy Conservation.** Promote energy conservation techniques and energy efficiency in building design, orientation, and construction.
- Policy NRE-16.3 Energy Use Data and Analysis.** Provide information to increase building owner, tenant, and operator knowledge about how, when, and where building energy is used.
- Policy NRE-16.4 Retrofit Financing.** Promote existing and support development of new private financing options for building retrofits and renewable energy development.
- Policy NRE-16.5 Energy Efficiency.** Encourage development project designs that protect and improve air quality and minimize direct and indirect air pollutant emissions by including components that promote energy efficiency.
- Policy NRE-16.6 Landscaping for Energy Conservation.** Encourage landscaping plans for new development to address the planting of trees and shrubs that will provide shade to reduce the need for cooling systems and allow for winter daylighting.
- Policy NRE-16.7 Renewable Energy.** Encourage new and existing development to incorporate renewable energy generating features, like solar panels and solar hot water heaters.
- Policy NRE-16.9 Subdivision Design.** In compliance with Section 66473.1 of the State Subdivision Map Act, promote subdivision design that

provides for passive solar heating and natural cooling through the Development Review Committee subdivision review procedures.

Action NRE-16.A Community Choice Aggregation. Partner with other Santa Clara County jurisdictions to determine the feasibility for development of a regional CCA program, including identification of the geographic scope, potential costs to participating jurisdictions and residents, and potential liabilities.

Action NRE-16.C Local Energy Ordinances. Develop local ordinances that promote energy conservation and efficiency. Examples of such ordinances include: energy audits, solar access, solar swimming pool heating, insulation and solar retrofit, and solar water heating.

3.2.2 Morgan Hill 2021 Climate Action Plan

The City of Morgan Hill is invested in preparing a resilient future for our community and the environment overall. The Morgan Hill 2021 Climate Action Plan (CAP) was developed out of the urgency that the City Council saw to address climate change and focus efforts toward the initiatives that will make the most significant positive impacts in the most timely manner. Thus, it was determined that a limited CAP be developed with a focus on reducing greenhouse gas emissions in the transportation and building sectors. The strategies in the CAP focus on areas of decarbonizing buildings and reducing emissions from on-road and off-road vehicles by increasing electric vehicles and electric equipment to reach net zero emissions.

The main goal of the CAP is to reduce Morgan Hill's net CO₂ emissions in the building and transportation sectors 35% below the 2020 baseline level by 2030 and 100% below the 2020 baseline level by 2045.

The residential sub-goals of the CAP include the following:

1. Expand electric vehicle charging station access for existing multi-family complexes by 30%, (i.e., the number of chargers in multi-family complexes will be equivalent to at least 30% of the number of units in multi-family complexes) by the year 2025 and 100% by 2035.
2. Require newly-constructed residential buildings to have the necessary capacity to facilitate electric vehicle charging.
3. Transition 95% of existing buildings in Morgan Hill to be all-electric by 2045, with additional targets every five years consisting of:
 - 1% of existing buildings by 2025
 - 10% of existing buildings by 2030
 - 35% of existing buildings by 2035
 - 70% of existing buildings by 2040

3.2.3 Energy Efficiency Building Requirements

Title 24, Part 6, of the California Code of Regulations (Building Energy Efficiency Standards for Residential and Nonresidential Buildings) contains California's building standards for energy efficiency. These regulations respond to California's energy crisis and need to reduce energy bills, increase energy delivery system reliability, and contribute to an improved economic condition for

the state. Each city and county must enforce these standards as part of its review of building plans and issuance of building permits. The standards, prepared by the California Energy Commission, were established in 1978 in response to a State legislative mandate to reduce California's energy consumption. The standards are updated periodically to consider and incorporate new energy efficiency technologies and methods.

The 2019 California Building Code (including Title 24, Part 6, described above) went into effect in the City on January 1, 2020, see Chapter 15.08 (Building Code) of the City's Municipal Code. All new construction must comply with the standards in effect on the date a building-permit application is submitted.

The California Green Building Standards Code, within Title 24, Part 11, of the California Code of Regulations, includes green building regulations, also referred to as the CALGreen Code, to encourage more sustainable and environmentally friendly building practices, require low pollution emitting substances that can cause harm to the environment, conserve natural resources, and promote the use of energy efficient materials and equipment. There are mandatory measures, which apply statewide, and voluntary measures, which can be adopted locally. Voluntary measures are organized into 2 tiers with their own respective prerequisites and elective measures: Tier 1 prerequisites set a higher baseline than CALGreen mandatory measures; while Tier 2 prerequisites include all of Tier 1 prerequisites plus some enhanced or additional measures.

Prohibition of Natural Gas Infrastructure in New Buildings Ordinance

Following the passage of Senate Bill (SB) 100, which mandates that California utilities provide carbon-neutral electricity by 2045, local governments began passing ordinances that are variations on the theme of prohibiting fossil fuel energy sources in new construction.

Decarbonization through electrification is one of the key strategies for reducing GHG emissions. In order for Morgan Hill to reach carbon neutrality, the majority of the buildings in the City will need to be carbon neutral. All-electric buildings have been shown to be cost-effective for new construction and the electrification of new residential construction is expected to reduce the overall cost to build new housing. Avoiding the cost of gas infrastructure provides significant savings (approximately \$7,000 per unit), and most electric appliances have similar or lower operating costs compared to natural gas appliances.

In November 2019, the City Council adopted Ordinance 2306 establishing Chapter 15.63 (Prohibition of Natural Gas Infrastructure in New Buildings) requiring all new buildings (residential, commercial, and industrial), after March 1, 2020, to be all-electric. Electrification allows buildings to use 100 percent carbon neutral electricity.

3.3 Energy Efficiency and Conservation Programs

This Section briefly describes some of the potential ways to achieve energy savings through the regulations and programs of the City, the State, and local utility providers.

3.3.1 Rehabilitation Program, Minor Home Repair

Morgan Hill has established a minor home repair rehabilitation program that was operational during the entire previous Housing Element cycle. This fund was initially established by a one-time developer contribution and was intended to be used for senior housing-related support services. The Housing Division in the past contracted with the non-profit, Rebuilding Together of

Silicon Valley (Rebuilding Together) to administer and manage a rehabilitation program funded by the Senior Housing Trust. Rebuilding Together has been providing the South County with home repair service for thirty years and provides a “lifeline” Home Repair Rehab Program for fixed income seniors in Morgan Hill, as well as lower income tenants. The original fund has been exhausted and this program is now funded by the Community Development Block Grant for which Morgan Hill participates through a Joint Powers Agreement with the County of Santa Clara. Through this Rehabilitation Program, the City of Morgan Hill rehabilitated 169 units from 2015 through 2021, administered by Rebuilding Together.

3.3.2 Local Utility Programs

Pacific Gas and Electric

PG&E offers the following financial and energy-related assistance programs for its low-income customers:

- ❖ **Energy Savings Assistance Program.** PG&E’s Energy Savings Assistance program offers free weatherization measures and energy-efficient appliances to qualified low-income households. PG&E determines qualified households through the same sliding income scale used for CARE. The program includes measures such as attic insulation, weather stripping, caulking, and minor home repairs. Some customers qualify for replacement of appliances including refrigerators, air conditioners, and evaporative coolers.
- ❖ **Energy Efficiency for Multifamily Properties.** The Energy Efficiency for Multifamily Properties program is available to owners and managers of existing multi-family residential dwellings containing five or more units. The program encourages energy efficiency by providing rebates for the installation of certain energy-saving products.
- ❖ **California Alternate Rates for Energy (CARE).** PG&E offers this rate reduction program for low-income households. PG&E determines qualified households by a sliding income scale based on the number of household members. The CARE program provides a discount of 20 percent or more on monthly energy bills. Approximately 16.8% of Morgan Hill customers/households are enrolled in the CARE program.
- ❖ **REACH (Relief for Energy Assistance through Community Help).** The REACH program is sponsored by PG&E and administered through a non-profit organization. PG&E customers can enroll to give monthly donations to the REACH program. Qualified low-income customers who have experienced uncontrollable or unforeseen hardships, that prohibit them from paying their utility bills may receive an energy credit. Eligibility is determined by a sliding income scale based on the number of household members. To qualify for the program, the applicant’s income cannot exceed 200 percent of the Federal poverty guidelines.
- ❖ **Medical Baseline Allowance.** The Medical Baseline Allowance program is available to households with certain disabilities or medical needs. The program allows customers to get additional quantities of energy at the lowest or baseline price for residential customers.

Santa Clara Valley Water District

The Santa Clara Valley Water District (Valley Water) offers the following financial and energy-related assistance programs for residents:

- ❖ **Landscape Rebate Program.** This program is designed to encourage residents to convert approved high-water use landscape, such as lawns and pools, to low-water use landscape, as well as to retrofit existing irrigation equipment with approved high-efficiency irrigation equipment. Valley Water's Landscape Rebate Program offers four rebate categories that can help save water:
 - Landscape Conversion Rebate
 - In-Line Drip Irrigation Conversion Rebate
 - Irrigation Equipment Upgrade Rebate
 - Rainwater Capture Rebate
- ❖ **Graywater Rebate.** Through Valley Water's Graywater Rebate Program, rebates are offered to residents who install a Graywater Laundry-to-Landscape System.
- ❖ **Submeter & Private Well Rebates.** Valley Water offers rebates for installing qualifying submeters and water meters.

3.3.3 Federal and State Energy Assistance Programs

California Department of Community Services and Development (CSD)

In addition to the local programs described above, the California Department of Community Services and Development (CSD) administers the Federally funded Low-Income Home Energy Assistance Program (LIHEAP). This program provides two types of assistance: Home Energy Assistance and Energy Crisis Intervention. The first type of assistance is a direct payment to utility bills for qualified low-income households. The second type of assistance is available to low-income households that are in a crisis. CSD also offers free weatherization assistance, such as attic insulation, caulking, water heater blankets, and heating and cooling system repairs to low-income households.

The California Arrearage Payment Program (CAPP) is a state program to help pay customers' eligible past due energy bills that increased during the COVID-19 pandemic. CAPP reduces qualified customers' unpaid energy bills by directly applying a bill credit to their energy bill. Customers do not need to apply for CAPP and assistance will be disbursed by state utility companies electing to participate in CAPP. CAPP bill credits are courtesy of the State of California and are targeted to help utility customers that fell behind on their energy bills because of the economic impacts of the COVID-19 pandemic. Customers may qualify for a CAPP credit if they had an unpaid energy utility bill over 60 days past due incurred between March 4, 2020 and June 15, 2021.

The new federal Low Income Household Water Assistance Program (LIHWAP) will provide financial assistance to low-income Californians to help manage their residential water utility costs. Established by Congress in December 2020, this federally funded program will help low-income households pay down their outstanding water bills. California has been allocated \$116 million in one-time funding to provide LIHWAP assistance. The Department of Community Services and Development (CSD) has been designated the administering agency for LIHWAP in California. CSD, in consultation with stakeholders, is in the process of defining the scope of the LIHWAP

program and service delivery through the development of a LIHWAP State Plan. The U.S. Department of Health and Human Services, Office of Community Services, has provided guidance that LIHWAP should be modeled on existing processes, procedures, policies, and systems in place to provide assistance, such as the CSD administered Low-Income Home Energy Assistance Program (LIHEAP).

Solar on Multifamily Affordable Housing (SOMAH)

The Solar on Multifamily Affordable Housing (SOMAH) Program provides financial incentives for installing photovoltaic (PV) energy systems on multi-family affordable housing in California. The program will deliver clean power and credits on energy bills to hundreds of thousands of the state's affordable housing residents. SOMAH's unique, community-based approach ensures long-term, direct financial benefits for low-income households, helps catalyze the market for solar on multi-family housing and creates jobs. The SOMAH Program is overseen by the California Public Utilities Commission.

Self-Generation Incentive Program (SGIP)

The Self-Generation Incentive Program (SGIP) is a California Public Utilities Commission (CPUC) program that offers rebates for installing energy storage technology in a home. These storage technologies include battery storage systems that can function in the event of a power outage. Any PG&E customer can apply for this program to receive a rebate that is 15-20% of the average battery cost. Medical Baseline customers and customers who reside in affordable housing could receive a rebate that is 85-100% of the average battery cost.

Appendix H4

Constraints Analysis

City of Morgan Hill Housing Element 2023-2031

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City of Morgan Hill Housing Element

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APPENDIX H-4 | Constraints Analysis

4.1 Introduction

The purpose of this section, per Government Code Section 65583(a)(5-6), is to identify nongovernmental and governmental factors (constraints) that impact the feasibility, costs, and timelines of housing projects, which in turn affect the City's ability to meet the housing needs of all its residents and to affirmatively further fair housing goals. Constraints affect a housing development's location selection, density, design, and permitting process which impact whether housing can be developed, maintained, or improved. Examples of such constraints are land and construction costs, access to credit, permit fees, development standards, and compliance with Federal and State laws intended to facilitate housing for lower-income and special needs households. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing.

4.2 Nongovernmental Constraints

State law (California Government Code, Section 65583[a][6]) requires Housing Elements to contain an analysis of nongovernmental constraints to the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction. Potential nongovernmental constraints are largely determined by market conditions over which local jurisdictions have little control. However, local governments can influence market conditions and their associated costs, even if only indirectly. Governmental interventions that affect nongovernmental constraints will be explored in more detail in Section 5.3.

4.2.1 Availability of Financing

The availability of financing is a critical factor that can influence the cost and supply of housing. There are generally two types of financing used in the housing market: (1) capital used for initial site preparation and construction; and (2) capital used to finance the purchase of units by homeowners and investors. Interest rates substantially impact home construction, purchase, and improvement costs. A small fluctuation in rates can make a dramatic difference in the annual income needed to qualify for a loan. In general, financing for new residential development in the City is available at reasonable rates. While interest rates have been historically low in recent years, interest rates have increased within the past year, leading to credit tightening. The availability of financing in a community depends on a number of factors, including the type of lending institutions active in the community, lending practices, rates and fees charged, laws and regulations governing financial institutions, and equal access to those institutions. Through analysis of Home Mortgage Disclosure Act (HMDA) data on the disposition of residential loan applications, an assessment can be made of the availability of residential financing within a community.

Table H 4-1 summarizes HMDA data for both the City of Morgan Hill and Santa Clara County, providing information on the approval status of all home purchase, refinance, and home improvement loan applications during 2020.

- ❖ Of the total 1,045 completed applications for home purchase loans in Morgan Hill, 95

percent were approved and five percent were denied, above the 90 percent approval rate County-wide. In 2018, the approval rate for home purchase loans in Morgan Hill was 88 percent, indicating access to mortgage financing has improved in the City. Review of loan denials in 2020 by Morgan Hill's nine census tracts indicates three tracts (5123.05, 5123.08, 5123.14) with loan denial rates significantly above the five percent citywide average.

- ❖ The volume of applications for refinance loans in Morgan Hill was nearly three times that of home purchase loans due to historically low interest rates in 2020, with 89 percent of the total 3,432 applications receiving approval and 11 percent denied, similar to the regional average.
- ❖ The number of applications for home improvement loans in Morgan Hill was very limited at just 99, with 66 percent of applications receiving approval and 34 percent being denied, slightly better than the 38 percent denial rate County-wide. Home improvement loans typically have higher denial rates because homeowners may already have high debt-to-income ratios on their home mortgage or refinance loans.

Table H 4-1 Status of Home Purchase, Refinance, and Home Improvement Loans 2020					
Loan Type	Morgan Hill Completed Loan Applications	Loans Approved		Loans Denied	
		Morgan Hill	Santa Clara County	Morgan Hill	Santa Clara County
Conventional Home Purchase Loans					
# of Applications	1,100	1,045	14,744	55	1,596
% Approval/Denial	-	95%	90%	5%	10%
Refinancing Loans					
# of Applications	3,432	3,041	65,758	391	7,658
% Approval/Denial	-	89%	90%	11%	10%
Home Improvement Loans					
# of Applications	151	99	2,724	52	1,639
% Approval/Denial	-	66%	62%	34%	38%

4.2.2 Development Costs

The cost to develop housing, whether single-unit or multi-unit, includes the cost of land, construction, infrastructure, and “soft costs,” which refers to engineering and architectural fees, insurance, financing, administrative costs, and marketing costs.

Century Urban, LLC (Century | Urban) has performed research on the development costs of certain residential prototypes (2,600 square foot single-family dwelling, 5,000 square foot single-family dwelling, 10-unit multi-family building, and a 100-unit multi-family building) in Santa Clara County, including the City of Morgan Hill. The research findings are based on Century | Urban's recent work on other assignments as well as on third-party data sources.¹

¹ Century Urban, LLC; April 2022. San Mateo and Santa Clara Counties Development Cost & San Mateo County Unit Mix Research.

Land Costs

The availability and price of land are potential constraints to the development of housing for all income levels. The scarcity of vacant land in the Silicon Valley, including the City of Morgan Hill, results in land cost being very expensive, especially in denser and more desirable areas. Compared with other residential development cost components, land cost is the most prone to variations in price by location, school district, nearby amenities, and zoning.

To generate the single-family land values utilized in the development cost estimates, Century | Urban collected sales data for land lots totaling one acre or less which transacted over the past three years. The data does not include properties with existing homes or infrastructure that were redeveloped as new single-family homes. 11 data points were collected for the City of Morgan Hill. According to the Century | Urban report, land sales costs for single-family home land sites in Morgan Hill range from a low of \$1 to a maximum of \$495 per square foot; with the median rate at \$15 per square foot and the average at \$79 per square foot.

Century | Urban collected available multi-family land sales data from 2013 to the present in Santa Clara County. Of the 40 data points collected for Santa Clara County, one was located in Morgan Hill with a land cost of \$86,000 per unit; whereas the county land cost per unit average is \$60,000.

Hard Costs

The cost of labor and material, referred to as hard construction costs, represent the largest component of housing development costs. The greatest determinant of construction costs is the type of building. Single-story, wood-framed structures are the least costly to build, whereas multi-story steel-reinforced, poured-in-place concrete structures are the most expensive.

According to a report released in March 2020 on multi-unit construction costs in California from the Turner Center, hard construction costs make up more than 60 percent of total development costs. The Turner Center study found that on average, construction costs were about \$222 per square foot in 2018 compared to \$177 in 2008-2009, representing a 25 percent increase. Costs have continued to increase since 2018. Several factors have caused the increased cost of materials, including global trade patterns and federal policy decisions, such as tariffs, as well as state and local regulations, such as building codes. The COVID-19 pandemic has also influenced the cost and availability of construction materials. Supply chain disruptions have resulted in project delays and increased costs due to a shortage of construction materials and equipment.

Labor costs have also increased in recent years, as the labor pool has not kept pace with the increase in demand. Since the recession, California has seen a severe tightening in the construction labor market, especially for workers trained in specific construction trades. The lack of an available labor force drives up the cost of labor and leads to project delays as workers are either unavailable or lost to more profitable projects.²

However, in the more recent, and focused, Century | Urban report, the hard costs for a 2,600 square foot single-family dwelling were found to be \$420 per square foot in San Mateo and Santa Clara Counties; and the hard costs for a 5,000 square foot single-family dwelling were found to be \$525 per square foot. Whereas the hard costs for a 10-unit multi-family building were found to be \$522 per square foot; and the hard costs for a 100-unit multi-family building were found to be

² Forscher, T.; Kneebone, E.; Raetz, H.; and Reid, C. March 2020. The Hard Costs of Construction: Recent Trends in Labor and Material Costs for Apartment Buildings in California. Turner Center for Housing Innovation, UC Berkeley.

\$517 per square foot according to the Century | Urban report.

Soft Costs

Other costs, often called “soft costs,” include engineering and architectural fees, insurance, financing, administrative costs, and marketing costs. According to the Century | Urban report, soft costs are generally assumed to be around 30% of hard costs, with single-unit development prototypes studied ranging from about \$133 to \$147 per square foot, and the soft costs for the multi-unit development projects ranging from \$159 to \$165 per square foot.

Total Development Costs

Figures H 4-1 and H 4-2 summarizes total costs per site square footage, including construction and soft cost estimates for the four prototypes compiled by Century | Urban. Based on the cost estimates for the residential prototypes shown in Figures H 4-1 and H 4-2, the cost to construct a single-unit home in Santa Clara County ranges from approximately \$936 to \$1,060 per square foot. The cost to construct an apartment project in Santa Clara County range from \$748 to \$755 per square foot. These estimates account for the cost of land.

Figure H 4-1: Total Development Costs: Single-Family

Total Development Costs - San Mateo and Santa Clara Counties

Large numbers rounded to nearest \$'000 or nearest \$'0,000

	Single Family Small		Single Family Large	
	Total	\$ / SF	Total	\$ / SF
Prototype Elements				
1) Gross Residential Square Feet	2,600		5,000	
Hard Costs				
1) Residential Hard Costs	\$1,040,000	\$400	\$2,500,000	\$500
2) Site improvements and utilities				
3) Grading and erosion control				
4) Parking Hard Costs				
5) Contingency 5%	\$52,000	\$20	\$125,000	\$25
Total Hard Costs	\$1,092,000	\$420	\$2,625,000	\$525
Soft Costs				
1) Soft Costs 25.0%	\$270,000	\$104	\$660,000	\$132
2) City Fees	\$75,000	\$29	\$75,000	\$15
3) Soft Cost Contingency 5%	\$20,000	\$8	\$40,000	\$8
Total Soft Costs	\$365,000	\$133	\$775,000	\$147
% of hard costs	33%		30%	
Land Costs	Total	Per SF Bldg	Total	Per SF Bldg
1) Land Costs - San Mateo	\$1,030,000	\$396	\$1,030,000	\$206
2) Land Costs - Santa Clara	\$1,320,000	\$508	\$1,320,000	\$264
Single Family Land Cost Range				
SFH Land - Lower Price Tier	\$210,000	\$81	\$210,000	\$42
SFH Land - Middle Price Tier	\$730,000	\$281	\$730,000	\$146
SFH Land - Higher Price Tier	\$2,510,000	\$965	\$2,510,000	\$502
Total Development Cost - San Mateo	\$2,487,000	\$949	\$4,430,000	\$878
Total Development Cost - Santa Clara	\$2,777,000	\$1,060	\$4,720,000	\$936

Total Development Cost by Range of Land Cost

Single Family - Lower Land Price Tier	\$1,667,000	\$633	\$3,610,000	\$714
Single Family - Middle Land Price Tier	\$2,187,000	\$833	\$4,130,000	\$818
Single Family - Higher Land Price Tier	\$3,967,000	\$1,518	\$5,910,000	\$1,174

Source: Century Urban, LLC; April 2022. San Mateo and Santa Clara Counties Development Cost & San Mateo County Unit Mix Research.

Figure H 4-2: Total Development Costs: Multi-Family

Total Development Costs - San Mateo and Santa Clara Counties

Large numbers rounded to nearest \$'000 or nearest \$'0,000

		Multi-Family Small			Multi-Family Large		
		Total	\$ / SF	\$ / Unit	Total	\$ / SF	\$ / Unit
Prototype Elements							
1)	Gross Residential Square Feet	10,000			93,750		
2)	Parking Square Footage	3,750			40,000		
3)	Parking Type	Surface Lot			Standalone above grade		
4)	Units	10			100		
5)	Avg Net SF / Unit	850			750		
6)	Efficiency	85%			80%		
Hard Costs							
1)	Residential Hard Costs	\$4,150,000	\$415	\$420,000	\$39,840,000	\$425	\$400,000
2)	Site improvements and utilities	\$605,000			\$1,165,000		
3)	Grading and erosion control	\$110,000			\$335,000		
4)	Parking Hard Costs	\$100,000	\$28		\$4,800,000	\$120	
5)	Contingency 5%	\$250,000	\$21	\$21,000	\$2,310,000	\$21	\$20,000
Total Hard Costs		\$5,215,000	\$522	\$521,500	\$48,450,000	\$517	\$484,500
Soft Costs							
1)	Soft Costs 25.0%	\$1,303,750	\$130	\$130,000	\$12,110,000	\$129	\$120,000
2)	City Fees	\$350,000	\$35	\$35,000	\$2,800,000	\$30	\$28,000
3)	Soft Cost Contingency 5%	\$80,000	\$8	\$8,000	\$750,000	\$8	\$7,500
Total Soft Costs		\$1,733,750	\$165	\$165,000	\$15,660,000	\$159	\$148,000
% of hard costs		33%			32%		
Land Costs		Total		Per Unit			Per Unit
1)	Land Costs - San Mateo	\$1,000,000		\$100,000	\$10,000,000		\$100,000
2)	Land Costs - Santa Clara	\$600,000		\$60,000	\$6,000,000		\$60,000
Range of Land Costs							
Apts/Condo- Lower Price Tier		\$400,000		\$40,000	\$4,000,000		\$40,000
Apts/Condo- Middle Price Tier		\$800,000		\$80,000	\$8,000,000		\$80,000
Apts/Condo- Higher Cost Tier		\$1,600,000		\$160,000	\$16,000,000		\$160,000
Total Development Cost - San Mateo		\$7,948,750	\$795	\$786,500	\$74,110,000	\$791	\$732,500
Total Development Cost - Santa Clara		\$7,548,750	\$755	\$746,500	\$70,110,000	\$748	\$692,500
Total Development Cost by Range of Land Cost							
Apts/Condo- Lower Land Price Tier		\$7,348,750		\$726,500	\$68,110,000		\$672,500
Apts/Condo- Middle Land Price Tier		\$7,748,750		\$766,500	\$72,110,000		\$712,500
Apts/Condo- Higher Land Price Tier		\$8,548,750		\$846,500	\$80,110,000		\$792,500

Source: Century Urban, LLC; April 2022. San Mateo and Santa Clara Counties Development Cost & San Mateo County Unit Mix Research.

4.2.3 Requests for Housing Developments at Reduced Densities

New State Housing Element law now requires the non-governmental constraints analysis to evaluate developer requests to build at densities below the density identified in the Housing

Element sites inventory. In Morgan Hill, properties generally develop at or above the allowed density (such as with a density bonus).

4.2.4 Length of Time between Project Approval and Applications for Building Permits

New State Housing Element law now also requires an examination of the length of time between receiving approval for a housing development and submittal of an application for building permits. The time between application approval and building permit issuance is influenced by a number of factors, none of which are directly impacted by the City. Factors that may impact the timing of building permit issuance include: required technical or engineering studies; completion of construction drawings and detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors.

In Morgan Hill, most approved projects are constructed in a reasonable time period. Projects with entitlements nearly always move forward with construction, the one recent exception being an approved three-story mixed-use building and 15 residential units, consisting of twelve attached single-family homes and three condominium units in the mixed-use building (SR2016-0017 Monterey-Gunter) at 17620 Monterey Road (APN 726-23-008). As a small city, Morgan Hill staff have the advantage of working closely with applicants through the review and approval process, thereby helping to expedite the issuance of building and zoning permits. Furthermore, the City's contract with its building plan check consultant includes a requirement that the first plan check for development projects be completed within two weeks, whereas the Building Division's standard has been four weeks for a large residential master plan review and two weeks for an individual dwelling.

Building Permits are generally issued within two years of a project getting entitled. For example, Sunsweet (SR2017-0004 Depot-Sunsweet), a mixed-use building complex project consisting of 83 apartment units, was entitled in April of 2017 with building permits for the project's 83-units issued in May of 2018.

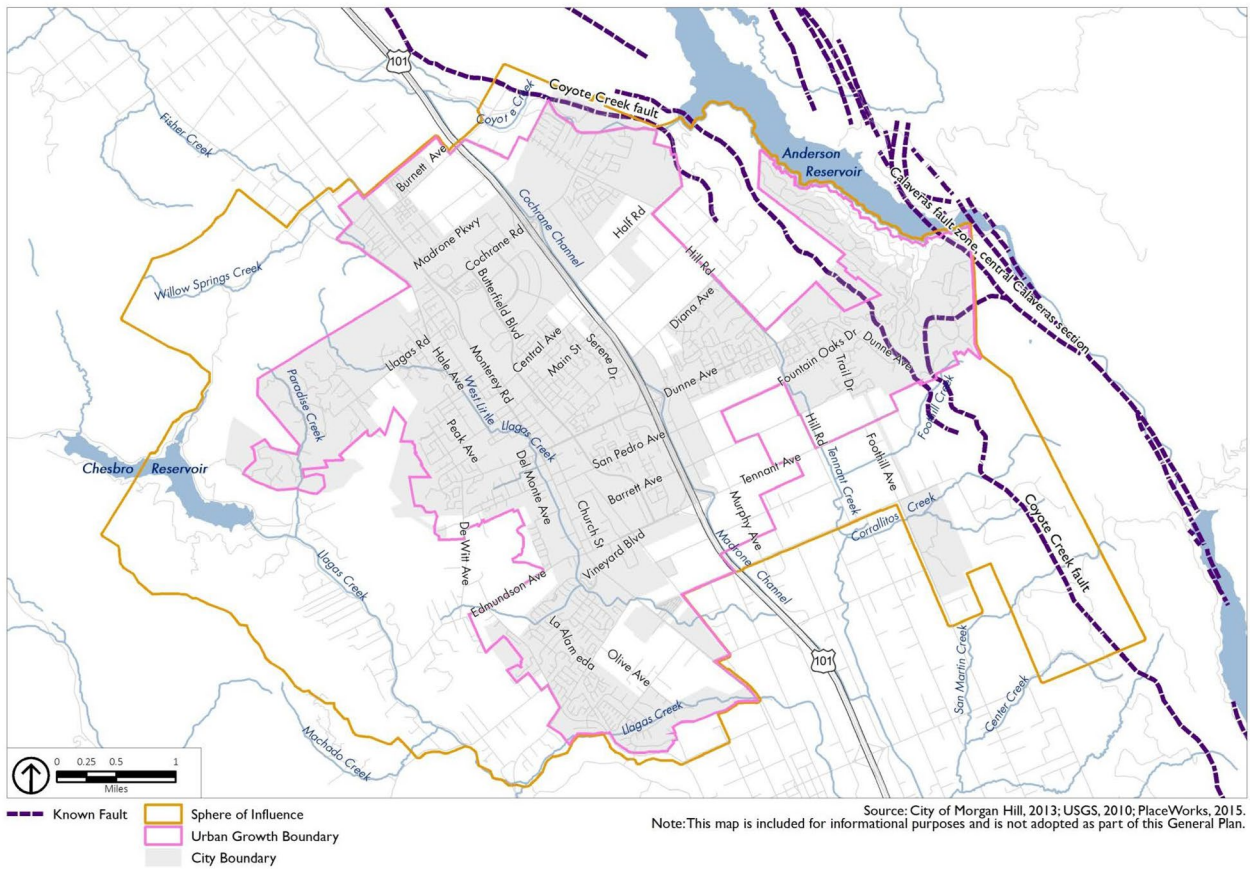
4.2.5 Environmental Constraints

The environmental setting affects the feasibility and cost of residential development. Environmental issues range from the suitability of land for development, the provision of adequate infrastructure and services, as well as the cost of energy. Morgan Hill currently encompasses about 8,256 acres of land. The majority of the parcels in the City's boundary are developed. Most of the undeveloped parcels are in areas surrounding El Toro in the central-western boundary of the City and in the central-eastern portion of the City near the Jackson Oaks neighborhood. These areas contain environmental constraints on development, such as steep slopes, landslide hazards, fire hazards, or flood hazards, and therefore, much of the undeveloped land has been set aside as open space. The following are environmental constraints and hazards that affect, in varying degrees, existing and future residential developments.

Seismic Hazards

The Coyote Creek fault and Calaveras fault zone is located near the eastern boundary of the City. Major problems could result from ground shaking, which is likely to be amplified in the areas underlain by relatively unconsolidated deposits, especially in the eastern part of the City. Liquefaction is also a possibility in these areas. There is potential for landslides on all slopes; however, site-specific investigations can differentiate the degree of risk.

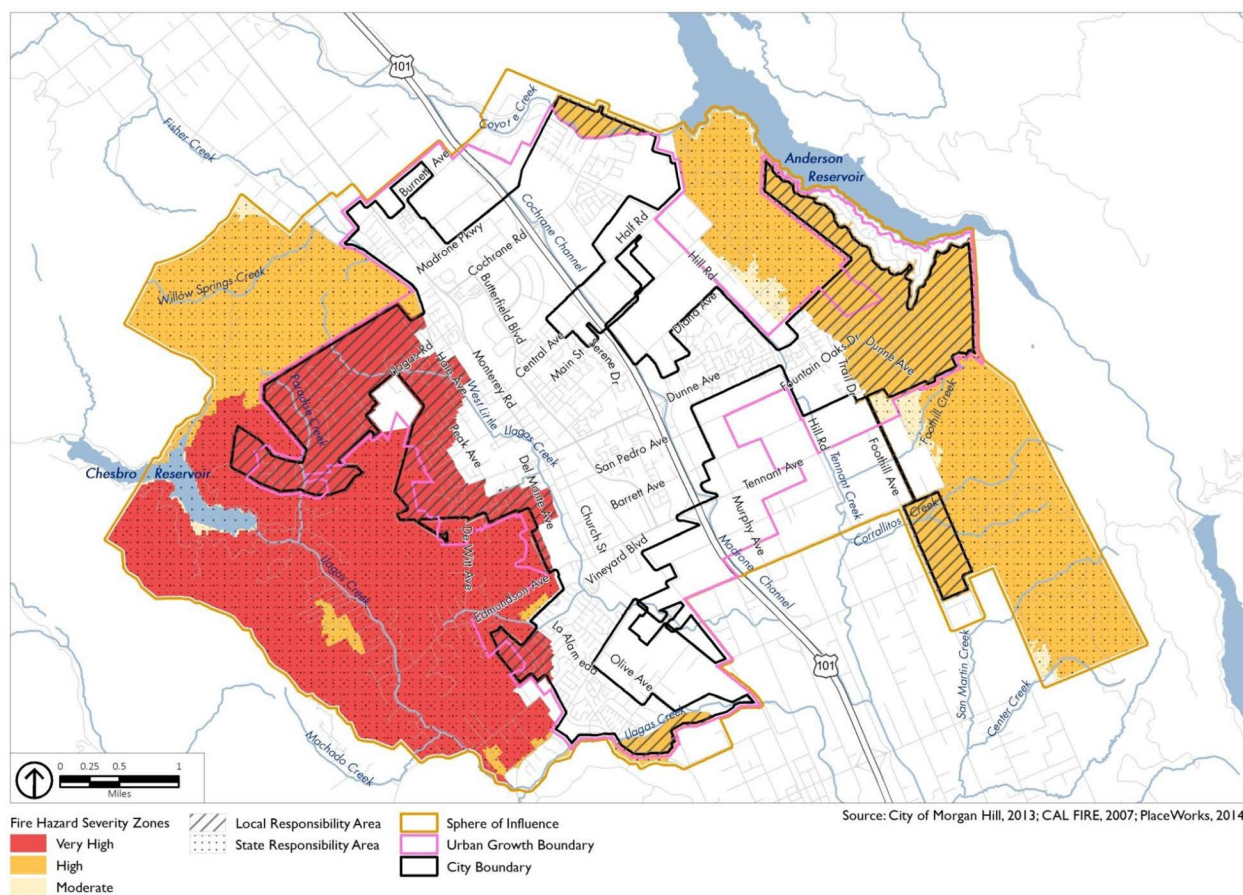
Figure H 4-3: Earthquake Faults



Fire Hazards

Much of the open space, hillside area of Morgan Hill is located along the western and eastern borders of the city. There is higher potential for fire in these areas including grass or wildland fires as shown in Figure H 4-4. The risk in these areas is compounded by limited emergency access to open space areas and, in some cases, by insufficient fire hydrants/water flow to meet fire-fighting requirements. The Safety, Services, and Infrastructure Element of the General Plan sets forth approaches to reduce this risk in developed areas and in the design and location of new development in the hillsides.

Figure H 4-4: Fire Hazard Severity Zones

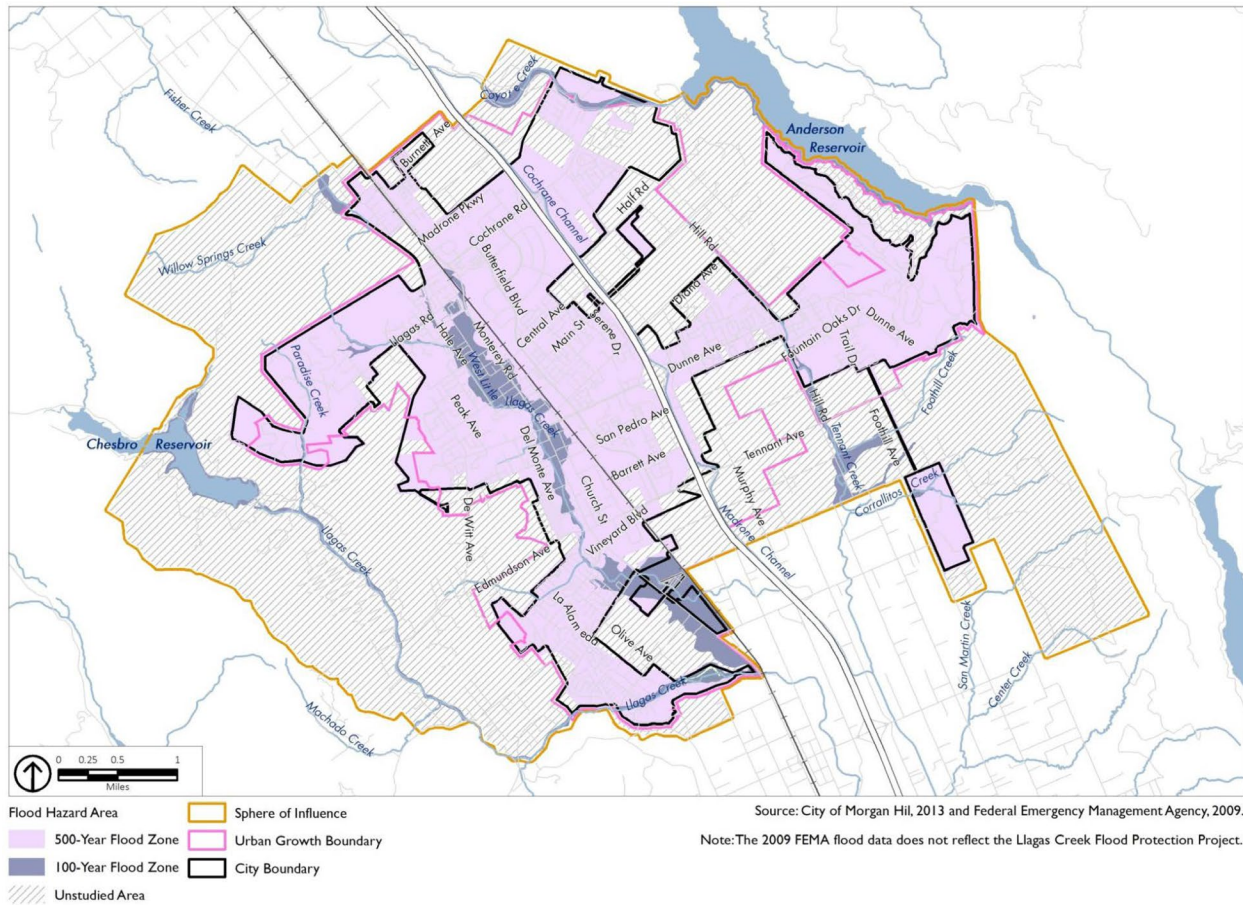


Flood Hazards

All of the creeks in the city have flooding potential. Federal Emergency Management Agency (FEMA) standards govern development in the 100-year floodplain (see Figure H 4-5) and floodways. A 100-year floodplain is the area next to a river or stream with a 1 percent or greater chance of being flooded in any year. A 500-year floodplain is the area next to a river or stream with a 0.2 percent chance of being flooded in any year. A floodway, a smaller area within the floodplain, is a river or stream and the area within immediate proximity of a river or stream that is capable of conveying the 100-year flood with no more than a 1-foot rise in water.

Development in the floodplain and floodway must be controlled because it can increase flooding hazards by raising water levels upstream and by adding flow, velocity, and debris downstream. Figure H 4-5 shows both 100-year and 500-year FEMA flood zones.

Figure H 4-5: FEMA Flood Zones



4.3 Governmental Constraints

Governmental policies and regulations can result in both positive and negative effects on the availability and affordability of housing. This section, as required by Government Code Section (a)(5), describes City policies and regulations that could potentially constrain the City's ability to achieve its housing goals. Potential constraints to housing include land use controls (through General Plan policies and zoning regulations), development standards, infrastructure requirements, development impact fees, and the development approval processes. While government policies and regulations are intended to serve public objectives and further the public good, the City of Morgan Hill recognizes that its actions can potentially constrain the availability and affordability of housing to meet the community's future needs.

4.3.1 Land Use Controls

Land Use General Plan Designations

A city's Comprehensive General Plan is the constitution for development within the community. The City and Neighborhood Form Element, one of the seven State mandated elements of the General Plan, sets forth the city's goals, policies, and programs for guiding physical development within the city. The Transportation, Natural Resources and Environment, and Safety, Services,

and Infrastructure Elements help determine land use areas within the community. The Housing Element has become a significant component in shaping the land use makeup within the community. State law also requires that the General Plan be internally consistent, and that zoning and development standards be consistent with the General Plan. While the General Plan is general in nature, its implementation, through zoning, subdivision, and other development codes are more specific.

The City's Land Use Element provides for the following range of intensities for residential development:

- ❖ Residential Estate, up to 1 unit/acre
- ❖ Residential Detached Low, up to 4 units/acre
- ❖ Residential Detached Medium, up to 7 units/acre
- ❖ Residential Detached High, 6-12 units/acre
- ❖ Residential Attached Low, 6-16 units/acre
- ❖ Residential Attached Medium, 16-24 units/acre
- ❖ Residential Downtown, 24-46 units/acre
- ❖ Mixed Use, per adopted Downtown Specific Plan
- ❖ Mixed Use Flex, 7-24 units/acre

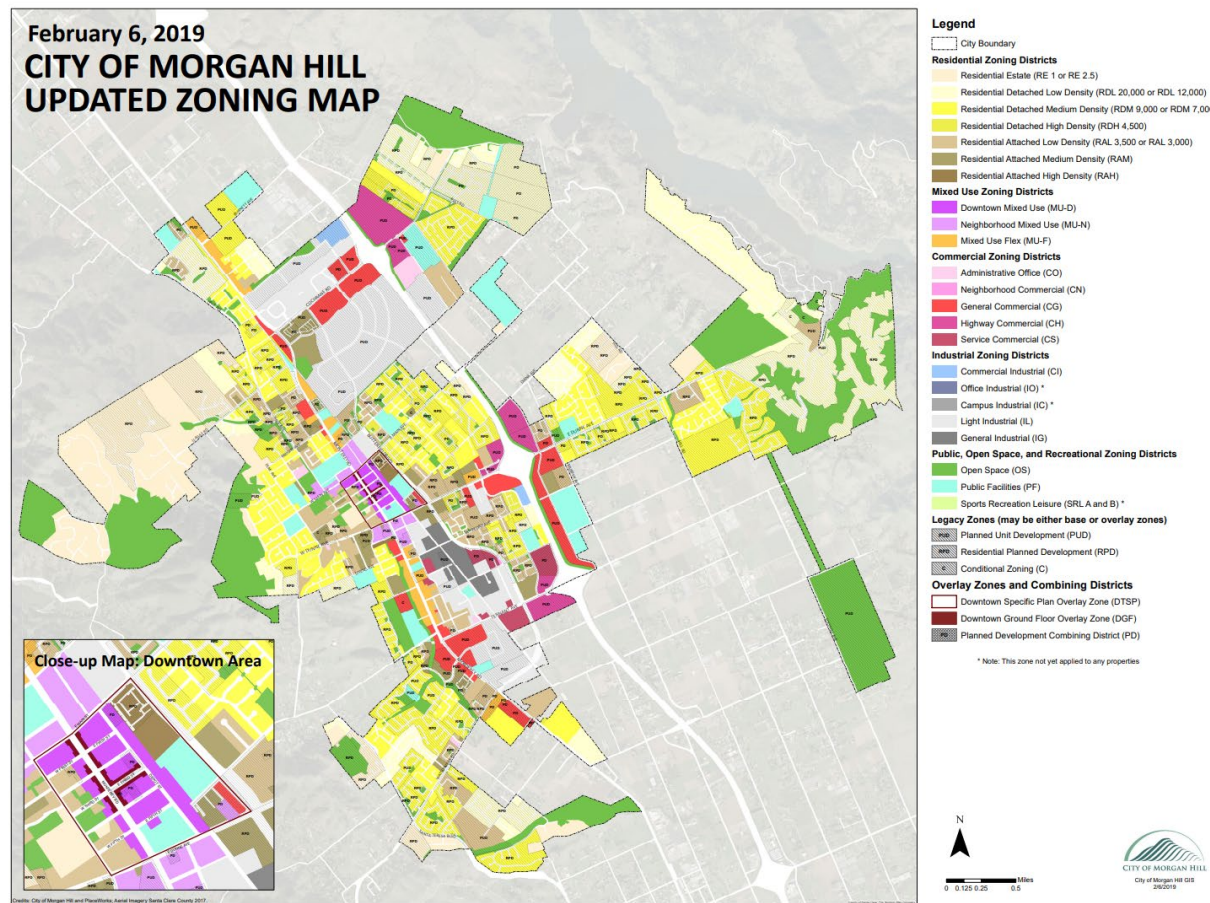
Morgan Hill is illustrative of how the availability of sufficient sites for multi-family development can outweigh zoning regulations as a determining factor of whether such development, including affordable housing, occurs. As the City's zoning map below reflects, most of the City's residentially zoned land is zoned for single-family homes. Nonetheless, multi-family zoned areas are sufficient to ensure that there are enough permitted developments in the pipeline for Morgan Hill to meet its RHNA targets at all income levels for the 6th Housing Element cycle. At the same time, as identified in the Affirmatively Furthering Fair Housing (AFFH) Appendix, the relative lack of land zoned for multi-family housing in the eastern portion of the City is a concern, and relatively stringent maximum heights and density limits for multi-family housing could curb multi-family housing development and affordable housing development in the future if developers' cost constraints change.³ Regionally, exclusionary zoning is a much more significant issue as many high resource cities accommodate far less multi-family development than Morgan Hill has. However, the City has implemented the following measures to create opportunities for affordable housing development in the eastern portions of the city and the need to consider changes to multi-family development standards in the future:

- Action HE-3.A** Identify opportunities and sites for affordable housing development in eastern Morgan Hill.
- Action HE-3.B** Study the creation of affordable housing overlay districts in advance of the next Housing Element cycle.

3

[https://library.municode.com/ca/morgan hill/codes/code of ordinances?nodeId=TIT18ZO_DIVIZOCO_CH18.18REATZODI_18.18.030DEST](https://library.municode.com/ca/morgan%20hill/codes/code%20of%20ordinances?nodeId=TIT18ZO_DIVIZOCO_CH18.18REATZODI_18.18.030DEST)

Figure H 4-6: City of Morgan Hill Zoning Map



4.3.2 Development Standards

The City's Zoning Code implements the General Plan and contains development standards for each zoning district consistent with the land use designations of the General Plan. The City adopted a comprehensive update of the Zoning Code to provide consistency with the 2035 General Plan. Table H 4-2 illustrates Morgan Hill's residential General Plan Designations and corresponding Zoning Districts.

Table H 4-2 Base Zoning Districts		
<i>Zoning District Symbol</i>	<i>Name of Zoning District</i>	<i>General Plan Designation</i>
RE 10	Residential Estate (10 acre lots)	Residential Estate
RE 2.5	Residential Estate (2.5 acre lots)	
RE 1	Residential Estate (1 acre lots)	
RDL 20,000	Residential Detached Low Density (20,000 sq. ft. lots)	Residential Detached Low
RDL 12,000	Residential Detached Low Density (12,000 sq. ft. lots)	
RDM 9,000	Residential Detached Medium Density (9,000 sq. ft. lots)	Residential Detached Medium
RDM 7,000	Residential Detached Medium Density (7,000 sq. ft. lots)	
RDH 4,500	Residential Detached High Density (4,500 sq. ft. per lots)	Residential Detached High
RAL 3,500	Residential Attached Low Density (3,500 sq. ft. per unit)	Residential Attached Low
RAL 3,000	Residential Attached Low Density (3,000 sq. ft. per unit)	
RAM	Residential Attached Medium Density (2,000 sq. ft. per unit)	Residential Attached Medium
RAH	Residential Attached Hight Density (1,100 sq. ft. per unit)	Residential Downtown
MU-D	Downtown Mixed Use	Downtown Mixed Use
MU-N	Neighborhood Mixed Use	
MU-F	Mixed Use Flex	Mixed Use Flex

The General Plan and Zoning Code provide for the following residential and mixed-use land use designation zones:

- ❖ **Residential Estate.** This designation is intended to promote and encourage a suitable environment for families living on relatively large parcels of land. Concentrated along the western and southern City borders, the Residential Estate designation allows single-family homes, accessory dwelling units, appropriate agricultural uses, and associated community services and facilities. The maximum allowable density is 1 unit per net acre.
- ❖ **Residential Detached Low.** The Residential Detached Low designation is intended to accommodate families in suburban single-family homes, including manufactured homes on medium-sized parcels. Accessory dwelling units are allowed under this designation. The highest concentrations of the Residential Detached Low designation are at the eastern City limit, especially in the hills near the Anderson Reservoir. This designation allows up to 4 units per net acre.
- ❖ **Residential Detached Medium.** Residential Detached Medium areas allow detached homes on smaller lots, including courtyard homes, manufactured homes, and small-lot single-family homes. Accessory dwelling units are allowed under this designation. Up to 25 percent of the total number of units in a project in the Residential Detached Medium designation may be duets. The Residential Detached Medium designation is dispersed throughout the City, often providing a transition from nonresidential areas to lower-density neighborhoods. The largest areas with this designation are centered around East Dunne Avenue and West Main Avenue between Highway 101 and the railroad. This designation allows up to 7 units per net acre.
- ❖ **Residential Detached High.** The Residential Detached High designation is intended to accommodate detached single-family homes on small lots at a density of 6 to 12 units per

net acre. This land use is meant to serve as a transition between single-family and multi-family land uses. Up to 25 percent of the total number of units in a project in the Residential Detached High designation may be duets.

- ❖ **Residential Attached Low.** The Residential Attached Low designation is primarily meant to accommodate attached homes including duplexes/duets, courtyard homes, townhomes, and garden apartments. Up to 25 percent of a Residential Attached Low site may include small-lot single family detached homes when those units are located adjacent to an existing single family detached neighborhood. Residential Attached Low areas generally are located in or next to existing residential neighborhoods and close to commercial corridors, including West Dunne Avenue and Monterey Road. This designation allows 6 to 16 units per net acre.
- ❖ **Residential Attached Medium.** This designation allows attached housing types including townhomes, garden apartments, and stacked flats. Pockets of Residential Attached Medium are primarily centered around the Downtown. Frequently found near commercial areas that in part serve the adjacent residents, this designation accommodates 16 to 24 units per net acre, most of which are townhomes, apartments, or condominiums.
- ❖ **Residential Downtown.** Small pockets of Residential Downtown, the highest-density residential designation is centered around Downtown and the commuter rail station. Development within this area must be supportive of transit oriented design. This designation allows 24 to 46 units per net acre, most of which are apartments or condominiums.
- ❖ **Mixed Use.** Applied in accordance with the Downtown Specific Plan, this designation applies to the majority of the parcels in and around the core of the Downtown area, especially parcels along Monterey Road and all the parcels between Monterey Road and Depot Street. It is intended to encourage a mixture of retail uses and residences. Consistent with the adopted Downtown Specific Plan, the Mixed Use designation generally allows a density between 8 to 20 units per net acre, except for the Central Business District (CBD), where there is no maximum or minimum density.
- ❖ **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.

Morgan Hill's residential development standards are summarized in Tables H 4-3 through H 4-8.

Table H 4-3 Residential Estate (RE) District Development Standards			
<i>Site Requirements</i>	<i>RE-10</i>	<i>RE-2.5</i>	<i>RE-1</i>
Lot Area, Minimum	10 acres	2.5 acres	1 acre
Lot Width, Minimum	200 ft.	150 ft.	100 ft.
Lot Depth, Minimum	200 ft.	150 ft.	100 ft.
Building Coverage, Maximum	15%	25%	30%
<i>Structure Requirements</i>	<i>RE-10</i>	<i>RE-2.5</i>	<i>RE-1</i>
Setbacks, Minimum			
Front	50 ft.	50 ft.	25 ft.
Rear	50 ft.	25 ft.	25 ft.
Interior Side	50 ft.	25 ft.	20 ft.
Street Side	25 ft.	15 ft.	15 ft.
Height, Maximum	30 ft.	30 ft.	30 ft.

Table H 4-4 Residential Detached Low and Medium Density District Development Standards				
<i>Site Requirements</i>	<i>RDL-20,000</i>	<i>RDL-12,000</i>	<i>RDM-9,000</i>	<i>RDM-7,000</i>
Lot Area, Minimum				
Single-Family Lot	20,000 sq. ft.	12,000 sq. ft.	9,000 sq. ft.	7,000 sq. ft.; 7,500 sq. ft. for corner lots
Corner Duet Lot			4,200 sq. ft.	3,500 sq. ft.
Lot Width, Minimum				
Single-Family Lot	100 ft.	75 ft.	70 ft.	60 ft.
Corner Duet Lot			40 ft.	40 ft.
Lot Depth, Minimum	100 ft.	100 ft.	85 ft.	85 ft.
Building Coverage, Maximum	40%	40%	50%	50%
<i>Structure Requirements</i>	<i>RDL-20,000</i>	<i>RDL-12,000</i>	<i>RDM-9,000</i>	<i>RDM-7,000</i>
Setbacks, Minimum				
Front	25 ft.	25 ft.	First Story: 20 ft. Upper Stories: 25 ft.	First Story: 20 ft. Upper Stories: 25 ft.
Rear	25 ft.	25 ft.	First Story: 20 ft. Upper Stories: 25 ft.	First Story: 20 ft. Upper Stories: 25 ft.
Interior Side	15 ft.	First Story: 10 ft. Upper Stories: 15 ft.	First Story: 5 ft. Upper Stories: 12.5 ft.	First Story: 5 ft. Upper Stories: 12.5 ft.
Street Side	15 ft.	15 ft.	15 ft.	15 ft.
Height, Maximum	30 ft.	30 ft.	30 ft.	30 ft.

Table H 4-5 Residential Detached High Density District Development Standards	
<i>Site Requirements</i>	<i>RDH-4,500</i>
Lot Area, Minimum	
Single-Family Detached Lots	4,500 sq. ft.
Corner Single-Family Detached Lots	5,000 sq. ft.
Duet Lots	3,500 sq. ft.
Lot Width, Minimum	
Lots Less Than 5,000 sq. ft.	40 ft.
Lots 5,000 sq. ft. or greater	50 ft.
Lot Depth, Minimum	85 ft.
Floor Area Ratio, Maximum	52%
<i>Structure Requirements</i>	<i>RDH-4,500</i>
Setbacks, Minimum	
Front	First Story: 15 ft. Upper Stories: 20 ft.
Rear	15 ft.
Interior Side	First Story: 10 % of lot width Upper Stories: 15% of lot width
Street Side	9 ft.
Height, Maximum	35 ft.

Table H 4-6 Residential Attached Low Density District Development Standards		
<i>Site Requirements</i>	<i>RAL-3,500</i>	<i>RAL-3,000</i>
Lot Area, Minimum		
Duplex Lots	7,000 sq. ft.	6,000 sq. ft.
Duplex Corner Lots	7,500 sq. ft.	6,500 sq. ft.
Duet Lots	3,500 sq. ft.	3,000 sq. ft.
Duet Corner Lots	3,750 sq. ft.	3,250 sq. ft.
Multi-Family and Other Uses	3,500 sq. ft.	3,000 sq. ft.
Lot Width, Minimum		
Duplex Lots	70 ft.	70 ft.
Duplex Corner Lots	80 ft.	80 ft.
Duet and Single-Family Attached Lots	30 ft.	30 ft.
Duet and Single-Family Attached Corner Lots	40 ft.	40 ft.
Lot Depth, Minimum	85 ft.	85 ft.
Building Coverage, Maximum	50%	50%
Site Area per Dwelling Unit, Minimum	3,500 sq. ft.	3,000 sq. ft.
<i>Structure Requirements</i>	<i>RAL-3,500</i>	<i>RAL-3,000</i>
Setbacks, Minimum		
Front	20 ft.	20 ft.
Rear	15 ft.; or 20 ft. for two-story, located adjacent to a single-family district	15 ft.; or 20 ft. for two-story, located adjacent to a single-family district
Interior Side	5 ft.	5 ft.
Street Side	15 ft.	15 ft.
Height, Maximum	30 ft.	30 ft.

Table H 4-7 Residential Attached Medium Density and High Density District Development Standards

<i>Site Requirements</i>	<i>RAM</i>	<i>RAH</i>
Lot Area, Minimum	6,000 sq. ft.; 4,500 sq. ft. for corner lots	6,000 sq. ft.; 6,500 sq. ft. for corner lots
Lot Width, Minimum	60 ft.	40 ft.
Lot Depth, Minimum	85 ft.	75 ft.
Building Coverage, Maximum	60%	60%
Site Area per Dwelling Unit, Minimum	2,000 sq. ft.	1,100 sq. ft.
<i>Structure Requirements</i>	<i>RAM</i>	<i>RAH</i>
Setbacks, Minimum		
Front	15 ft.	15 ft.
Rear	20 ft.	15 ft.
Interior Side	5 ft.	5 ft.
Street Side	15 ft.	15 ft.
Height, Maximum	3 stories or 40 ft., whichever is less; min. 10 ft. for roof element on 3 story structure	3 stories or 40 ft., whichever is less; min. 10 ft. for roof element on 3 story structure

Table H 4-8 Mixed Use Zoning District Development Standards

<i>Site Requirements</i>	<i>MU-D</i>		<i>MU-N</i>		<i>MU-F</i>	
Lot Area, Minimum	3,500 sq. ft.		6,000 sq. ft.		6,000 sq. ft.	
Lot Width, Minimum	40 ft.		60 ft.		60 ft.	
Lot Depth, Minimum	80 ft.		100 ft.		100 ft.	
Floor Area Ratio, Maximum	2.0		1.0		0.5	
Residential Density						
Minimum	None		8 du/acre		7 du/acre	
Maximum	None		20 du/acre		24 du/acre	
Building Coverage, Maximum	None		75%		50%	
<i>Structure Requirements</i>	<i>MU-D</i>		<i>MU-N</i>		<i>MU-F</i>	
Setbacks	Res.	Non-Res.	Res.	Non-Res.	Res.	Non-Res.
Front	Min: 6 ft. Max: 15 ft.	Min: 0 ft. Max: 10 ft.	Min: 6 ft. Max: 15 ft.	Min: 0 ft. Max: 10 ft.	Min: 15 ft. Max: None	Min: 10 ft. Max: None
Rear, Minimum	0 ft.	10 ft.	0 ft.	10 ft.	20 ft.	10 ft.
Interior Side, Minimum	5 ft.	0 ft.	5 ft.	0 ft.	5 ft.	0 ft.
Street Side, Minimum	6 ft.	0 ft.	6 ft.	0 ft.	10 ft.	10 ft.
Height, Maximum	3 stories and 45 ft.		35 ft.		35 ft.	

Downtown Specific Plan

The Downtown Specific Plan, adopted in 2009, provides a long-term strategy for revitalizing central Morgan Hill by strengthening Downtown as the gathering place, a connecting force, the social and activity heart of Morgan Hill. 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. The primary urban design goals and objectives addressed by the Downtown Specific Plan include:

- ❖ Creating an active Downtown village through intensifying residential, retail, restaurant, and entertainment uses, within an urban setting improved with unified landscaping and streetscape improvements;
- ❖ Making Monterey Road and Third Street more pedestrian and retail friendly, and improve other roads with better street lighting and streetscape improvements;
- ❖ Strengthening Downtown's identity and scale with new design related to a traditional character; and
- ❖ Creating visual and physical linkages to Downtown with landscaping, bike paths and entry area features; and with linking downtown commercial uses to common parking areas available to the general public.

Monterey Corridor Form-Based Code

The City of Morgan Hill is in the process of preparing a Draft Form-Based Code (FBC) for the Monterey Corridor. The City of Morgan Hill is guided by several key policy and regulatory documents to manage future growth. Adopted by the City Council in July 2016, the Morgan Hill 2035 General Plan establishes a vision for a prosperous, vibrant city supported by a framework of goals, policies, and actions that guide the City's decisions for the next two decades. The Morgan Hill Downtown Specific Plan, adopted in November 2009, complements the General Plan, ensuring that residential and commercial development standards support the community's vision for a vibrant and accessible Downtown village. 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."

State law also continues to influence the City's growth and development. Legislation that facilitates and accelerates the development of housing, with an emphasis on affordable housing, will play a role in shaping municipal policies, permit processes, and development standards for years to come.

In light of the visions and policies of the 2035 General Plan and the Morgan Hill Downtown Specific Plan, the draft Monterey Corridor Form-Based Code (FBC) proposes to facilitate development that complies with local requirements and State law. The draft FBC is also intended to build on the success of public and private investments in Downtown, which has become a cherished community gathering place and a desirable tourist destination, all supported by a pedestrian-oriented, mixed-use built environment. The draft FBC is meant to expand on Downtown's success along the Corridor, encouraging walking, biking, a mix of uses, and a range of housing options consistent with the General Plan.

Regulations and standards in a Form-Based Code are presented graphically in simple diagrams and photographs as well as supplemental text. While Form-Based Codes focus on an intended physical form, they also regulate use by allowing a mix of appropriate land uses chosen to ensure compatibility among different contexts and the intended physical form of the area. The standards ultimately shape the relationship between building facades and the public realm (i.e., the public and private space between buildings), the form and mass of buildings in relation to one another, and the scale and type of blocks.

The draft FBC establishes development standards that are objective and implement the community vision, emphasizing pedestrian-oriented building form and streamlined housing development with an appropriate mix of uses. The draft FBC is designed with a user-friendly organizational structure, where City staff and community members can easily navigate and recognize the standards and requirements that apply to the applicable development site. The draft FBC proposes the following three Form-Based Zoning Districts within the FBC:

Neighborhood Form-Based (FB-N). A variety of housing opportunities that are accessible to a range of income levels in a walkable environment with neighborhood-serving retail and services.

Corridor Form-Based (FB-C). Variable intensities of infill and redevelopment with a mix of walkable uses, such as retail, service, and commercial, that are sensitive to the scale and character of the area.

Urban General Form-Based (FB-UG). Mixed-use commercial and residential hubs with a variety of uses and clustered job opportunity centers. Accessible corridors and streets with internal block patterns and an improved pedestrian experience transitioning from an auto-centric environment to a walkable environment.

These three Form-Based Zoning Districts are keyed to a plan, referred to as a Regulating Plan, that functions like a zoning map, assigning an appropriate form-based zone to specific lots. The proposed Regulating Plan boundary, in which the FBC would apply to, generally includes parcels adjacent to Monterey Road within the City limit, excluding the Downtown Specific Plan Area and parcels south of Watsonville Road (see Figure H 4-7 below). The boundary extends north and south of Downtown from approximately Main Ave north to Burnett Ave and from approximately Dunne Ave south to Rome Ave.

Figure H 4-7: Draft Monterey Corridor Form-Based Code Regulating Plan



Local Ordinances

State law now requires jurisdictions to analyze in their Housing Elements any locally adopted ordinances that directly impact the cost and supply of residential development. The City of Morgan Hill has an Inclusionary Housing Ordinance (Chapter 14.04 Inclusionary Housing) which is analyzed in the following section and a Residential Development Control System (Chapter 18.156 of the Municipal Code), which was suspended until 2030 pursuant to Senate Bill 330 and Senate Bill 8, is analyzed below.

The historical backdrop to Morgan Hill's unique housing story began in 1977, when the voters adopted the Residential Development Control System (RDCS), a smart growth residential pacing policy. This was done in response to the community's concern for the amount and pace of residential growth and its impacts on city services and infrastructure. While RDCS limited the number of residential homes to 215 building permits per year, it did more than manage growth. It was a well-designed, intentional program that effectively incentivized and prioritized affordability in most developments in Morgan Hill. For 40 years, RDCS worked as a "de facto" Inclusionary Housing Ordinance, incentivizing the creation of high-quality, affordable housing throughout the entire city. The pacing of residential development with services (or smart growth) continued through a city-initiated ballot, Measure S, which was approved in November of 2016 and effective March 2017.

The RDCS program provided an opportunity for developers to compete for allocations to build housing based upon a competition system that paced growth with infrastructure development and revenue streams. Points were awarded for park lands and open space, safe routes to schools, proximity to the downtown businesses and services. Points were awarded for providing affordable housing. Additionally, the program encouraged developers to offer a wide range of housing types and sizes in their proposals. Through RDCS, Morgan Hill has been able to obtain a significant amount of affordable housing, developer fees, and other public benefits that it is no longer able to obtain.

Major housing legislation began in 2017 with a package of 15 new housing laws that address the state's critical housing shortage. On top of that, more than 45 laws of significance have been adopted since the 2017 housing package. These include changes in Housing Element requirements, a focus on streamlining housing production, creating ministerial approval processes, and constraining local land use authority to increase supply. In 2018, as suspected, RDCS was suspended when Governor Newsom signed Senate Bill 330 ("SB 330") into law, effective as of January 1, 2020. SB 330 enacted Government Code Section 66300, the "Housing Crisis Act of 2019". The Housing Crisis Act preempts and precludes the enforcement of RDCS while the State of California's Housing Crisis Act is in effect. The HAA establishes the state's overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards. The legislature amended the HAA to expand and strengthen its provisions to effectively curb the capacity of local governments to deny, reduce the density, or render housing development projects infeasible via the following laws: (2017) Senate Bill 167, Assembly Bill 678, Assembly Bill 1515; (2018) Assembly Bill 3194; (2019) Senate Bill 330 and (2021) Senate Bill 8.

In 2018, the City of Morgan Hill adopted an Inclusionary Housing Ordinance (IHO) requiring residential developments to provide 15% of the units outside of Downtown, and 10% of the units in Downtown, as part of the City's efforts to create and maintain an income-based housing inventory of Below Market Rate (BMR) units to archive the City's housing goals. Due to the passage of Senate Bill (SB) 330, the IHO is a result of the loss of the City's Residential

Development Control System (RDCS) growth management program which has been the mechanism for the City to obtain BMR housing units for many years.

The IHO was amended in December 2021 to clarify the intent to broaden the first-time homebuyer pool to include households whose gross annual income ranges from 110% of the AMI to 120% of the AMI; thus, maintaining a moderate ownership program with a sales price that is capped at 110%. This work originally began when the City retained Keyser Marston & Associates (KMA) to evaluate:

1. The additional financial cost to new for-sale residential projects to provide the deeper levels of on-site affordable units with the original consideration of adding lower income units to the BMR IHO ownership program requirement; and
2. The evaluation of proposed changes to current in-lieu fee levels that would approximate the cost of providing the proposed deeper levels of on-site affordable units.

KMA identified opportunities to deepen the overall level of affordability of for-sale inclusionary units. KMA prepared a report summarizing the findings of the evaluation. Staff held a workshop with KMA and the development community on May 24, 2021, to discuss the possibility of deepening the overall level of affordability of for-sale inclusionary units. The consensus from the development community was that adding lower-income units to the ownership program is not economically feasible due to high construction costs, the uncertainty of the pandemic, and the overall economic implications to a project. KMA also did not recommend adding low-income ownership to the Inclusionary Program. Although the analysis by KMA was supportive in helping the team arrive at the final recommendations, the work and the recommendations have continued to evolve throughout the process.

As housing workshops were held with the City Council and community from May through June 2021, it resulted in a shift in priorities in the Housing Program. The City Council prioritized meeting the City's RHNA at all affordability levels to ensure income-based inclusivity.

The City, like all cities and counties, has historically struggled to achieve the RHNA goals for very low-income units and extremely low-income units. With the priority set to meet the very low-income goal earlier in this next 6th Housing Element planning cycle (2023-2035), the City's Housing team used this opportunity to further amend the Inclusionary Housing Ordinance to address the City Council's goal of finding opportunities to meet the very low and extremely low-income goal. To that end, the Inclusionary Housing Ordinance has been modified to create needed flexibility to best use the program to meet the RHNA requirements, while at the same time deepening the affordability of the built BMR units.

As part of the 2021 IHO update, the two main changes to the IHO would permit, by right, up to 50% of the affordable housing requirement to be satisfied with an in-lieu fee. This fee would provide the City with a funding mechanism to support projects that produce units that contribute to meeting the RHNA goals and achieve its very low income and extremely low-income goals. The second significant change clarifies that the sales price for moderate-income units is based on an affordability level of 110% of AMI.

At the Planning Commission's hearing, two programmatic suggestions were discussed. The first notion was to consider allowing the BMR homeowners with a 45-year agreement to exit the BMR Program early if they have paid off their 30-year mortgage. This would allow the BMR home to be sold at the market value. While the BMR Program allows individuals/families to enjoy home ownership security at a much-reduced cost with lower consistent stable mortgages and property tax benefits, BMRs in Morgan Hill have not been intended to serve as the way a family achieves investment or significant asset building. Staff acknowledges that each homeowner's journey is different, and some families may certainly choose to stay in their BMR for 45 years or more;

however, the City also expects and counts on the fact that some families will choose to move on, providing a resale opportunity for the next income-qualified family. Allowing the exit of the BMR program early, would impact the City's BMR inventory and limit the City's ability to continue to have a robust income-based housing inventory. Allowing for an early sale of the BMR at market-rate would not be consistent with the intent of the City's BMR goals, which is to create a path to a first-time homebuyer opportunity, not a "forever home." A change to the contract terms based on an attempt to increase value or equity for one household would likely reduce a good number of BMR homes in the Program, as well as future resale families for additional families. Therefore, it was not recommended that the City consider altering contracts but rather to continue to focus on the preservation of affordable units.

The second item that was brought up by the Planning Commission was the consideration of Commercial Linkage Fees (CLF). CLF is a type of fee that some cities add to new commercial or industrial development to offset a portion of the need for affordable housing created by new jobs. While CLFs are commonly used in job-rich cities, they would disincentivize commercial development. Morgan Hill currently struggles with the high cost of green field development. Commercial and Industrial development in Morgan Hill requires a certain amount of investment that provides for the high cost of infrastructure. Therefore, given the high impact fees in Morgan Hill, a Commercial Linkage Fee was not adopted in the 2021 IHO update. However, the City acknowledges the need to reevaluate CLF in the future.

The following is a summary of the notable changes from the 2018 IHO to the updated 2021 IHO:

1. **In-Lieu Fee Election for One-Half of Required Inclusionary Units.** Developers may elect to satisfy the applicable requirements (For-sale in Downtown, For-sale Outside Downtown, Rental Projects in Downtown and Rental Projects outside Downtown) by paying an in-lieu fee for up to one-half of the number of required inclusionary units and constructing the remaining required inclusionary units for their remaining affordability requirement. If the required number of inclusionary units results in a fractional number, the provisions of the preceding paragraph regarding payment of a fee shall apply to the fractional unit. These funds would provide the City with the ability to leverage outside funding sources to build very low-income and extremely low-income units.
2. **In-lieu fee schedule.** Fees will be automatically increased for inflation.
3. **"Affordable Sales Price" defined.** Moderate-Income units that are built would be priced for households whose gross annual income does not exceed 110% of AMI.
4. **Accessory Dwelling Units (ADUs).** ADU's constructed within for-sale projects will not be counted toward satisfaction of the requirement to construct inclusionary units. ADU's are not deed restricted for affordability and the City cannot require them to be rented out.
5. **Alternatives.** For developers who choose an alternative method for complying with the IHO, the City is requiring a deeper level of affordability or a higher number of units built to benefit the City.
6. **Incentives.** Section 14.04.120 related to incentives to building on-site inclusionary housing units was removed as these are available automatically through State Density Bonus Law.

Although the City recently updated its Inclusionary Housing Ordinance, the City recognizes that there is a need to revisit the IHO during the 6th Housing Element cycle to ensure that the IHO is meeting its objectives, is functional, and to further evaluate the needs to provide affordable housing for all segments of the community. In addition, currently, the City's Inclusionary Housing Ordinance requires the provision of units affordable to moderate-income households in for-sale developments. Requiring that developers achieve deeper owner-occupied affordability through

cross-subsidization and existing incentives may not be effective. However, the City could seek to bridge the gap between inclusionary for-sale units and low-income households by providing financial support. Therefore, the City has implemented the following measures to further evaluate the Inclusionary Housing Ordinance:

Policy HE-2.19 Commercial Linkage Fee. Consider new commercial and industrial development to meet the housing demand they generate, particularly the need for affordable housing for lower-income workers, through a Commercial Linkage Fee Ordinance or similar mechanism.

Action HE-3.G Review the Inclusionary Housing Ordinance to provide deeper for-sale affordability beyond the updated 2021 Inclusionary Housing Ordinance.

4.3.3 Building Codes and Code Compliance

Building codes regulate the construction of dwellings and apply to plumbing, electrical, and mechanical systems as well as other aspects of construction. The purpose of building codes and their enforcements is to protect the public from unsafe conditions associated with faulty construction. As of January 1, 2020, the City of Morgan Hill required all new development to comply with the California 2019 Building Standards Code and applicable code amendments. Building code modifications and City code compliance practices are described below.

Prohibition of Natural Gas Infrastructure in New Buildings

The City of Morgan Hill enforces State building code standards (Title 24) for all structures subject to the code, including the construction and rehabilitation of housing. In 2019, the City of Morgan Hill adopted Chapter 15.63 (Prohibition of Natural Gas Infrastructure in New Buildings) pursuant to Ordinance No. 2306 N.S. requiring all new buildings to rely solely on electricity as their energy source if they apply for a building permit after March 1, 2020.

Emissions from natural gas combustion, and propane in areas unserved by natural gas, have become the largest source of greenhouse gas emissions associated with buildings. These emissions make up about one-third of the greenhouse gas emissions in our region. Of these emissions in a typical dwelling, about 49% come from water heating, 37% from space heating, and 7% from cooking, with the remainder being pool heating, clothes drying, etc. While the exact numbers for nonresidential buildings vary widely with the type of occupancy, the aggregate nonresidential numbers are 32% for water heating, 36% for space heating, 23% for cooking, and 9% miscellaneous.

Although natural gas was considered superior to electricity because it was more efficient in the past, this is no longer the case. Three modern electric appliances (heat pump water heaters, heat pump space heaters, and induction cooktops) now offer enhanced efficiency and performance.

In terms of construction costs, avoiding the installation of gas pipelines into a development can save approximately \$7,000 per unit. While the increased cost of installing larger electrical transformers will reduce the net savings, depending on the location, all-electric construction is expected to be less expensive on average.

On the operational cost side, it is difficult to definitively determine whether an all-electric building will cost more or less to operate because the relative costs of electricity and natural gas fluctuate over time. What is certain is that property owners have the opportunity to own their own solar energy systems, which can offset some or all of their electricity use, and the same cannot be said for their natural gas use. The only practical way to “zero-out” a gas utility bill is to rely solely on electricity.

Lastly, all-electric homes are considered substantially safer than their dual-fuel counterparts because there are no emissions within the home from gas combustion and there are no gas pipes that can leak due to wear, age, or earthquake.

Code Compliance

Building safety standards are upheld through the Code Compliance section of the Building Division utilizing the 2018 International Property Maintenance Code. In the last three years, data reflecting prevalence of residential habitability issues, such as mold, vermin, broken windows, non-functioning utilities, etc. have indicated that there were 19 code enforcement violations that involved health and safety issues. City enforcement removed these hazardous and dangerous situations. The expanded use of this program has helped to address building condition issues before they progress to conditions requiring demolition or substantial rehabilitation, and to promote the exploration of rehabilitation opportunities before demolition.

Based on efforts to use code enforcement as a tool to catch problems before they require more extensive repairs or demolition, building code and code compliance practices and regulations by the City of Morgan Hill are not considered to represent a constraint to the provision of housing or affordable housing in the City.

4.3.4 Infrastructure Requirements

Various City departments implement on- and off-site improvement requirements, including standards for street construction, sidewalks, curbs, gutters, on-street parking and bicycle lanes. Residential development may also necessitate constructing water, sewer, and drainage improvements. All improvements are generally required as conditions of approval and are developer financed. Complying with certain infrastructure improvements may be perceived as a constraint on the provision of housing for all income levels.

For infill projects, the City Code requires the construction of standard improvements that may include repair of defective sidewalks, construction of standard driveways, and maneuvering areas. The Code also requires dedication and improvement of full-street or alley frontages. Section 12.02.190 (Exceptions) of Chapter 12.02 (Street and Sidewalk Development) of Title 12 (Streets, Sidewalks and Public Places) of the Municipal Code allows the Planning Commission to recommend that the City Council authorize conditional exceptions to any of the requirements and regulations of Chapter 12.02 (Street and Sidewalk Development).

Although infrastructure requirements represent a cost to developing housing, these improvement standards are not unreasonable nor do they represent a significant constraint.

4.3.5 Jurisdiction Fees

Like cities throughout California, the City of Morgan Hill collects development fees to recover the capital costs of providing the required citywide infrastructure that supports increased development and the administrative cost associated with processing applications.

New housing typically requires payment of the following fees: building permits, school impact, fire sprinkler permit, solar permit, meter deposit, water impact, sewer impact, storm drain impact, traffic impact, park impact, public facilities impact, library impact, community/recreation center impact, public safety impact, and burrowing owl mitigation fees. These fees are necessary to pay for services rendered during the processing of the project, but can, however, add to housing costs. In addition, subdivisions and multi-family projects may incur the cost of preparing environmental documentation, traffic studies, soils reports, and filing fees for tentative and final maps. These are requirements of California law. In addition, multi-family projects may require a Conditional Use

Permit, Design Permit, a SB 330 Preliminary application, and a Santa Clara Valley Habitat Agency Review Fee. Such fees are typically based on the rates of city employees (including overhead) and the number of hours spent processing the application or performing the associated work.

A recent Santa Clara County Planning Collaborative analysis in April 2022, performing a regional fee comparison, showed that the City of Morgan Hill's impact fees typically fall just under the average when compared with other jurisdictions in the region. The City's fees are not considered a constraint on housing production. Table H 4-9 summarizes the total fees (entitlement fees, building permits, and impact fees) per unit by jurisdiction for all local jurisdictions within Santa Clara County, including the City of Morgan Hill, that contribute to the overall cost of development which apply to new residential construction as found in the Santa Clara County Planning Collaborative analysis. The residential prototypes used in this analysis include a 2,600 square foot single-family dwelling, a 10-unit multi-family building, and a 100-unit multi-family building.

Table H 4-9 Total Fees per Unit (by Jurisdiction)			
<i>Jurisdiction</i>	<i>Single Family</i>	<i>Small Multi-Family</i>	<i>Large Multi-Family</i>
Campbell	\$72,556	\$20,599	\$18,541
Cupertino	\$136,596	\$77,770	\$73,959
Gilroy	\$69,219	\$40,195	\$39,135
Los Altos Hills	\$146,631	N/A	N/A
Los Gatos	\$32,458	\$5,764	\$3,269
Milpitas	\$77,198	\$74,326	\$59,740
Monte Sereno	\$33,445	\$4,815	\$4,156
Morgan Hill	\$55,903	\$41,374	\$36,396
Mountain View	\$90,423	\$69,497	\$82,591
San Jose	\$9,919	\$23,410	\$23,410
Santa Clara	\$14,653	\$6,733	\$2,156
Saratoga	\$64,272	\$17,063	\$15,391
Sunnyvale	\$133,389	\$126,673	\$98,292
Unincorporated County	\$25,166	N/A	N/A

4.3.6 On- and Off-Site Improvements

The City has developed Design Standards and Standard Details for Construction in alignment with Title 12 (Streets, Sidewalks, and Public Places) of the Morgan Hill Municipal Code to ensure that minimum levels of design and construction quality are maintained, and adequate levels of street improvements are provided. Per the Design Standards and Standard Details for Construction, typical residential streets must be 60 feet wide to accommodate the right of way, including a minimum of five feet for sidewalks. Street sections may be modified for infill. Lane widths are to be no less than 10 feet unless otherwise approved by the City Engineer. The Design Standards and Standard Details for Construction have a potential to affect housing costs but are necessary to provide a minimum level of design and construction quality in the City's neighborhoods.

4.3.7 Permit Processing

The City of Morgan Hill meets or exceeds State-required timelines for the approval of development permits; and when compared to other local jurisdictions within Santa Clara County, Morgan Hill is on par for the amount of time to process development permits, as shown in Table H 4-10. The time required for development approval is not generally a constraint or substantial

cost to housing developers. Further descriptions of permits and their processing procedures are provided in the following subsections.

Table H 4-10 Permit Processing Times, in Months (by Jurisdiction)						
<i>Jurisdiction</i>	<i>ADU Process</i>	<i>Ministerial By-Right</i>	<i>Discretionary By-Right</i>	<i>Discretionary (Hearing Officer)</i>	<i>Discretionary (Planning Commission)</i>	<i>Discretionary (City Council)</i>
Campbell	1	1	3	NA	5	1
Cupertino	1 – 3	1 – 6	2 – 4	2 – 4	3 – 6	1 – 3
Gilroy	1 – 2	1 – 2	2 – 4	NA	4 – 5	1 – 2
Los Altos Hills	1 – 2	0.5 – 2	2 – 3	3 – 4	4 – 6	1 – 2
Los Gatos	No data	3 – 6	1 – 2	2 – 4	4 – 6	No data
Milpitas	3 – 5	4 – 6	2 – 3	6 – 18	NA	3 – 5
Monte Sereno	0.75	0.75	1	1 – 2	1 – 2	0.75
Morgan Hill	1 – 2	1 – 3	2 – 3	2 – 3	4 – 6	1 – 2
Mountain View	3 – 5	4 – 6	2 – 3	6 – 18	NA	3 – 5
San Jose	2	1 – 3	7	7	7 – 11	2
Santa Clara	0 – 1	0 – 1	0 – 3	4 – 9	6 – 9	0 – 1
Saratoga	1	1 – 2	2 – 3	NA	4 – 6	1
Sunnyvale	1 – 3	1 – 3	3 – 6	6 – 9	9 – 18	1 – 3
Unincorporated County	4 – 6	6 – 8	9 – 12	12 – 15	15 – 18	4 – 6

Senate Bill 35

Senate Bill (SB) 35, passed in 2017, requires jurisdictions that have not approved enough housing projects to meet their RHNA to provide a streamlined, ministerial entitlement process for housing developments that incorporate affordable housing. Per SB 35, review and approval of proposed project's with at least 50 percent affordability must be based on objective standards and cannot be based on subjective design guidelines. However, to be eligible, projects must also meet a long list of other criteria, including prevailing wage requirements. In order for applicants to take advantage of SB 35, per Government Code Section 65913.4 (10)(b)(1)(a)(et seq.) they need to submit a Notice of Intent and jurisdictions need to give Native American tribes an opportunity for consultation. The City of Morgan Hill has developed a Notice of Intent form consistent with the law. Additionally, the City Council adopted "Residential Development Design and Development Standards" to meet the requirements of objective standards that are consistent with the Morgan Hill 2035 General Plan.

Senate Bill 330

Senate Bill (SB) 330, Housing Crisis Act of 2019, prohibits cities and counties from enacting a development policy, standard, or condition that would impose or enforce design standards that are not objective design standards on or after January 1, 2020 [Government Code Section 663300 (b)(C)]. The bill also established specific requirements and limitations on development application procedures.

Per SB 330, housing developers may submit a "preliminary application" for a residential development project. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the full amount of information required by the local government for a housing development application.

Submittal of the preliminary application secures the applicable development standards and fees adopted at that time. The project is considered vested and all fees and standards are frozen, unless the project changes substantially.

The City of Morgan Hill has developed a preliminary application form consistent with SB 330. In addition, the bill limits the application review process to 30 days, for projects less than 150 units, and 60 days, for projects greater than 150 units, and no more than five total public hearings, including planning commission, design review, and city council.

SB 330 also prohibits cities and counties from enacting a development policy, standard, or condition that would have the effect of: (A) changing the land use designation or zoning to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed on January 1, 2018; (B) imposing or enforcing a moratorium on housing development; (C) imposing or enforcing new design standards established on or after January 1, 2020, that are not objective design standards; or (D) establishing or implementing certain limits on the number of permits issued or the population of the city or county.

Design Permit

Design Permits are required for projects that are not eligible for ministerial review. A design permit is a discretionary action that enables the City to ensure that proposed development exhibits high quality design consistent with the General Plan and any other applicable Specific Plan or Area Plan adopted by the City Council. The design permit process is also intended to ensure that new development and uses are compatible with their surroundings and minimize negative impacts on neighboring properties. The Development Services Director reviews and acts on all Design Permit applications, except the Director may elevate any Design Permit application to the Planning Commission for review and final decision. In addition, the City Council shall review and act on all design permit applications for new City projects determined to be significant; and the Planning Commission shall act on any Design Permit applications determined to be significant. The Design Permit process is described in the City's Zoning Ordinance under Section 18.108.040 (Design Permit) of Chapter 18.108 (Specific Permit Requirements).

Design Permits are required for the following types of projects:

- ❖ Three or more new residential units.
- ❖ One or more new residential unit on a sensitive site
- ❖ New non-residential buildings, structures physical site improvements determined to be significant.
- ❖ Additions to existing buildings, structures, or other physical site improvements visible from a public right-of-way and determined to be significant. Single-family homes are exempt unless the home is on a sensitive site.
- ❖ Additions to existing residences located on a sensitive site.
- ❖ Site alterations that change the topography of the currently developed site area on a sensitive site.
- ❖ Relocation of existing buildings, structures or other physical site improvements.
- ❖ Exterior changes to existing buildings, structures or other site improvements determined to be significant. Single-family homes are exempt unless the home is on a sensitive site.
- ❖ Grading of more than fifty cubic yards on slopes greater than ten percent.
- ❖ New accessory structures including secondary dwelling units or guest homes on a sensitive site.

Conditional Use Permit Process

Housing is allowed by-right in most zones as a permitted use. Conditional use permits (CUPs) are only required for Group Homes, Nursing Homes and Long-Term Care, and Residential Care Facilities as well as most housing uses in the MU-F zoning district. An Administrative Use Permit is required for Live/Work units in the MU-N and MU-F zoning districts. The CUP process is described in the City's Zoning Ordinance under Section 18.108.030 (Conditional Use Permits) of Chapter 18.108 (Specific Permit Requirements). A CUP is required for land uses that are generally appropriate within a district, but potentially undesirable on a particular parcel or in large numbers. A CUP is a discretionary action that enables the Planning Commission to ensure that a proposed use is consistent with the General Plan and will not create negative impacts to adjacent properties or the general public. An Administrative Use Permit has the same meaning as a CUP but grants discretion to the Development Resources Director. The Administrative Use Permit process is described in the City's Zoning Ordinance Under Section 18.108.020 (Administrative Use Permit).

4.3.7 Zoning for a Variety of Housing Types

Housing Element law specifies that jurisdictions identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population, including multi-family rental housing, manufactured housing, accessory dwelling units, single room occupancies, emergency shelters, and transitional and supportive housing. Table H 4-11 summarizes the variety of housing types permitted within Morgan Hill's zoning districts.

Table H 4-11 Permitted Residential Land Uses by Zoning District									
Key	RE	RDL	RDM	RDH	RAL	RAM	RAH	MU-N	MU-F
<i>P</i> Permitted Use									
<i>A</i> Administrative Use Permit									
<i>C</i> Conditional Use Permit									
– Use not allowed									
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P
Duets	-	-	P	P	P	P	P	P	C
Duplexes	-	-	-	-	P	P	P	P	C
Emergency Shelters								-	C
Group Housing	-	-	-	-	C	C	C	C	C
Live/Work Unit	-	-	-	-	-	-	-	A	A
Mixed Use Residential	-	-	-	-	-	-	-	P	P
Multi-Family Dwellings	-	-	-	-	P	P	P	P	C
Nursing Homes and Long-Term Care	-	-	-	-	C	C	C	C	C
Residential Care Facilities	-	-	-	-	C	C	C	C	C
Residential Care Facilities, Small	P	P	P	P	P	P	P	P	P
Senior Housing, Independent Living	-	-	-	-	-	-	-	P	C
Single-Family Attached Dwellings	-	-	-	-	P	P	P	P	C
Single-Family Detached Dwellings	P	P	P	P	P	P	P	P	C

Manufactured Housing

State law requires that cities and counties allow the placement of manufactured homes (also referred to as factory-built homes and modular homes) meeting Federal construction standards

and manufactured home subdivisions in single-unit neighborhoods.⁵ Government Code Sections 65852.3 through 65852.5 require that manufactured homes be permitted in single-unit districts subject to the same land use regulations as conventional homes. In keeping with State law, Section 18.124.020 of Morgan Hill's Zoning Code specifies that manufactured housing is considered a single-family dwelling and is subject to the same property development and design standards in the same residential zones as dwellings.

Accessory Dwelling Units

Over the last several years the State legislature has passed a series of bills aimed at encouraging single-family homeowners to add Accessory Dwelling Units ("ADUs" also known as "second units" or "granny flats") to their property by requiring local jurisdictions to adopt regulations to facilitate their production and streamline their approval. ADUs are complete independent housing units that can be either detached or attached from an existing single-family or multi-family residence. In December 2019, the Morgan Hill City Council adopted Ordinance No. 2313 amending Chapter 18.84 (Accessory Dwelling Units) of the Zoning Ordinance consistent with State laws.

Housing for Persons with Disabilities

SB 520, signed into law in 2001, requires that Housing Elements analyze the potential and actual governmental constraints on the development of housing for persons with disabilities. The City must demonstrate its efforts to remove constraints such as accommodation procedures for the approval of group homes, ADA retrofit efforts, and evaluation of the zoning code for ADA compliance. The Housing Element should provide measures that provide flexibility in the development of housing for persons with disabilities.

As noted in the Special Needs section of the Housing Needs Assessment, persons with disabilities have a number of housing needs related to accessibility of dwelling units; access to transportation; employment and commercial services; and alternative living arrangements that include on-site or nearby supportive services. The City of Morgan Hill ensures that new housing developments comply with California building standards (Title 24 of the California Code of Regulations) and federal requirements for accessibility. The following is a description of City regulations, policies, and procedures that support housing opportunities for people with disabilities.

Residential Care Facilities

State law requires that State-licensed group homes of six or fewer residents be regulated in the same manner as single-unit residences for zoning purposes. The City of Morgan Hill Zoning Code allows group homes with six or fewer residents (called "Residential Care Facilities, Small" in the City code) by right in zones that permit single-unit dwellings (RE, RDL, RDM, RDH, RAL, RAM, RAH, and MU-N) consistent with State law as well in the MU-F zoning district. Group homes with more than six residents (defined by the City code as "Residential Care Facilities") are permitted with a Conditional Use Permit in the following zoning districts: RAL, RAM, RAH, MU-N, and MU-F.

Definition of Family

Historically zoning codes have included narrow definitions of the term family that have been used to deny housing opportunities for unrelated individuals. Although the City's Zoning Code defines 'Family' as, "An individual or group of individuals living together who constitute a bona fide single housekeeping unit in a dwelling unit. 'Family' does not include a group of individuals occupying a hotel or lodging house of any kind," the City does not use the term family to discriminate against unrelated persons with disabilities living together.

Universal Design

Universal design focuses on making homes safe and accessible for everyone, regardless of age, physical ability, or stature. Universal design features can include grab bars, no step entries, and wider doorways. Other features could include accessible bedrooms, bathrooms, and kitchens; and general amenities like lever door handles and rocker light switches. Although the City does not have a universal design ordinance, the City has identified two Policies within the Housing Element to encourage and promote universal design for people with disabilities and allow older adults to age in place, maximizing on visitability and building upon Title 24.

Policy HE-6.1 Work with Affordable Housing Developers to Encourage Universal Design. Encourage universal design and maximize visitability, building on Title 24.

Policy HE-6.12 Universal Design in New Housing. Strive to achieve universal design in new residential housing units to provide housing for people with disabilities and allow older adults to age in place.

Reasonable Accommodation Ordinance

Both the federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on local governments to make Reasonable Accommodations (i.e., modifications or exceptions) in their zoning and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be a Reasonable Accommodation to allow covered ramps in the setbacks of properties that have already been developed to accommodate residents with mobility impairments.

The City of Morgan Hill has a process to ensure that reasonable accommodations are made for persons with disabilities. The process, codified in Chapter 18.118 of the Zoning Code, was established to provide people with disabilities a way to ensure that their needs are met by the City's zoning, building, and permitting process.

Emergency Homeless Shelters

State law (Government Code section 65583) requires each jurisdiction to identify one or more zoning districts where emergency homeless shelters are allowed without a discretionary permit. The jurisdiction must demonstrate in the Housing Element that the zoning provides sufficient capacity on available sites to meet the shelter needs of the local homeless population, as identified in the most recent point-in-time count.

Within the Zoning Ordinance, Chapter 18.124 (Land Use Definitions) defines Emergency Shelters as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." Emergency Shelters are permitted by right in the PF (Public Facilities) zoning district and allowed with a Conditional Use Permit within the MU-F (Mixed Use Flex) zoning district.

State law (Government Code Section 65583(a)(4)) limits the development standards and locational restrictions that can be applied to emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- ❖ the maximum number of beds or persons permitted to be served nightly by the facility;
- ❖ sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone;

- ❖ the size and location of exterior and interior onsite waiting and client intake areas;
- ❖ the provision of onsite management;
- ❖ the proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- ❖ the length of stay;
- ❖ lighting; and
- ❖ security during hours that the emergency shelter is in operation.

Section 18.92.050 (Emergency Shelters) of Chapter 18.92 (Supplemental Standards) of the Zoning Ordinance requires the following minimum performance standards:

- ❖ The number of beds shall be limited to thirty.
- ❖ Parking requirements shall be either one space per three hundred square feet of habitable floor area, or sufficient to serve the parking demand determined in a study prepared by the applicant and approved by the development services department.
- ❖ The size of outdoor waiting areas shall be sufficient to accommodate the expected number of clients without infringing upon the public right-of-way.
- ❖ On-site management shall be provided during the hours that the emergency shelter is in operation.
- ❖ An emergency shelter shall be located at least three hundred feet from other emergency shelters.
- ❖ The length of stay at any emergency shelter shall not exceed ninety days, unless the management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.
- ❖ Exterior lighting of the property shall be designed to provide a minimum maintained horizontal illumination of at least one foot candle of light on parking surfaces and walkways that serve the facility.
- ❖ Security shall be provided during the hours that the emergency shelter is in operation.

Capacity – Emergency Homeless Shelters

Government Code Section 65583(a)(4)(A) requires the Housing Element to address new planning and approval requirements for emergency shelters and to determine if sufficient capacity to accommodate the need for emergency shelter identified in the most recent point-in-time count conducted before the start of the planning period. Jurisdictions with an unmet need for emergency shelters for the homeless are required to identify a zone(s) where emergency shelters will be allowed as a permitted use without a conditional use or other discretionary permit. The identified zone must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. Permit processing, development and management standards for emergency shelters must be objective and facilitate the development of, or conversion to, emergency shelters.

The 2019 Santa Clara County Homeless Census and Survey Report point-in-time count identified 114 unsheltered homeless individuals within the Morgan Hill city limits. As described above, Emergency Shelters are permitted by right in the PF (Public Facilities) zoning district and allowed with a Conditional Use Permit within the MU-F (Mixed Use Flex) zoning district. Within the City, there are 5.7 acres of vacant land zoned PF where emergency shelters would be allowed by-right. These sites have a maximum capacity for 120 beds. Therefore, these sites theoretically

have sufficient capacity for shelters to accommodate the 114 unsheltered individuals on the night of the 2019 point-in-time count.

In addition, an inclement cold weather shelter has been established at Community Christian Church, located at 305 W. Main Ave in Morgan Hill. Also, Morgan Hill Bible Church operates a homeless safe parking program for 8 families, 30 people maximum, at 15055 Monterey Road within the City.

Low Barrier Navigation Centers

Assembly Bill 101, passed in 2019, requires that a low barrier navigation center be a use permitted by right in mixed-use zones and non-residential zones permitting multi-unit uses if it meets specified requirements. AB 101 defines “low barrier navigation center” as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. The Housing Element includes an implementation program to amend the Zoning Code to comply with this new requirement.

Action HE-5.A Amend the Zoning Code by 2024 to facilitate by-right processing procedures for Low Barrier Navigation Centers consistent with Assembly Bill 101.

Transitional/Supportive Housing

Transitional housing is defined as temporary housing (generally six months to two years) for a homeless individual or family who is transitioning to permanent housing. This housing can take several forms, including group housing or multi-family units, and typically includes a supportive services component to allow individuals to gain necessary life skills in support of independent living.

Supportive housing is generally defined as permanent, affordable housing with onsite services that help resident’s transition into stable, more productive lives. Services may include childcare, after-school tutoring, career counseling, etc.

The Morgan Hill Zoning Code accommodates transitional housing and supportive housing as “Residential Care Facilities” as a conditional use within several zoning districts (RAL, RAM, RAH, MU-N, and MU-F).

Per recent changes in State law (AB 2162), the City must also allow 100 percent affordable projects that include 25 percent, or 12 units of supportive housing, by right where multi-unit and mixed-use development is permitted. Therefore, the Housing Element includes an implementation program to comply with this new provision of State law.

Action HE-5.B Amend the Zoning Code by 2024 to facilitate by-right transitional and supportive housing where multi-unit and mixed-use development is permitted consistent with Assembly Bill 2162.

Housing for Agricultural Workers

Farmworkers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural work. Farmworkers have special housing needs because they earn lower incomes than many other workers. The housing needs of this group are addressed under Morgan Hill’s overall programs for affordability. Although little agricultural activity remains within the Morgan Hill City limits, the greater region includes agricultural activity that attracts farmworkers and their families. The City recognizes the need to provide housing affordable to farmworkers and agricultural employees and is committed to assisting in providing this need by implementing several policies regarding prioritizing farmworker/agricultural employee housing.

- Policy HE-2.21 Prioritize Farmworker Housing.** Establish farmworker housing as an affordable housing priority within the City.
- Policy HE-2.23 Farm Worker Housing Advocacy.** On an ongoing basis, advocate for federal, state, and County funding for farmworker/agricultural employee housing, including housing that meets the needs of the County's agricultural industry and its workers.
- Policy HE-2.24 Partner with Developers.** Continue to work with non-profit developers and employers to develop innovative housing solutions for farmworkers and agricultural employees and identify and pursue all potential funding sources and assist owners and developers in applying for funding.

The provisions of Section 17021.5(b) of the California Health and Safety Code state that employee housing for six or fewer employees must be treated like any other single-unit dwelling. The City does not regulate the occupancy of single unit dwellings and there are no provisions in the City's code to restrict employee housing for six or fewer employees, therefore, the City complies with this requirement.

California Health and Safety Code Section 17021.6, requires that farmworker housing of no more than 36 beds in a group quarters or 12 units shall be deemed an agricultural use. No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this housing that is not required of any other agricultural activity in the same zone. The City currently allows Agricultural Labor Accommodations (i.e. farmworker housing) as a conditional use in the OS (Open Space) zone; therefore, the Housing Element includes an implementation program to comply with this provision of State law.

- Action HE-2.A** Amend the Zoning Code by 2024 to facilitate by-right Agricultural Labor Accommodations within the OS (Open Space) zoning district consistent with Section 17021.6 of the California Health and Safety Code.

Appendix H5

Assessment of Fair Housing

City of Morgan Hill Housing Element 2023-2031

DRAFT

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City of Morgan Hill Housing Element

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APPENDIX H-5 | Assessment of Fair Housing

5.1 Executive Summary

This Assessment of Fair Housing (AFH) is a component of the Housing Element of the City of Morgan Hill. The AFH is intended to provide a holistic look – informed by data, maps, community input, and policy analysis – into the trends and factors affecting access to housing and opportunity on the basis of protected characteristics under federal and state fair housing laws. The federal Fair Housing Act prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability status. The California Fair Employment and Housing Act adds several additional protected characteristics including, but not limited to, sexual orientation, gender identity, military or veteran status, and source of income. The AFH includes goals and priorities that are intended to foster more integrated communities, reduce disparities in housing (such as higher rates of housing cost burden), and increase access to opportunity by addressing the roots causes of inequality. The City's Housing Element must include an AFH component as a result of A.B. 686, a law passed by the California Legislature in 2018 to incorporate a duty to affirmatively further fair housing (AFFH) into state law. Recipients of federal housing and community development funds have had an AFFH obligation since 1968. Having long received HUD funds as a subgrantee of Santa Clara County, the City's contribution to fair housing planning efforts has historically been channeled through collaboration at the County level.

The City of Morgan Hill is located in the southern portion of Santa Clara County. It is bordered by the unincorporated communities of Coyote to the north and San Martin to the south. The areas to the east and west of the city are primarily comprised of open space. More significantly, downtown Morgan Hill is located just over ten miles north of downtown Gilroy and just over 20 miles south of downtown San Jose. With a population of 44,686 as of the 2015-2019 American Community Survey 5-Year Estimates, Morgan Hill has experienced significant growth in recent decades as Santa Clara County has emerged as the center of the global technology industry.

High and rising housing costs have come with the incredible growth of both Morgan Hill and the Region, and the impact of those high housing costs have not been felt equally by all. Hispanic households, persons with disabilities, and large families all face housing insecurity at higher rates and tend to have less access to the highest resource parts of the Region. Although the Region and Morgan Hill have small Black populations, which makes it difficult to draw some conclusions about disparities, rates of homelessness among the Region's small Black population are shockingly high. For purposes of this AFH, the Region is defined as the San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area, which consists of Santa Clara and San Benito Counties combined.

In the Region, the most pronounced disparities tend to arise between cities rather than within them. In general, access to opportunity among White and Asian population is highest in the communities that comprise the West Valley. Housing costs in these communities are often prohibitive for disproportionately low-income Hispanic households, in particular, as well as for younger people with disabilities and large families. By contrast, access to opportunity is relatively lower, and Hispanic population is often higher, in downtown and East San Jose as well as in the eastern portions of Gilroy. Many relatively low resource parts of East San Jose also have significant population of Vietnamese ancestry, a community with disproportionately lower income levels in the Region than other Asian ancestry groups.

In most ways, Morgan Hill is not situated on either extreme of these trends. Income levels are similar to those countywide, housing is slightly more affordable, and access to opportunity is moderate in most neighborhoods. With regard to race and ethnicity, Morgan Hill is slightly more

heavily Hispanic and White than the Region and less heavily Asian. Additionally, within Morgan Hill, housing patterns are not highly segregated. Although the eastern portion of the city is slightly more heavily White and less heavily Hispanic than the downtown area, which is home to a large majority of the city's subsidized housing), those differences are modest in comparison to most communities within the Region. Due to its location in the southern portion of Santa Clara County (often called South County), Morgan Hill residents have somewhat limited access to public transportation, less proximity to job centers, and, as a result, longer and more burdensome commutes than many other residents of the Region. All of these issues are addressed across the sections of this AFH, which discuss patterns of segregation and integration, racially and ethnically concentrated areas of poverty, disparities in access to opportunity, disproportionate housing needs, fair housing issues affecting residents of publicly supported housing, fair housing issues affecting persons with disabilities, and trends in fair housing enforcement and outreach. The AFH also assesses potential "contributing factors" that may be the driver of patterns of segregation, disparities and access to opportunity, and other fair housing issues.

It is incumbent on the City of Morgan Hill to take proactive steps, consistent with its AFFH obligation, to address existing disparities in housing and access to opportunity in regional context and to take steps to prevent the emergence of segregated patterns. The goals and priorities below, which are discussed in much greater detail in that section of the AFH, are a roadmap for doing so.

- I. Increase Affordable Housing Opportunities for Protected Class Members in Eastern Morgan Hill.
 - A. Identify opportunities and sites for affordable housing development in eastern Morgan Hill.
 - B. Study the creation of affordable housing overlay districts in advance of the next Housing Element cycle.
- II. Protect Tenants from Displacement.
 - A. Consider adoption of a mediation requirement for rent increases of 5% or more.
 - B. Study the possibility of a tenant relocation assistance ordinance.
 - C. Seek funding or develop paths of support for access to counsel in possessory eviction cases.
 - D. Support shared-equity homeownership models.
 - E. Review the Inclusionary Housing Ordinance to provide deeper for-sale affordability beyond the updated 2021 Inclusionary Housing Ordinance.
 - F. Adopt preferences for tenants who have been displaced from rental housing in Morgan Hill.
- III. Connect Morgan Hill Residents to Employment Opportunities.
 - A. Prioritize the creation of jobs that are accessible to low- and very low-income workers who reside within the Downtown Morgan Hill Priority Development Area (PDA).
 - B. Create incentives for local businesses to hire Morgan Hill residents.
 - C. Advocate for VTA to expand bus service in Morgan Hill.
 - D. Study local first mile/last mile transit service solutions in Morgan Hill building on lessons learned from the first on-call shuttle service established within the City.
- IV. Increase Fair Housing Enforcement, Outreach, and Education in Morgan Hill.

Robust community engagement is essential to the development of an effective AFH, and, in addition to the outreach already conducted, the City welcomes input on this draft and, in particular, on the goals and priorities outlined above. Implementing the City's goals and priorities in the years to come will be a collaborative endeavor on the part of the City, key stakeholders, intergovernmental partners, and, most importantly, residents.

5.2 Community Participation Process

1. The 2022 update of the Housing Element involved an extensive community engagement process. The initial efforts began in May and June of 2021, with a series of workshops that were held to provide a roadmap of past, present, and future housing in Morgan Hill, to communicate how we got here, and to discuss the housing needs of current and future residents. The opportunity was taken to share the mandates for housing production adopted by the State of California in response to the housing crisis, which are geared towards increasing the supply. The initial workshops served as a springboard to leap into a deeper community engagement process. City staff used a variety of methods to solicit public input on the Housing Element update, including distributing three surveys (two pertaining to Assessment of Fair Housing (AFH)), hosting public workshops, providing information at community events, conducting focus groups, giving presentations to the community, and holding several workshops with the community and the Planning Commission. Staff prioritized involvement and engagement of residents and community members that are most directly impacted by the plan and development, especially Latinx, homeless, and other underrepresented or underserved groups.

Community outreach and engagement opportunities were designed to provide a safe engagement process that followed safe public health protocols around COVID-19, and to implement a meaningful engagement process that promoted a sense of ownership and real participation among community members. Staff involved a diverse range of participants, seeking input from the business community, community-based organizations, and other stakeholders.

2. The City of Morgan Hill started the engagement process for the Housing Element in May 2021. Below is a list of meetings and community-based organizations (CBO's) that City staff met with and consulted during the community participation process:

- 5/18/21 What is Affordable Housing 101, Spanish with English (Zoom presentation)
- 5/19/21 All Things Housing Community Workshop (Zoom presentation)
- 5/22/21 All things Housing - In-person
- 5/23/21 Hablando Vivienda con Nuestras Familias En Espanol (Zoom presentation)
- 5/28/21 Agricultural Workforce Housing in South County (Zoom presentation)
- 6/2/21 Community Workshop - State Mandates for Housing Production, City Council Meeting, (Zoom presentation)
- 6/10/21 Town Hall - Creating Inclusive Communities through Design Form, (Zoom presentation)
- 6/16/21 Community Workshop - Housing Affordability, (Zoom presentation)
- 6/23/21 Community Workshop - Housing and Long-term Sustainability, (Zoom presentation)
- 11/11/21 South County Collaborative (Zoom presentation and interactive focus group with 30 CBOs)
- 1/11/22 @ Social Services Agency, South County Staff (Zoom presentation & interactive focus group)
- 1/13/22 Morgan Hill Unified School District (MHUSD) Fawn Meyers HR Director (Zoom interview)
- 1/18/22 Compassion Center Staff (CBO Zoom interactive focus group)
- 1/18/22 COVID Testing day, obtained feedback from attendees
- 1/18/22 Gavilan College South County Basic Needs Staff (CBO Zoom interactive focus group)

- 1/20/22 Parents Helping Parents (CBO Zoom interactive focus group)
- 1/20/22 Digital Nest serving youth in South County (CBO Zoom interactive focus group)
- 1/20/22 Morgan Hill Library (Zoom interactive focus group)
- 1/25/22 Medical Social Worker Valley Health Center and Saint Louise Hospital (Zoom interactive focus group)
- 1/25/22 Richard Prato Director of Human Resources, Christopher Ranch Agriculture Employer (phone interview)
- 1/19/22 Eden Housing (Jasmine Square) Jonathan Crowther James (Affordable Housing Developer Focus Group)
- 1/28/22 St. Vincent De Paul and St. Catherine's (faith based and CBO interactive Zoom interview)
- 1/31/22 Building Back Better, Joint Venture Silicon Valley, Executive Director Quency Phillips (interactive Zoom interview)
- 2/2/22 Catholic Charities, Greg Kepferle (interactive Zoom interview)
- 2/3/22 Employment Development Department (Zoom interview)
- 2/3/22 Saint Joseph's Food Pantry, David Cox (CBO Zoom interview)
- 2/3/22 South County Collaborative Board Members (CBO interactive Zoom focus group)
- 2/3/22 Morgan Hill Bible Church Homeless Safe Park (focus group in person with unhoused families)
- 2/10/22 Townhall Housing Element (Zoom presentation)
- 2/14/22 Silicon Valley Independent Living Center, Patricia Cokes (CBO Zoom interview)
- 2/17/22 Townhall Housing Element (Zoom presentation and community feedback)
- 3/7/22 Silicon Valley @Home (CBO interactive Zoom focus group)
- 3/14/22 Edward Boss Prado Foundation, Cecilia Ponzini (telephone interview)
- 3/21/22 Voices School, (surveying of parents, in-person)
- 3/26/22 Spanish mass at Saint Catherine's (in person surveying)
- 3/27/22 Spanish mass at Saint Catherine's (in person surveying)
- 4/9/22 City Booth at the Farmers' Market/Sidewalk Saturdays

3. The outreach activities elicited broad community participation during the development of the AFH. The City conducted numerous outreach activities to reach all segments of the community and purposely focused on reaching Latinx residents, individuals and families currently housed in affordable housing, homeless, and other underrepresented or underserved groups. The City prioritized outreach by conducting small interactive focus groups with service providers/CBO's via Zoom as outlined above. The City also reached out purposefully to the Latinx community by translating all surveys to Spanish and conducting in person meetings as well as Zoom workshops in Spanish. City staff also conducted outreach during the Spanish mass at St. Catherine's as identified above.

In addition, two AFH surveys were provided (both in English and Spanish), one for Community Based Organizations (in which the City received 25 responses) and another survey geared towards underrepresented or underserved individuals and families (in which the City received 651 responses). The surveys were provided electronically and in hard-copy format to the following organizations and locations:

- Affordable Rental Housing locations

- Cochrane Village
- Crest Avenue Apartments
- The Crossings at Morgan Hill
- The Crossings Monterey
- Depot-Commons
- Jasmine Square
- Murphy Ranch Family Townhomes
- Royal Court Apartments
- San Pedro Gardens
- The Skeel Apartments
- Terracina at Morgan Hill
- The Willows Apartments
- Villa Ciolino
- Orchards Ranch Scattered Sites
- Park Place
- CBOs
 - i. Building Back Better, Joint Venture Silicon Valley
 - ii. Catholic Charities
 - iii. Christopher Ranch
 - iv. Destination Home Silicon Valley
 - v. Digital Nest
 - vi. Employment Development Department
 - vii. Eden Housing
 - viii. Gavilan College
 - ix. Morgan Hill Unified School District
 - x. Parents Helping Parents
 - xi. The Compassion Center
 - xii. Morgan Hill Library
 - xiii. Saint Louise Hospital
 - xiv. St. Vincent De Paul
 - xv. St. Catherine's
 - xvi. Saint Joseph's Food Pantry
 - xvii. Silicon Valley @Home
 - xviii. Silicon Valley Independent Living Center
 - xix. Social Services Agency
 - xx. Valley Health Center
 - xxi. Voices School
- Panaderia bakery
- Morgan Hill Senior Center
- Rotary
- Senior Affordable Rental Housing locations
 - i. Sycamore Glen
 - ii. Horizons
 - iii. Bella Terra Apartments
 - iv. The Lodge at Morgan Hill
 - v. The Huntington
- Unhoused individuals through outreach to encampments

Feedback that the City received regarding the outreach conducted was that material and surveys to non-English speakers was lengthy and therefore non-English speakers may not have been as engaged as English speakers or more educated individuals. Therefore, additional steps that might

improve or increase community participation from non-English speakers could be to decrease the length of surveys or other materials to be more compact. In addition, as part of the Housing Element Update, the City will be conducting additional outreach to non-English speakers in-person during a series of open-house style one-on-one or small group meetings called “Cafecito con Edith”.

4. There were several themes that were common among all comments obtained in the community participation process, from both, CBO's as well as individuals.

Comments obtained from CBO's that were developed into Goals for the Housing Element are summarized below:

- Provide a range of housing opportunities affordable to Morgan Hill workforce.
- Promote Extremely Low-Income housing.
- Prevent homelessness and address the housing needs of people experiencing homelessness.
- Establish special needs housing for seniors, persons with disabilities, and veterans.
- Conduct community education/outreach to inform residents about affordable housing and how to seek assistance.

Some specific comments that were brought up by CBO's that were developed into key Policies include:

- An affordable housing overlay district could be used to increase affordable housing.
- Pass a commercial linkage fee ordinance.
- Zone more land and/or change zoning regulations for multi-family to increase affordable housing.
- Pass a rent stabilization ordinance.
- Integrate affordable housing throughout the community.
- Protect residents from displacement.

Common themes obtained in the community participation process among individuals that provided feedback that were developed into Goals or Policies are summarized below:

- Provide a range of housing opportunities affordable to Morgan Hill workforce.
- Prevent homelessness and address the housing needs of people experiencing homelessness.
- Integrate affordable housing throughout the community.
- Ensure that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults.
- Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability.
- Pass a rent stabilization ordinance.
- Create an affordable housing overlay district.
- Zone more land to allow multi-family rental housing.
- Increase for housing education, outreach, and enforcement.

One comment or view that was not accepted, or not included, in the Housing Element Update that was common among several CBO's, as well as individuals, was the request to 'pass an affordable

housing bond issue to provide funding to construct multi-family housing'. The City did not include an affordable housing bond as a policy in the Housing Element Update as passing an affordable housing bond is costly, would require voter approval, and other policies and actions were identified that can achieve the same goal of developing multi-family housing, such as studying the creation of an affordable housing overlay, considering a commercial linkage fee, and expand multi-family zoning areas throughout the City.

DRAFT

5.3 Fair Housing Analysis

a. Demographic Summary

This Demographic Summary provides an overview of data concerning race and ethnicity, sex, familial status, disability status, limited English proficiency, national origin, and age. The data included reflects the composition of both the city of Morgan Hill and the San Jose-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

1. Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990).

Table 1: Demographics, Morgan Hill and San Jose-Sunnyvale-Santa Clara, CA Region

	Jurisdiction			Region		
Race/Ethnicity	#		%	#		%
White, Non-Hisp.	21,880		49.0%	628,606		31.6%
Black, Non-Hisp.	777		1.7%	45,713		2.3%
Hispanic	13,977		31.3%	527,059		26.5%
Asian/Pacific Island, Non-Hisp.	6,130		13.7%	707,309		35.6%
Native American, Non-Hisp.	13		0.0%	3,552		0.2%
National Origin						
#1 country of origin	Mexico	2,188	4.9%	Mexico	139,306	7.0%
#2 country of origin	Vietnam	989	2.2%	India	128,069	6.4%
#3 country of origin	Philippines	648	1.5%	Vietnam	101,246	5.1%
#4 country of origin	India	481	1.1%	China, Excluding Hong Kong and Taiwan	85,593	4.3%
#5 country of origin	China, excluding Hong Kong & Taiwan	357	0.8%	Philippines	59,640	3.0%
#6 country of origin	Korea	341	0.8%	Taiwan	30,893	1.6%
#7 country of origin	Canada	239	0.5%	Korea	21,365	1.1%
#8 country of origin	Iran	220	0.5%	Iran	15,949	0.8%
#9 country of origin	Hong Kong	160	0.4%	Japan	11,786	0.6%
#10 country of origin	Iraq	135	0.3%	Hong Kong	11,411	0.6%
Limited English Proficiency (LEP) Language						
#1 LEP Language	Spanish	2,648	6.9%	Spanish	142,191	7.9%
#2 LEP Language	Chinese	353	0.9%	Vietnamese	72,373	4.0%
#3 LEP Language	Vietnamese	241	0.6%	Chinese	67,865	3.8%
#4 LEP Language	Tagalog	103	0.3%	Tagalog	20,924	1.2%

#5 LEP Language	Portuguese	69	0.2%	Korean	11,561	
#6 LEP Language	Korean	68	0.2%	Other Asian Languages	8,186	0.6%
#7 LEP Language	Japanese	64	0.2%	Japanese	6,870	0.4%
#8 LEP Language	German	49	0.1%	Other Indic Languages	6,739	0.4%
#9 LEP Language	Arabic	45	0.1%	Persian	5,514	0.3%
#10 LEP Language	Other Asian Languages	40	0.1%	Russian	5,285	0.3%
Disability Type						
Hearing difficulty		992	2.2%		46,279	2.3%
Vision difficulty		621	1.4%		27,671	1.4%
Cognitive difficulty		1,597	3.9%		61,783	3.3%
Ambulatory difficulty		1,894	4.6%		82,592	4.4%
Self-care difficulty		913	2.2%		38,520	2.1%
Independent living difficulty		1,570	4.8%		69,507	4.5%
Sex						
Male		21,684	48.5%		1,004,573	50.5%
Female		23,002	51.5%		983,273	49.5%
Age						
Under 18		11,606	26.0%		440,060	22.3%
18-64		26,840	60.0%		1,282,083	64.5%
65+		6,240	14.0%		261,703	13.2%
Family Type						
Families with children		5,357	46.7%		214,550	45.8%

Race and Ethnicity

A plurality of the population of Morgan Hill is White, and Hispanic residents are the second largest segment of the city's population, accounting for nearly one-third of residents. Asian and Pacific Islander residents are the third largest group. In comparison to the region, the population of Morgan Hill is much more heavily white, somewhat more heavily Hispanic, and much less heavily Asian and Pacific Islander. Like Morgan Hill itself, the region has low populations of Black and Native American residents.

National Origin

Consistent with the discussion above, individuals of Mexican national origin comprise the largest group of foreign-born residents in Morgan Hill. Among Asian national origin groups, individuals of Vietnamese national origin are the largest followed by Filipino-Americans, Indian-Americans, Chinese-Americans, and Korean-Americans. Lastly, there are small populations of people of Iranian, Canadian, and Iraqi national origin. For purposes of interpreting Census and ACS data, it is important to note that persons of Iranian and Iraqi national origin are generally categorized as White. In Morgan Hill, there are smaller concentrations than in the region of every national origin group that appears in the top ten most populous national origin groups for both the city and the region. The gap is narrower for people of Mexican and Filipino national origin than it is for other groups. It is notable that the percentage of residents of Mexican national origin in Morgan

Hill is lower than in the region despite the percentage of Hispanic residents being higher. The higher concentration of children, who are more likely to have been born in the United States than their parents, in Morgan Hill may explain this apparent disconnect.

Limited English Proficiency

Spanish speakers with limited English proficiency (LEP) are by far the largest group of LEP individuals in Morgan Hill. Speakers of Chinese, Vietnamese, and Tagalog are the next largest groups of LEP residents. There is no other language that more than 100 LEP residents speak in Morgan Hill. This is largely consistent with the national origin data discussed above though it is also clear that some immigrant communities in Morgan Hill are comparatively less likely to be have LEP status than others. In particular, individuals of Indian national origin comprise the fourth largest national origin group in the city, but no South Asian language is among the ten most spoken languages by LEP individuals. There are higher concentrations in the region than in the city of all LEP groups that appear in the top ten LEP groups for both the city and the region. The gap is smallest for LEP Spanish speakers, of whom there is only a slightly higher concentration in the region than in the city.

Disability

In Morgan Hill, the most common types of disabilities are, in order, independent living disabilities, ambulatory disabilities, cognitive disabilities, hearing disabilities, self-care disabilities, and vision disabilities. It is important to note that each of these types of disabilities can be co-occurring with one or more other types of disabilities. Additionally, persons under the age of 18, by definition, cannot have independent living disabilities. With the exception of individuals with hearing disabilities, concentrations of persons with all other types of disabilities are higher in Morgan Hill than in the broader region. The difference is larger for persons with cognitive disabilities than it is for any other category.

Sex

Women comprise a slight majority of the population of Morgan Hill. This is in contrast to the region where men comprise a barer majority of the population. This juxtaposition may be due to the disproportionate employment of men in the technology industry in the northern part of Santa Clara County, on the one hand, and the relatively smaller role of the technology industry in South County.

Age

Non-elderly adults are a majority of the population of Morgan Hill, but that share is smaller than the proportion of the regional population comprised of non-elderly adults. Residents of Morgan Hill are much more likely to be children and are slightly more likely to be elderly adults than are residents of the region.

Familial Status

Just under one half of households in Morgan Hill are families with children. Families with children comprise a slightly larger share of households in Morgan Hill than they do in the region.

Table 2: Demographic Trends

City of Morgan Hill						
	1990 Trend		2000 Trend		2010 Trend	
Race/Ethnicity	#	%	#	%	#	%
White, Non-Hispanic	16,616	69.4%	20,720	61.6%	19,073	50.3%
Black, Non-Hispanic	364	1.5%	421	1.3%	667	1.8%
Hispanic	5,594	23.4%	9,237	27.5%	12,863	34.0%
Asian or Pacific Islander, Non-Hispanic	1,188	5.0%	2,091	6.2%	3,819	10.1%
Native American, Non-Hispanic	120	0.5%	92	0.3%	125	0.3%
National Origin						
Foreign-born	2,639	11.0%	5,104	15.2%	7,585	18.6%
LEP						
Limited English Proficiency	1,680	7.5%	3,104	10.1%	3,855	10.1%
Sex						
Male	26,844	50.1%	16,727	49.7%	18,738	49.5%
Female	11,984	49.9%	16,908	50.3%	19,144	50.5%
Age						
Under 18	7,226	30.2%	10,339	30.7%	10,838	28.6%
18-64	14,874	62.2%	20,898	62.2%	23,446	61.9%
65+	1,828	7.6%	2,398	7.1%	3,598	9.5%
Family Type						
Families with children	3,409	54.9%	4,821	55.9%	5,495	56.7%
(San Jose-Sunnyvale-Santa Clara, CA) Region						
	1990 Trend		2000 Trend		2010 Trend	
Race/Ethnicity	#	%	#	%	#	%
White, Non-Hispanic	888,530	57.90%	768,747	44.29%	648,063	35.28%
Black, Non-Hispanic	52,557	3.42%	52,151	3.00%	52,208	2.84%

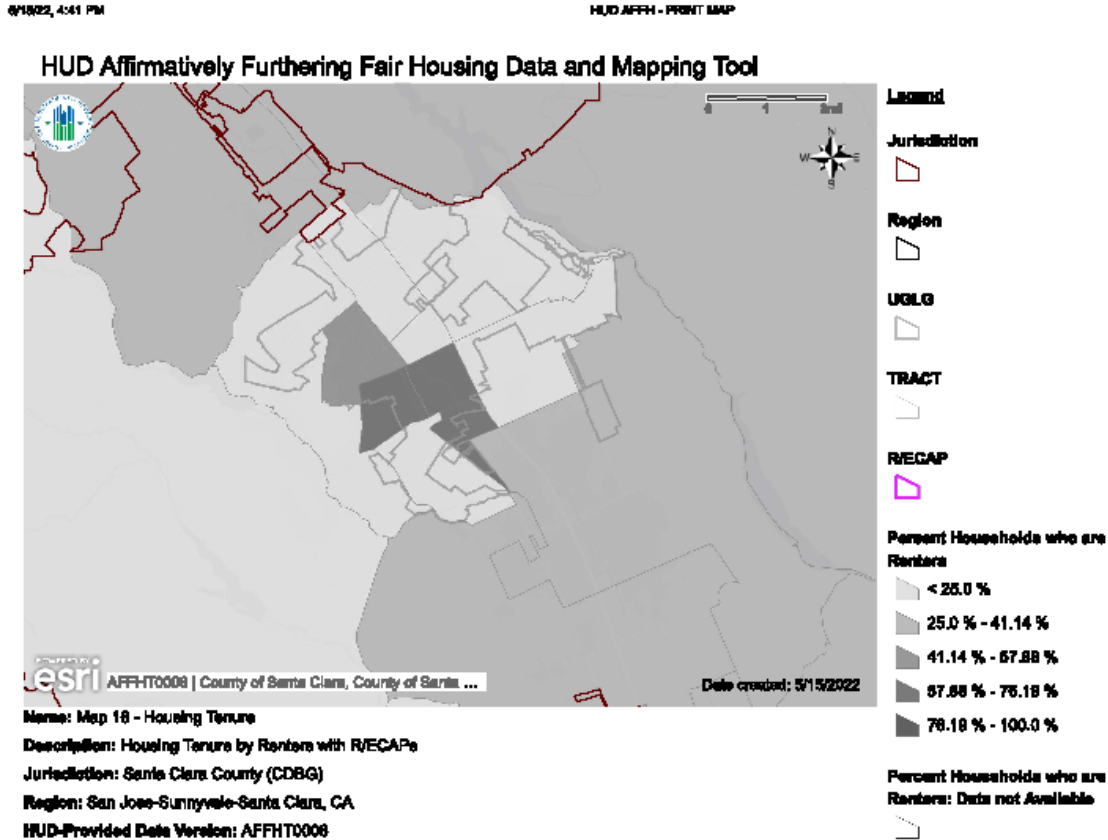
Hispanic	331,183	21.58%	428,868	24.71%	510,396	27.79%
Asian or Pacific Islander, Non-Hispanic	251,953	16.42%	459,718	26.48%	611,013	33.26%
Native American, Non-Hispanic	6,717	0.44%	11,780	0.68%	10,290	0.56%
National Origin						
Foreign-born	353,465	23.04%	583,157	33.60%	655,016	35.66%
LEP						
Limited English Proficiency	212,940	13.88%	351,953	20.28%	366,129	19.93%
Sex						
Male	777,230	50.66%	878,445	50.61%	921,480	50.16%
Female	757,116	49.34%	857,377	49.39%	915,431	49.84%
Age						
Under 18	369,600	24.09%	444,818	25.63%	445,611	24.26%
18-64	1,032,260	67.28%	1,127,524	64.96%	1,188,996	64.73%
65+	132,486	8.63%	163,480	9.42%	202,304	11.01%
Family Type						
Families with children	180,450	48.31%	180,388	49.79%	217,181	49.33%

Since 1990, the population of Morgan Hill has become less heavily White and more heavily Hispanic and Asian or Pacific Islander while the Black and Native American population concentrations have been relatively stable. These changes have occurred over a period of significant population growth in Morgan Hill, and, accordingly, the total White population has not actually declined since 1990 (though it did slightly between 2000 and 2010 before increasing again between 2010 and the 2015-2019 American Community Survey). Both the foreign-born population and the population of people with limited English proficiency have increased though the latter increased more significantly between 1990 and 2000 than it has in recent years. The population of older adults has increased over time while the proportions of the population comprised of working-age adults and children have declined slightly. There has been little change in population by sex, and there has been a slight increase in the proportion of families that include minor children. Regional trends largely mirror changes seen in Morgan Hill with the exception that there has been a small but notable decrease in Black population regionally (though not in Morgan Hill).

2. Describe the location of homeowners and renters in the jurisdiction and region, and describe trends over time.

DRAFT

Map 1: Housing Tenure, Morgan Hill



In Morgan Hill, renters are relatively concentrated in the downtown area, which is in the south-central and southwestern portions of the city. The eastern half of the city is heavily owner-occupied.

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HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

- Jurisdiction**
- Region**
- UGLG**
- TRACT**
- R/ECAP**

Percent Households who are Renters

- < 25.0 %
- 25.0 % - 41.14 %
- 41.14 % - 57.88 %
- 57.88 % - 76.18 %
- 76.18 % - 100.0 %

Percent Households who are Renters: Data not Available

Map 18 - Housing Tenure

Description: Housing Tenure by Renters with R/ECAPs

Jurisdiction: Santa Clara County (CDBG)

Region: San Jose-Sunnyvale-Santa Clara, CA

HUD-Provided Data Version: AFFHT0008

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Date loaded: 5/15/2022

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b. General Issues

i. Segregation/Integration

1.a. Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.

Dissimilarity Index

	Value	Level of Segregation
Dissimilarity Index Value (0-100)	0-40	Low Segregation
	41-54	Moderate Segregation
	55-100	High Segregation

Table 1: Dissimilarity Index Values by Race and Ethnicity for Morgan Hill.

Racial/Ethnic Dissimilarity Index	1990 Trend	2000 Trend	2010 Trend	2020 Trend
Black/White	10.2	16.6	17.2	16.1
Hispanic/White	16.6	29.3	27.3	24.4
Asian/White	9.7	6.0	16.6	13.9

Source: HUD AFFH Tool Table 3 – Racial/Ethnic Dissimilarity Trends

Table 2: Dissimilarity Index Values by Race and Ethnicity for San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

Racial/Ethnic Dissimilarity Index	1990 Trend	2000 Trend	2010 Trend	2020 Trend
Black/White	43.4	40	38.6	35.3
Hispanic/White	48	50.8	47.6	45.4
Asian/White	39	42.1	43	39.8

Source: HUD AFFH Tool Table 3 – Racial/Ethnic Dissimilarity Trends

The tables above reflect the Dissimilarity Indices for Morgan Hill and the San José-Sunnyvale-Santa Clara, MSA. The Dissimilarity Index measures the percentage of a certain group's population that would have to move to a different census tract in order to be evenly distributed within a city or metropolitan area in relation to another group. The higher the Dissimilarity Index, the higher the extent of the segregation.

Morgan Hill has low levels of segregation across all racial and ethnic groups. In the broader region, there are higher levels of segregation for all groups than in Morgan Hill. In particular, Hispanic residents are subject to moderate levels of segregation in relation to White residents, and, while segregation for Black and Asian residents are lower, index levels for Asians are at the highest extreme of the low range and index levels for Blacks indicate moderate segregation.

In addition to the Dissimilarity Index, social scientists also use the Isolation and Exposure Indices to measure segregation. These indices, when taken together, capture the neighborhood demographics experienced, on average, by members of a particular racial or ethnic group within a city or metropolitan area. The Isolation Index measures what percentage of the census tract in which a person of a certain racial identity is exposed only to other persons of that same racial/ethnic group. Values for the Isolation Index range from 0 to 100. The Exposure Index is a

group's exposure to all racial groups. Values for the Exposure Index also range from 0 to 100. A larger value means that the average group member lives in a census tract with a higher percentage of people from another group.

Table 3: Isolation Index Values by Race and Ethnicity in Morgan Hill

Isolation Index	1990	2000	2010	2020
White/White	69.8	63.5	53.0	45.9
Black/Black	1.6	2.1	2.5	3.1
Hispanic/Hispanic	25.4	32.7	38.9	36.9
Asian/Asian	5.4	8.1	13.7	19.0

Source: Diversity and Disparities, Spatial Structures in the Social Sciences, Brown University

Table 4: Exposure Index Values for Morgan Hill

Exposure Index	1990	2000	2010	2020
Black/White	70.9	59.0	48.6	42.9
Hispanic/White	67.9	56.5	46.2	41.1
Asian/White	70.9	62.8	51.2	44.5
White/Black	1.6	1.9	2.3	2.8
Hispanic/Black	1.4	2.1	2.5	3.0
Asian/Black	1.6	1.9	2.4	2.9
White/Hispanic	22.9	25.3	31.2	30.9
Black/Hispanic	21.4	29.8	35.7	34.2
Asian/Hispanic	21.4	25.5	31.6	31.2
White/Asian	5.1	7.7	12.5	17.8
Black/Asian	5.3	7.4	12.1	17.4
Hispanic/Asian	4.6	6.9	11.4	16.6

Source: Diversity and Disparities, Spatial Structures in the Social Sciences, Brown University

As the tables above show, all groups reside in neighborhoods that are plurality White. In general, an individual Morgan Hill resident's race or ethnicity does not suggest a likelihood of living in materially more segregated conditions. Additionally, while the Isolation Index for White residents is higher than all other groups, it is only slightly higher than the Exposure Indices for Asian, Black, and Hispanic residents. Isolation and exposure indexes for White and Hispanic residents have been reduced over the past decade.

Table 4: Isolation Index Values by Race and Ethnicity in San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

Isolation Index	1990	2000	2010	2020
White/White	67	56.5	47.6	39.1
Black/Black	5.3	4.2	4	3.8
Hispanic/Hispanic	37	41.7	43.4	41.1
Asian/Asian	24.3	37.6	45.4	51.1

Source: Diversity and Disparities, Spatial Structures in the Social Sciences, Brown University

Table 4: Exposure Index Values for San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area

Exposure Index	1990	2000	2010	2020
Black/White	48.1	38.8	32.8	28.1
Hispanic/White	42	31.2	26.7	23.3
Asian/White	49.6	37.1	29.4	24.9
White/Black	2.8	2.6	2.6	2.7
Hispanic/Black	4.1	3.3	3	3
Asian/Black	4.3	3.2	2.8	2.6
White/Hispanic	15.6	17.3	21.1	21.3
Black/Hispanic	25.5	27.1	29.7	28.8
Asian/Hispanic	21.3	20.8	21.7	20.1
White/Asian	14	22.1	27.8	35.1
Black/Asian	20.4	28.5	32.7	37.5
Hispanic/Asian	16.2	22.4	26.1	31

Source: Diversity and Disparities, Spatial Structures in the Social Sciences, Brown University

As with the Dissimilarity Index, regional Isolation and Exposure Index data reflects more segregated patterns than are evident within Morgan Hill. It is clear that White (74.2%) and Asian (76%) residents are more likely to live in neighborhoods that have higher combined concentrations of White and Asian residents than are Hispanic (54.3%) residents, in particular, and Black (65.6%) residents, to a lesser extent.

1.b. Explain how these segregation levels have changed over time (since 1990).

With respect to Dissimilarity Index data and the Isolation and Exposure Indices, there has been a decrease in the levels of segregation among White and Hispanic residents over the past decade. There has been a slight increase in isolation among Black and Asian residents.

In the region, Dissimilarity Index levels for Black residents in relation to White residents have decreased over time while Dissimilarity Index levels for Hispanic and Asian residents, respectively, in relation to White residents have been little changed. Exposure to White residents (and isolation for White residents) has decreased over time for all groups while exposure to Asian residents (and isolation for Asian residents) has increased over time for all groups. Exposure to Hispanic residents (and isolation for Hispanic residents) has been relatively unchanged. For Black residents, the trend has been toward decreased exposure (and isolation for Black residents), but exposure to Black residents for White residents is an exception, being largely unchanged.

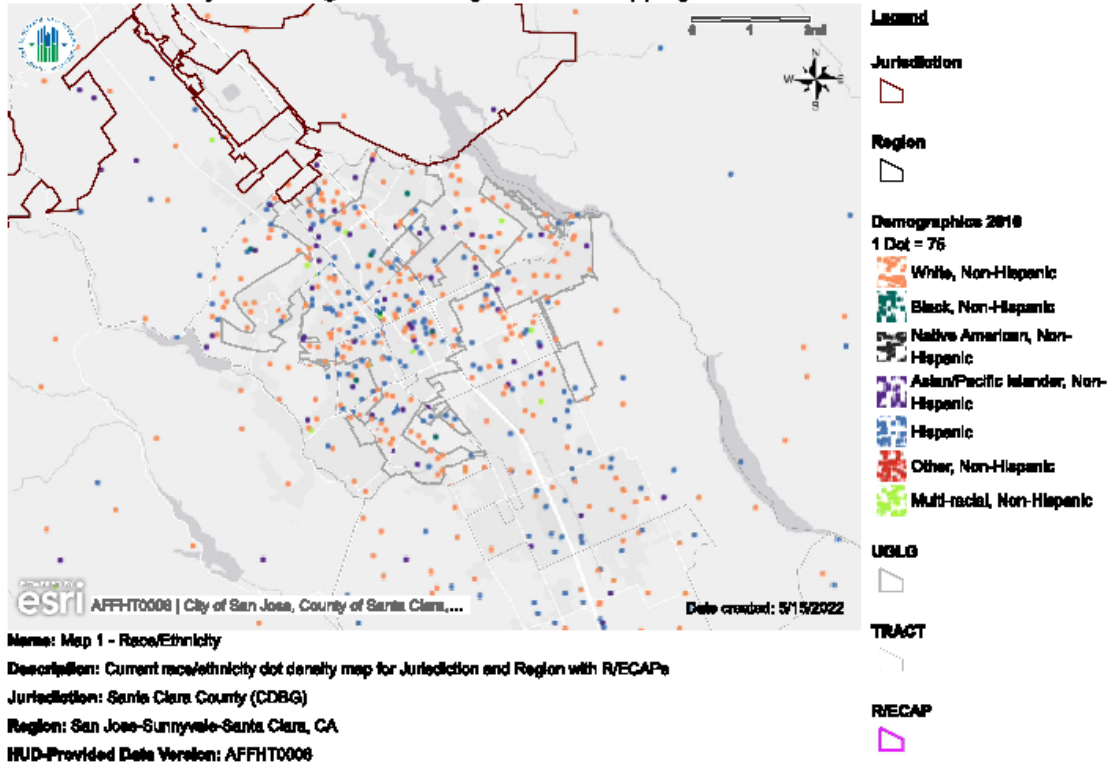
1.c. Identify areas in the jurisdiction and region with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.

Map 1: Race/Ethnicity, Morgan Hill

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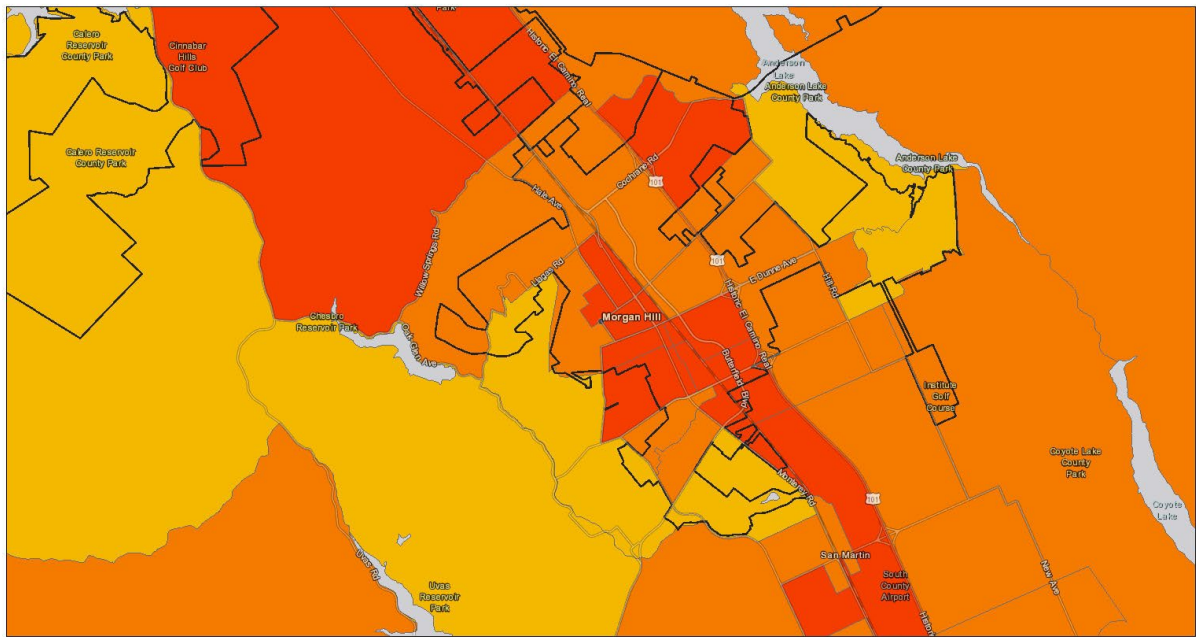
HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



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Map 2: Racial Demographics, Morgan Hill

Morgan Hill Racial Demographics



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City/Town Boundaries
(R) Racial Demographics (2018) - Block Group
21 - 40%
41 - 60%
61 - 80%

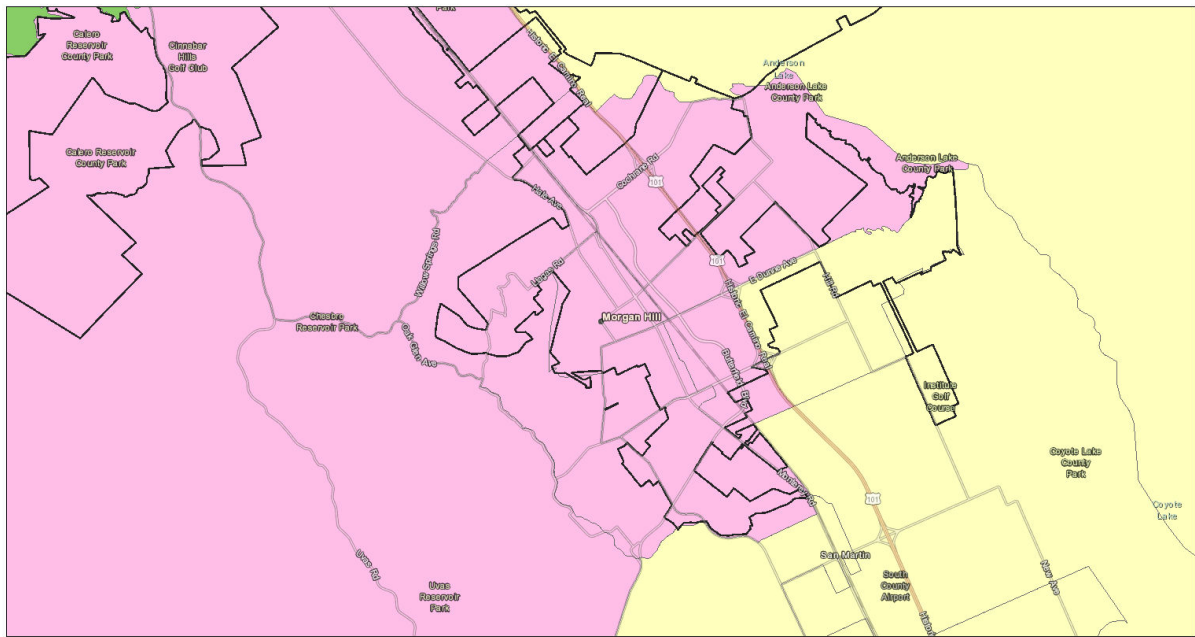
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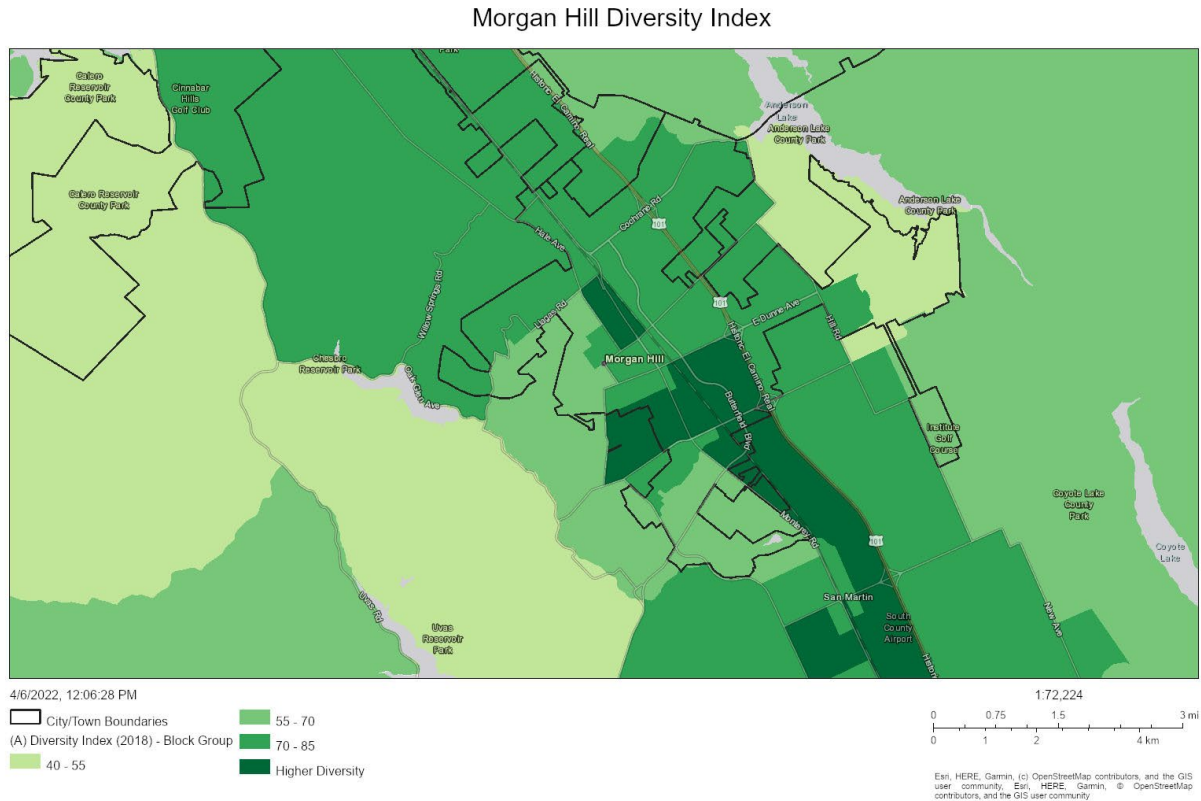
CA/HCD
City of San Jose, County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S.

Map 3: Neighborhood Segregation, Morgan Hill

Morgan Hill Neighborhood Segregation



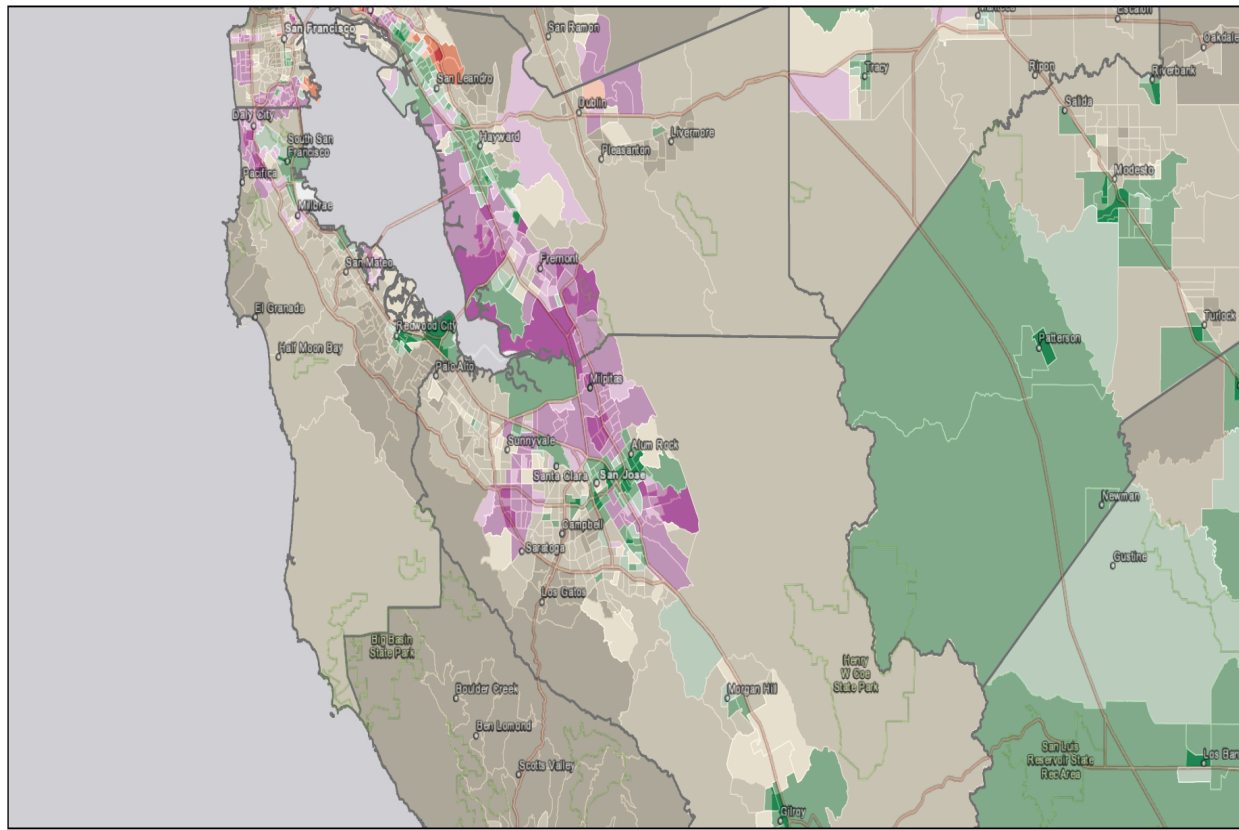
Map 4: Diversity Index, Morgan Hill



CA/HCD
City of San Jose, County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S.

The maps above reflect that Morgan Hill has a low level of segregation. White, Asian, and Hispanic residents are interspersed in the city, while the eastern portion of the city as well as adjoining unincorporated areas are less integrated. North and east of the city have minimal residential development, and tend to be populated by White and Hispanic residents.

Map 5: Predominant Population by Race, Region



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County Boundaries

(R) Predominant Population - White Majority Tracts

Slim (gap < 10%)

Sizeable (gap 10% – 50%)

Predominant (gap > 50%)

(R) Predominant Population - Hispanic Majority Tracts

Slim (gap < 10%)

Sizeable (gap 10% – 50%)

Predominant (gap > 50%)

(R) Predominant Population - Asian Majority Tracts

Slim (gap < 10%)

Sizeable (gap 10% – 50%)

Predominant (gap > 50%)

(R) Predominant Population - African American Majority Tracts

Slim (gap < 10%)

Sizeable (gap 10% – 50%)

Predominant (gap > 50%)

1:577,791

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Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development 2020 | Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

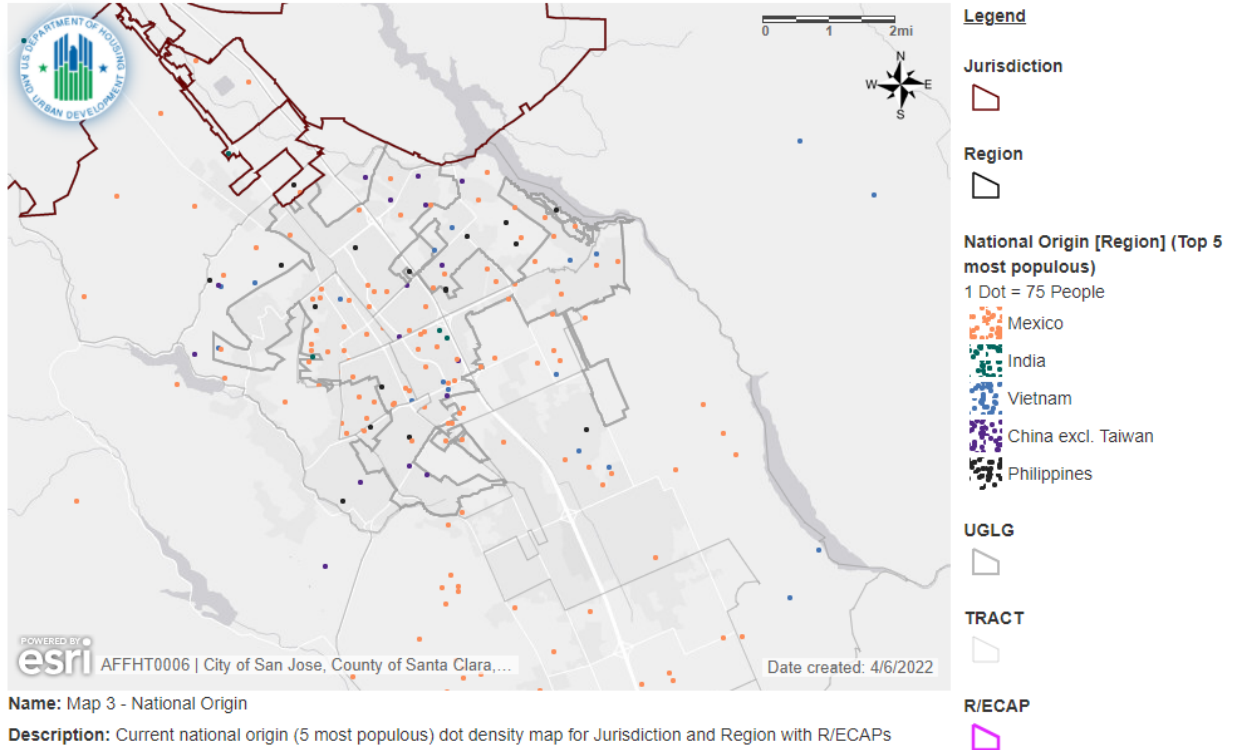
CA HCD

Bay Point and Pittsburg in eastern Contra Costa County, and East Palo Alto in San Mateo County. Additional areas of Asian population concentration include Fremont, Union City, and southern San Leandro; Downtown Oakland; Hercules; Daly City and Foster City; and much of southeastern and western San Francisco, along with the more centrally located Chinatown area.

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National Origin & Limited English Proficiency

Map 7: National Origin, Morgan Hill



Name: Map 3 - National Origin

Description: Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: Santa Clara County (CDBG)

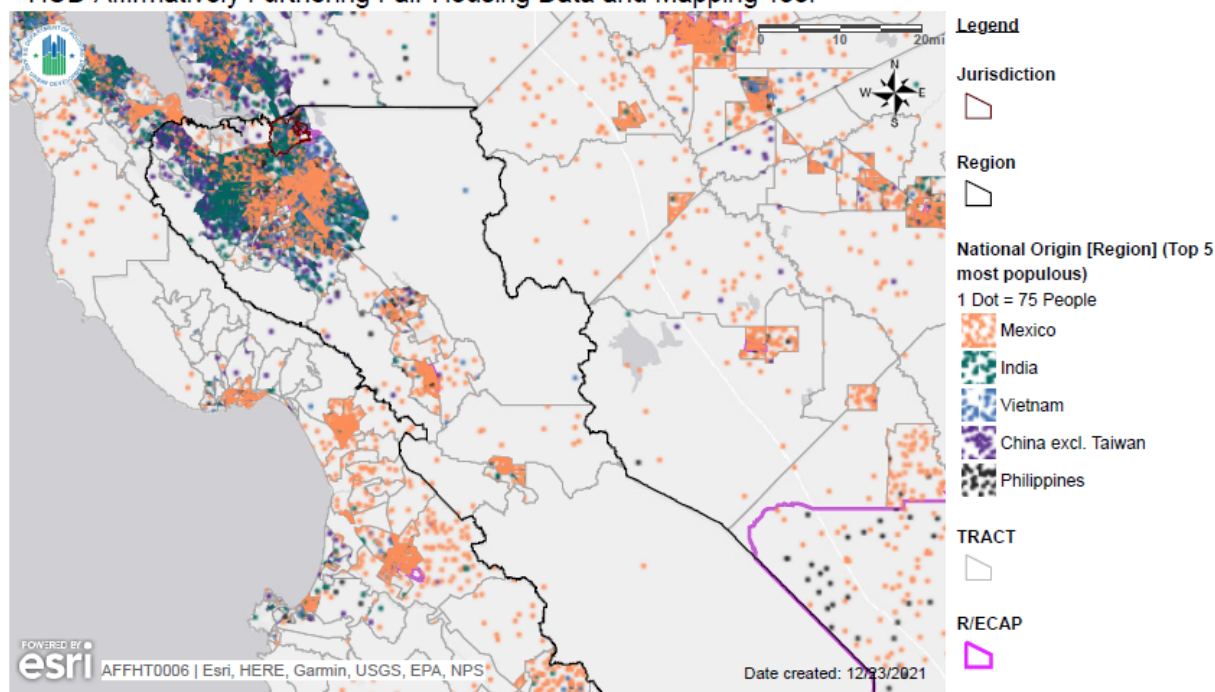
Region: San Jose-Sunnyvale-Santa Clara, CA

HUD-Provided Data Version: AFFHT0006

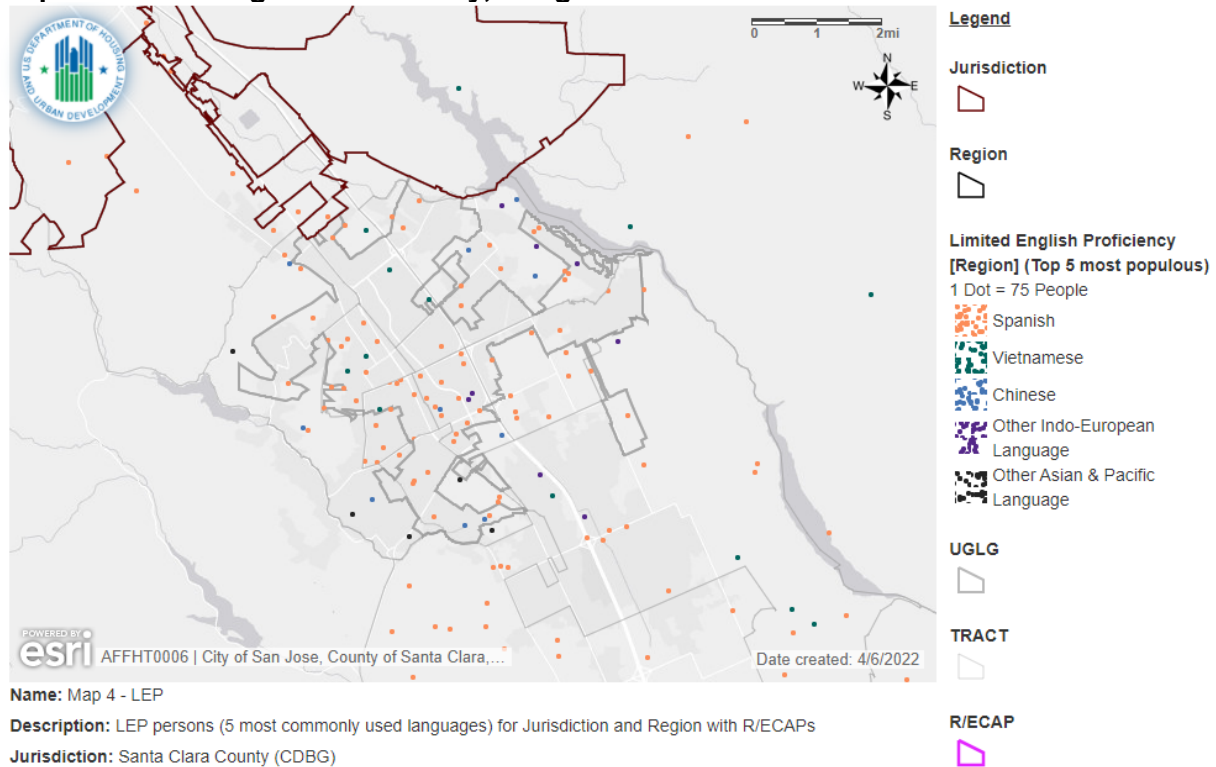
Within Morgan Hill, people of Mexican national origin live throughout the city with slightly higher concentrations in the center of the city. People of Indian national origin live throughout the city, People of Vietnamese national origin live primarily in the eastern portion of the city. People of Chinese national origin live in the eastern portions of the city, and people with Filipino national origin are located throughout the city.

Map 8: National Origin, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

**Name:** Map 3 - National Origin**Description:** Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs**Jurisdiction:** Milpitas City (CDBG)**Region:** San Jose-Sunnyvale-Santa Clara, CA**HUD-Provided Data Version:** AFFHT0006

Regionally, people of Mexican national origin are concentrated in Downtown, South, and East San José and in parts of Morgan Hill, Gilroy, and Hollister. People of Indian national origin are concentrated in Sunnyvale and Santa Clara, as well as North San José. People of Vietnamese national origin are concentrated in East San José and Milpitas. People of Chinese national origin are concentrated in Cupertino, Mountain View, and both West and North San José. People of Filipino national origin are not highly concentrated in particular areas.

Map 9: Limited English Proficiency, Morgan Hill

Name: Map 4 - LEP

Description: LEP persons (5 most commonly used languages) for Jurisdiction and Region with R/ECAPs

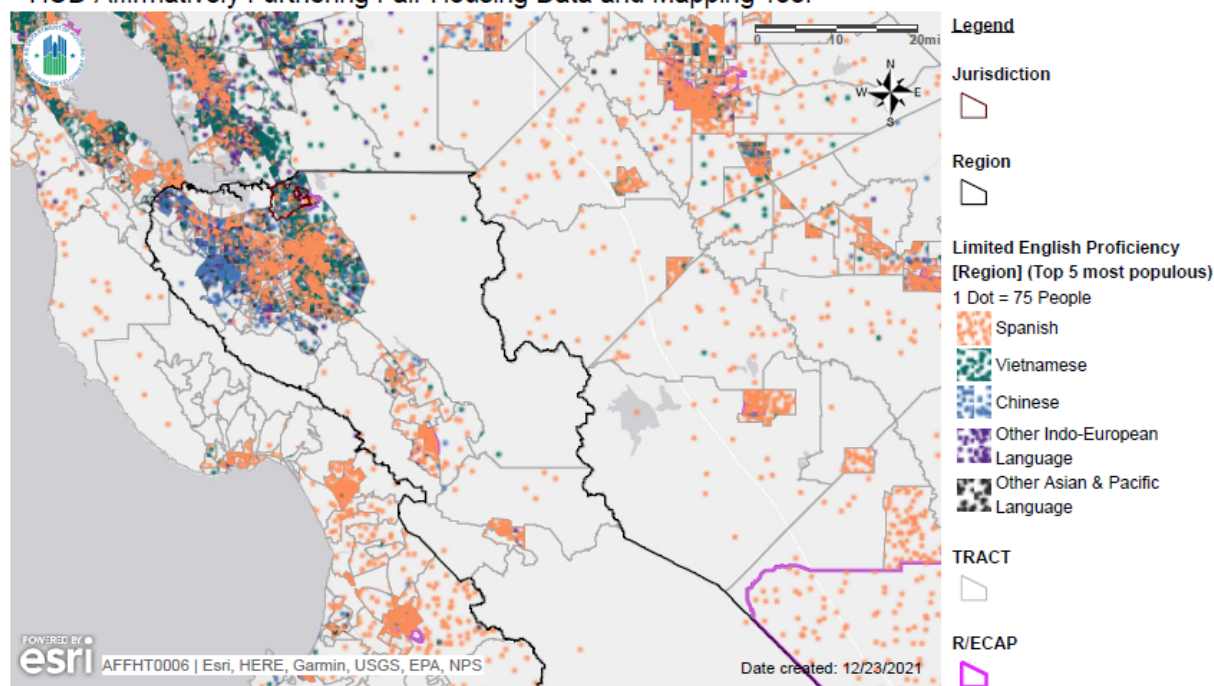
Jurisdiction: Santa Clara County (CDBG)

Region: San Jose-Sunnyvale-Santa Clara, CA

HUD-Provided Data Version: AFFHT0006

Within Morgan Hill, persons with limited English proficiency (LEP) who speak Spanish as their primary language are dispersed throughout the city and in the southern outskirts. while those who speak Vietnamese and Chinese are located throughout the city.

Map 10: Limited English Proficiency, Region
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Name: Map 4 - LEP

Description: LEP persons (5 most commonly used languages) for Jurisdiction and Region with R/ECAPs

Jurisdiction: Milpitas City (CDBG)

Region: San Jose-Sunnyvale-Santa Clara, CA

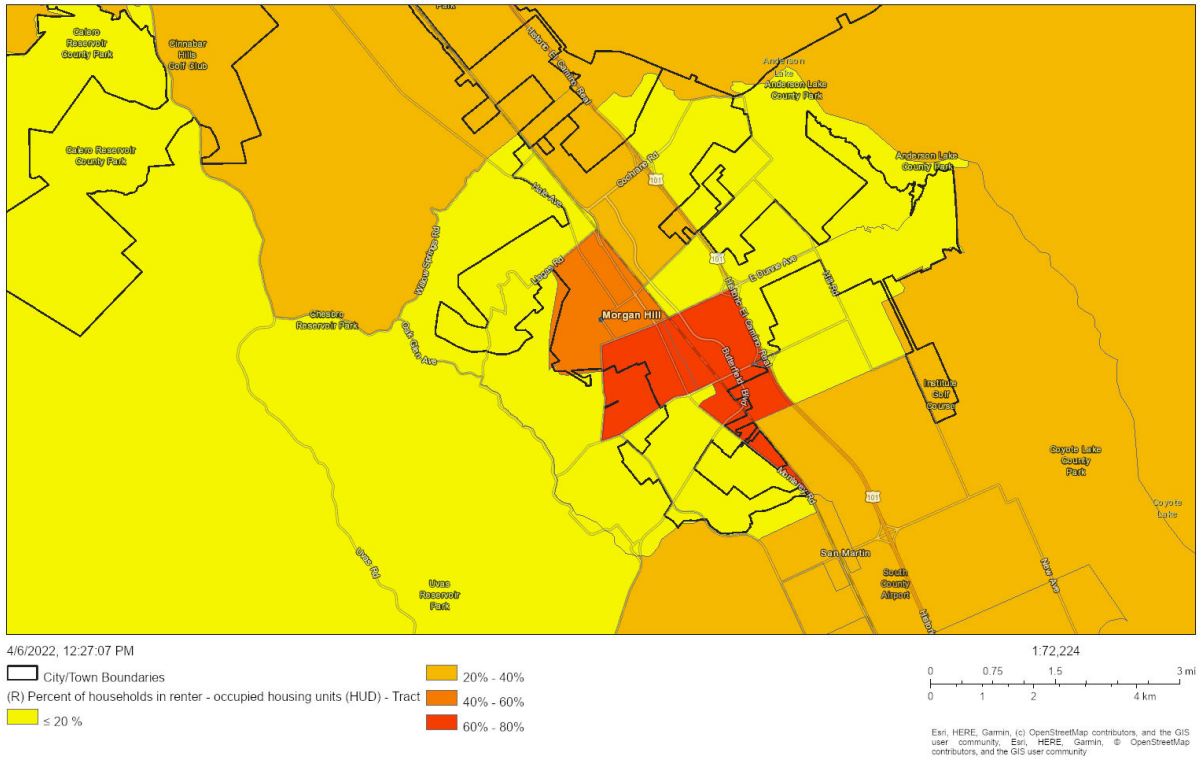
HUD-Provided Data Version: AFFHT0006

In the region, LEP Spanish speakers are concentrated in Downtown, South, and East San José as well as in Morgan Hill, Gilroy, and Hollister. LEP Vietnamese speakers are concentrated in East San José and Milpitas. LEP Chinese speakers are concentrated in Cupertino and West San José. There do not appear to be significant concentrations of LEP speakers of other languages.

1.d. Consider and describe the location of owner and renter occupied housing in the jurisdiction and region in determining whether such housing is located in segregated or integrated areas, and describe trends over time.

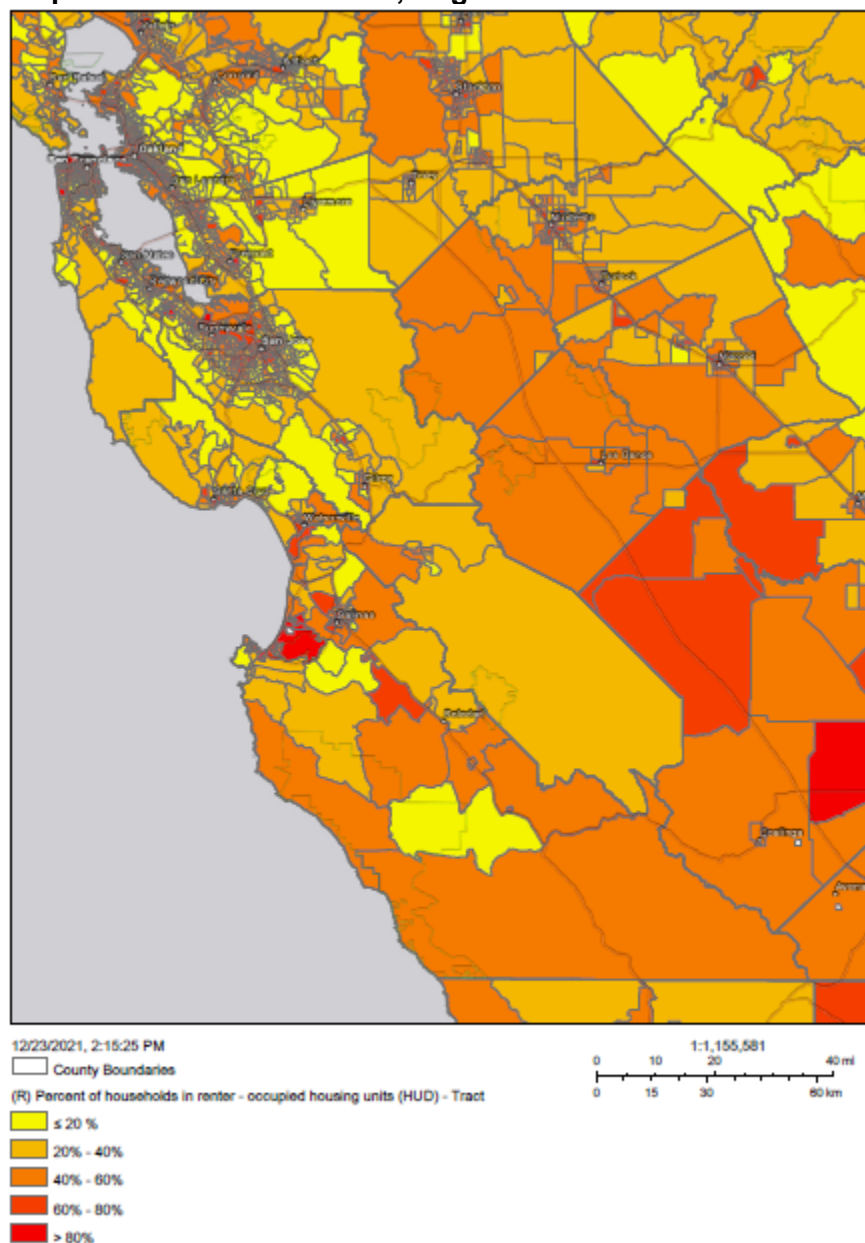
Map 11: Percent of Households in Renter Occupied Housing Units, Morgan Hill

Morgan Hill Percent of Households in Renter-Occupied Housing Units



CA/HCD
City of San Jose, County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S.

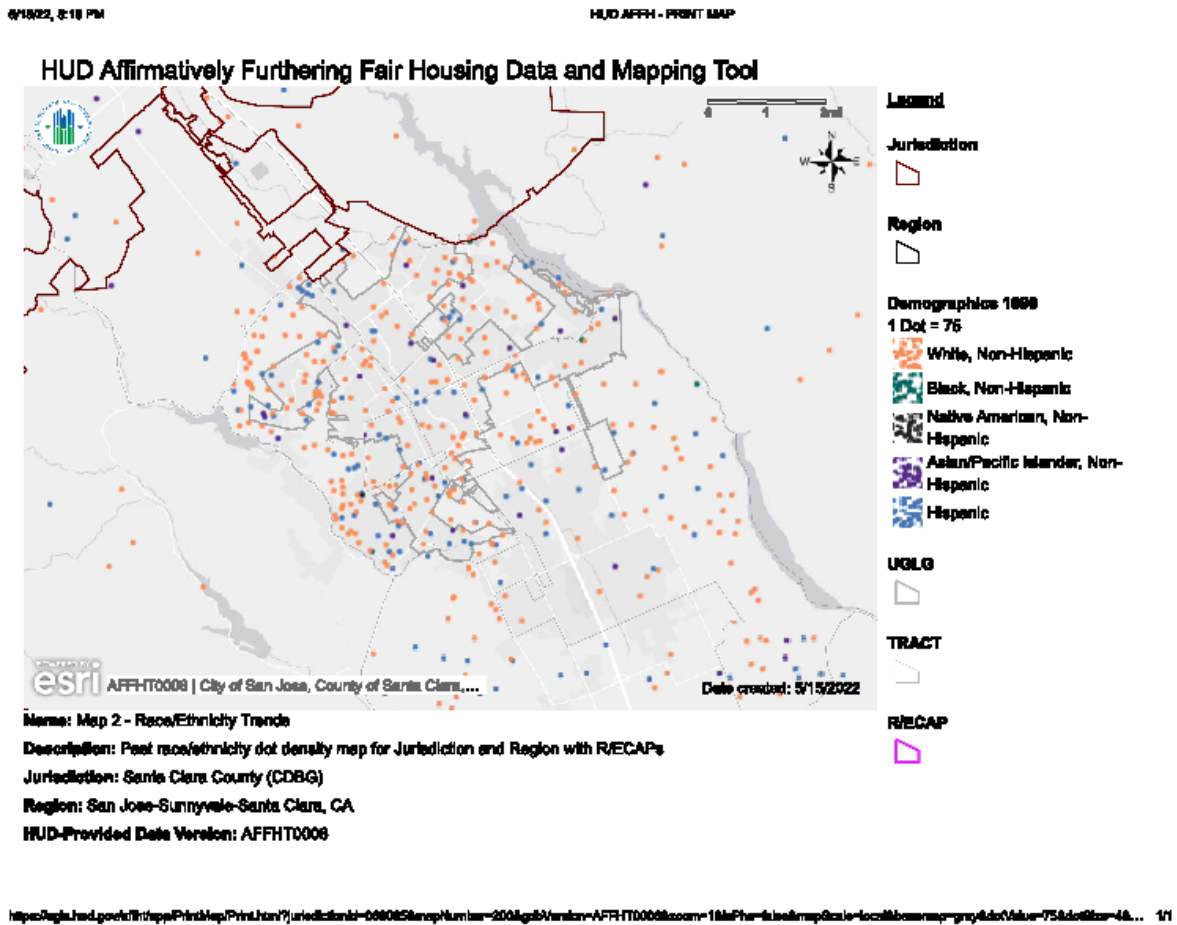
Within Morgan Hill, areas with higher concentrations of renters include the central city and the western center. Higher concentrations of homeowners are located in the eastern, northwestern, and southwestern portions of the city and the western outskirts. The areas with the lower rates of homeownership tend to have a higher percentage of Hispanic residents.

Map 12: Renter Households, Region

In the region, areas with the highest concentration of renters include Downtown and North San José; the northern portions of Mountain View, Sunnyvale, and Santa Clara; and the eastern portion of Gilroy. Areas with high concentrations of homeowners include the West Valley and large portions of South San José. In general, areas with concentrations of renters are more heavily Hispanic than the region as a whole, and areas with concentrations of homeowners are more heavily White than the region as a whole. Most of the region's R/ECAPs feature concentrations of renters.

1.e. Discuss how patterns of segregation have changed over time (since 1990).

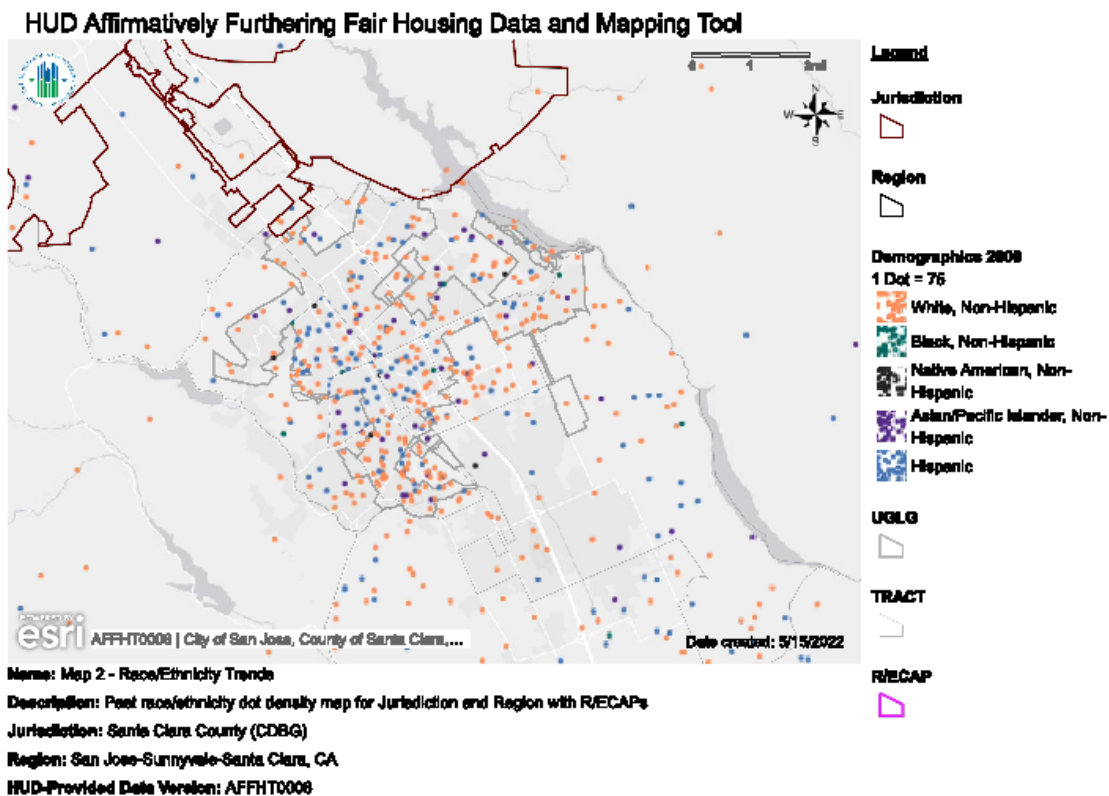
Map 13: Race/Ethnicity in 1990, Morgan Hill



Map 14: Race/Ethnicity in 2000, Morgan Hill

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<https://data.hud.gov/data/affh/PrintMap/PrintMap?jurisdiction=000085&mapNumber=201&dataVersion=AFFHT0008&zoom=1&lat=37.339&lon=-121.885&mapScale=local&mapScale=75&dotSize=4&...> 1/1

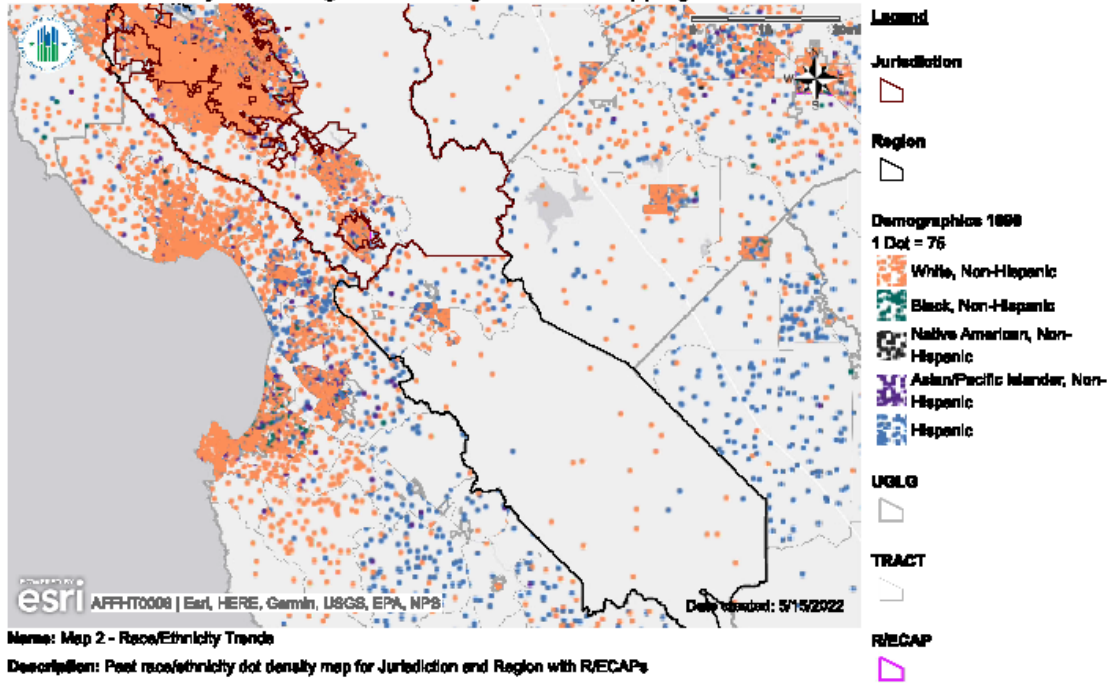
There have been subtle demographic changes between 1990-2000. The White population has decreased in tandem with increases in Mexican and Asian populations across the city. There has been greater integration throughout the city over the last decade.

Map 16: Racial Demographics in 1990, Region

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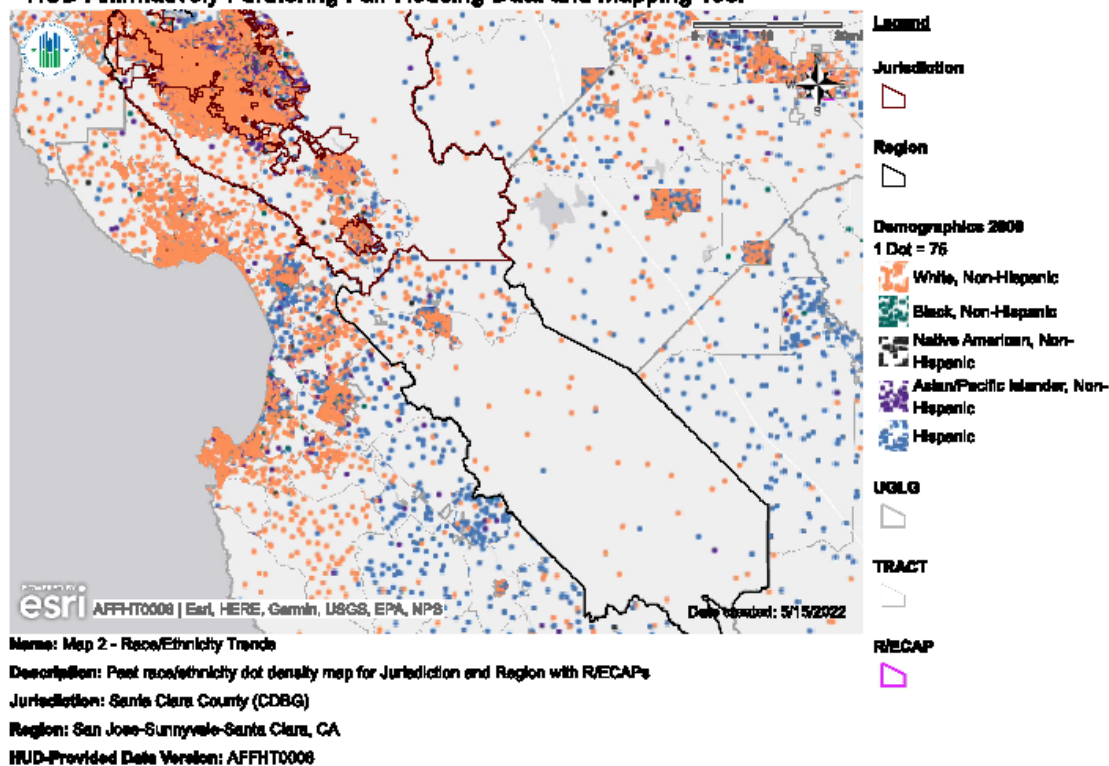
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Map 17: Racial Demographics in 2000, Region

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HUD Affirmatively Furthering Fair Housing Data and Mapping Tool



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Regionally, the most evident trends since 1990 include significant reductions in White population in Milpitas, Cupertino, Santa Clara, Sunnyvale, and areas through San José, paired with significant increases in Asian population throughout those areas. When a broader view of the region is adopted, there have also been significant reductions in Black population in historical centers like East Palo Alto, East and West Oakland, the Western Addition in San Francisco, and Richmond, along with increases in Black population in eastern Contra Costa County and Vallejo.

Contributing Factors of Segregation

Consider the listed factors and any other factors affecting the jurisdiction and Region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of segregation.

Please see the Appendix for the following Contributing Factors to Segregation:

- Community opposition
- Displacement of residents due to economic pressures
- Lack of community revitalization strategies
- Lack of private investment in specific neighborhoods
- Lack of public investment in specific, neighborhoods, including services and amenities
- Lack of local or regional cooperation
- Land use and zoning laws
- Lending discrimination
- Location and type of affordable housing
- Loss of affordable housing
- Occupancy codes and restrictions
- Private discrimination
- Source of income discrimination
- Lack of public investment in specific, neighborhoods, including services and amenities

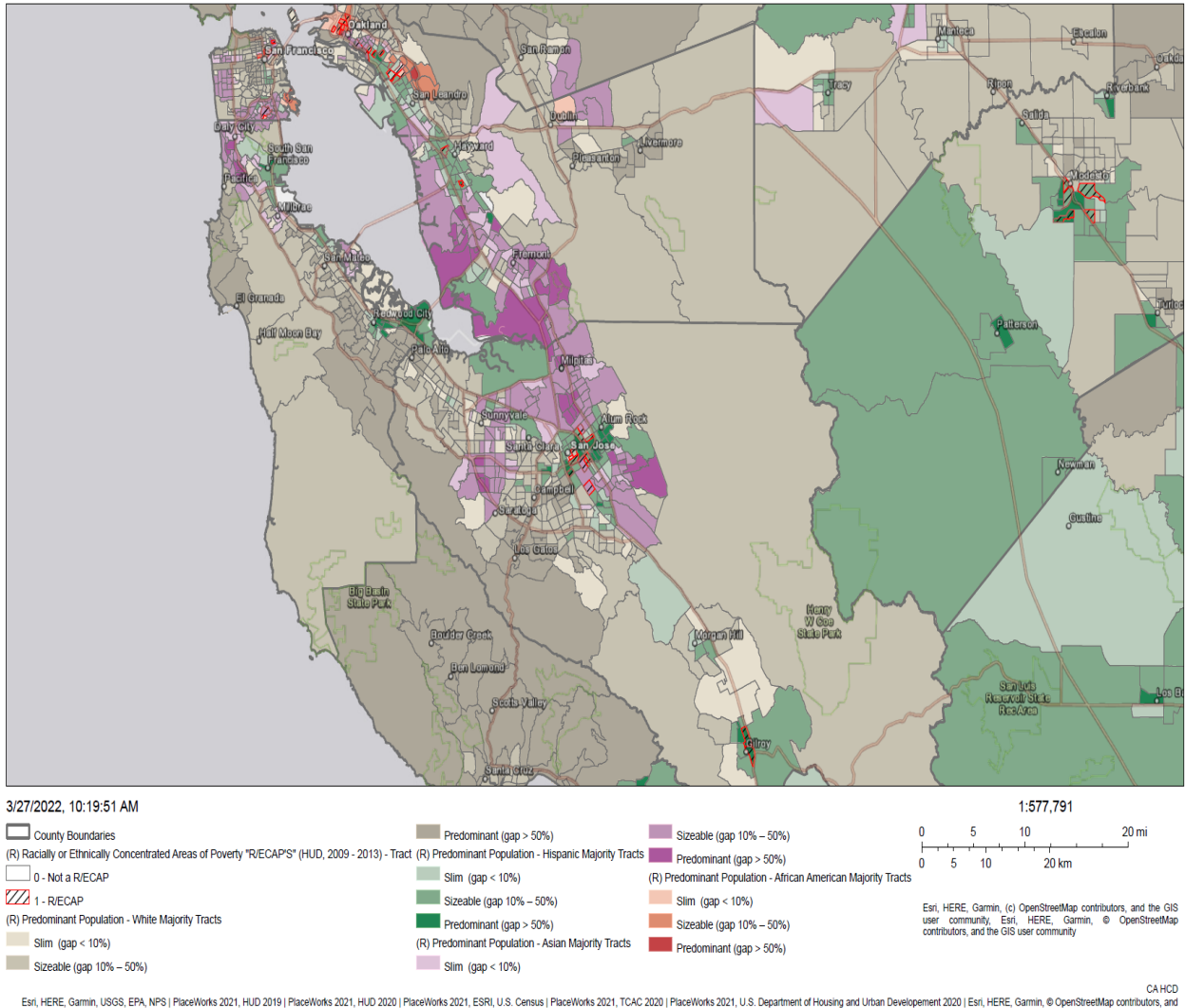
ii. Racially or Ethnically Concentrated Areas of Poverty

R/ECAPs are geographic areas with significant concentrations of poverty and minority populations. HUD has developed a census-tract based definition of R/ECAPs. In terms of racial or ethnic concentration, R/ECAPs are areas with a non-White population of 50 percent or more. With regards to poverty, R/ECAPs are census tracts in which 40 percent or more of individuals are living at or below the poverty limit or that have a poverty rate three times the average poverty rate for the metropolitan area, whichever threshold is lower.

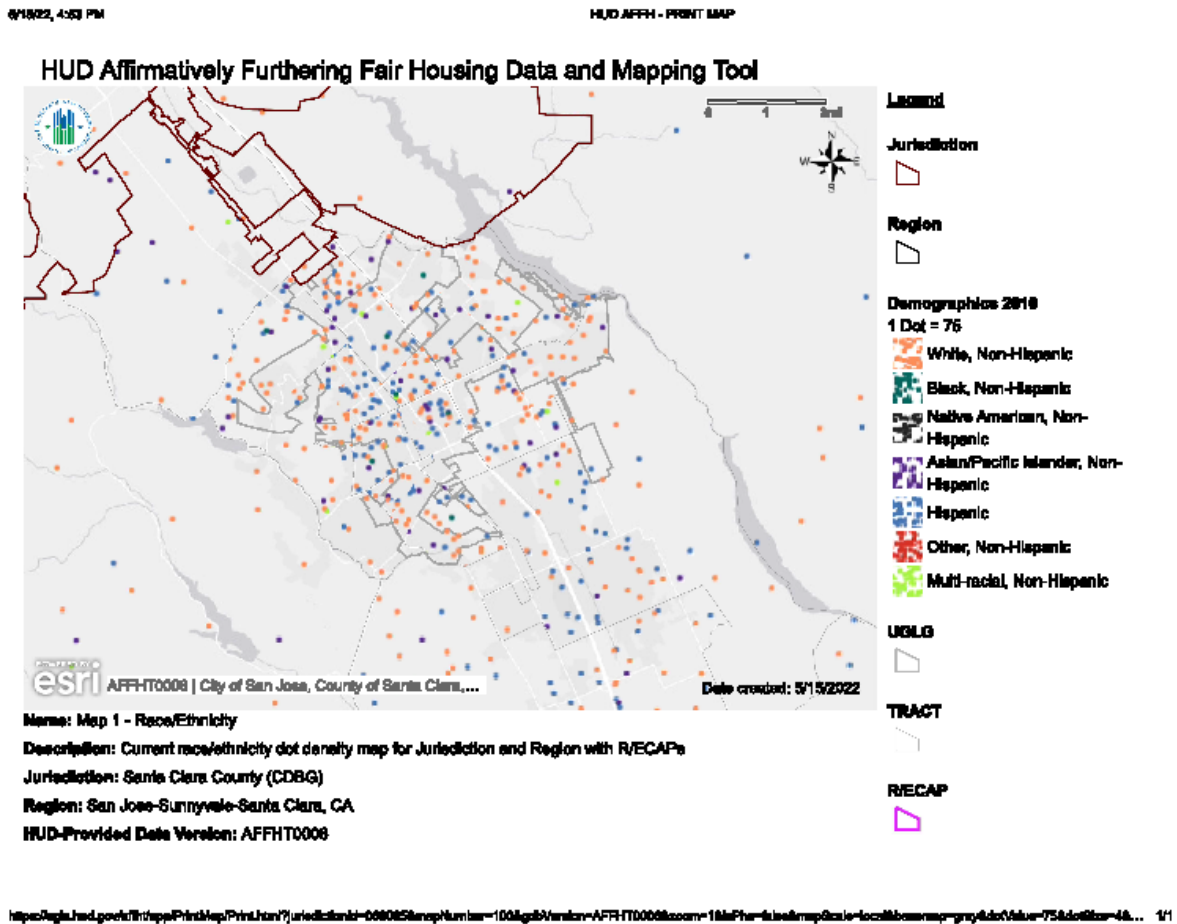
Where one lives has a substantial effect on mental and physical health, education, crime levels, and economic opportunity. Urban areas that are more residentially segregated by race and income tend to have lower levels of upward economic mobility than other areas. Research has found that racial inequality is thus amplified by residential segregation. Concentrated poverty is also associated with higher crime rates and worse health outcomes. However, these areas may also offer some opportunities as well. Individuals may actively choose to settle in neighborhoods containing R/ECAPs due to proximity to job centers. Ethnic enclaves in particular may help immigrants build a sense of community and adapt to life in the U.S. The businesses, social networks, and institutions in ethnic enclaves may help immigrants preserve their cultural identities while providing a variety of services that allow them to establish themselves in their new homes. Overall, identifying R/ECAPs facilitates understanding of entrenched patterns of segregation and poverty.

1.a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction and region.

Map 1: Regional R/ECAPs with Predominant Race/Ethnicity Population (2009-2013 data)



Map 2: R/ECAP in Morgan Hill with Race/Ethnicity



R/ECAPs in the region are concentrated in downtown and east San José, and there are more isolated R/ECAPs in Stanford, Milpitas, and Gilroy, as well. In general, areas with R/ECAPs tend to have higher Hispanic population concentrations than the region as a whole though Stanford is an outlier.

1.b Describe and identify the predominant protected classes residing in R/ECAPs in the jurisdiction and region. How do these demographics of the R/ECAPs compare with the demographics of the jurisdiction and region?

Table 1: R/ECAP Race/Ethnicity Demographics for Morgan Hill and San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

	Morgan Hill		San Jose-Sunnyvale-Santa Clara Region	
R/ECAP Race/Ethnicity	#	%	#	%
Total Population in R/ECAPs	N/A	N/A	62,428	-
White, Non-Hispanic	N/A	N/A	10,865	17.40%
Black, Non-Hispanic	N/A	N/A	1,338	2.14%
Hispanic	N/A	N/A	29,552	47.34%
Asian or Pacific Islander, Non-Hispanic	N/A	N/A	18,924	30.31%
Native American, Non-Hispanic	N/A	N/A	85	0.14%
Other, Non-Hispanic	N/A	N/A	1,664	2.67%

There are no R/ECAPs in Morgan Hill. In the region, Hispanic residents make up the plurality of R/ECAP populations, at 47.34%. Asian and Pacific Islander, Non-Hispanic residents in the broader region make up 30.31% of the R/ECAP populations.

Table 2: R/ECAP Familial Status Demographics for Morgan Hill and San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

	Morgan Hill		San Jose-Sunnyvale-Santa Clara Region	
R/ECAP Family Type				
Total Families in R/ECAPs	N/A	N/A	16,308	-

Families with children	N/A	N/A	5,701	34.96%
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In the R/ECAP in the region, households are less likely to be families with children than they are in either the city as a whole or in R/ECAPs in the broader region.

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Table 3: R/ECAP National Origin Demographics for Morgan Hill and San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area.

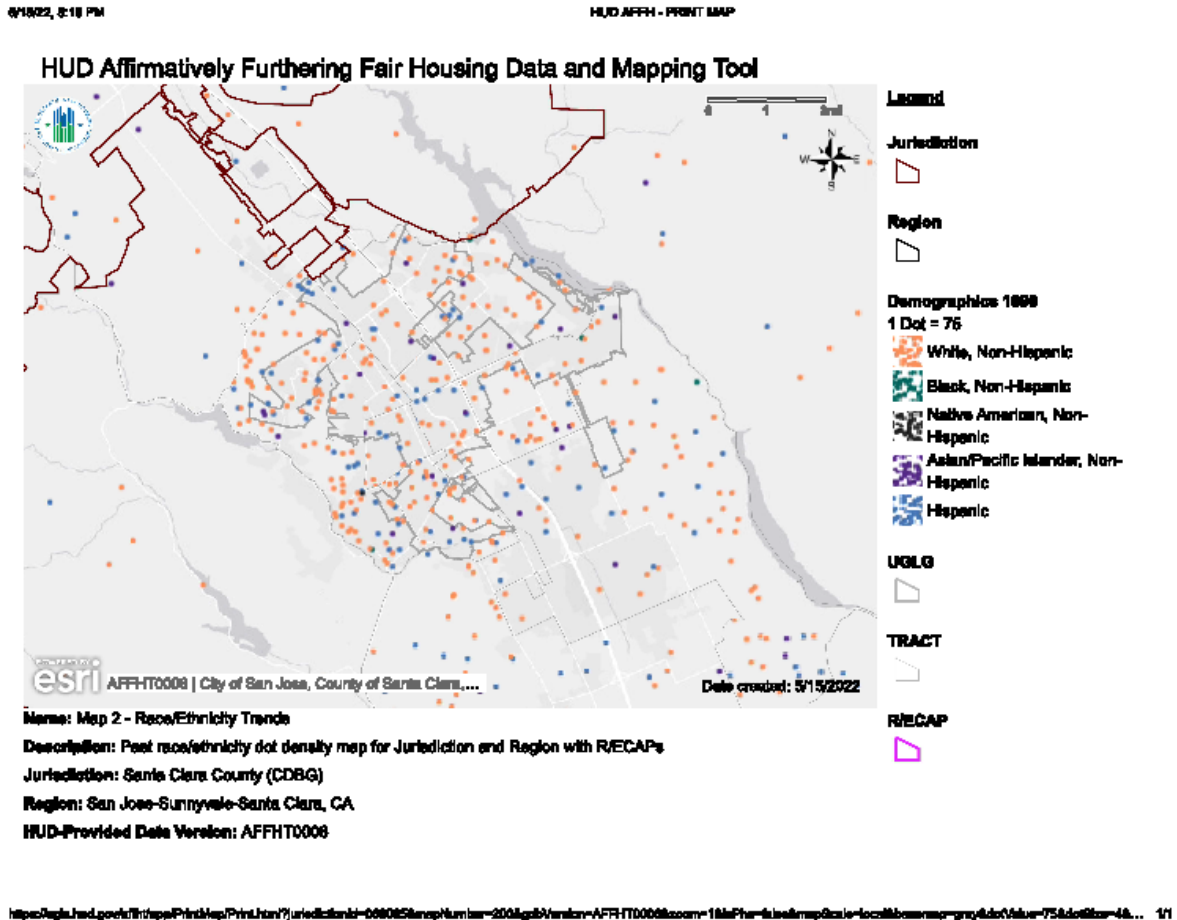
	Morgan Hill			San Jose-Sunnyvale-Santa Clara Region		
R/ECAP National Origin						
Total Population in R/ECAPs	N/A		N/A	25,056		-
#1 country of origin	N/A	N/A	N/A	Mexico	9,736	38.86%
#2 country of origin	N/A	N/A	N/A	Vietnam	6,491	25.91%
#3 country of origin	N/A	N/A	N/A	China, excl. Hong Kong and Taiwan	1,579	6.30%
#4 country of origin	N/A	N/A	N/A	Philippines	1,344	5.36%
#5 country of origin	N/A	N/A	N/A	India	1,033	4.12%
#6 country of origin	N/A	N/A	N/A	El Salvador	396	1.58%
#7 country of origin	N/A	N/A	N/A	Taiwan	373	1.49%
#8 country of origin	N/A	N/A	N/A	Korea	289	1.15%
#9 country of origin	N/A	N/A	N/A	Cambodia	212	0.85%
#10 country of origin	N/A	N/A	N/A	Brazil	196	0.78%

There are no R/ECAPs in Morgan Hill. In the R/ECAPs in the region, a significant majority of residents live in San Jose, are predominantly Mexican or Vietnamese national origin, and are more likely to be of Filipino, Taiwanese, or Indian national origin.

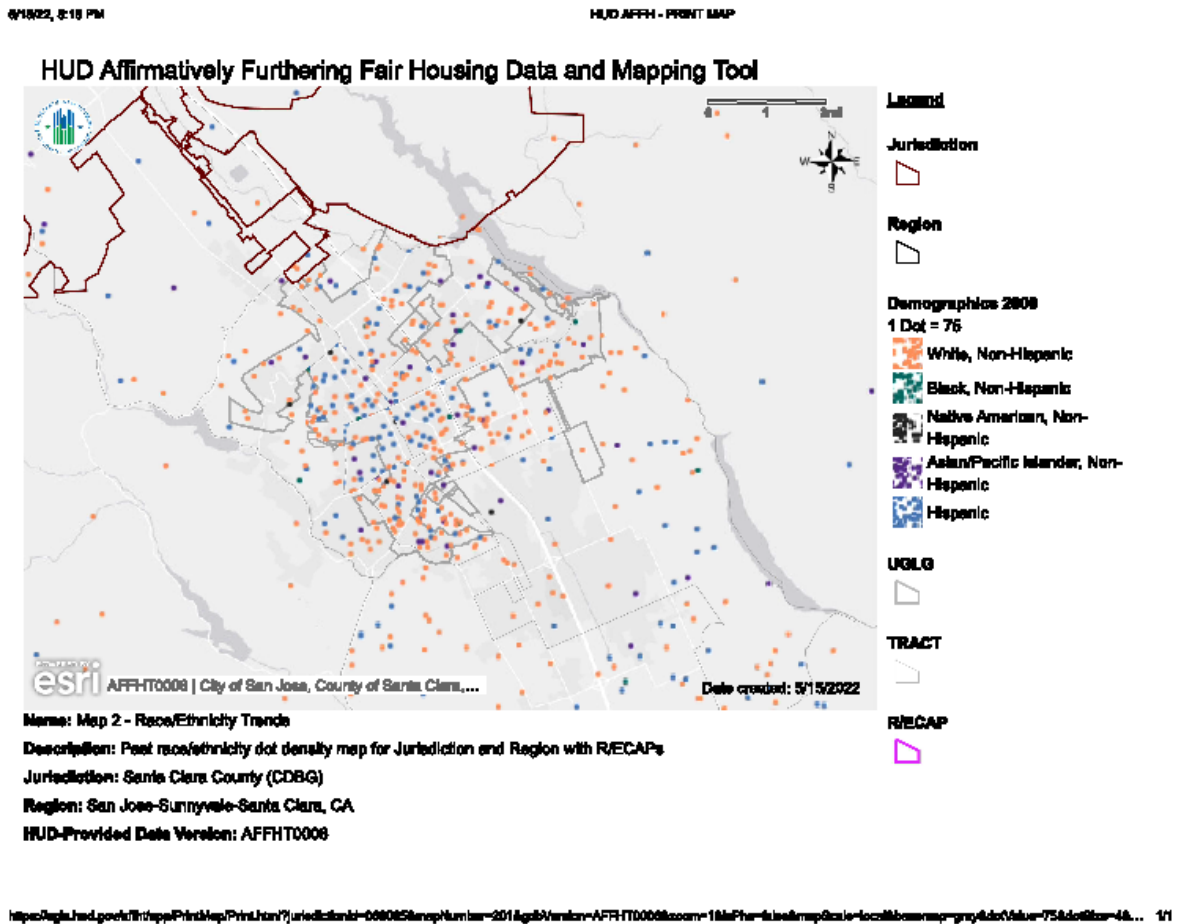
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1.c. Describe how R/ECAPs have changed over time in the jurisdiction and region (since 1990).

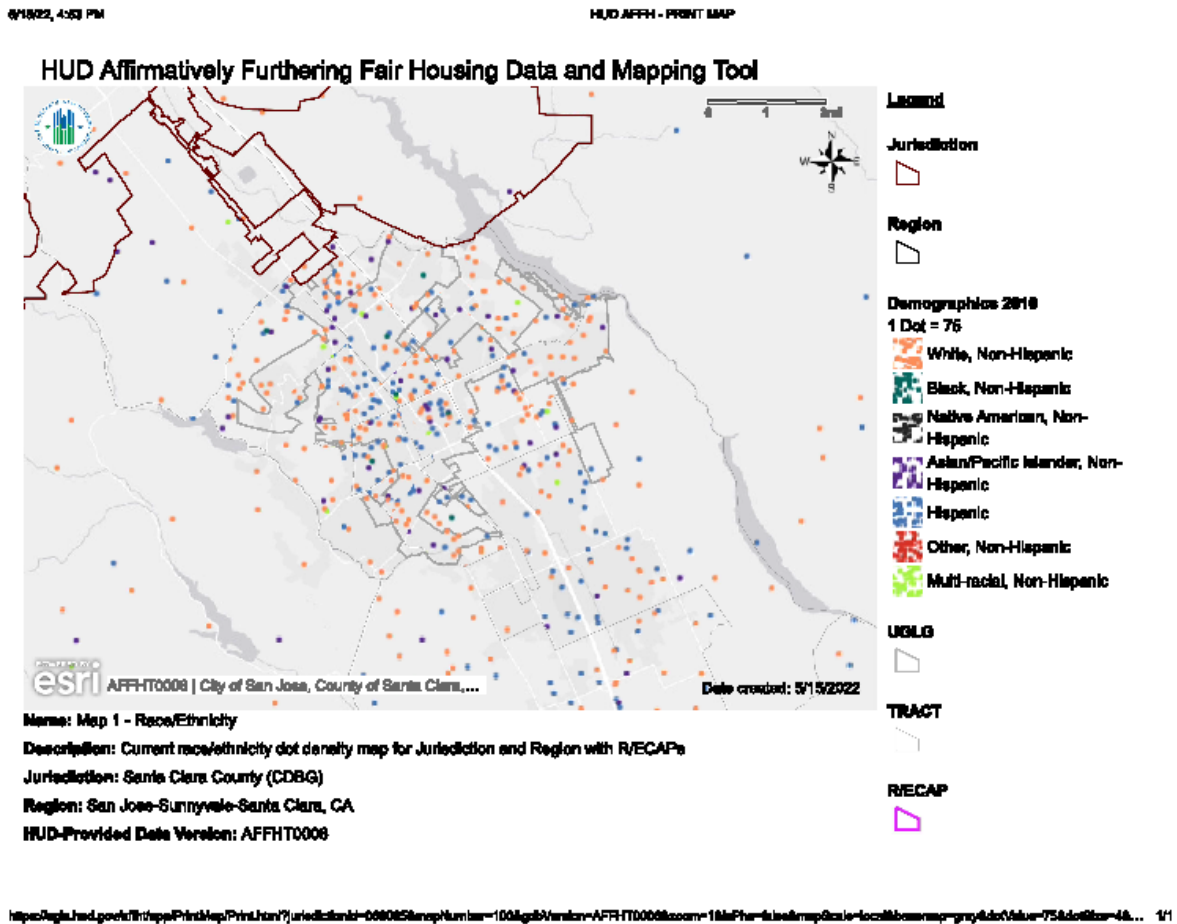
Map 3: R/ECAPs in 1990, Morgan Hill



Map 4: R/ECAPs in 2000, Morgan Hill



Map 5: R/ECAPs in 2010, Morgan Hill



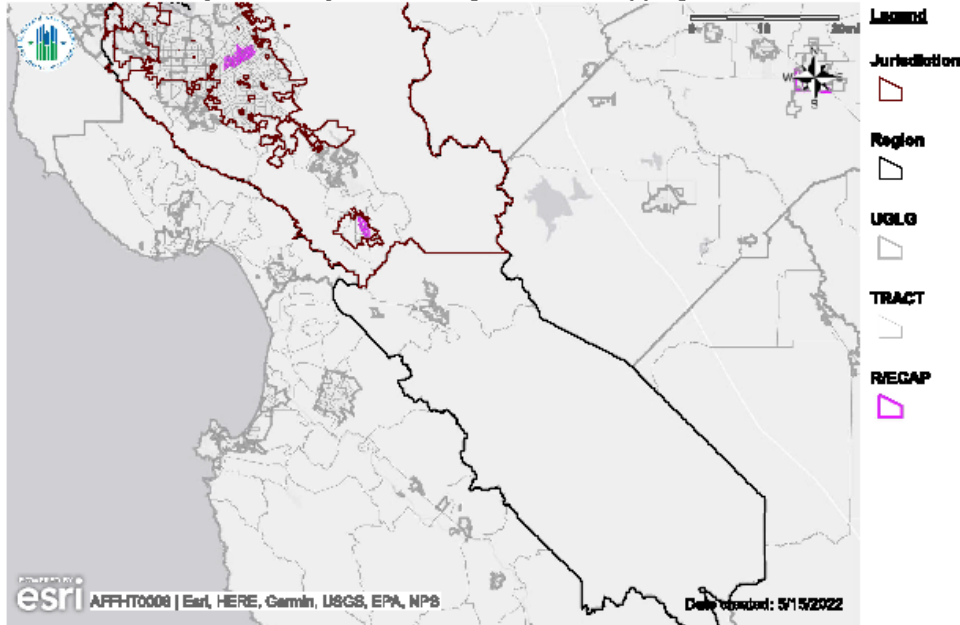
There were no R/ECAPs in Morgan Hill in 1990, 2000, and 2010,

Map 6: R/ECAPs in 1990, San Jose-Sunnyvale-Santa Clara Region

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Map 2 - Race/Ethnicity Trends

Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: Santa Clara County (CDBG)

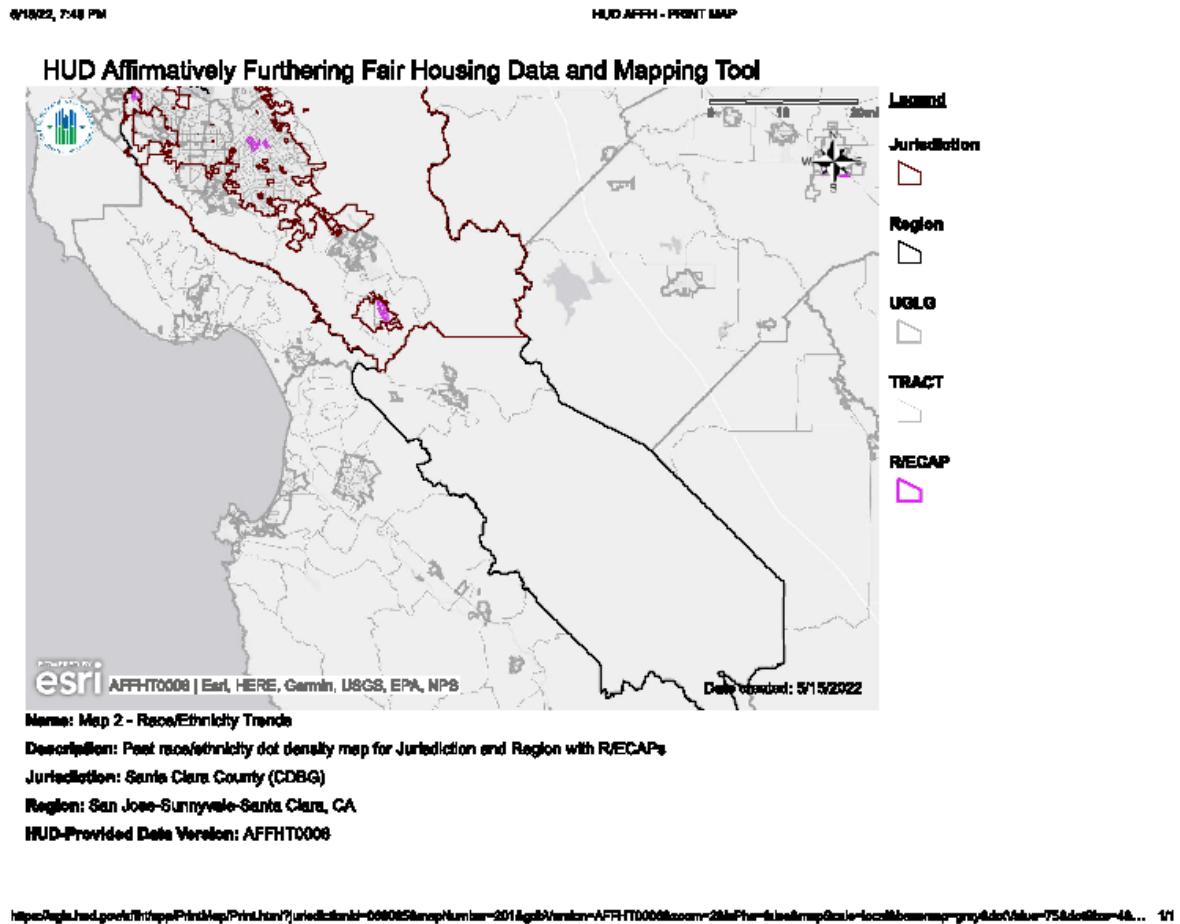
Region: San Jose-Sunnyvale-Santa Clara, CA

HUD-Provided Data Version: AFFHT0008

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Map 7: R/ECAPs in 2000, San Jose-Sunnyvale-Santa Clara Region

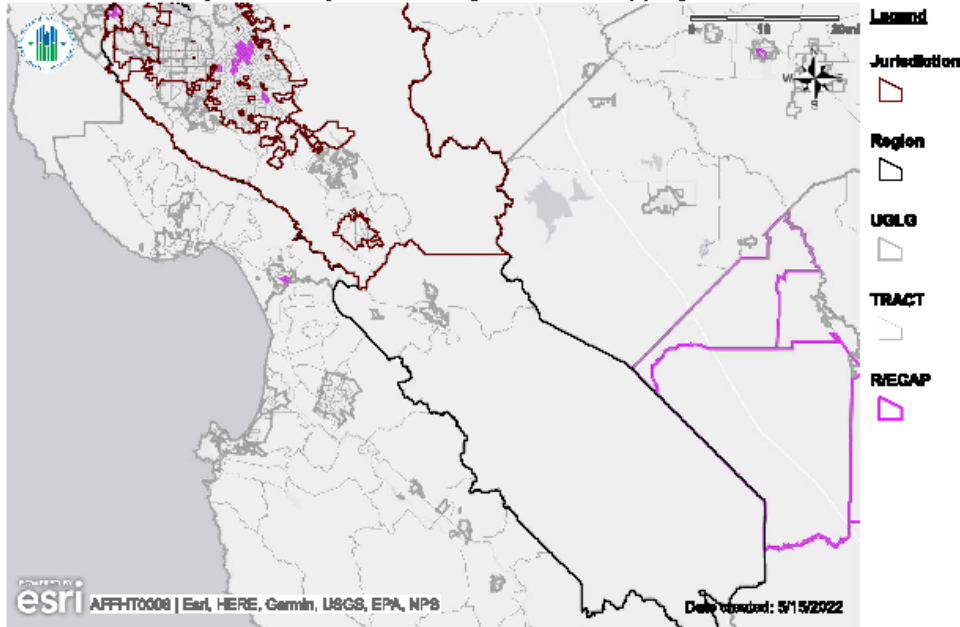


Map 8: R/ECAPs in 2010, San Jose-Sunnyvale-Santa Clara Region

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Name: Map 2 - Race/Ethnicity Trends

Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: Santa Clara County (CDBG)

Region: San Jose-Sunnyvale-Santa Clara, CA

HUD-Provided Data Version: AFFHT0008

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The San José-Sunnyvale-Santa Clara Region has seen significant change since 1990. In the cluster of R/ECAPs in San José, Hispanic residents have become a greater concentration of the population as White residents have moved outwards. In contrast, the two census tracts designated as R/ECAPs in Gilroy in 2000 were no longer designated as census tracts in 2010, despite having a greater concentration of Hispanic residents than earlier. However, those two census tracts have been re-designated as R/ECAPs as of the latest data. In the northwest corner of the region, Stanford University has been designated as a R/ECAP since 2000, but this change likely comes from the fact that the university's student population has included a smaller proportion of White residents over time.

Contributing Factors of R/ECAPs

Please see the Appendix for the following Contributing Factors to R/ECAPs:

- Community opposition
- Deteriorated and abandoned properties
- Displacement of residents due to economic pressures
- Lack of community revitalization strategies
- Lack of local or regional cooperation
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Land use and zoning laws
- Location and type of affordable housing
- Loss of affordable housing
- Occupancy codes and restrictions
- Private discrimination
- Source of income discrimination

iii. Disparities in Access to Opportunity

a. Disparities in Access to Opportunity – Education

i. Describe any disparities in access to proficient schools in the jurisdiction and region.

Table 1: School Proficiency Index for Morgan Hill and San José-Sunnyvale-Santa Clara, CA Metropolitan Statistical Area

Jurisdiction	Morgan Hill	Region
Total Population		
White, Non-Hispanic	53.85	76.43
Black, Non-Hispanic	53.24	64.99
Hispanic	47.91	59.06
Asian or Pacific Islander, Non-Hispanic	46.87	71.48
Native American, Non-Hispanic	N/A	65.33

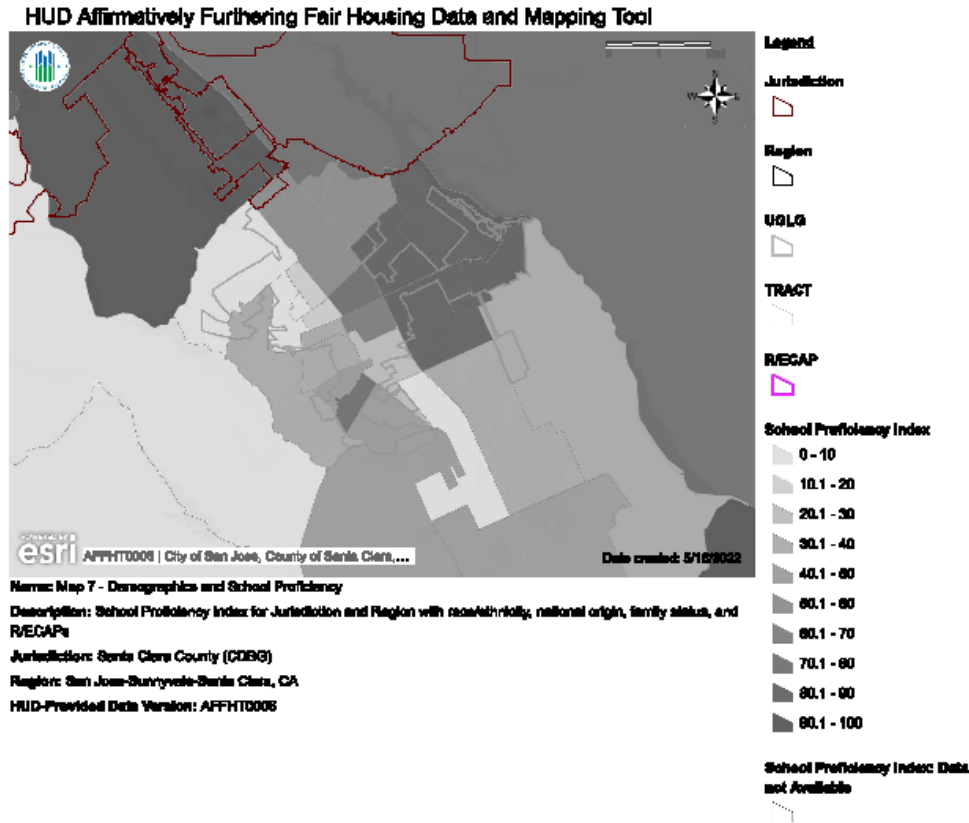
In Morgan Hill, the School Proficiency Index reflects extremely slight disparities in access to proficient schools with White and Black students having somewhat greater access to proficient schools than Hispanic and Asian students, respectively. Regionally, the slight disparities found in Morgan Hill are magnified, with White and Asian or Pacific Islander students having significantly greater access to proficient schools than Native American, Hispanic and Black students.

ii. Describe how the disparities in access to proficient schools relate to residential living patterns in the jurisdiction and region.

Map 1: School Proficiency, Morgan Hill

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Within Morgan Hill, there is some disparity between access to proficient schools relative to the concentration of Hispanic, Asian American, Black, and Native American residents. The portion of the city with the greatest access to proficient schools are in the eastern part of the city, which has a higher rate of White residents. Hispanic and Asian residents are more likely to live in other portions of the city with access to less proficient schools. There does not appear to be a relationship between access to proficient schools and familial status in Morgan Hill.

Regionally, disparities in access to proficient schools and race, ethnicity, and national origin are closely linked though, again, familial status does not appear to be correlated with access to proficient schools. The areas with the least access to proficient schools are concentrated in Downtown and East San José, including areas with concentrations of Hispanic residents as well as residents of Mexican and Vietnamese ancestry.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to proficient schools.

In addition to the data discussed above, one key observation about disparities in access to proficient schools is that school districts in the broader region are highly fragmented. Not only does each city within Santa Clara County generally have its own school district, but many cities

are part of multiple school districts. This fragmentation hampers efforts to promote student mobility from areas with schools facing severe challenges to highly-resourced schools.

Morgan Hill also has a number of private schools for affluent families such as the Oakwood School, which has a tuition of almost \$28,000 per year.

b. Disparities in Access to Opportunity – Employment

i. Describe any disparities in access to jobs and labor markets by protected class groups in the jurisdiction and region.

The Labor Market Engagement Index and the Jobs Proximity Index are used to measure the strength of the labor market and location of available jobs within a location. The Labor Market Engagement Index provides a summary of the relative intensity of labor market engagement and human capital in a neighborhood. The Jobs Proximity Index quantifies a location's accessibility to employment. The indexes scores range from 0-100. A higher score correlates to greater access to employment.

Table 2: Labor Market and Jobs Proximity Indices, Morgan Hill and the Region

Morgan Hill	Labor Market Index	Jobs Proximity Index
Total Population		
White, Non-Hispanic	65.54	39.61
Black, Non-Hispanic	67.44	44.52
Hispanic	63.05	41.69
Asian or Pacific Islander, Non-Hispanic	64.27	44.76
Native American, Non-Hispanic	N/A	N/A
Region		
Total Population		
White, Non-Hispanic	77.72	51.47
Black, Non-Hispanic	66.37	49.26
Hispanic	54.64	40.37

Asian or Pacific Islander, Non-Hispanic	72.36	50.40
Native American, Non-Hispanic	64.12	46.65
Population below federal poverty line		
White, Non-Hispanics	72.46	54.66
Black, Non-Hispanic	61.15	47.46
Hispanic	49.31	41.30
Asian or Pacific Islander, Non-Hispanic	61.63	48.66
Native American, Non-Hispanic	54.76	49.93

In the city of Morgan Hill, Black residents have the highest Labor Market Engagement Index value when compared to other residents across racial/ethnic categories. Black residents experience a Labor Market Engagement Index value of 67.44, followed by White residents at 65.54, Asian or Pacific Islander residents at 64.27. Conversely, Hispanic residents have the lowest Labor Market Engagement Index values at 63.05. However, the range of indices across racial and ethnic categories is quite narrow.

Regionally, White residents have the highest Labor Market Engagement Index value when compared to other residents across racial/ethnic categories, and these disparities are greater regionally than in the City of Morgan Hill. White residents in the San Jose-Sunnyvale-Santa Clara, CA region experience a Labor Market Engagement Index value of 77.72, followed Asian or Pacific Islander residents at 72.36. Hispanic residents have the lowest Labor Market Engagement Index values across racial/ethnic categories in the San Jose-Sunnyvale-Santa Clara, CA region. Further, with the exception of Hispanic residents, non-White racial/ethnic groups have lower Labor Market Engagement Index values across the board when compared to Morgan Hill. Regionally, Hispanic residents experience a Labor Market Engagement Index value of 54.64, followed by Native American residents at 64.12, Black residents at 66.37.

In the city of Morgan Hill, Asian or Pacific Islander have the highest Jobs Proximity Index value at 44.76, followed by Black residents at 44.52 and Hispanic residents at 41.69. White residents have the lowest Jobs Proximity Index value at 39.61.

Regionally, all racial/ethnic groups experience higher Job Proximity Index values than the city of Morgan Hill except for Hispanic residents. In the San Jose-Sunnyvale-Santa Clara, CA region, White residents have a Jobs Proximity Index value of 51.47, followed by Asian or Pacific Islander residents at 50.40, Black residents at 49.26, Native American residents at 46.65 and Hispanic residents 40.37. In the City of Morgan, the racial/ethnic groups with the closest proximity to employment experience the highest engagement with the labor market except for White residents.

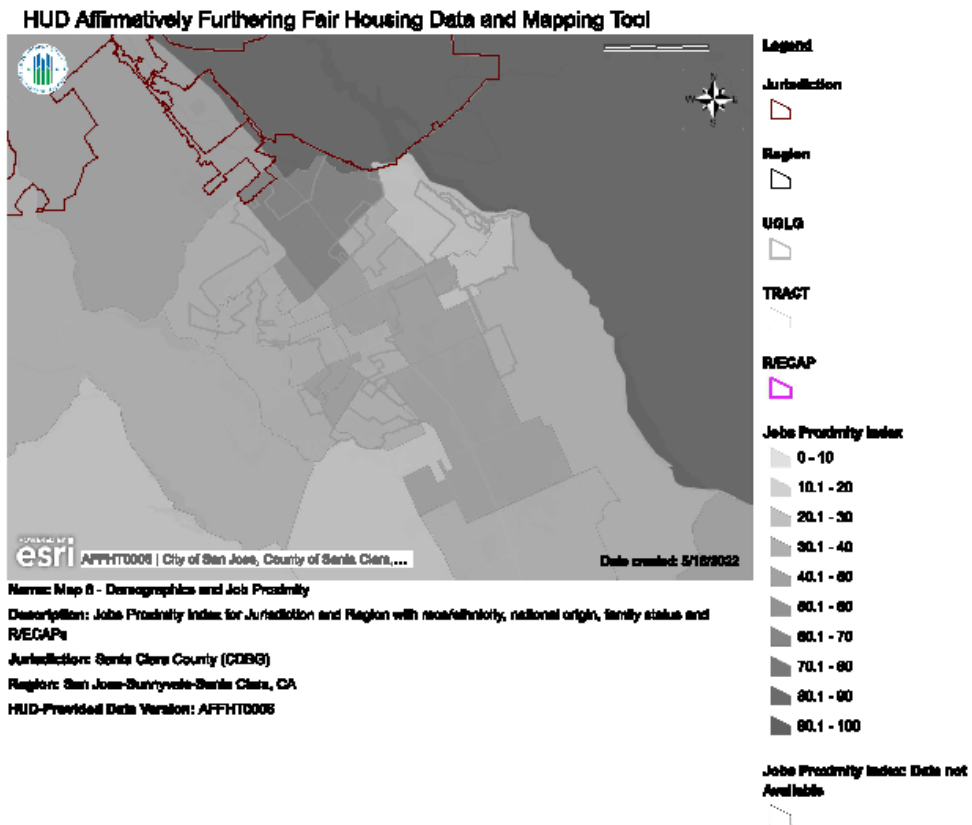
- ii. For the protected class groups HUD has provided data, describe how disparities in access to employment relate to residential living patterns in the jurisdiction and region.*

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Map 2: Jobs Proximity, Morgan Hill

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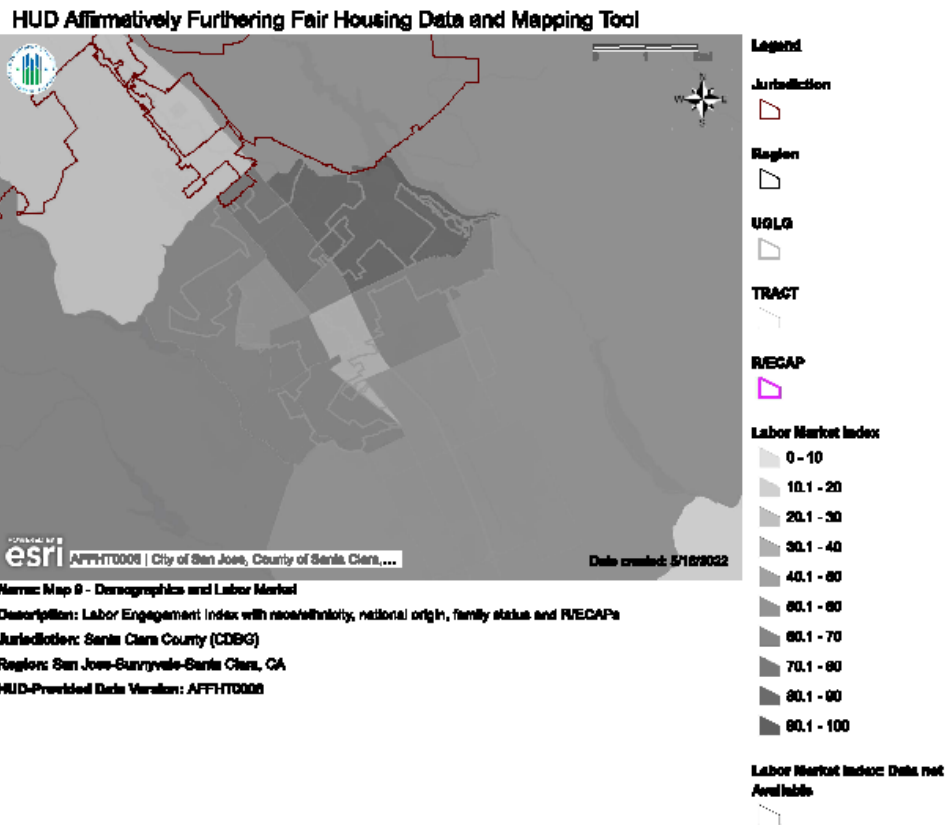


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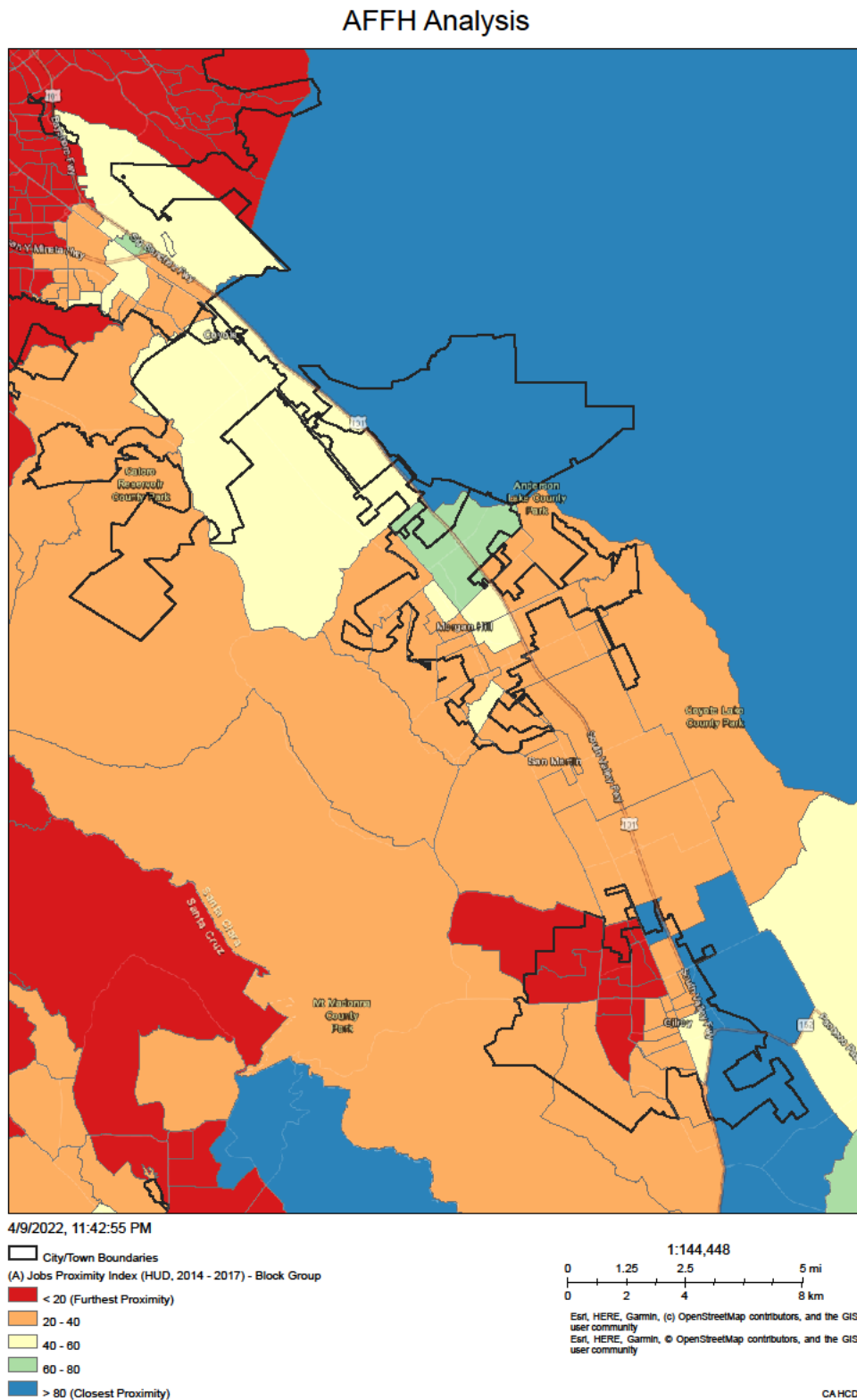
Map 3: Labor Market, Morgan Hill

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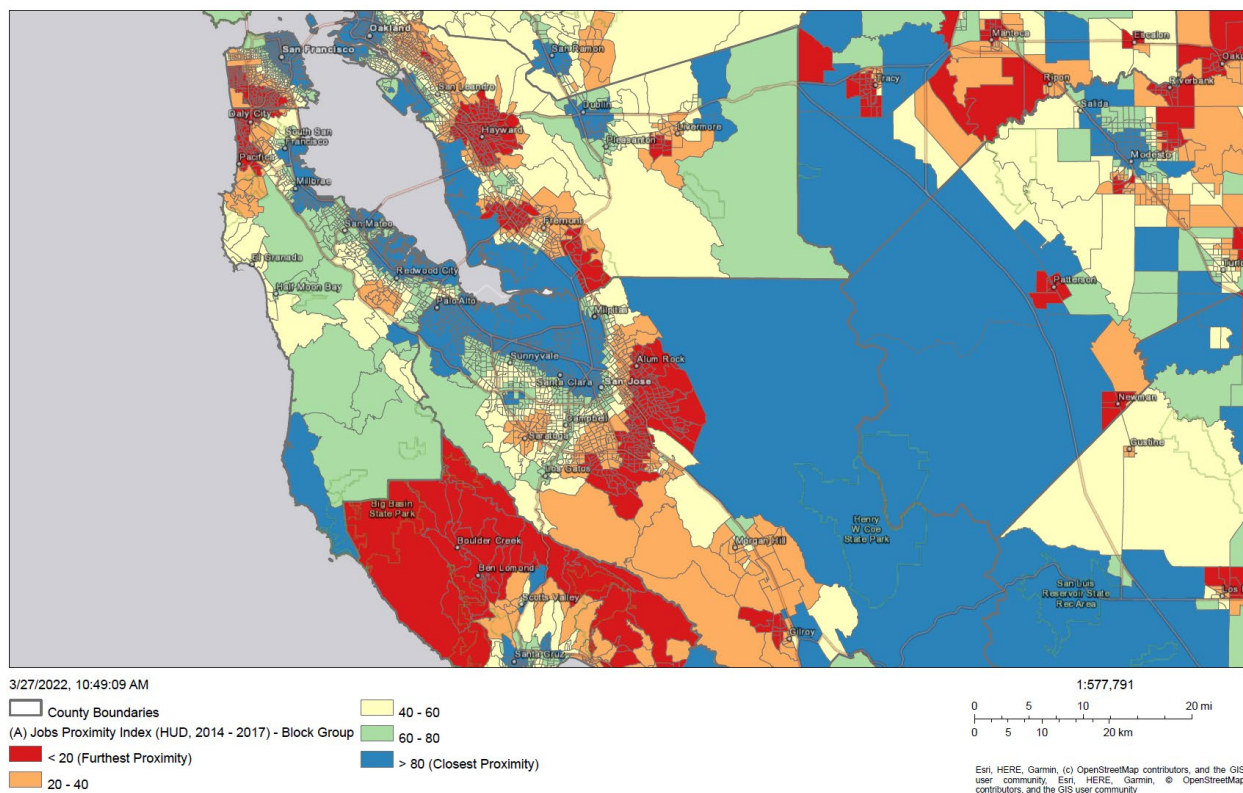
HUD AFFH - PRINT MAP



Map 4: Jobs Proximity Index, Morgan Hill



Map 5: Job Proximity Index, Region



In Morgan Hill, disparities in both job proximity and labor-market engagement are small, and patterns of segregation do not appear to play a significant role in explaining them. Throughout the city there are similar jobs proximity and labor engagement. There is also similar jobs proximity throughout the city, with the northern section having a slightly higher jobs proximity. Regionally, however, the concentration of Hispanic, both in parts of East San José and in South County, which have low jobs proximity, does appear to explain disparities in jobs proximity. Additionally, the concentration of Hispanic residents in similar areas, including in R/ECAPs, partially explains the lack of social capital associated with lower labor market engagement.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to employment.

Although Morgan Hill is home to some employers, it lacks the major employment centers of San Jose and northern Santa Clara County, which are home to major technology companies as well as higher education institutions and more government offices. The location of employers thus results in many Morgan Hill residents having long and costly commutes. According to the 2015-2019 American Community Survey, 22.7% of Morgan Hill workers have commutes of 60 minutes or longer as opposed to just 10.6% of Santa Clara County workers. The costs of these long commutes are more difficult for lower wage workers, who are disproportionately Hispanic, to bear than they are for others.

c. Disparities in Access to Opportunity – Transportation

- i. For the protected class groups HUD has provided data, describe any disparities in access to transportation related to costs and access to public transit in the jurisdiction and region.*

The Low Transportation Cost Index and Transit Trips Index are used to measure access to transportation within a location. The Low Transportation Cost Index measures access to low-cost transportation services, and the Transit Trips Index measures how often residents take transit trips. The index scores range from 0-100. A higher score correlates to greater transportation access.

Table 3: Transit and Low Transportation Cost Indices, Morgan Hill and the Region

Morgan Hill	Transit Index	Low Transportation Cost Index
Total Population		
White, Non-Hispanic	56.81	89.24
Black, Non-Hispanic	56.44	89.86
Hispanic	57.13	90.14
Asian or Pacific Islander, Non-Hispanic	56.82	89.39
Native American, Non-Hispanic	N/A	N/A
Region		
Total Population		
White, Non-Hispanic	75.69	93.05
Black, Non-Hispanic	79.03	94.25
Hispanic	76.70	93.43
Asian or Pacific Islander, Non-Hispanic	78.43	93.54

Native American, Non-Hispanic	76.14	93.31
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In Morgan Hill, there is not much variance between Transit Trip Index values among racial/ethnic groups. Hispanic residents have the highest Transit Index value at 57.13, followed closely by Asian or Pacific Islander residents at 56.82, White residents at 56.81, and Black residents at 56.44. There is less than one point on the Transit Trip Index separating the highest and lowest racial/ethnic groups which speaks to the consistency of transit trips among those groups.

Similarly, in Morgan Hill there is not much variance between Low Transportation Cost Index values among racial/ethnic groups. Hispanic residents have the highest Low Transportation Cost Index value at 90.14, closely followed by Black residents at 89.86, Asian or Pacific Islander residents at 89.39, and White residents at 89.24. There is less than one point on the Low Transportation Cost Index separating the highest and lowest racial/ethnic groups which speaks to the consistency of transportation costs among those groups.

Regionally, in the San Jose-Sunnyvale-Santa Clara, CA region there is not much variance between Transit Trip Index values among racial/ethnic groups. Black residents have the highest Transit Trip Index value at 79.03, followed by Asian or Pacific Islanders at 78.43, Hispanic residents at 76.70, Native American residents at 76.14, and White residents at 75.69.

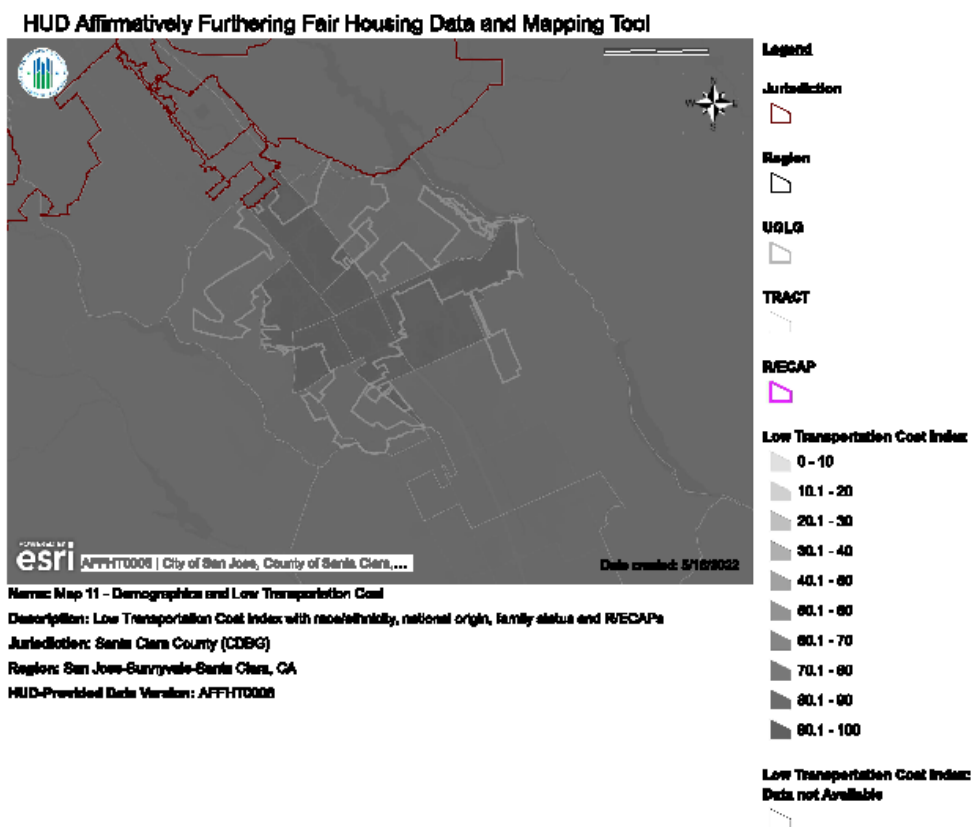
Similarly, Low Transportation Cost Index values are also consistent among racial/ethnic groups. Black residents have the highest Low Transportation Cost Index value at 94.25, followed by Asian or Pacific Islanders 93.54, Hispanic residents at 93.51, and Native American residents at 93.31, Asian or Pacific Islanders 93.22 and White residents at 93.05. There is approximately one point on the Low Transportation Cost Index separating the highest and lowest racial/ethnic groups which speaks to the consistency of transportation costs among those groups. These regional values are also all within 5 points of their respective Morgan Hill values, which at least superficially highlights the consistency in transportation cost among the city of Morgan Hill and the surrounding region.

- ii. ***For the protected class groups HUD has provided data, describe how disparities in access to transportation related to residential living patterns in the jurisdiction and region.***

Map 7: Low Transportation Cost, Morgan Hill

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As discussed above, there do not appear to be significant disparities in transit access based on race and ethnicity in either Morgan Hill or the broader region. Therefore, patterns of segregation do not appear to be fueling disparities, which are not present. With that said, some of the highest resource communities in the region – like those in the West Valley – have extremely limited transit access. Although this does not fuel disparities in access to transit among groups that are less likely to be able to live in these cities, their lack of transit may fuel exclusion by, for instance, decreasing the viability of mixed-income transit-oriented development that would help diversify communities.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to transportation.

Public transportation is extremely limited in Morgan Hill. Caltrain¹ and VTA² offer regional service between Morgan Hill and San Jose, but that service is relatively infrequent. Additionally, Caltrain fares are unaffordable for some low-income commuters. VTA also operates local bus service in Morgan Hill, but that service also suffers from geographic coverage gaps in the eastern part of the city and long headways.³

d. Disparities in Access to Opportunity – Access to Low Poverty Neighborhoods

- i. For the protected class groups HUD has provided data, describe any disparities in access to low poverty neighborhoods in the jurisdiction and region.*

Table 4: Low Poverty Index, Morgan Hill and the Region

Morgan Hill	Low Poverty Index
Total Population	
White, Non-Hispanic	67.46
Black, Non-Hispanic	61.99
Hispanic	62.56
Asian or Pacific Islander, Non-Hispanic	67.12
Native American, Non-Hispanic	N/A
Region	
Total Population	
White, Non-Hispanic	75.89
Black, Non-Hispanic	64.86
Hispanic	56.33
Asian or Pacific Islander, Non-Hispanic	71.81

¹ <https://www.caltrain.com/stations/systemmap.html>

² <https://www.vta.org/go/routes/68>

³ <https://www.vta.org/go/routes/87>

Native American, Non-Hispanic	65.04
Population below federal poverty line	
White, Non-Hispanics	69.23
Black, Non-Hispanic	63.00
Hispanic	49.41
Asian or Pacific Islander, Non-Hispanic	62.03
Native American, Non-Hispanic	60.52

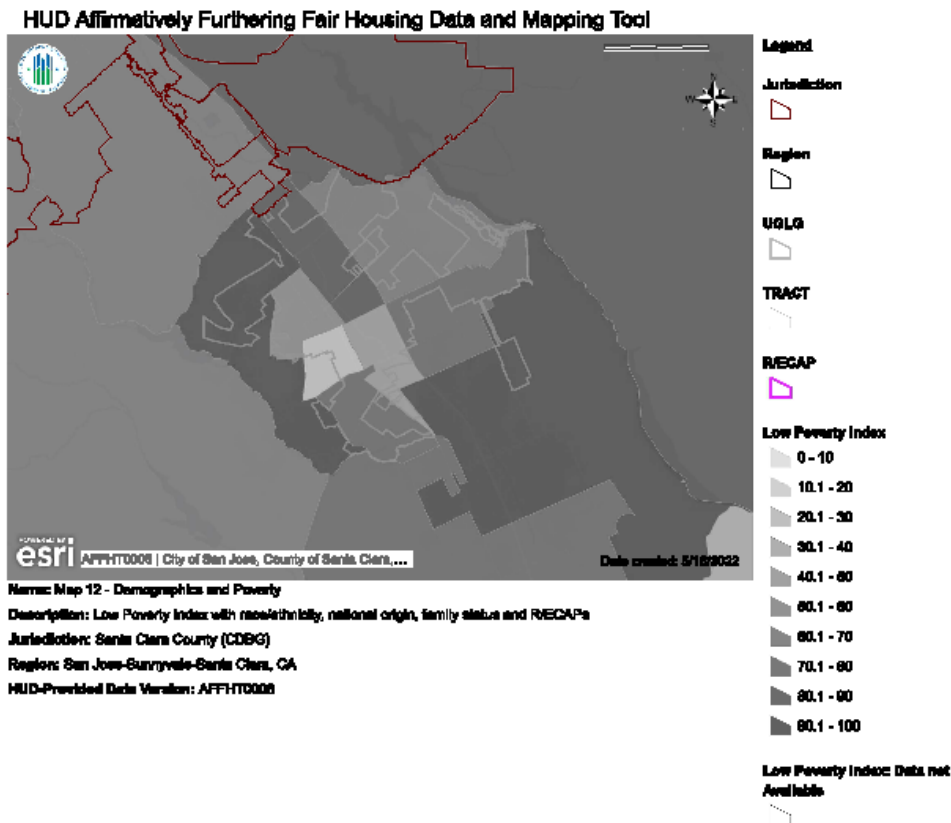
In Morgan Hill, there are minimal disparities among protected class groups with respect to access to low poverty neighborhoods, although Hispanic and Black households have slightly less access to low poverty neighborhoods than do other groups. Regionally, disparities are much more pronounced, and Hispanic households, in particular, and Black and Native American households, to a lesser extent, have much lower access to low poverty neighborhoods than do White and Asian or Pacific Islander households.

- ii. For the protected class groups HUD has provided data, describe how disparities in access to low poverty neighborhoods relate to residential living patterns of those groups in the jurisdiction and region.*

Map 8, Low Poverty Neighborhoods, Morgan Hill

5/18/22, 9:41 AM

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In Morgan Hill, Census Tract 5123.13 has a Low Poverty Indices of 28, the lowest in the city. In that census tract, Hispanic residents comprise over sixty percent of residents, which is considerably higher than the rest of the city. The predominant national origin in that census tract is Mexican-American. There are two census tracts with a high Low Poverty Indices. One tract, 5123.10, is located on the east side of the City adjacent to the lowest poverty tract and has a White population of almost seventy percent. The other census tract with a high Low Poverty Indices is located in a majority-White unincorporated area to the south of the city. Regionally, the association between areas with limited access to low poverty neighborhoods and disproportionately Hispanic areas is even stronger, and areas with more concentrated population of Vietnamese national origin also have somewhat lower levels of access to low poverty neighborhoods. Families with children do not appear to be cut off from access to low poverty neighborhoods, whether in Morgan Hill or the broader region.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to low poverty neighborhoods.

Efforts by Morgan Hill to foster the development of affordable housing for families are likely to reduce disparities in access to low poverty neighborhoods. The city is fairly well integrated and has developed numerous affordable housing units. The limited public transportation options and lack of local job centers present limitations in truly increasing opportunities for all.

e. Disparities in Access to Opportunity – Access to Environmentally Healthy Neighborhoods

- i. For the protected class groups for which HUD has provided data, describe any disparities in access to environmentally healthy neighborhoods in the jurisdiction and region.*

Table 5: Environmental Health Index, Morgan Hill and the Region

Morgan Hill	Environmental Health Index
Total Population	
White, Non-Hispanic	62.46
Black, Non-Hispanic	63.08
Hispanic	61.90
Asian or Pacific Islander, Non-Hispanic	62.16
Native American, Non-Hispanic	N/A
Region	
Total Population	
White, Non-Hispanic	46.93
Black, Non-Hispanic	41.34
Hispanic	42.87
Asian or Pacific Islander, Non-Hispanic	47.20
Native American, Non-Hispanic	44.16

Population below federal poverty line	
White, Non-Hispanics	44.03
Black, Non-Hispanic	41.98
Hispanic	41.17
Asian or Pacific Islander, Non-Hispanic	43.23
Native American, Non-Hispanic	45.72

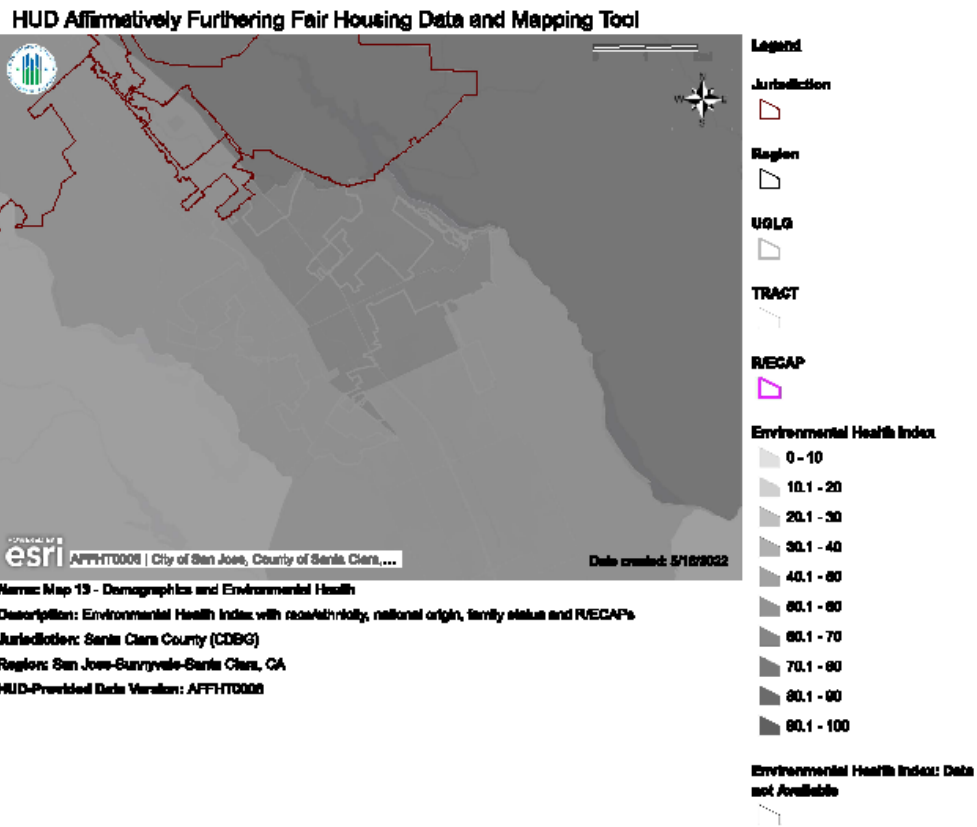
In Morgan Hill, any disparities in access to environmentally healthy neighborhoods are practically imperceptible. Regionally, disparities still are not vast, but they are wide enough to signify that Hispanic and Asian American residents have slightly lower access to environmentally healthy neighborhoods than do White and Asian or Pacific Islander residents. It is also worth noting that the Environmental Health Index is significantly higher in Morgan Hill than it is region-wide. Morgan Hill's 2035 General Plan's Natural Resources and Environment Element lays out numerous strategies for preserving open space, agricultural uses, hillsides, riparian areas, wildlife habitat, and other natural features.

- ii. ***For the protected class groups for which HUD has provided data, describe how disparities in access to environmentally healthy neighborhoods relate to residential living patterns in the jurisdiction and region.***

Map 9: Environmental Health, Morgan Hill

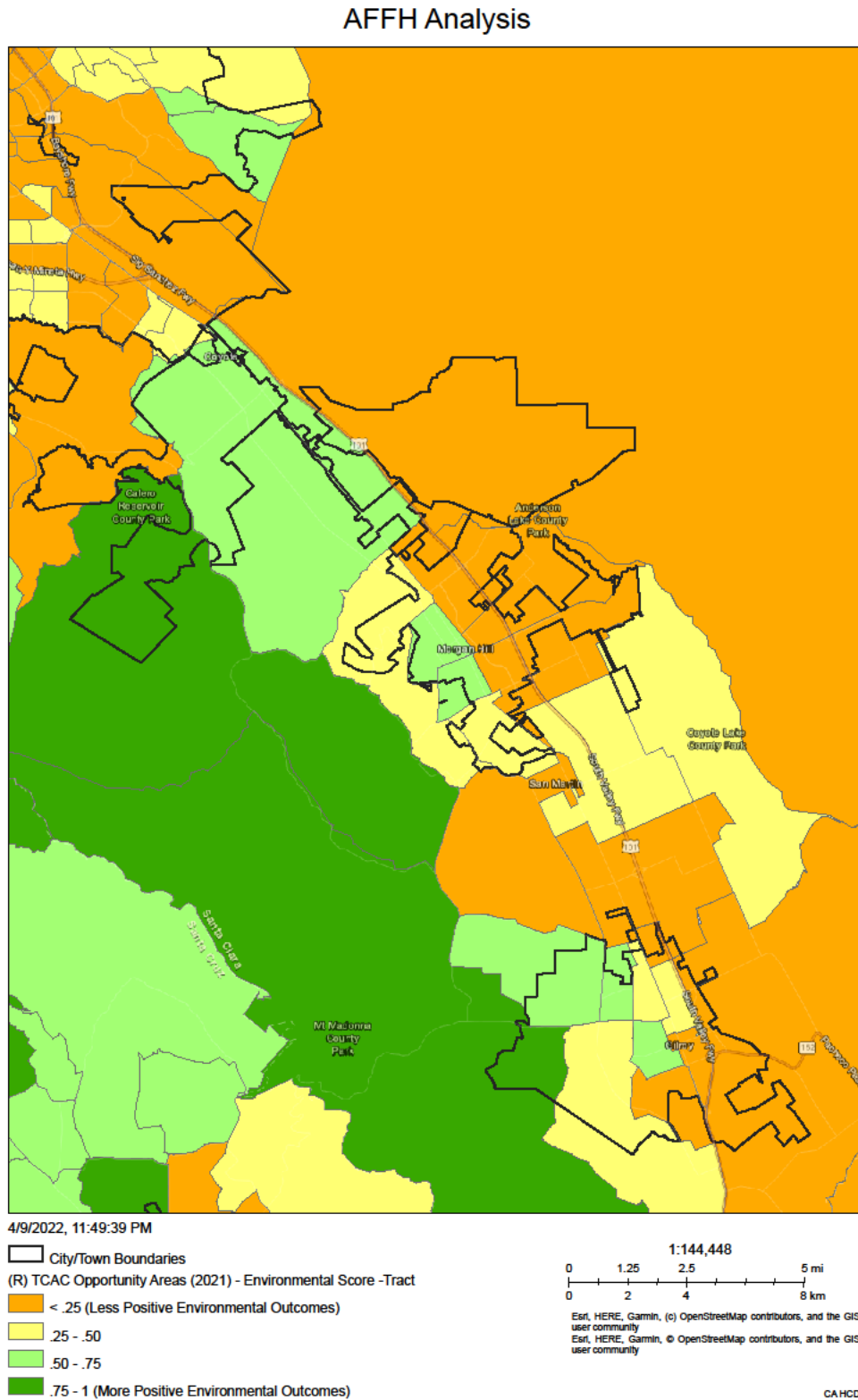
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HUD AFFH - PRINT MAP



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Map 10: Environmental Score, Morgan Hill



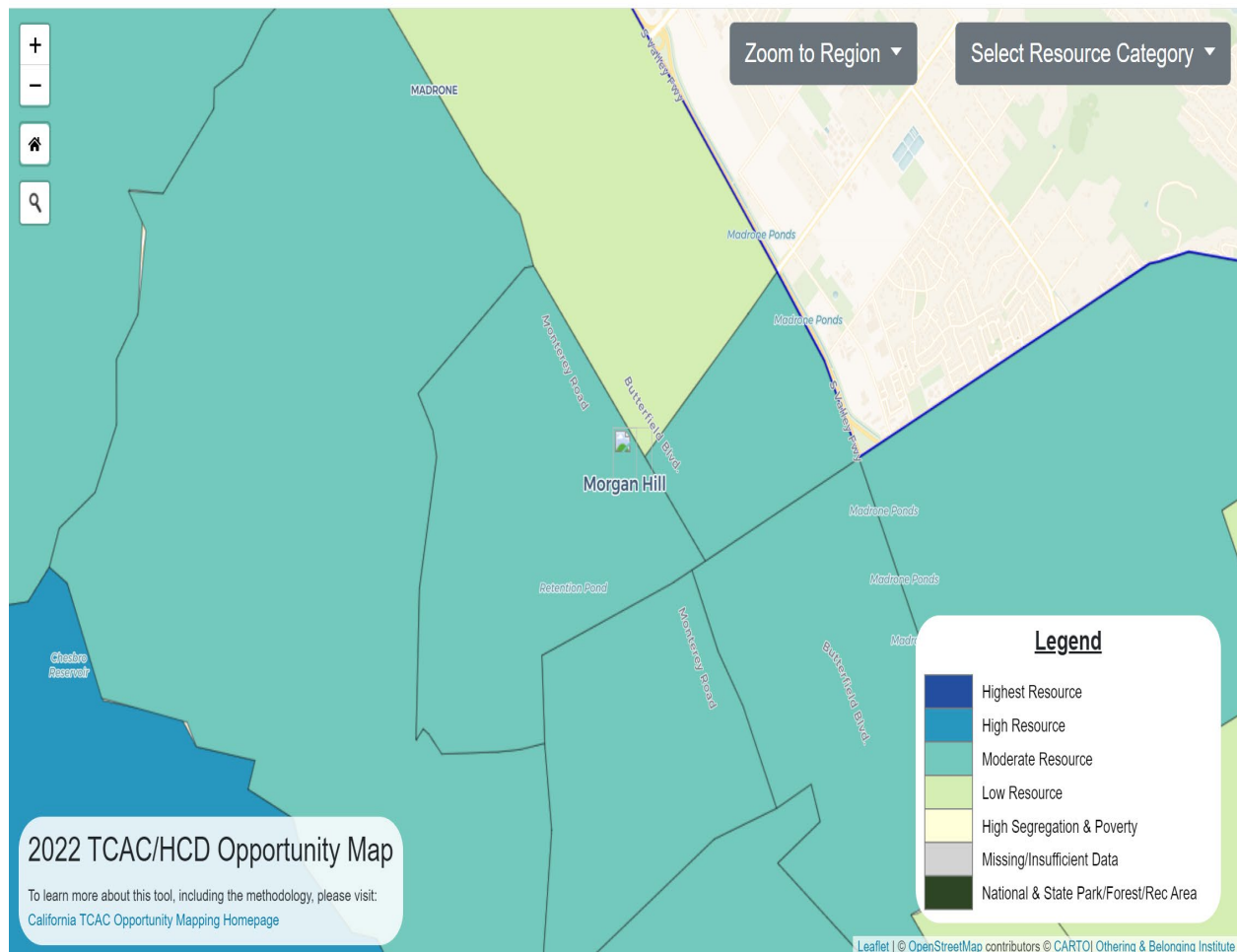
In Morgan Hill, patterns of segregation do not appear to fuel disparities in access to environmentally healthy neighborhoods as, again, such disparities do not exist. There is minimal racial and ethnic segregation in Morgan Hill. In the region, by contrast, patterns of segregation of Hispanic residents in San José, in particular, do appear to contribute to disparities in access to environmentally healthy neighborhoods.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss whether there are programs, policies, or funding mechanisms that affect disparities in access to environmentally healthy neighborhoods.

In Morgan Hill, highways and vehicle emissions are by far the most significant driver of poor environmental health. There are ongoing efforts to reduce vehicle trips through transit expansion – including the Morgan Hill Transit Center, which currently consists of VTA rail service and VTA bus service. Consistent with State Law, the city adopted a Morgan Hill Community-Based Transportation Plan (CBTP) to improve transit access and reduce car emissions and is implementing SB 743 on a project-by-project basis.

f. Disparities in Access to Opportunity – Patterns in Disparities in Access to Opportunity

i. For the protected class groups for which HUD has provided data, identify and discuss any overarching patterns of access to exposure to adverse community factors. Include how these patterns compare to patterns of segregation, integration, and R/ECAPs. Describe these patterns for the jurisdiction and region.

Map 11, TCAC Opportunity Areas, Morgan Hill

Overall, in Morgan Hill, most areas of the city generally have high access to opportunity and limited exposure to adverse community factors, but there are some nuances within the city. The California Tax Credit Allocation Committee's 2022 map of Opportunity Areas rates all residentially developed portions of Morgan Hill as Moderate or Low Resource. The north portion of the city is considered low resource while the rest of the city is considered moderate resource. This is likely due to the lack of good transportation and limited access to local jobs.

Many of these trends are replicated regionally. With some notable exceptions, such as jobs-rich Cupertino, areas with greater transit and job access tend to be those with worse environmental health. Additionally, areas with less transit and job access tend to be those with greater access to proficient schools and low poverty neighborhoods. This mirrors patterns of segregation and R/ECAPs in the region. R/ECAPs, which tend to be disproportionately Hispanic, generally have higher access to transportation and higher job proximity (which does not necessarily mean that neighborhood residents are able to secure those jobs) and less access to proficient schools, environmentally healthy neighborhoods, and low poverty neighborhoods.

- ii. Based on the opportunity indicators assessed above, identify areas that experience (A) high access; and (b) low access across multiple indicators.**

In Morgan Hill, disparities between neighborhoods are generally slight with respect to most indicators except for the Low Poverty Index and the School Proficiency Index. With respect to those two indices, downtown Morgan Hill has less access to opportunity than other parts of the city, and eastern Morgan Hill has more access. Regionally, job proximity and transit access are greatest in the northern part of Santa Clara County though access is lower in the West Valley than it is in the cities of Santa Clara, Sunnyvale, Mountain View, and Palo Alto. Access to proficient school and low poverty neighborhoods is highest in the West Valley as well as in the parts of larger North County cities that are further south and west of U.S. Route 101. South County generally has higher access to environmentally healthy neighborhoods.

Contributing Factors of Disparities in Access to Opportunity

Please see the Appendix for the following Contributing Factors to Disparities in Access to Opportunity:

- Access to financial services
- Availability, type, frequency, and reliability of public transportation
- Impediments to mobility
- Lack of access to opportunity due to high housing costs
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Lack of local or regional cooperation
- Land use and zoning laws
- Lending discrimination
- Location and type of affordable housing
- Location of employers
- Location of environmental health hazards
- Location of proficient schools and school assignment policies
- Loss of affordable housing
- Occupancy codes and restrictions
- Private discrimination
- Source of income discrimination

iv. Disproportionate Housing Needs

1.a Which groups (by race/ethnicity and family status) experience higher rates of housing cost burden, overcrowding, or substandard housing when compared to other groups? Which groups also experience higher rates of severe housing burdens when compared to other groups?

As shown in the tables below, a slightly greater percent of households in Morgan Hill experience housing problems than in the region generally. White and Asian American Households in Morgan Hill, but not Hispanic or Black households, are less likely to experience housing problems than in the region as a whole. However, almost one-half of Hispanic households in Morgan Hill experience housing problems.

Non-family households and larger families, comprised of five or more people in a household, also experience high rates of housing problems (54.7% and 45.7% respectively) in comparison to smaller family households.

Table 1: Demographics of Households with Disproportionate Housing Needs. Morgan Hill and the Region

Disproportionate Housing Needs	Morgan Hill			Region		
	# with problems	total # households	% with problems	# with problems	total # households	% with problems
Households experiencing any of 4 housing problems						
Total	5,565	14,670	37.9%	234,515	653,265	35.9%
White, Non-Hispanic	2,935	8,785	33.4%	79,900	270,985	29.5%
Black, Non-Hispanic	145	355	40.8%	7,345	15,835	46.4%
Hispanic	1,695	3,515	48.2%	69,000	128,450	53.7%
Asian or Pacific Islander, Non-Hispanic	600	1,645	36.5%	71,917	220,540	32.6%
Family households, <5 people	2,945	9,585	30.7%	90,400	350,225	25.8%
Family households, 5+ people	860	1,880	45.7%	28,475	64,170	44.4%
Non-family households	1,750	3,200	54.7%	31,315	127,410	24.6%

Households experiencing any of 4 Severe Housing Problems	# with severe problems	total # households	% with severe problems	# with severe problems	total # households	% with severe problems
Total	2,775	14,670	18.9%	148,550	653,265	22.7%
White, Non-Hispanic	1,325	8,785	15.1%	44,145	270,985	16.3%
Black, Non-Hispanic	45	355	12.7%	4,690	15,835	29.6%
Hispanic	984	3,515	28.0%	48,175	128,450	37.5%
Asian or Pacific Islander, Non-Hispanic	345	1,645	21.0%	47,952	220,540	21.7%
Note 1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.						
Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.						
Note 3: Data Sources: CHAS						
Note 4: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).						

The disparities in severe housing problems across races show that 28% of Hispanic households and 21% of Asian American households in Morgan Hill experience severe housing problems. Over 15% of White households and over twelve percent of Black households experience severe housing problems.

Table 2: Demographics of Households with Severe Housing Cost Burden

Households with Severe Housing Cost Burden	Morgan Hill			Region		
	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden
Total	2,145	14,670	14.6%	43,535	653,265	6.7%
White, Non-Hispanic	1,165	8,785	13.3%	20,070	270,985	7.4%

Black, Non-Hispanic	45	355	12.7%	770	15,835	4.9%
Hispanic	620	3,515	17.6%	8,460	128,450	6.6%
Asian or Pacific Islander, Non-Hispanic	250	1,645	15.2%	13,365	220,540	6.1%
Household Type and Size						
Family households, <5 people	1,030	9,680	10.6%	53,045	350,225	15.1%
Family households, 5+ people	284	1,785	15.9%	9,025	64,170	14.1%
Non-family households	828	3,199	25.9%	42,113	127,410	33.1%
Note 1: Severe housing cost burden is defined as greater than 50% of income.						
Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.						
Note 3: The # households is the denominator for the % with problems, and may differ from the # households for the table on severe housing problems.						
Note 4: Data Sources: CHAS						
Note 5: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).						

In Morgan Hill, Hispanic households are most likely to experience severe housing cost burden, followed by Asian American families. In fact, all groups in Morgan Hill have higher levels of severe cost burden than the region. Between 12.7% and 17% of households have a high cost burden in Morgan Hill versus a range of 4.9% to 7.4% in the region.

Non-family households in both Morgan Hill and the region are most likely to have a high cost burden. In Morgan Hill, large family households have the second highest percentage of cost burdened households, followed by small family households. In the region, small family households have a slightly higher percentage of severe cost-burdened households, followed by large families.

Table 3: Percentage of Overcrowded Households by Race or Ethnicity, Morgan Hill

	Non-Hispanic White Households	Black Households	Asian American or Pacific Islander Households	Hispanic Households
Morgan Hill	1.7%	0%	5.3%	13.9%

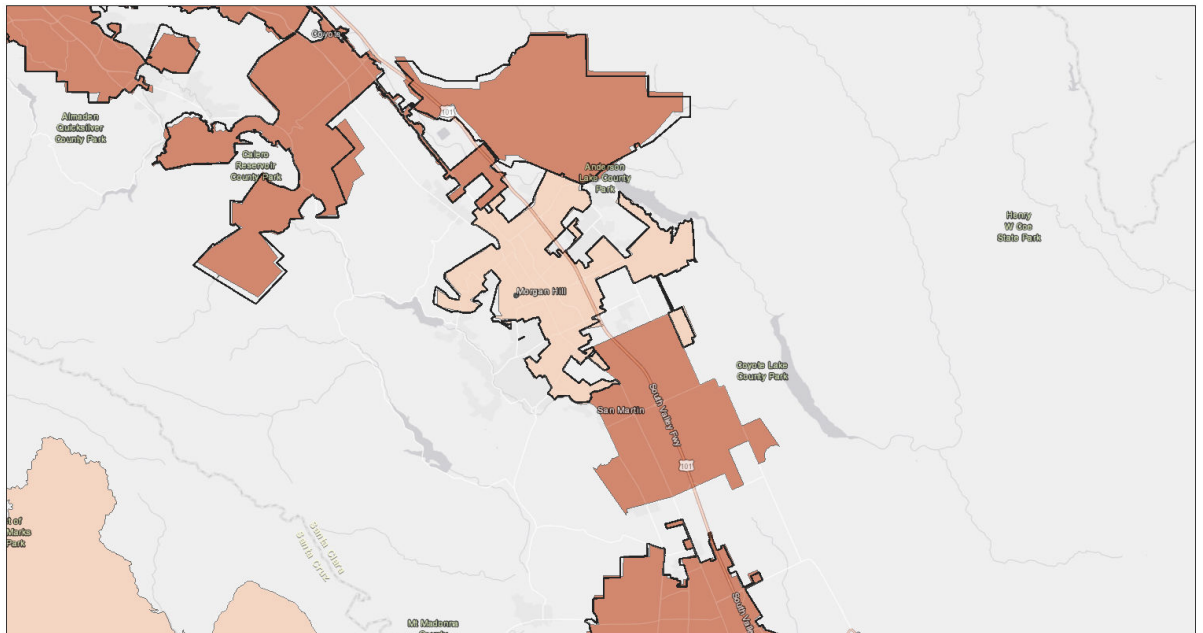
Region	2.6%	7.3%	8.4%	17.1%
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In addition to the data provided by HUD above, the American Community Survey also provides data detailing the numbers of households subject to overcrowding or incomplete plumbing and kitchen facilities. 13.9% Hispanic households experience overcrowding, followed by 5.3% of Asian American households. In the region, Hispanic and Asian Americans are also most likely to experience overcrowding. Overcrowding is not a common issue for White or Black households in Morgan Hill.

1.b. Which areas in the jurisdiction and Region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?

Map 1: Percent of Households with Any of the Four Housing Problems, Morgan Hill

Households with Severe Housing Problems



5/16/2022, 8:49:04 AM

City/Town Boundaries

(A) Percent of all households with any of the 4 severe housing problems (lacks complete kitchen, lacks complete plumbing, severely overcrowded, severely cost-burdened) - (ACS, CHAS) - City Level

< 20%

20% - 40%

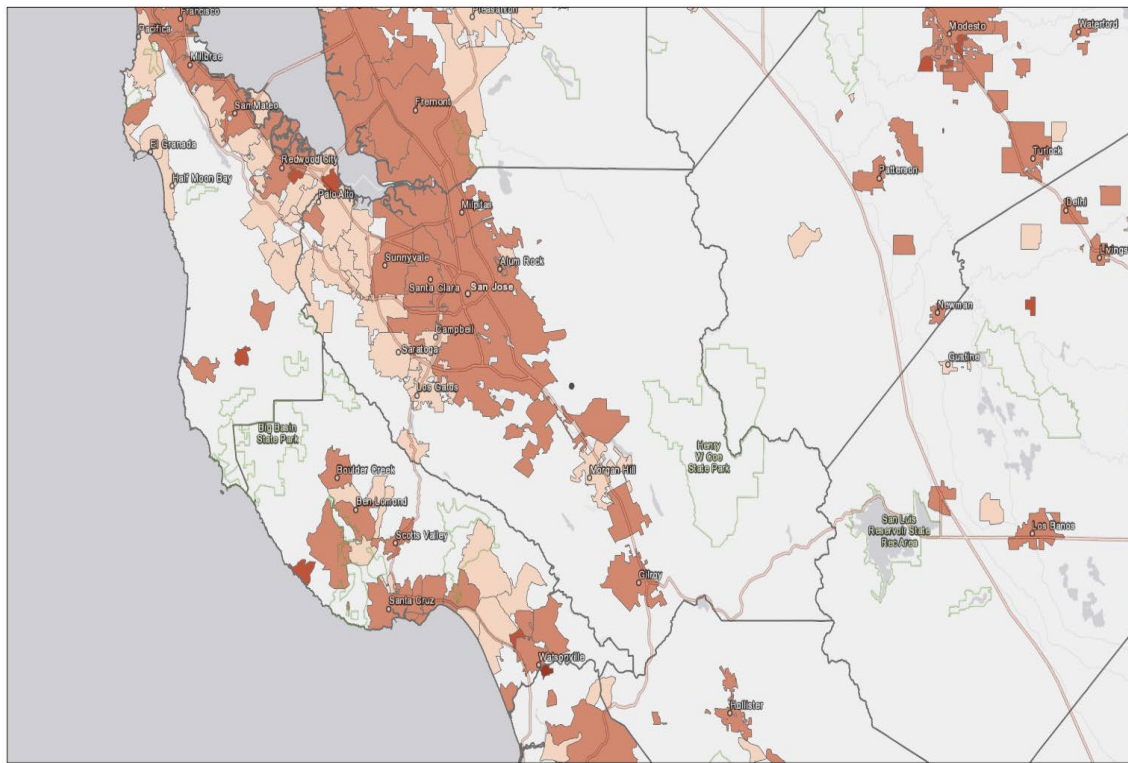
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Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development

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Map 2: Percent of Households with Any of the Four Housing Problems, Region

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County Boundaries

(A) Percent of all households with any of the 4 severe housing problems (lacks complete kitchen, lacks complete plumbing, severely overcrowded, severely cost-burdened) - (ACS, CHAS) - City Level

< 20%

20% - 40%

40% - 60%

60% - 80%

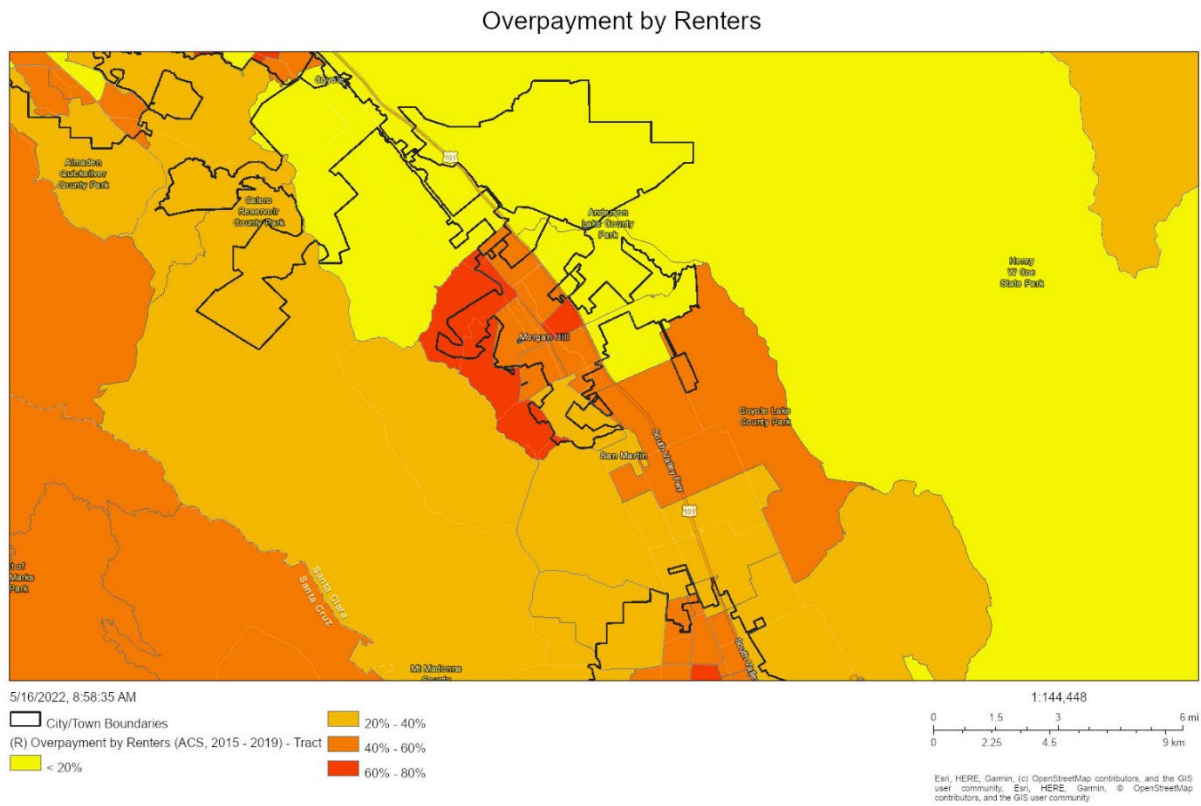
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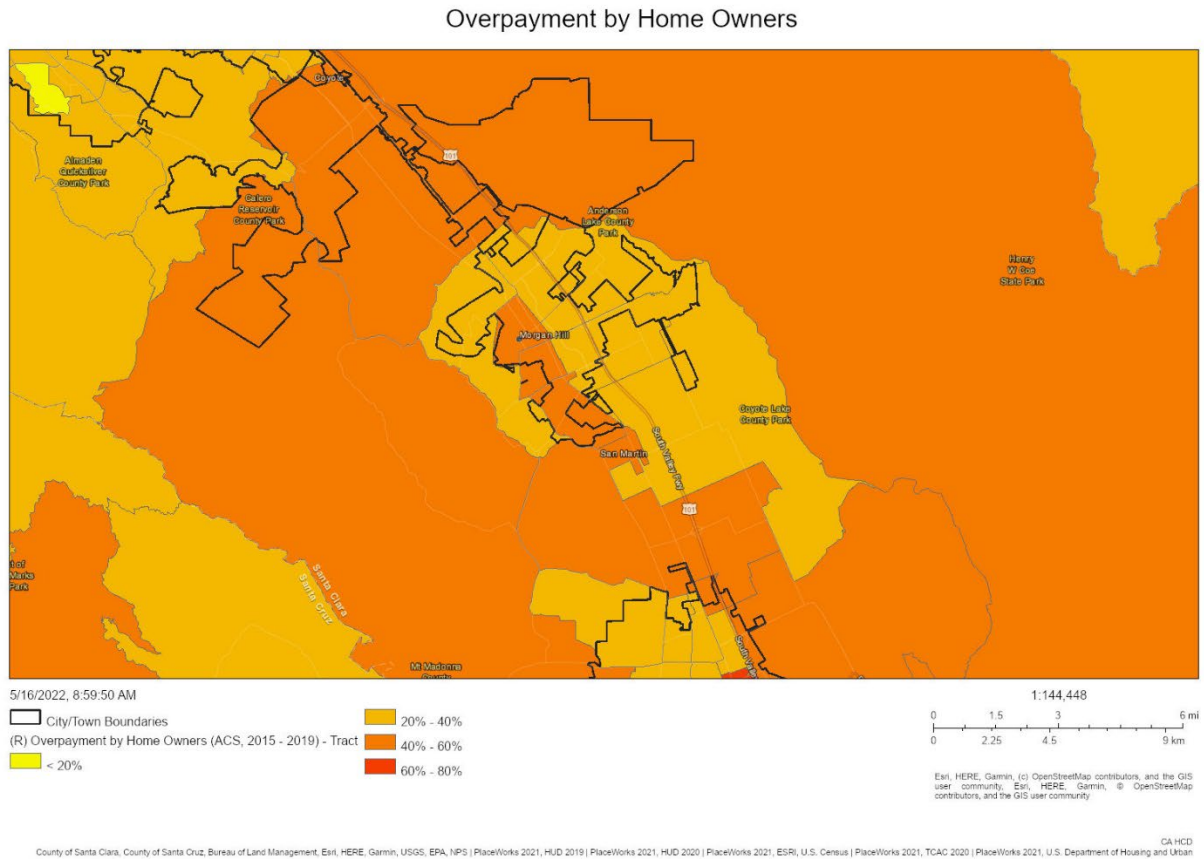
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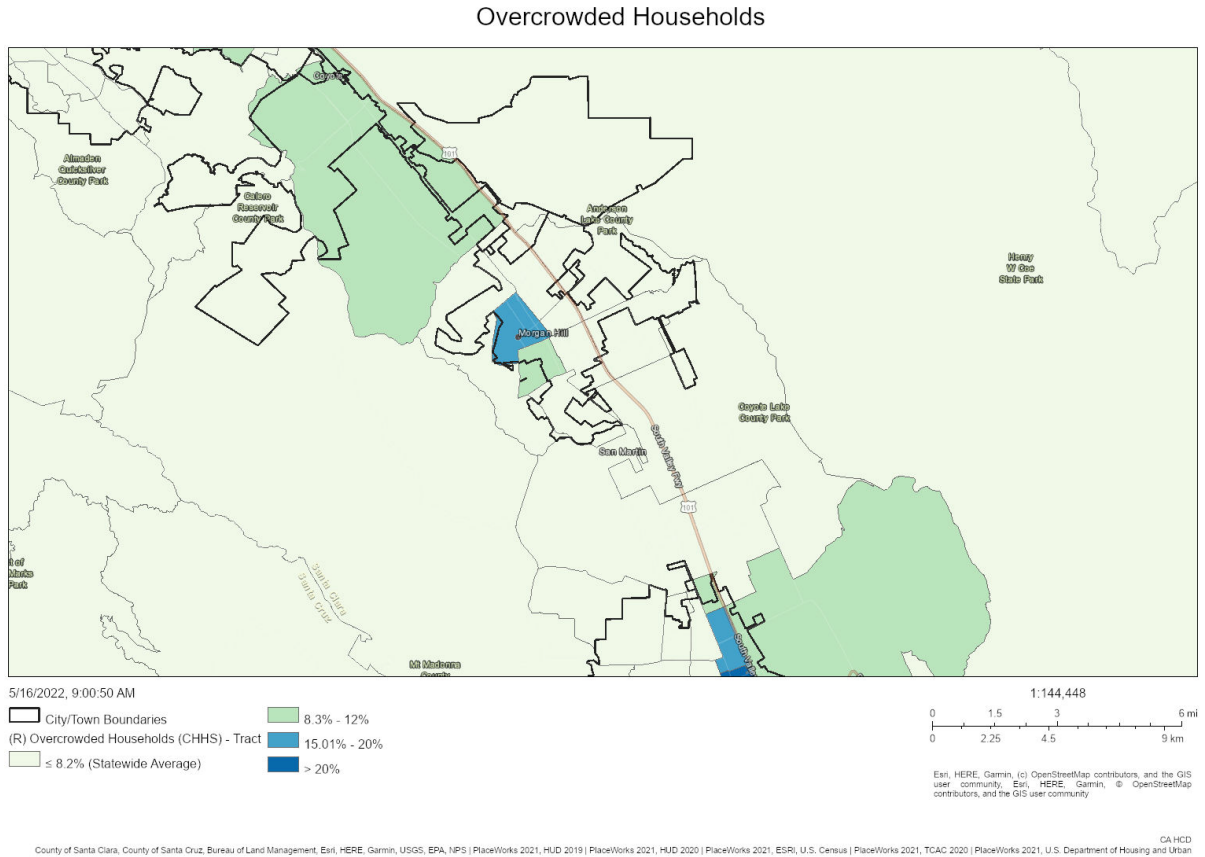
Map 3: Overpayment by Renters, Morgan Hill



County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development

Map 4: Overpayment by Home Owners, Morgan Hill

Map 5: Overcrowded Households, Morgan Hill



In Morgan Hill, there are higher concentrations of households with housing problems in the downtown area of the city, including in areas that are more heavily Hispanic and Asian American than the city as a whole. Regionally, the highest concentrations of households with housing problems are found in Downtown and East San José, both areas with more heavily Hispanic populations than the region as a whole.

1.c. Compare the needs of families with children for housing units with two, and three or more bedrooms with the available existing housing stock in each category of publicly supported housing for the jurisdiction and region.

Table 4: Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children, Morgan Hill

	Households in 0-1 Bedroom Units	Households in 2 Bedroom Units	Households in 3+ Bedroom Units	Households with Children
Housing Type	%	%	%	%
Public Housing	N/A	N/A	N/A	N/a
Project-Based Section 8	64%	0%	36%	18%
Other Multifamily	N/A	N/A	N/A	N/A
HCV Program	29%	37%	34%	42%

In Morgan Hill, there are more housing opportunities for families with children in the Housing Choice Voucher program than in the Project-Based Section 8 program. There are no public housing or Other Multifamily units in Morgan Hill. Public housing refers to subsidized housing that is operated by the local housing authority under Section 9 of the U.S. Housing Act of 1937. Other Multifamily units refer primarily to HUD-subsidized housing designated for the elderly (Section 202) and people with disabilities (Section 811) but also include some less common programs like the Section 221(d)(4) loan guarantee program.

1.d. Describe the differences in rates of renter and owner-occupied housing by race/ethnicity in the jurisdiction and Region.

Table 5: Housing Tenure by Race, Morgan Hill and the Region

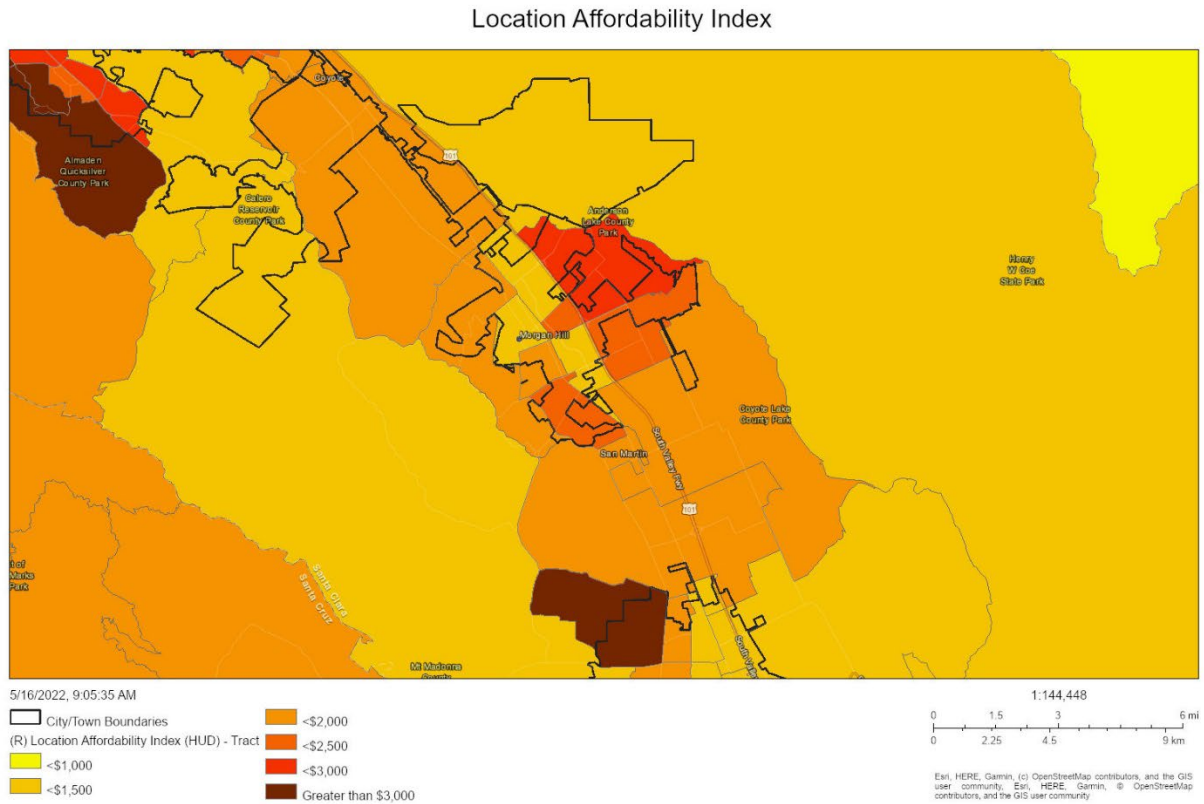
	Morgan Hill				Region			
Housing Tenure	Owner Occupied		Renter Occupied		Owner Occupied		Renter Occupied	
	#	%	#	%	#	%	#	%
Total	10,979	73.9%	3,875	26.1%	372,659	56.6%	285,691	43.4%
White, Non-Hispanic	6,993	80.6%	1,681	19.4%	161,091	61.8%	99,462	38.2%
Black	142	46.3%	165	53.7%	5,329	31.2%	11,736	68.8%
Hispanic	1,895	53.3%	1,658	46.7%	48,341	37.6%	80,092	62.4%

Asian or Pacific Islander	1,644	83.9%	315	16.1%	142,664	60.2%	94,250	39.8%
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Homeownership rates are generally higher in Morgan Hill than in the region as a whole. Black and Hispanic households are least likely to be homeowners than Asian American and White households. This also holds true in the region. In Morgan Hill, almost 84% of Asian American households and over 80% of White households are homeowners. By contrast over 53% of Black households and over 46% of Hispanic households rent rather than own their homes in Morgan Hill, and these percentages are even higher in the region.

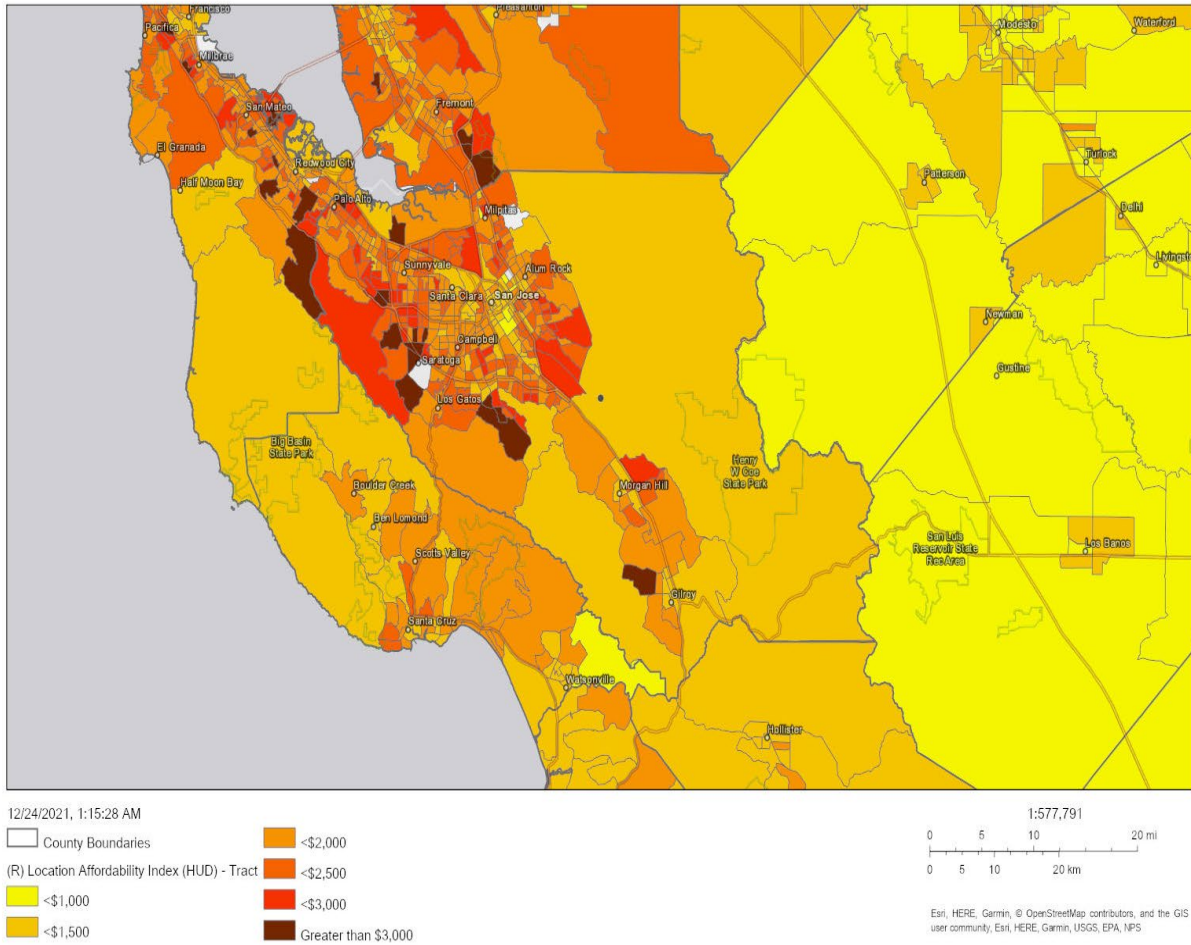
Additional Information

2.a. Beyond the HUD-provided data, provide additional relevant information, if any, about disproportionate housing needs in the jurisdiction and Region affecting groups with other protected characteristics.

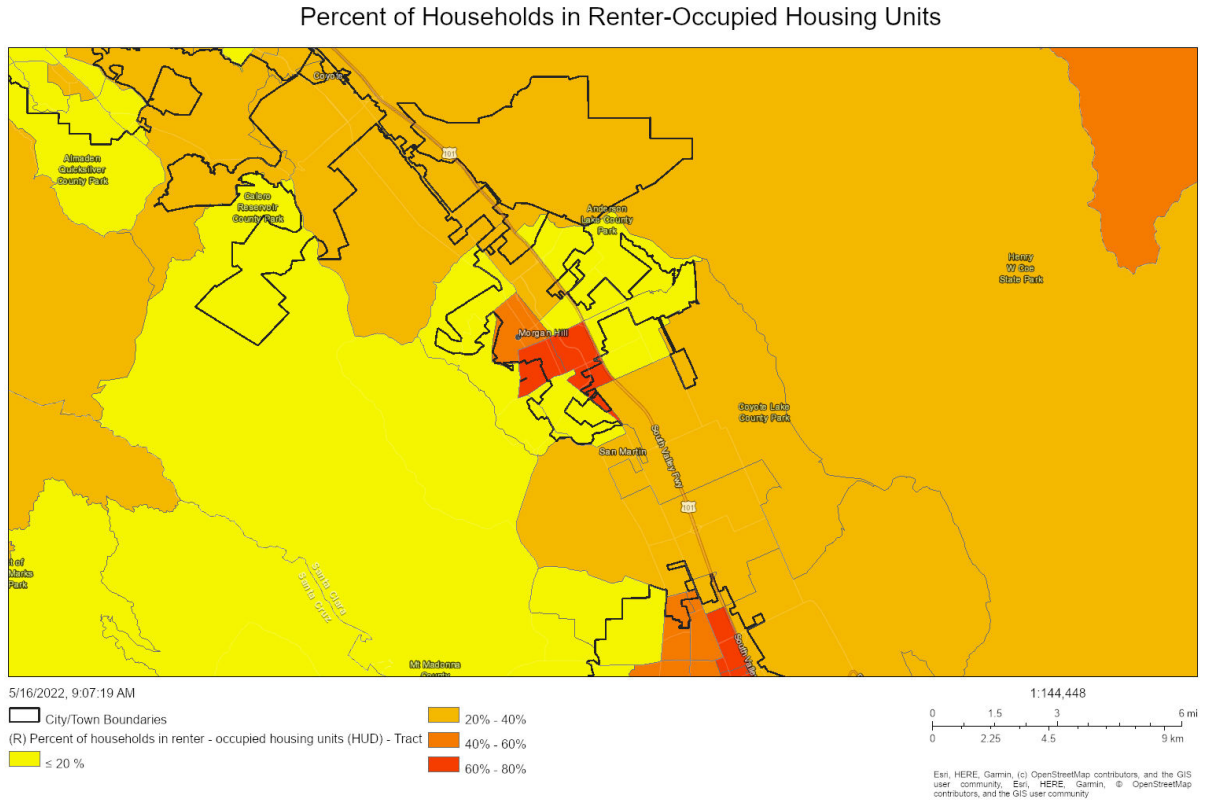
Map 6: Location Affordability, Morgan Hill

County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development

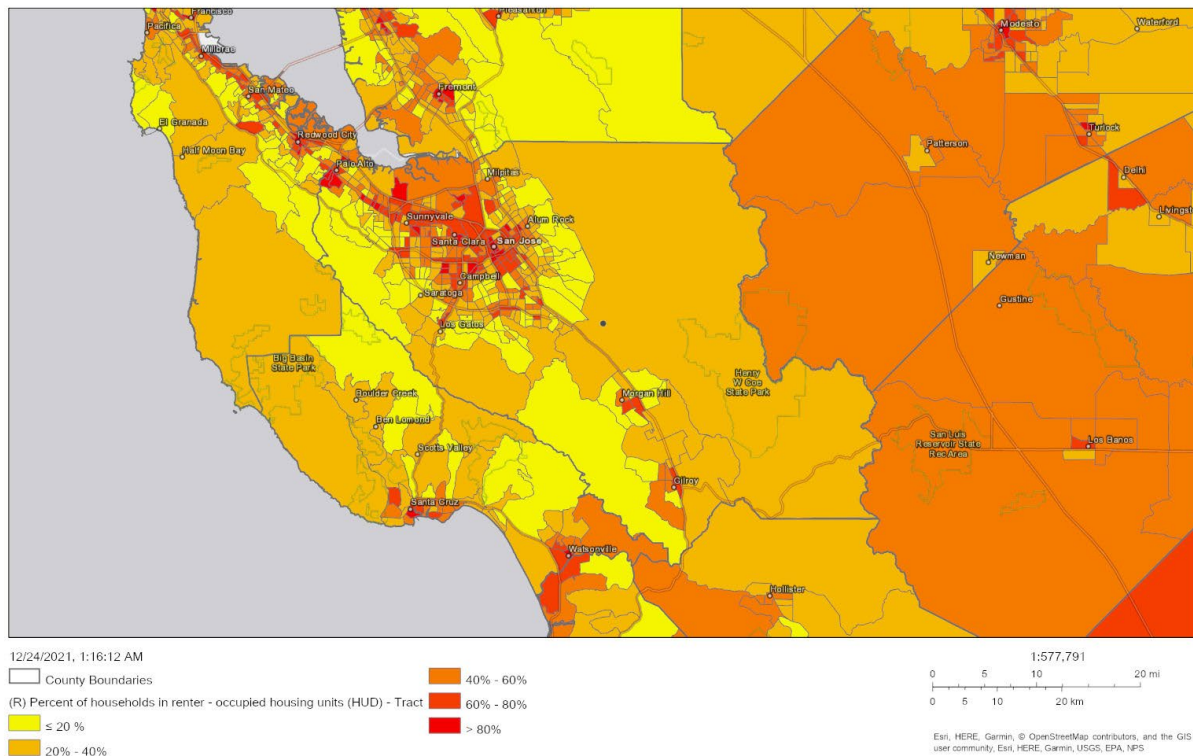
Map 7: Location Affordability, Region



Map 8: Percent Renter Occupied Households, Morgan Hill



County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development

Map 9: Percent Renter Occupied Households, Region

The eastern portion of Morgan Hill has the least affordable housing according to the Location Affordability Index. This area also has a low rate of renter-occupied housing. By contrast, the city center has a relatively higher concentration of renters and more affordable housing. The southwest portion has a higher concentration of renters and less affordable housing.

Local data from the City of Morgan Hill reflecting code enforcement violations involving health and safety issues from 2019 through March 2022 showed that, out of 19 code enforcement violations, 18 were at properties in the central and western portions of Morgan Hill and only one was in eastern Morgan Hill. Although the overall number of violations was not high, violations were concentrated in the most heavily Hispanic parts of the city. Among the 18 violations in the central and western portions of Morgan Hill, a majority were in properties located in and near downtown Morgan Hill.

2.b. The program participant may also describe other information relevant to its assessment of disproportionate housing needs. For PHAs, such information may include a PHA's overriding housing needs analysis.

The Santa Clara County Housing Authority has shifted its hard unit portfolio from public housing to Project-Based Vouchers. A "hard unit" is defined as affordable rental housing resulting from new construction, substantial rehabilitation, acquisition, or existing housing stock. Hard units do not include unsubsidized units in which households use tenant-based rental assistance such as Housing Choice Vouchers. Layering more Project-Based Vouchers into multifamily housing developments in Morgan Hill, particularly those including family-sized units, could be an effective means of reducing disproportionate housing needs in the city.

Contributing Factors of Disproportionate Housing Needs

Please see the Appendix for the following Contributing Factors to Disproportionate Housing Needs:

- Availability of affordable units in a range of sizes
- Displacement of residents due to economic pressures
- Displacement of and/or lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking
- Lack of access to opportunity due to high housing costs
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Land use and zoning laws
- Lending discrimination
- Loss of affordable housing
- Source of income discrimination

DRAFT

c. Publicly Supported Housing Analysis

1. Analysis

a. Publicly Supported Housing Demographics

Table 1: Publicly Supported Housing Units by Program Category, Morgan Hill

Housing Units	Morgan Hill	
	#	%
Total housing units	15,233	N/A
Public Housing	0	0%
Project-based Section 8	30	0.2%
Other Multifamily	0	0%
HCV Program	336	2.2%

- i. Are certain racial/ethnic groups more likely to be residing in one program category of publicly supported housing than other program categories (public housing, project-based Section 8, Other Multifamily Assisted developments, and Housing Choice Voucher (HCV) in the jurisdiction?

Table 2: Publicly Supported Housing Demographics

Jurisdiction	White	Black	Hispanic	Asian or Pacific Islander
Housing Type	%	%	%	%
Public Housing	-	-	-	-
Project-Based Section 8	18%	7%	64%	11%
Other Multifamily	-	-	-	-
HCV Program	24%	8%	62%	5%
Total Households	8,785	355	3,515	1,645
0-30% of AMI	51.2%	2.9%	31.6%	11.5%
0-50% of AMI	49.6%	1.6%	35.1%	10.9%
0-80% of AMI	52.5%	1.3%	33.9%	9.4%
Region	White	Black	Hispanic	Asian or Pacific Islander
Housing Type	%	%	%	%
Public Housing	-	-	-	-
Project-Based Section 8	26.08%	3.41%	15.07%	47.40%
Other Multifamily	26.59%	3.02%	22.05%	47.13%
HCV Program	17.44%	12.66%	32.01%	37.20%
Total Households	276,844	16,174	128,660	206,367
0-30% of AMI	33.36%	4.02%	30.80%	29.24%
0-50% of AMI	35.03%	3.62%	32.38%	26.55%
0-80% of AMI	35.60%	3.45%	32.09%	26.42%

In Morgan Hill, Hispanic households account for a majority of households occupying Project-Based Section 8 housing and utilizing Housing Choice Vouchers. White households represent the second highest percentage of households occupying Project-Based Section 8 housing and

utilizing Housing Choice Vouchers. There is no public housing or Other Multifamily housing in Morgan Hill. The vast majority of publicly supported housing units are Low Income Housing Tax Credit (LIHTC) units.

- ii. Compare the racial/ethnic demographics of each program category of publicly supported housing for the jurisdiction to the demographics of the same program category in the region.*

Compared to the region, for the categories of publicly supported housing present in Morgan Hill, a higher proportion of residents in Morgan Hill are Hispanic and a lower proportion are Asian or Pacific Islander. This is true for both the Project-Based Section 8 and Housing Choice Voucher programs and is consistent with the demographics of the city in relation to the region.

- iii. Compare the demographics, in terms of protected class, of residents of each program category of publicly supported housing (public housing, project-based Section 8, Other Multifamily Assisted developments, and HCV) to the population in general, and persons who meet the income eligibility requirements for the relevant program category of publicly supported housing in the jurisdiction and region. Include in the comparison, a description of whether there is a higher or lower proportion of groups based on protected class.*

In Morgan Hill, White households appear to be underrepresented in Project-Based Section 8 housing and as HCV holders in comparison to the income-eligible population. Black and Hispanic households are overrepresented in Project-Based Section 8 housing and as HCV holders in comparison to the income-eligible population. Asian or Pacific Islander households comprise similar proportions of households in Project-Based Section 8 housing and as HCV holders compared to their share of the income eligible population.

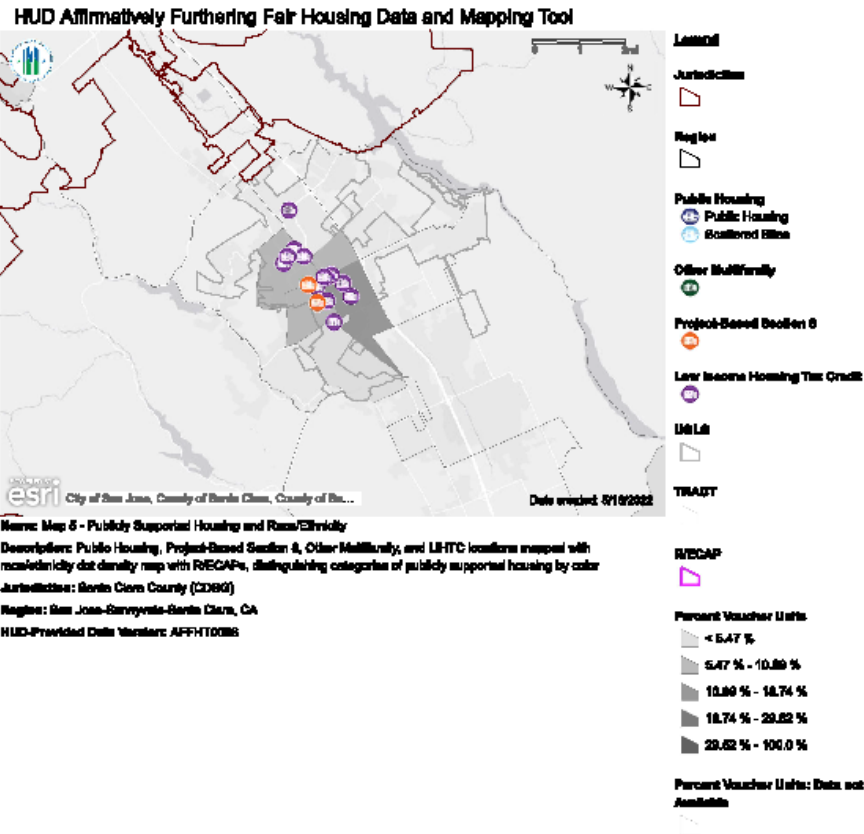
b. Publicly Supported Housing Location and Occupancy

- i. Describe patterns in the geographic location of publicly supported housing by program category (public housing, project-based Section 8, Other Multifamily Assisted developments, HCV, and LIHTC) in relation to previously discussed segregated areas and R/ECAPs in the jurisdiction and region.*

Map 1: Publicly Supported Housing. Morgan Hill

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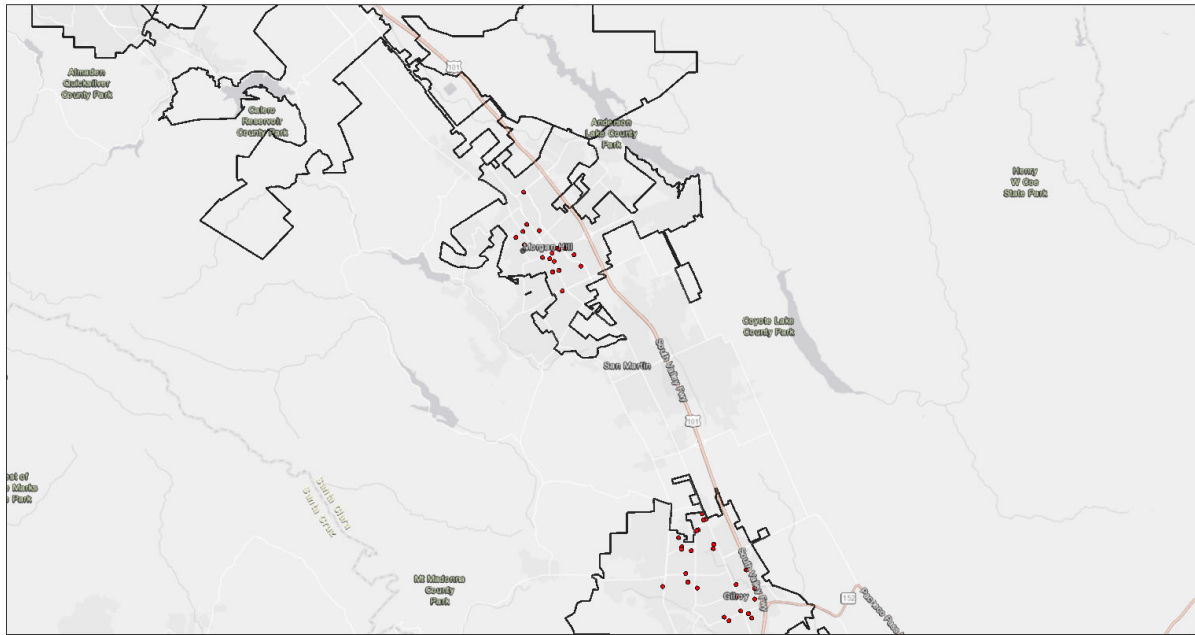
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Map 2: Subsidized Housing, Morgan Hill

Subsidized Housing



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City/Town Boundaries

• (A) Subsidized Housing (CHPC, 2021)

1:144,448

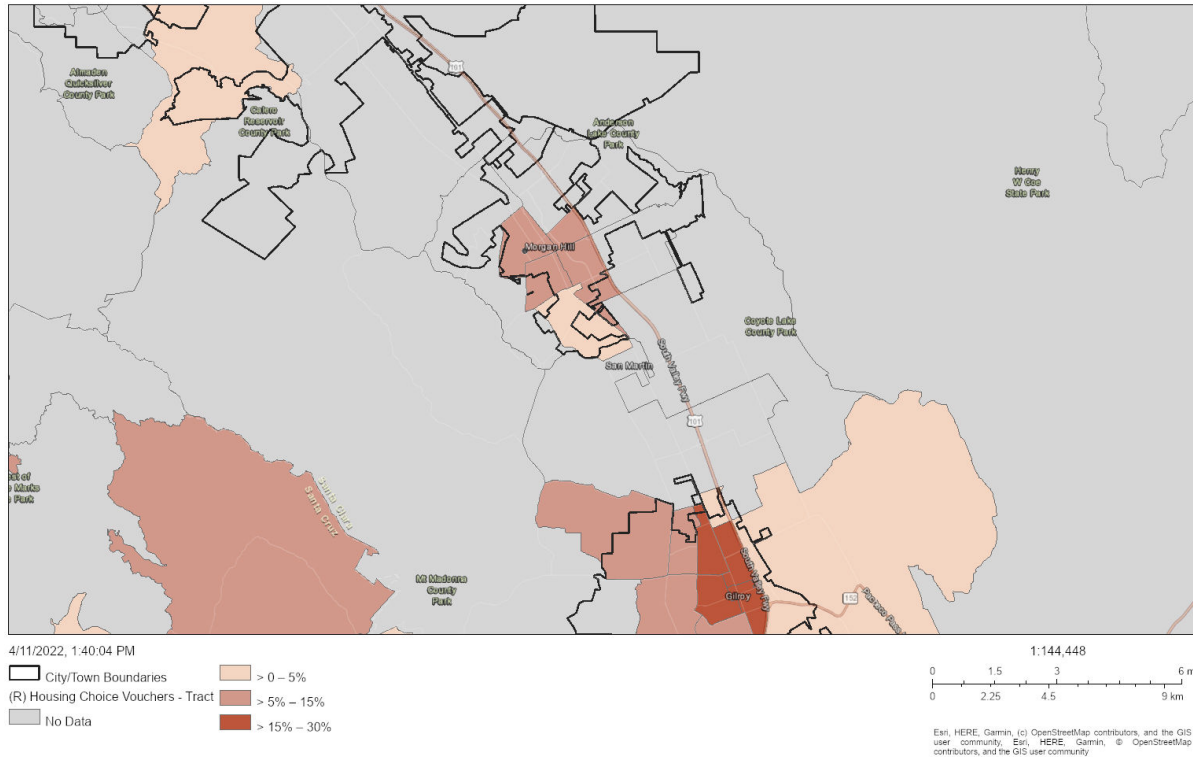
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Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

CA/HCD
County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban

Map 3: Housing Choice Voucher Concentration, Morgan Hill

Housing Choice Vouchers - Tract



In Morgan Hill, hard units of publicly supported are concentrated in the center of the city. There are zero hard units east of the South Valley Freeway (Highway 101). The same holds true of HCV holders. HCV holders are also concentrated in the center of the city and zero HCV holders east of the south valley freeway (Highway 101).

- i. Describe patterns in the geographic location for publicly supported housing that primarily serves families with children, elderly persons, or persons with disabilities in relation to previously discussed segregated areas or R/ECAPs in the jurisdiction and region.

There are no R/ECAPs in Morgan Hill.

- ii. How does the demographic composition of occupants of publicly supported housing in R/ECAPS compare to the demographic composition of occupants of publicly supported housing outside of R/ECAPs in the jurisdiction and region?

Table 3: Publicly Supported Housing Demographics by R/ECAP and Non R/ECAP Tracts

Jurisdiction	Total # units (occupied)	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with children	% Elderly	% with a disability
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Public Housing								
R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Non R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Project-based Section 8								
R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Non-R/ECAP tracts	29	18%	7%	64%	11%	18%	79%	7%
Other Multifamily								
R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Non R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
HCV Program								
R/ECAP tracts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Non R/ECAP tracts	336	24%	8%	62%	5%	42%	36%	19%

- i. Do any developments of public housing, properties converted under the RAD, and LIHTC developments have a significantly different demographic composition, in terms of protected class, than other developments of the same category for the jurisdiction? Describe how these developments differ.

Table 4: Publicly Supported Housing Demographics

Project-Based Section 8						
Jurisdiction						
	# Units	White	Black	Hispanic	Asian	Households with Children
Park Place	10	* ⁴	*	*	*	*
Sycamore Glen	20	32%	0%	52%	16%	0%

In Morgan Hill, the Park Place housing development, which is a Project-Based Section 8 housing, is much more White than other Project-Based Section 8 housing in the city. Hispanic households make up the majority of Project-Based Section 8 households throughout the city. The Sycamore Glen housing development, which is also Project-Based Section 8 housing, has a higher percentage of White and Asian or Pacific Islander households when compared to other Project-Based Section 8 housing in the city. Conversely, Black and Hispanic households are underrepresented in Sycamore Glen when compared to Project-Based Section 8 housing

⁴ Data suppressed because of small number of units.

throughout the city. Data regarding the occupancy of Park Place is suppressed due to the small number of units, but it can be inferred that a higher percentage of residents are Black or Hispanic than at Sycamore Glen. This is the case because there are just two Project-Based Section 8 developments in the city, so Park Place, by necessity, must comprise the units that make of the remainder of the citywide aggregate figures for the program after Sycamore Glen is considered.

- i. *Provide additional relevant information, if any, about occupancy, by protected class, in other types of publicly supported housing for the jurisdiction and region.*

Demographic information about LIHTC housing in Morgan Hill is not available though it is likely that a greater proportion of such housing is available to families with children than is true for Project-Based Section 8 and Other Multifamily housing.

Additionally, in 2021, Morgan Hill updated its Inclusionary Housing Ordinance which requires that any new housing development of two or more units reserve at least 10% or 15% (depending on location) of units for occupancy by very low, low, and moderate-income households. The updated ordinance also clarifies whether ownership or rental units are required based on income levels. The City currently has a balance of \$5,712,128.73 in in-lieu fees and of \$4,315,833.75 redevelopment successor agency funds. Such financial resources are essential for efforts to create extremely low-income units, which typically cannot be produced through cross-subsidization in inclusionary developments alone.

- i. *Compare the demographics of occupants of developments in the jurisdiction, for each category of publicly supported housing (public housing, project-based Section 8, Other Multifamily Assisted developments, properties converted under RAD, and LIHTC) to the demographic composition of the areas in which they are located. For the jurisdiction, describe whether developments that are primarily occupied by one race/ethnicity are located in areas occupied largely by the same race/ethnicity. Describe any differences for housing that primarily serves families with children, elderly persons, or persons with disabilities.*

Table 5: Publicly Supported Housing Demographics and Surrounding Census Tract Demographics

Program Type	Project Name	Units in Project	Property White (%)	Property Black (%)	Property Hispanic (%)	Property Asian (%)	Households with children in the development	Census Tract Number	Tract White %	Tract Black (%)	Tract Hispanic (%)	Tract Asian (%)	Census Tract Poverty Rate
PBR A	Park Place	10	-	-	-	-	-	5123.13	29.7%	3.6%	52.7%	10.7%	9.0%
PBR A	Sycamore Glen	20	32%	0%	52%	16%	0%	5123.13	29.7%	3.6%	52.7%	10.7%	9.0%

It is likely that the Park Place housing development is located in a census tract that is less White than the housing development. The census tract has more Black, Hispanic and Asian or Pacific Islander households than the Park Place housing development likely has.

The Sycamore Glen housing development is located in a census tract that is less White and Asian or Pacific Islander than the housing development. Sycamore Glen also has a lower percentage of Black households than the census tract in which it is located. The percentages of Hispanic households are similar between the Sycamore Glen development and its census tract.

c. Disparities in Access to Opportunity

- i. Describe any disparities in access to opportunity for residents of publicly supported housing in the jurisdiction and region, including within different program categories (public housing, project-based Section 8, Other Multifamily Assisted Developments, HCV, and LIHTC) and between types (housing primarily serving families with children, elderly persons, and persons with disabilities) of publicly supported housing.*

Overall, publicly supported housing in Morgan Hill is concentrated in the center of the city. There is little to no publicly supported housing in the eastern portion of the city. The eastern portion of Morgan Hill has the greatest access to proficient schools. The center portion of the city has low access to proficient schools. Therefore, in Morgan Hill, households living in publicly supported housing are more likely to live in areas with lower access to proficient schools.

Contributing Factors of Publicly Supported Housing Location and Occupancy

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing issues related to publicly supported housing, including Segregation, R/ECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor that is significant, note which fair housing issue(s) the selected contributing factor relates to.

Please see the Appendix for the following Contributing Factors to Publicly Supported Housing Location and Occupancy:

- Admissions and occupancy policies and procedures, including preferences in publicly supported housing
- Community opposition
- Displacement of residents due to economic pressures
- Displacement of and/or lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking
- Impediments to mobility
- Lack of access to opportunity due to high housing costs
- Lack of meaningful language access for individuals with limited English proficiency
- Lack of local or regional cooperation
- Lack of private investment in specific neighborhoods
- Lack of public investment in specific neighborhoods, including services and amenities
- Land use and zoning laws
- Loss of affordable housing

- Occupancy codes and restrictions
- Quality of affordable housing information programs
- Siting selection policies, practices, and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs
- Source of income discrimination

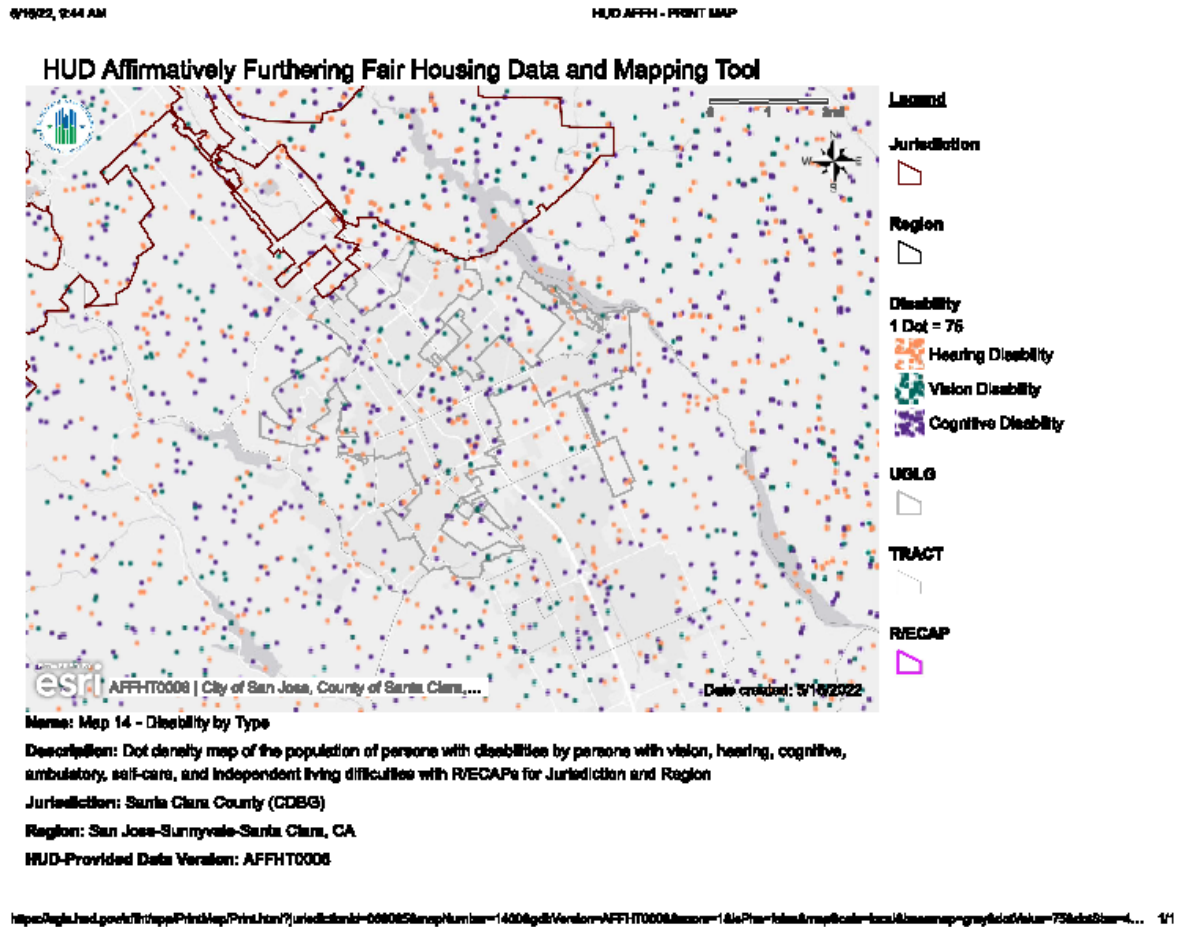
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d. Disability and Access Analysis

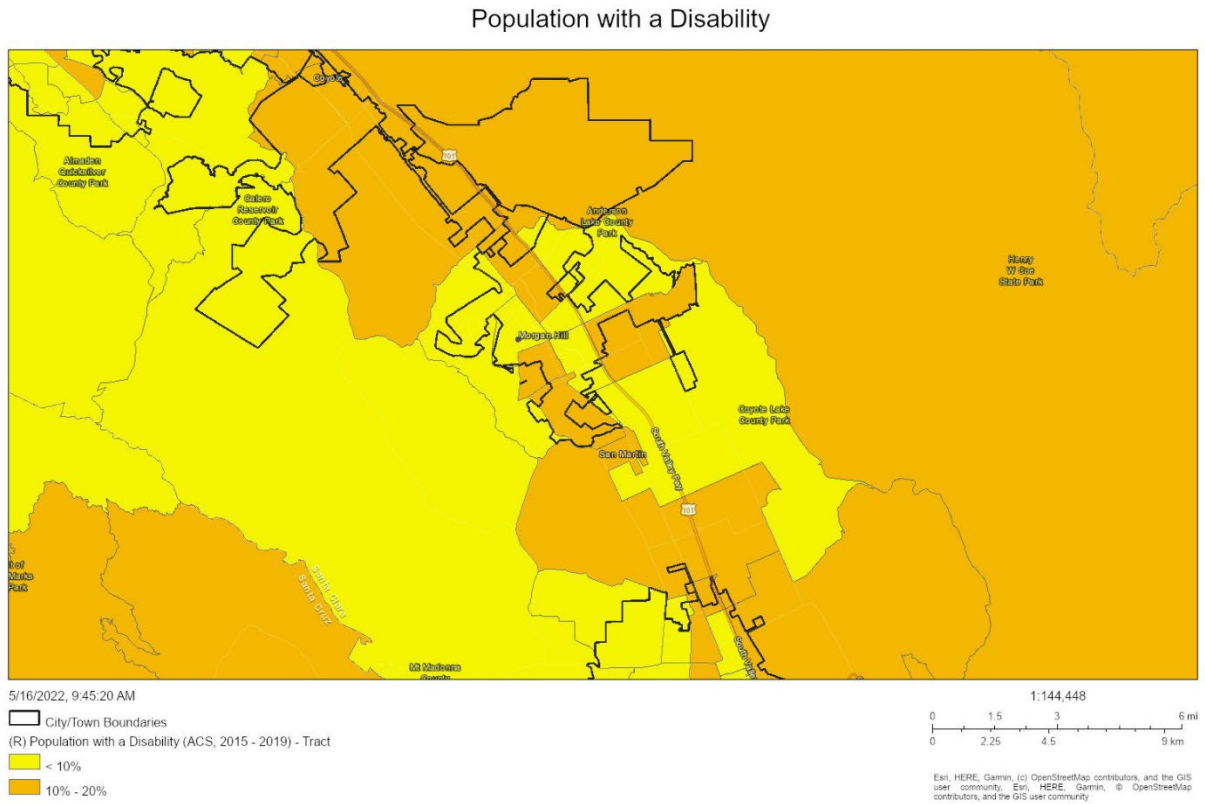
In 1988, Congress extended the Fair Housing Act's protections against housing discrimination to people with disabilities. In addition to protection against intentional discrimination and unjustified policies that have disproportionate effects, the Fair Housing Act includes three provisions that are unique to persons with disabilities. First, the Fair Housing Act prohibits the denial of requests for reasonable accommodations for persons with disabilities if said accommodations are necessary to afford an individual equal opportunity to use and enjoy a dwelling. Reasonable accommodations are departures from facially neutral policies and are generally available, so long as granting the accommodation request would not place an undue burden on the party providing the accommodation or result in a direct threat to the health or safety of others. Permitting an individual with an anxiety disorder to have a dog in their rental unit as an emotional support animal despite a broad "no pets" policy is an example of a reasonable accommodation. Second, the Act also prohibits the denial of reasonable modification requests. Modifications involve physical alterations to a unit, such as the construction of a ramp or the widening of a door frame, and must be paid for by the person requesting the accommodation unless the unit receives federal financial assistance and is subject to Section 504 of the Rehabilitation Act. Lastly, the design and construction provision of the Fair Housing Act requires most multi-family housing constructed since 1991 to have certain accessibility features. This section of the Assessment looks at the housing barriers faced by persons with disabilities, including those that result in the segregation of persons with disabilities in institutions and other congregate settings.

1. Population Profile

Map 1: Disability by Type (Hearing, Vision, Cognitive), Morgan Hill



Map 4: Population with a Disability, Morgan Hill



County of Santa Clara, County of Santa Cruz, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development

Table 1: Disability by Type, Morgan Hill

Disability Type	#	%
Hearing Difficulty	1,282	2.9%
Vision Difficulty	725	1.6%
Cognitive Difficulty	1,509	3.6%
Ambulatory Difficulty	1,881	4.5%
Self-Care Difficulty	885	2.1%
Independent Living Difficulty	1,381	4.2%

1.a. How are people with disabilities geographically dispersed or concentrated in the jurisdiction and region, including R/ECAPs and other segregated areas identified in previous sections?

ACS Disability Information

Morgan Hill has a moderate proportion of residents with disabilities. According to the 2019 American Community Survey (ACS) 5-Year Estimate, roughly 4,033 residents of Morgan Hill have disabilities—9.1% of the total population.⁵ Of the non-institutionalized residents, 1,881 have ambulatory difficulties⁶; 1,282 have hearing difficulties; 1,381 have independent living difficulties; 1,509 have cognitive difficulties; 885 have self-care difficulties, and 725 have vision difficulties.⁷

Of the total population of people with disabilities, 106 individuals or approximately 2.6 percent of people with disabilities in Morgan Hill between the age of 20 to 64 have incomes below the poverty line, by contrast, 852 individuals below the poverty line do not have a disability.⁸ Median earnings for people without disabilities in Morgan Hill is \$58,721, while it is only \$34,700 for people with disabilities.⁹ This disparity in income between individuals with or without a disability means that individuals without a disability have median earnings that are \$20,000 dollars more than those with a disability. The economic gap for people with disabilities is likely even greater in reality, as the data does not include institutionalized individuals. There is not census data categorized by disability type for individuals living below the poverty line in Morgan Hill, so it is difficult to ascertain how many residents are in need of accessible and affordable units. Furthermore, the data does

⁵<https://data.census.gov/cedsci/table?q=morgan%20hill&t=Disability&tid=ACSST5Y2019.S1810>

⁶ The definition of ambulatory disabilities is “having serious difficulty walking or climbing stairs.” People with ambulatory disabilities may not need a fully accessible unit, particularly if they do not use wheelchairs. They may require a unit on the ground floor or in an elevator building, perhaps with some architectural modifications. Therefore, ambulatory disabilities is not a perfect indicator of the number of accessible mobility units needed since some people with ambulatory disabilities do not necessarily move to a wheelchair.

⁷ <https://data.census.gov/cedsci/table?q=morgan%20hill&t=Disability&tid=ACSST5Y2019.S1810>

⁸ <https://data.census.gov/cedsci/table?q=Morgan%20Hill,%20California%20Income%20and%20Poverty&t=Disability&tid=ACSST5Y2020.B23024>

⁹ <https://data.census.gov/cedsci/table?q=Morgan%20Hill,%20California%20Income%20and%20Poverty&t=Disability>

not indicate how much overlap there is between these categories, nor does the data say how many of those individuals need accessible units.¹⁰

Geographic Concentration and Patterns

People with disabilities in Morgan Hill are relatively evenly dispersed throughout the city but more individuals with hearing or cognitive difficulties tend to be concentrated in two census tracts: 5123.14 and 5123.09, while individuals with ambulatory and independent living difficulties are more concentrated in the central and western portions of the city with some residents dispersed throughout the eastside, however, very few residents with these types of disabilities live near the central corridor. No R/ECAPs are displayed on the map of Morgan Hill.

1.b. Describe whether these geographic patterns vary for people with each type of disability or for people with disabilities in different age ranges for the jurisdiction and region.

Individuals with ambulatory disabilities are most numerous but are dispersed relatively evenly throughout the city. All categories of disabilities become more prevalent as individuals age, with the number of people in the region 65 and over (4,001) with a disability outnumbering the amount of people under 65 (2,265) with a disability. People above 65 with disabilities are also relatively evenly distributed throughout the city. In terms of age, individuals between the age of 18 to 64 are mostly concentrated in the norther side of the City, individuals over 64 tend to be clustered in the central and western portions of the city and the few individuals below the age of 18 appear to be scattered throughout in no discernible pattern.

2. Housing Accessibility

2.a. Describe whether the jurisdiction and region have sufficient affordable, accessible housing in a range of unit sizes.

Accessibility Requirement for Federally-Funded Housing

HUD's implementation of Section 504 of the Rehabilitation Act of 1973 (24 CFR Part 8) requires that publicly supported federal housing developments make 1) five percent (5%) of total units accessible to individuals with mobility impairments and 2) an additional two percent (2%) of total units accessible to individuals with sensory disabilities.¹¹ It requires that each property, including site and common areas, meet the Federal Uniform Accessibility Standards (UFAS) or HUD's Alternative Accessibility Standard. Public Housing and Project-Based Section 8 units are both considered to be Publicly Supported Housing subject to its mandate.

In Morgan Hill, there are 0 public housing units and 30 Project-Based Section 8 units, all of which are subject to Section 504 of the Rehabilitation Act. As of 2020, 7% of residents living in Project-Based Section 8 units in Morgan Hill are persons with disabilities, but it is unknown how many of the Project-Based Section 8 units are accessible or what portion of the 7% require accessible units. It is also possible that more than 7% of Project-Based Section 8 residents have disabilities but that there is an undercount because publicly supported housing developments often classify residents as elderly or as having a disability but not as both. This occurs even though elderly individuals are more likely to have disabilities than the broader population. Assuming that each of

¹¹ 24 CFR § 8.22 (b).

Morgan Hill's two Project-Based Section 8 developments has the number of accessible units required by Section 504, there would be two units accessible to individuals with mobility disabilities and two units accessible to individuals with sensory disabilities in the city – one of each type of accessible unit in each development.

Low Income Housing Tax Credit (LIHTC) Units

According to data from HUD's LIHTC database, there are 1,009 low-income units in LIHTC-financed developments in Morgan Hill.

The question of whether Section 504 or Title II of the Americans with Disabilities Act applies to LIHTC developments has not been resolved by the courts.¹² However, in 2015, the California Tax Credit Allocation Committee (CTCAC) issued guidance stating that the California Building Code (CBC) for public housing (Chapter 11B) accessibility requirements also apply to LIHTC developments. Chapter 11B is the California equivalent of the 2010 ADA Standards. Section 1.9.1.2.1. of the CBC states that the accessibility requirements apply to "any building, structure, facility, complex . . . used by the general public." Facilities made available to the public, include privately owned buildings. CTCAC has even increased the ADA's required number of units: 10% of total units in a LIHTC development must be accessible to people with mobility disabilities and 4% must be accessible to people with sensory (hearing/vision) disabilities. All but one of Morgan Hill's LIHTC developments predate these requirements, so it is difficult to say if any units are fully accessible for building constructed prior to 2015 (though all of the city's LIHTC developments were subject to the Fair Housing Act's less extensive design and construction standards at the time of construction). The only site post-dating this law is the Morgan Hill Family-Scattered Site newly constructed in 2018 which offer four bedrooms accessible to individuals with mobility impairments and one unit for individuals with sensory impairments.

Also, effective 2015, CTCAC requires that 50% of total units in a new construction project and 25% of all units in a rehabilitation project located on an accessible path be mobility accessible units in accordance with CBC Chapter 11B. CTAC also provides incentives for developers to include additional accessible units through its Qualified Allocation Plan. Morgan Hill does not have readily available information on new construction or rehabilitation projects on accessible paths, so there is some uncertainty in calculating a definitive number of units.

Housing Choice Vouchers

Housing Choice Vouchers make otherwise unaffordable housing in the private market, which may or may not be accessible, available to low-income people, including those with disabilities. There are 336 Housing Choice Vouchers in use in Morgan Hill. Of this total, 19% of individuals in households with vouchers are people with disabilities. However, this does not represent a proxy for actual accessible units, as it is not certain that the 19% of tenants with disabilities actually live in accessible units within the publicly supported housing. Unless another source of federal financial assistance is present, units assisted with Housing Choice Vouchers are not subject to Section 504. Of course, participating landlords remain subject to the Fair Housing Act's duty to provide reasonable accommodations and to allow tenants to make reasonable modifications at their own expense. Even assuming that all 19% of people with disabilities using vouchers have

¹² Title II of the ADA prohibits discrimination on the basis of disability in all service, programs, and activities provided to the public by non-federal governmental entities except transportation services. The 2010 ADA Standards (ADAS) differ from Section 504 in some respects but essentially, they contain the same types of requirements including the requirement for 5% mobility units and 2% hearing/vision units.

accessible units, which is almost certainly an overestimation, the absolute number of accessible units is 64.

Fair Housing Amendments Act Units

The Fair Housing Amendments Act of 1988 (FHAA) covers all multifamily buildings of four or more units that were first occupied on or after March 13, 1991 – not just affordable housing developments. The FHAA added protections for people with disabilities and prescribed certain basic accessibility standards, such as having at least one building entrance that is accessible; an accessible route throughout the development; and public rooms and common rooms that are accessible. 42 U.S.C. § 3604(f)(3)(c). Although these accessibility requirements are not as extensive as those of Section 504, they were an important first step in making many apartment developments accessible to people with disabilities. Given its broad application to housing, regardless of federal funding, the FHAA has benefited many middle-income and upper-income people with disabilities who also need accessible housing. Notwithstanding the fact that units subject to the FHAA are not fully accessible, these units are an important source of housing for people with disabilities.

In Morgan Hill, there are 580 units in structures with five or more units that have been built from 2000 to the present and a further 596 built from 1980 through 1999. Because the FHAA does not mandate a certain number of accessible units like Section 504 or ADA Title II, it cannot be utilized as a proxy for the number of accessible housing units available. Additionally, it is not possible to determine the number of units in structures with exactly four units built from 1991 to the present as the American Community Survey reports individual units in four-unit structures in a combined category with duplexes and triplexes.

Accessible Units for Families with Children.

Unfortunately, data breaking down the number of private affordable, accessible units by number of bedrooms is not available. For Publicly Supported Housing, most (64%) of Project-Based Section 8 units are studios or one-bedroom units while 36% have three or more units. This suggests that one of the two developments in the city is oriented towards seniors while the other is family-occupancy. For Housing Choice Vouchers, there is a more even distribution of unit sizes for families, as 29% of HCVs holders live in studio or one-bedroom units, while 37% live in two-bedroom units, and 34% live in units with three or more bedrooms.

Table 2, Publicly Supported Housing by Units and Households with Children

	Households in 0-1 Bedroom Units	Households in 2 Bedroom Units	Households in 3+ Bedroom Units	Households with Children
Housing Type	%	%	%	%
Public Housing	N/A	N/A	N/A	N/a
Project-Based Section 8	64%	0%	36%	18%
Other Multifamily	N/A	N/A	N/A	N/A

HCV Program	29%	37%	34%	42%
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Summary

The supply of affordable, accessible units in Morgan Hill is insufficient to meet the need. In the city, some 1,282 residents have a hearing difficulty, 725 residents have a vision difficulty, and 1,881 residents have an ambulatory difficulty, potentially requiring the use of accessible units. Assuming full compliance with federal law and regulations, the only accessible units that can be confirmed with certainty are the four Section 8 units subject to Section 504's requirements and the 5 LIHTC units mandated by its California regulatory equivalent.

2.b. Describe the areas where affordable, accessible housing units are located in the jurisdiction and region. Do they align with R/ECAPS or other areas that are segregated?

Affordable, accessible housing is mostly concentrated in neighborhoods adjacent to Monterey Road. This area has the highest percentage of voucher holders and LIHTC developments. Morgan Hill does not have any R/ECAPS, however, there is a large concentration of Hispanic residents living in the same area where voucher holders are present in higher numbers.

2.c. To what extent are people with different disabilities able to access and live in the different categories of publicly supported housing in the jurisdiction and region?

Table 3: Disability by Publicly Supported Housing Program Category

Morgan Hill	People with a Disability
	%
Public Housing	N/A
Project-Based Section 8	7%
Other Multifamily	N/A
HCV Program	19%

The American Community Survey does not facilitate the disaggregation of the population of people with disabilities by income, so it is impossible to determine what percentage of households that are income-eligible for Publicly Supported Housing include one or more people with disabilities. As the table above reflects, the portion of people with disabilities appears to be over-represented in HCVs and underrepresented at project-based-voucher properties.

3. Integration of People with Disabilities Living in Institutions and Other Segregated Settings

3.a. To what extent do people with disabilities in or from the jurisdiction or region reside in segregated or integrated settings?

Up until a wave of policy reforms and court decisions in the 1960s and 1970s, states, including California, primarily housed people with intellectual and developmental disabilities and individuals with psychiatric disabilities in large state-run institutions. In California, institutions for people with intellectual and developmental disabilities are called developmental centers, and institutions for people with psychiatric disabilities are called state hospitals. Within these institutions, people with disabilities have had few opportunities for meaningful interaction with individuals without disabilities, limited access to education and employment, and a lack of individual autonomy.

The transition away from housing people with disabilities in institutional settings and toward providing housing and services in home and community-based settings accelerated with the passage of the Americans with Disabilities Act in 1991 and the U.S. Supreme Court's landmark decision in *Olmstead v. L.C.* in 1999. In *Olmstead*, the Supreme Court held that, under the regulations of the U.S. Department of Justice (DOJ) implementing Title II of the Americans with Disabilities Act (ADA), if a state or local government provides supportive services to people with disabilities, it must do so in the most integrated setting appropriate to the needs of a person with a disability and consistent with their informed choice. This obligation is not absolute and is subject to the ADA defense that providing services in a more integrated setting would constitute a fundamental alteration of the state or local government's programs.

The transition from widespread institutionalization to community integration has not always been linear, and concepts of what comprises a home and community-based setting have evolved over time. Although it is clear that developmental centers and state hospitals are segregated settings and that an individual's own house or apartment in a development where the vast majority of residents are individuals without disabilities is an integrated setting, significant ambiguities remain. Nursing homes and intermediate care facilities are clearly segregated though not to the same degree as state institutions. Group homes fall somewhere between truly integrated supported housing and such segregated settings, and the degree of integration present in group homes often corresponds to their size.

Below, this assessment includes detailed information about the degree to which people with intellectual and developmental disabilities and individuals with psychiatric disabilities reside in integrated or segregated settings. The selection of these two areas of focus does not mean that people with other types of disabilities are never subject to segregation. Although the State of California did not operate analogous institutions on the same scale for people with ambulatory or sensory disabilities, for example, many people with disabilities of varying types face segregation in nursing homes. Data concerning people with various disabilities residing in nursing homes is not as available as data relating specifically to people with intellectual and developmental disabilities and people with psychiatric disabilities.

Table 4: Intellectual and Developmental Disabilities, Performance of Tri-Counties Regional Center, December 2018

Dec. 2018 Performance Reports	Fewer consumers live in developmental centers	More children live with families	More adults live in home settings	Fewer children live in large facilities (more	Fewer adults live in large facilities (more

				than 6 people)	than 6 people)
State Average	0.21%	99.32%	79.61%	0.04%	2.47%
San Andreas Regional Center	0.04%	98.95%	78.32%	0.04%	1.58%

In California, a system of regional centers is responsible for coordinating the delivery of supportive services primarily to individuals with intellectual and developmental disabilities. The regional centers serve individuals with intellectual disabilities, individuals with autism spectrum disorder, individuals with epilepsy, and cerebral palsy. These disabilities may be co-occurring. Although there is some variation from regional center to regional center, individuals with intellectual disabilities and individuals with autism spectrum disorder predominate among consumers. All data regarding the regional centers is drawn from their annual performance reports.

In the region, there is one regional center – the San Andreas Regional Center – that serves all of Santa Clara County and San Benito County, as well as Monterey and Santa Cruz Counties just to the south and southwest of the region. Unfortunately, the San Andreas Regional Center does not disaggregate its publicly reported data by county or city to allow a Santa Clara County-specific or city-specific analysis. Nonetheless, since Santa Clara County is significantly larger than the other three counties combined, most of what is reflected in data from the San Andreas Regional Center reflects conditions in Santa Clara County, though Morgan Hill is not representative of Santa Clara county as a whole.

On an annual basis, these regional centers report to the California Department of Developmental Services on their performance in relation to benchmarks for achieving community integration of persons with intellectual and developmental disabilities. As reflected in the table above, the San Andreas Regional Center simultaneously has lower rates of persons with developmental disabilities living in institutional settings but also lower rates of persons with developmental disabilities living in home or family-based settings than statewide. In some cases, disparities between the San Andreas Regional Center and the state are very small and may not support an inference that structural factors are playing a particularly acute role in perpetuating the segregation of persons with intellectual and developmental disabilities in the region.

California is in the process of closing all development centers to transition these residents into the community. At the end of 2018, the California Department of Developmental Services closed the Sonoma Developmental Center, which was the last remaining large, state-run institution for persons with developmental disabilities in the Bay Area. Porterville Developmental Center, located in the Central Valley, is the closest remaining institution to Morgan Hill. The facility was scheduled to close by the end of 2021 but remains open with no new closure date announced. As of November 2019, there were between 1 and 10 individuals from the area served by the San Andreas Regional Center residing in developmental centers like the Porterville Developmental Center.

The San Andreas Regional Center reports the number of individuals served by type of setting by race or ethnicity. The categories included are Home, Residential, ILS/SLS, Institutions, Med/Rehab/Psych, and Other. The category of Home includes the home of a parent or guardian,

a foster home for children, and a family home for adults. The category of Residential includes community care facilities and intermediate care facilities (ICFs) and continuous nursing. The category of ILS/SLS solely includes independent living and supported living. Institutions include developmental centers, state hospitals, and correctional institutions. The category of Med/Rehab/Psych includes skilled nursing facilities, psychiatric treatment facilities, rehabilitation centers, sub-acute care, and community treatment facilities. The Other category includes individuals who are homeless as well as individuals who do not fall into any category (and one individual living outside of California). In general, Home and ILS/SLS settings are the most integrated, and Institutions and Med/Rehab/Psych are the most segregated. Residential settings fall somewhere in between with community care facilities being more integrated than ICFs within the category. Clearly, homelessness is not consistent with meaningful community integration. The table below reflects the percentage of individuals with intellectual or developmental disabilities served in each type of setting.

Table 5 – Type of Setting by Race or Ethnicity, San Andreas Regional Center, 2018-2019

Type of Setting	Total Served	% Non-Hispanic White	% Black	% Asian or Pacific Islander	% Hispanic	% Other or Multi-Racial
Home	17,265	20.7%	1.6%	21.1%	42.7%	13.1%
Residential	1,859	59.0%	3.8%	11.3%	19.3%	6.2%
ILS/SLS	1,229	62.2%	4.8%	6.5%	20.6%	5.6%
Institutions	20	25.0%	5.0%	20.0%	35.0%	15.0%
Med/Rehab/Psych	81	40.7%	3.7%	18.5%	28.4%	7.4%
Other	65	40.0%	9.2%	4.6%	33.8%	12.3%

In the service area of the San Andreas Regional Center, Asian or Pacific Islander residents appear to be underrepresented in the population receiving services for intellectual and developmental disabilities. With respect to individual types of settings, Hispanic residents are most likely to reside in home-based settings while White residents have the greatest access to independent living and supported living environments. Black residents are overrepresented in Institutions and Other, which includes homelessness. This data suggests that, for Black individuals with intellectual and developmental disabilities, the effects of mass incarceration on their prospects for integration may be compounded by both race and disability status. The high representation of Hispanic residents in home-based settings and their low concentration in independent living and supported living settings may suggest a need for planning around helping adults with developmental disabilities who are living with their parents gain access to and transition to independent living when their parents are no longer able to serve as care providers.

Overall, this data shows that, within the County and the region, persons with intellectual and developmental disabilities are typically at least slightly less likely to be segregated in institutional settings than statewide. The data shows that a minority of adults with intellectual and developmental disabilities, in particular, reside in comparatively segregated, congregate settings. It is highly likely that not all persons with intellectual and developmental disabilities who would like to live in integrated settings in the County, the cities of Cupertino, Gilroy, Mountain View, Palo

Alto, San Jose, Santa Clara, and Sunnyvale, and the region have the opportunity to do so. The trend in Morgan Hill closely follows the pattern for the region as a whole with more individuals with developmental disabilities living in home settings versus institutionalized ones. Based on its latest Housing Element, Morgan Hill has 235 residents who live at home with a guardian, 30 residents living in group homes, 16 residents living in independent or supportive housing, and 4 residents in “other” housing.¹³

Psychiatric Disabilities

Napa State Hospital is the primary large institution for individuals with psychiatric disabilities serving the part of California including Morgan Hill. As of November 2016, the facility had 1,267 patients, slightly over its official capacity of 1,255 beds. The hospital’s website breaks down the patient population among four categories of admittees. 47% were committed by virtue of being found not guilty of a crime by reason of insanity. 30% were committed because they had been found incompetent to stand trial. 17% were civilly committed. Lastly, 6% were classified as mentally disordered offenders. Thus, a significant majority of individuals with psychiatric disabilities institutionalized within Northern California reside in institutions because of contact with the criminal justice.

The Department of State Hospitals does not disaggregate publicly available data about patients by county of origin nor does it disaggregate detailed demographic data about patients by hospital. Nonetheless, some system-wide information is useful. Across California, those institutionalized in state hospitals are disproportionately male (87%), Black (25%), and have low levels of educational attainment (79% lack a high school diploma). This data is consistent with the fact that the criminal justice system is the primary gateway into the state hospital system. 4.3% of all residents of state hospitals and participants in jail-based mental health treatment statewide are from Santa Clara County. The most common diagnosis for patients (40%) is schizophrenia followed by schizoaffective disorder (24%). Interventions, like those offered through the Santa Clara County Behavioral Health Services’ Criminal Justice Services program, that target non-punitive services to children and transition-age youth in overpoliced, disproportionately Hispanic and Black communities in the County could advance efforts to reduce the institutionalization of persons with psychiatric disabilities in state hospitals, jails, and prisons.

Santa Clara County Behavioral Health Services is responsible for coordinating the provision of supportive services for persons with psychiatric disabilities in Santa Clara County, including Morgan Hill. The only facility in Morgan Hill that provides residential psychiatric services is Community Solutions La Casa Del Puente Treatment Center, there are also facilities nearby in San Jose and Santa Cruz. Gradually phasing out the use of these inpatient settings and reducing their scale while increasing the availability of supportive housing, with intensive services and supports if needed and chosen by the patient, would increase the integration of persons with psychiatric disabilities in Santa Clara County.

3.b. Describe the range of options for people with disabilities to access affordable housing and supportive services in the jurisdiction and region.

Morgan Hill does not have specific programs to assist people with disabilities in accessing housing. Through its partnership with Housekeys, the City administers the below market rate rental program to assist low-income individuals in becoming homeowners, which would

¹³ https://www.morgan-hill.ca.gov/DocumentCenter/View/40365/DRAFT-H1_MH-HE_Housing_Needs_Assessment?bidId=

theoretically help people with disabilities, given their on-average lower earnings. The City also partners with a number of organizations that help seniors obtain housing, who are more likely to have disabilities. The City also provides a database on its website that links to various low-income housing resources including a list of existing and planned affordable housing and supportive services throughout the City and region.¹⁴

In Santa Clara County, the primary source of affordable housing available to persons with disabilities consists of permanent supportive housing built with the assistance of Measure A bond funds. The County's Office of Supportive Housing has prioritized the use of Measure A funds for permanent supportive housing, specifically seeking developments in which at least 50% of units are permanent supportive housing through its notice of funding availability. Although early funded developments focused most heavily on meeting the housing needs of chronically homeless individuals with disabilities who frequently have psychiatric disabilities, the County's most recent notice of funding availability includes a set-aside of funds for development of permanent supportive housing for persons with developmental disabilities. One concern is that 50% is a higher concentration of persons with disabilities than is typically considered truly integrated when developing permanent supportive housing. Reducing that target to 25% would foster community integration while still yielding a large number of units. Still, the Measure A Bond have been somewhat successful in expanding affordable accessible housing with at least 1,690 units approved for construction to meet the needs of the chronically homeless and persons with disabilities and their families.¹⁵

Additionally, the Santa Clara County Housing Authority has multiple waiting list preferences that have the effect of increasing access to affordable housing for persons with disabilities. These include its Chronically Homeless Direct Referral Program, Special Needs Population Direct Referral Program, Veterans Affairs Supportive Housing Program, and Mainstream Voucher Program. These programs likely contribute to the higher levels of access that persons with disabilities have to the Housing Choice Voucher program in Santa Clara County and its cities than they do to other publicly supported housing programs.

Morgan Hill has been able to construct one building with supportive housing units and is planning to develop a second project through funding provided by Measure A bonds.¹⁶ Opened since January 2020, the Crossings on Monterrey is an affordable housing development offering 39 affordable units, 20 of which are reserved for supportive housing needs. The other development, Royal Oak Village, will provide 71 units with 18 reserved for supportive housing at completion. The City also has several affordable housing developments targeting seniors including: Sycamore Glen, Horizons, Bella Terra Apartments, the Lodge at Morgan Hill, and the Huntington. Because seniors will often have disabilities as well, these developments also provide affordable housing for elderly residents with disabilities.¹⁷

4. Disparities in Access to Opportunity

¹⁴ <https://www.morgan-hill.ca.gov/DocumentCenter/View/19598/Housing-Resource-Guide-Updated-08-20-2021?bidId=>

¹⁵ <https://osh.sccgov.org/sites/g/files/exjcpb671/files/documents/Measure%20A%201-pager%202022%20-%20Final.pdf>

¹⁶ <https://housingtoolkit.sccgov.org/tools/supportive-housing-map>

¹⁷ <https://www.morgan-hill.ca.gov/DocumentCenter/View/19598/Housing-Resource-Guide-Updated-08-20-2021?bidId=>

4.a. To what extent are people with disabilities able to access the following in the jurisdiction and region? Identify major barriers faced concerning:

i. Government services and facilities

Morgan Hill's website does not provide information on its accessibility policies, except for stating its guarantee that its website itself is accessible and compliant with Section 508 of the Rehabilitation Act. There does not appear to be information about filing a complaint or grievance related to disabilities. If the City has an ADA/504 coordinator, they have not made that information easily accessible. The City's zoning code does provide a procedure to request a reasonable accommodation in land use, zoning, and building regulations for individuals with a disability.¹⁸ Notice of an individual's right to request a reasonable accommodation will be posted in City Hall and forms to apply for one will also be available there.

ii. Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)

Although the City does not have ordinances related to accessible public infrastructure requirements, it has passed several community development policies that touch upon this issue. First, recreational activities must be accessible to individuals with a disability.¹⁹ Second, "all facilities shall comply with State and Federal accessibility codes and standards" including the Americans with Disability Act (ADA) and California Access Code (Title 24, California Code of Regulation).²⁰

iii. Transportation

Morgan Hill is part of the regional Community Based Transportation Plan and recently conducted a study to identify the transportation needs of its residents with a particular focus on vulnerable communities.²¹ One project designed to further transit access is the Morgan Hill Transit Center, a regional transportation hub in the southern part of Santa Clara County. Presently the site provides a designated area for individuals with disabilities to board the train and shaded waiting areas. Two accommodations that provide easier and safer access to transit. In its downtown area, the City plans to build several pedestrian improvements including more accessible sidewalks for residents. Additional transportation supports for individuals with disabilities are available through the VTA which provides paratransit services though those services can be expensive and time-consuming.

iv. Proficient schools and educational programs

The Morgan Hill Unified School District provides a range of disability services for residents up to the age of 22. Such programming includes "Individualized Education Planning," which is a plan designed to meet the individual needs of the student based on adequate assessment.²² The District also offers an employment training program called the "Transition Partnership Program" to students ranging from 14 to 22, that gives mentorship, general training, and job opportunities to program participants. Despite these available services, students with disabilities in Morgan Hill

¹⁸ Morgan Hill Muni. Code, § 18.118.010.

¹⁹ C.D. 18.a

²⁰ C.D. 18.e

²¹ https://www.vta.org/sites/default/files/2021-05/Morgan%20Hill_CBTP_Report%20Final.pdf

²² <https://www.cde.ca.gov/sp/se/as/caselpas.asp>

rank 15th out of 28 districts in math and reading comprehension with only 18% of these students deemed proficient in English and only 12% deemed proficient in math.²³

v. Jobs

Data in Morgan Hill shows that for the most part very few individuals with disabilities are employed, comprising less than 3.4% of the total labor force.²⁴ The data also shows that the median wage for these employees is also nearly 20,000 dollars less than for individuals without a disability. When compared to the County as a whole, there is a significant disparity in employment opportunities for individuals with disabilities in Morgan Hill with a notably lower percentage of residents actively employed. It is clear that people with disabilities face many barriers in obtaining employment. It should be noted that the table includes elderly individuals in the population assessed. That may make this data seem more dramatic than it truly is, but low levels of access to employment for people with disabilities nonetheless remain a problem.

Few job training programs are available locally in Morgan Hill, but there is a vocational services program called Social Vocational Services in San Jose that provides educational training and supports for those with cognitive impairments.²⁵

Table 6: 2013-2017 ACS 5-year Estimates, civilian noninstitutionalized population with disabilities aged 16 and over, employment and disability

	% in Labor Force	% Employed
Santa Clara County	24.4%	21.4%
San Jose-Sunnyvale, Santa Clara, CA Region	24.5%	21.5%
Morgan Hill	3.6%	3.4%

The table below corroborates this trend, showing low levels of employment for persons with developmental disabilities who receive services through the San Andreas Regional Center. The San Andreas Regional Center appears to slightly lag statewide averages with respect to the percentage of individuals with earned income but part of that gap may result from a lower proportion of individuals working in segregated settings like sheltered workshops.

Table 7: 2016 Employment Metrics for Adults with Intellectual and Developmental Disabilities, San Andreas Regional Center

²³ <https://innovateschools.org/wp-content/uploads/2021/01/2017-Spotlight-on-Students-with-Disabilities-in-Schools-within-SJUSD.pdf>

²⁴ <https://data.census.gov/cedsci/table?q=Morgan%20Hill&t=Disability&tid=ACSDT5Y2020.C18120>

²⁵ <https://socialvocationalservices.org/>

Regional Center	Percentage of Adults Earning Below Minimum Wage	Percentage of Consumers with Earned Income	Percentage of Adults with a Paid Job in a Community-Based Setting	Percentage of Adults with Integrated Employment As a Goal in Their Individual Program Plan	Percentage of Adults Current Unemployed But Wanting a Job in the Community
State Average	57%	14.2%	13%	27%	45%
San Andreas Regional Center	54%	11.3%	13%	23%	45%

4.b. Describe the processes that exist in the jurisdiction and region for people with disabilities to request and obtain reasonable accommodations and accessibility modifications to address the barriers discussed above.

i. Government services and facilities

Morgan Hill's website includes readily identifiable accessibility pages that provide key information regarding website accessibility and the process for requests related to that subject.²⁶ The website does not have easily identifiable resources regarding how to submit a reasonable accommodation more broadly.

The code of ordinances does provide for a process for applying for a reasonable accommodation in regulations related to zoning and land use. In addition, the City's website provides information on how to request an accommodation for public hearings and meetings.

ii. Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)

Morgan Hill does not have a readily identifiable online tool for requesting accessibility improvements, such as curb cuts.

iii. Transportation

The VTA, which serves Morgan Hill, has a clear, dedicated page that describes its reasonable accommodations process, though it is not specific to Morgan Hill. The VTA's policy appears to be consistent with legal requirements and best practices.

iv. Proficient schools and educational programs

Morgan Hill school district's website provides a wealth of information for parents and families in need of special education services. Not only does it provide information on how to access supportive services, the website also offers information on students' rights and the array of programs available to students in need of special supports. But no information is posted about

²⁶ <https://www.morgan-hill.ca.gov/site/accessibility>

how to request a reasonable accommodation or the districts' policies regarding the evaluation of requests. This leaves a gap with respect to students who simultaneously have disabilities, such as mobility impairments, but may not require ongoing special education services. School districts should add content describing their reasonable accommodation policies to their websites.

v. Jobs

It is generally very difficult to find information online regarding employers' reasonable accommodation policies and practices, but the ADA requires most private employers and all state and local entities to provide reasonable accommodations if the requester satisfies the legal conditions for an accommodation.

4.c. Describe any difficulties in achieving homeownership experienced by people with disabilities and by people with different types of disabilities in the jurisdiction and region.

The American Community Survey does not disaggregate disability status by housing tenure. Accordingly, it is not possible to precisely determine the homeownership rate for people with disabilities. Additionally, this Assessment did not reveal any local studies on homeownership among people with disabilities or lending discrimination against people with disabilities in Morgan Hill. Nationally, people with disabilities often face specific barriers in the mortgage lending process, including disparate treatment by mortgage brokers and failures to treat disability income as income. Despite the shortcomings in the California Fair Employment and Housing Act's source of income protections, as interpreted by the courts, that law unambiguously prohibits discrimination in mortgage lending on the basis of receipt of Supplemental Security Income or Social Security Disability Income. Thus, people with disabilities have more protection from lending discrimination in California than they do in many other states.

Contributing Factors of Disability and Access

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing issues related to disability and access, including Segregation, R/ECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor that is significant, note which fair housing issue(s) the selected contributing factor relates to.

Please see the Appendix for the following Contributing Factors to Disability and Access:

- Access for persons with disabilities to proficient schools
- Access to publicly supported housing for persons with disabilities
- Access to transportation for persons with disabilities
- Inaccessible public or private infrastructure
- Lack of access to opportunity due to high housing costs
- Lack of affordable, accessible housing in range of unit sizes
- Lack of affordable in-home or community-based supportive services;
- Lack of affordable, integrated housing for individuals who need supportive services
- Lack of assistance for transitioning from institutional settings to integrated housing;
- Lack of local or regional cooperation
- Land use and zoning laws
- Lending discrimination

- Location of accessible housing
- Loss of Affordable Housing
- Occupancy codes and restrictions
- Regulatory barriers to providing housing and supportive services for persons with disabilities
- Source of income discrimination
- State or local laws, policies, or practices that discourage or prohibit individuals with
- Disabilities from living in apartments, family homes, supportive housing, shared housing and other integrated settings

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e. Fair Housing Enforcement, Outreach Capacity and Resources

List and summarize any of the following that have not been resolved:

- A charge or letter of finding from HUD concerning a violation of a civil rights-related law;
- A cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law;
- Any voluntary compliance agreements, conciliation agreements, or settlement agreements entered into with HUD or the Department of Justice;
- A letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law;
- A claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing;
- Pending administrative complaints or lawsuits against the locality alleging fair housing violations or discrimination.

Presently, no outstanding fair housing complaints are unresolved in Morgan Hill, however, California's Department of Housing and Community Development AFFH Mapping Tool indicates that 12 complaints were made since 2013.²⁷ Of the total complaints, three were for disability discrimination, two were for racial discrimination, and 1 was for familial status discrimination, but no violation was found for any of these 12 complaints.²⁸ Given the relatively small proportion of complaints made, fair housing discrimination is not a pronounced issue here, however, this data alone does not show whether violations occurred but only whether a complaint for the violation was made. Therefore, the information provided should be viewed with this consideration in mind.

Describe any state or local fair housing laws. What characteristics are protected under each law?

California Laws

The State Department of Fair Employment and Housing (DFEH) enforces California laws that provide protection and monetary relief to victims of unlawful housing practices. The Fair Employment and Housing Act (FEHA) (Government Code Section 12955 et seq.) prohibits discrimination and harassment in housing practices, including:

- Advertising
- Application and selection process
- Unlawful evictions
- Terms and conditions of tenancy
- Privileges of occupancy
- Mortgage loans and insurance
- Public and private land use practices
- Unlawful restrictive covenants

The following categories are protected by FEHA:

- Race or color

²⁷ <https://www.arcgis.com/apps/webappviewer/index.html?id=4d43b384957d4366b09aeeae3c5a1f60>

²⁸ *Id.*

- Ancestry or national origin
- Sex, including Gender, Gender Identity, and Gender Expression
- Marital status
- Source of income
- Sexual orientation
- Familial status (households with children under 18 years of age)
- Religion
- Mental/physical disability
- Medical condition
- Age
- Genetic information

Although an individual with a criminal record is not considered a protected class under the law, new protections are in place to prevent a per se ban on individuals with criminal records. In 2021, California's Housing and Community Development agency issued regulations regarding the use of criminal records in housing applications. The regulation forbids "any practice of a person that includes seeking information about, consideration of, or use of criminal history information" when it results in a discriminatory effect or constitutes intentional discrimination, or a discriminatory statement. 2 C.C.R. § 12265. It also prohibits a housing provider's use of blanket bans on tenants with criminal histories and instead, requires the provider to use a multi-factor test to evaluate the applicant. 2 C.C.R. § 12269(5). Additionally, arrests or charges that did not lead to a conviction cannot be used in this criminal history review. 2 C.C.R. § 12265(a-b).

In addition, FEHA contains similar reasonable accommodations, reasonable modifications, and accessibility provisions as the Federal Fair Housing Amendments Act. FEHA explicitly provides that violations can be proven through evidence of the unjustified disparate impact of challenged actions and inactions and establishes the burden-shifting framework that courts and the Department of Fair Employment and Housing must use in evaluating disparate impact claims.

The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex, and sexual orientation. While the Unruh Civil Rights Act specifically lists "sex, race, color, religion, ancestry, national origin, disability, and medical condition" as protected classes, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics. In practice, this has meant that the law protects against arbitrary discrimination, including discrimination on the basis of personal appearance.

Furthermore, the Ralph Civil Rights Act (California Civil Code Section 51.7) forbids acts of violence or threats of violence because of a person's race, color, religion, ancestry, national origin, age, disability, sex, sexual orientation, political affiliation, or position in a labor dispute. Hate violence can include: verbal or written threats; physical assault or attempted assault; and graffiti, vandalism, or property damage.

The Bane Civil Rights Act (California Civil Code Section 52.1) provides another layer of protection for fair housing choice by protecting all people in California from interference by force or threat of force with an individual's constitutional or statutory rights, including a right to equal access to

housing. The Bane Act also includes criminal penalties for hate crimes; however, convictions under the Act may not be imposed for speech alone unless that speech itself threatened violence.

Finally, California Civil Code Section 1940.3 prohibits landlords from questioning potential residents about their immigration or citizenship status. In addition, this law forbids local jurisdictions from passing laws that direct landlords to make inquiries about a person's citizenship or immigration status.

In addition to these acts, Government Code Sections 11135, 65008, and 65580-65589.8 prohibit discrimination in programs funded by the State and in any land use decisions. Specifically, changes to Sections 65580-65589.8 require local jurisdictions to address the provision of housing options for special needs groups, including:

- Housing for persons with disabilities (SB 520)
- Housing for homeless persons, including emergency shelters, transitional housing, and supportive housing (SB 2)
- Housing for extremely low income households, including single-room occupancy units (AB 2634)
- Housing for persons with developmental disabilities (SB 812)

Although the FEHA purports to protect against source of income discrimination, the provision has been largely toothless. In October of 2019, the governor of California signed into law SB 329, prohibiting discrimination in housing based on source of income statewide.

Jurisdiction Ordinances

The City has passed several ordinances to expand the supply of affordable housing. In 2016, the City passed the Below Market Rate law that implements a program to preserve and increase the construction of affordable housing. The ordinance imposes deed restrictions on owner-based and rental-based properties, identifies eligible participants, and sets out the procedures to register and monitor these units as well as an enforcement provision for violations of the law.²⁹ To supplement and strengthen this law, the City enacted its inclusionary zoning ordinance in 2018. The new law requires that any new housing development of two or more units reserve at least ten percent of units for occupancy by very low, low, and moderate-income households.³⁰ But like other jurisdictions, the City allows for alternative means of satisfying this mandate including the payment of in-lieu fees, the construction of housing off-site or the donation of land for the construction of affordable units.³¹ The fees collected are exclusively earmarked for expenditures related to funding affordable housing.³²

The City's existing zoning code also raised potential fair housing related concerns. Previously, the predominating challenge to the expansion of affordable housing in Morgan Hill was its Residential Development and Control Ordinance that limited housing growth and did not exempt affordable housing units from this residential growth cap.³³ But in 2020, the State of California passed Senate Bill 330 suspending local ordinances that restrict housing construction until 2030.

²⁹ Morgan Hill Muni. Code, 14.12.10.

³⁰ Morgan Hill Muni. Code, 14.04.010.

³¹ Morgan Hill Muni. Code, 14.08.010; 14.04.070.

³² Morgan Hill Muni. Code, 14.04.080.

³³ Morgan Hill Muni. Code, 18.156.010.

Since this law is relatively new, the impact of it on local growth cannot be discerned presently. Moreover, currently, most of the City is zoned for single family homes, and very few districts offer multi-family housing to residents, and of the multi-family housing available, even fewer units are reserved for households in need of low-cost housing.³⁴ This is likely to have a disparate impact on communities of color, individuals on a fixed income such as persons with disabilities, and larger families who are low-income.

Similarly, the City restricts employee housing on agricultural land to “transient labor” meaning agricultural laborers who permanently reside in the area cannot rely on this housing source.³⁵ This is likely to indirectly lead to national origin discrimination because work related immigration status may impact one’s own and one’s family’s access to housing.

The City does provide a reasonable accommodation provision in its zoning code that describes the process for requesting a modification of existing zoning standards.³⁶ This ordinance furthers Fair Housing goals.

Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.

Information about service and information providers in Morgan Hill is provided below. There appears to be a gap between the availability of these organizations’ services and public awareness of them. Over half of respondents to a survey conducted by the City of Morgan Hill as part of the community engagement process for this Assessment reported not knowing where they could get help if they experienced housing discrimination, and, of those who said that they did know where to turn, very few referenced the service providers listed below by name.

Morgan Hills Housekeys

Housekeys Inc. is a private company hired by the City to administer its affordable housing program. Housekeys assists residents with affordable home ownership and rental and also educates and assists developers or other entities with the permitting and processing involved in the development of affordable housing. The entity does not provide advocacy related to fair housing but does post fair housing information on its website including several FAQs and Know Your Rights pamphlets.³⁷ Because Housekeys is the primary administrator for affordable housing but offers few supports for individuals concerned with fair housing issues, its range of services are inadequate to meet the fair housing needs of local residents.

Project Sentinel

Project Sentinel is the primary Fair Housing contact in Morgan Hill and is the sole entity identified on the City’s website. It is a non-profit organization focused on assisting in housing discrimination matters, dispute resolution, and housing counseling. Project Sentinel ’s housing practice assists individuals with housing problems such as discrimination, mortgage foreclosure and delinquency, rental issues including repairs, deposits, privacy, dispute resolution, home buyer education, post purchase education, and reverse mortgages. Additionally, their Fair Housing Center provides education and counseling to community members, housing providers, and tenants about fair

³⁴ Morgan Hill Zoning Map, <https://www.morgan-hill.ca.gov/DocumentCenter/View/328/Zoning-Map>.

³⁵ Morgan Hill Muni. Code, 18.124.020.

³⁶ Morgan Hill Muni. Code, 18.118.010

³⁷ <https://www.housekeys1.com/fair-housing-information>

housing laws, and investigate complaints and advocate for those who have experienced housing discrimination. The City's website only identifies Project Sentinel as a resource for fair housing advocacy.

Bay Area Legal Aid

BALA represents low- and very low-income residents within their seven county service area, which includes Santa Clara County. Their housing practice provides legal assistance regarding public, subsidized (including Section 8 and other HUD subsidized projects) and private housing, fair housing and housing discrimination, housing conditions, rent control, eviction defense, lock-outs and utility shut-offs, residential hotels, and training advocates and community organizations. It's important to note that Legal Aid is restricted from representing undocumented clients.

Law Foundation of Silicon Valley

The Law Foundation of Silicon Valley provides free legal advice and representation to low-income individuals in Santa Clara County. In their housing practice, they assist with defending eviction lawsuits, housing discrimination issues such as reasonable accommodation requests for individuals with disabilities, enforcing the San Jose Tenant Protection Ordinance, legal outreach and support for renter organizing/campaigns, help with housing authority hearings, Section 8 and other low-income housing issues like terminations and eligibility determinations, legal advice and information to tenants regarding notices, and advice and information about foreclosure prevention.

Senior Adults Legal Assistance

SALA is a nonprofit elder law office, providing free legal services to residents of Santa Clara County who are age 60 and older. SALA provides legal services across multiple, non-housing contexts, and in the housing context SALA provides legal assistance in landlord-tenant matters, subsidized/senior housing matters, and mobile home residency matters.

Asian Law Alliance

The Asian Law Alliance provides services at a free or low cost basis to Asian/Pacific and low income people, and offers services in Mandarin, Cantonese, Spanish, Vietnamese, Tagalog, Korean, and other languages as needed. In the housing realm, their mission is to ensure access to decent housing, and prevent and combat illegal and discriminatory housing practices.

Santa Clara County Self-Service Center/Family Law Facilitators Office

The Santa Clara County Self-Service Center is a program based out of San Jose that provides information on court procedures and referrals to organizations that can provide legal assistance in emergency circumstances including individuals facing eviction. The Center does not provide direct representation nor provide legal advice based on an individual plaintiff's case, however, it will assist a pro-se individual with filling out paper work and navigating the court system generally.

Department of Fair Employment and Housing

The California DFEH is a state agency dedicated to enforcing California's civil rights laws. Its mission targets unlawful discrimination in employment, housing and public accommodations, hate

violence, and human trafficking. Victims of discrimination can submit complaints directly to the department.

Additional Information

Provide additional relevant information, if any, about fair housing enforcement, outreach capacity, and resources in the jurisdiction and region.

This Assessment did not reveal any additional relevant information.

Contributing Factors of Fair Housing Enforcement

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing issues related to fair housing enforcement, including Segregation, R/ECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor that is significant, note which fair housing issue(s) the selected contributing factor relates to.

Please see the Appendix for the following Contributing Factors to Fair Housing Enforcement, Outreach and Resources:

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations
- Lack of state or local fair housing laws
- Unresolved violations of fair housing or civil rights law
- Other

5.4 Fair Housing Goals and Priorities

- I. Increase Affordable Housing Opportunities for Protected Class Members in Eastern Morgan Hill.

Although Morgan Hill is a relatively integrated city, affordable housing is not evenly distributed throughout it, with the city's large number of Low Income Housing Tax Credit (LIHTC) units clustered in or near downtown Morgan Hill. The downtown portions of Morgan Hill tend to have higher concentrations of Hispanic residents and relatively lower access to proficient schools than do areas to the east. Additionally, an outsized share of undeveloped land that is within the City's sphere of influence is in the eastern part of the city or in neighboring unincorporated areas. As these areas are likely to see significant market-rate development, ensuring the availability of affordable housing in these areas will help ensure inclusion and access to opportunity.

- a. Identify opportunities and sites for affordable housing development in eastern Morgan Hill.

Although the City of Morgan Hill has sufficient permitted development in its pipeline to ensure that it does not need to identify additional sites to meet its RHNA targets, identifying sites in eastern Morgan Hill would advance the goal of fostering greater integration and ensure a steady supply of affordable housing in the future. Additionally, identifying sites for affordable housing in eastern Morgan Hill now for purposes of the City's next Housing Element could increase the likelihood of 100% affordable housing developments and units for extremely low-income households created separately from affordable housing created through mandatory inclusionary housing. Prioritize the housing subsidies in eastern Morgan Hill to achieve affordability set-asides and depth of affordability exceeding the requirements of the Inclusionary Housing Ordinance.

For developments that are in the pipeline but for which the final mix of affordability levels is not yet determined, the City should prioritize making funds available to developments in eastern Morgan Hill where a higher percentage of affordable units and units affordable at lower income levels would help foster greater integration and access to proficient schools.

- b. Study the creation of affordable housing overlay districts in advance of the next Housing Element cycle.

For future Housing Element cycles, zoning changes may be necessary in Morgan Hill. Affordable housing overlay districts are a tool that can help meet the need for units for very low- and extremely low-income households while avoiding the opportunity cost of scarce rezoned sites being snatched up for predominantly market-rate development.

- II. Protect Tenants from Displacement.

Morgan Hill has a significant homeownership gap with 80.6% of White households owning their homes as opposed to just 53.3% of Hispanic households. While homeownership can protect residents from the impact of rising housing costs, tenants are left vulnerable. A.B. 1482 limits extremely high rent increases, but even allowable increases can still push tenants out, especially if repeated year-after-year. In addition to Hispanic families, adults ages 18 through 64 who have disabilities are also disproportionately likely to rent.³⁸ Although families with children are not

³⁸ Overall, persons with disabilities are not disproportionately likely to rent because the population of persons with disabilities is disproportionately older and older adults are disproportionately likely to be homeowners.

disproportionately likely to rent, the impact of displacement on families that do rent can be particularly acute due to disruption to school assignment and attendance. Morgan Hill should deploy a variety of policy tools to curb displacement.

- a. Consider adoption of a mediation requirement for rent increases of 5% or more.

California's Costa-Hawkins Act preempts the application of local rent stabilization ordinances to single-family homes, condominiums, and homes built after February 1, 1995. As a city that has roughly doubled in population since 1990, that means that a significant proportion of Morgan Hill's relatively modest stock of multifamily housing would be exempt from any rent stabilization ordinance. As a result, the costs of administering rent stabilization may outweigh the benefits that it would deliver to tenants. By contrast, the Costa-Hawkins Act does not prevent California cities from adopting rent increase mediation requirements as some other jurisdictions in the Bay Area have. A mediation requirement might seek to encourage landlords to forgo the opportunity to raise rents by levels that exceed what might be allowed under nearby rent stabilization ordinances (5% in San Jose) but that are not unlawful under A.B. 1482 (10% due to recent increases in inflation).

- b. Study the possibility of a tenant relocation assistance ordinance.

California cities are able to adopt tenant relocation assistance ordinances that require landlords to provide financial assistance to low- and moderate-income tenants displaced as a result of the landlords' actions. The City of Morgan Hill should study the value and feasibility of adopting such a policy locally, looking at (1) the frequency with which tenants are displaced in Morgan Hill through the types of actions that could be triggering events for relocation assistance, (2) the amount of relocation benefits that would be necessary to enable Morgan Hill residents at income levels typical for affected buildings to be able to remain in the city, and (3) the efficacy of relocation assistance ordinances in other cities in the Bay Area at enabling displaced tenants to find new housing near their former homes.

- c. Seek funding or develop paths of support for access to counsel in possessory eviction cases.

Access to counsel has a significant impact on tenant outcomes in possessory eviction cases, potentially preventing eviction but also having the potential to facilitate better relocation outcomes for tenants who do end up relocating. By providing additional funding to close the gap between the current capacity of legal services providers and the total need for representation in possessory eviction cases. Increased access to counsel may have particular benefits for tenants with disabilities who may have additional defenses available to them in eviction cases that are unavailable to others.

- d. Support shared-equity homeownership models.

Another way of protecting protected class members who are tenants from displacement is to create opportunities for them to access homeownership. Although creating homeownership opportunities for very low- and extremely low-income households can be difficult, shared-equity models like limited equity cooperatives and community land trusts have proven track records. The City could seek to support these models both through land donation and through the commitment of subsidy dollars. Shared-equity homeownership models may also provide opportunities for the creation of affordable housing in locations that are not realistic candidates for major rezoning. Single-family homes on small lots may be a viable housing type for a shared-equity homeownership effort.

- e. Review the Inclusionary Housing Ordinance to provide deeper for-sale affordability beyond the updated 2021 Inclusionary Housing Ordinance.

Currently, the City's Inclusionary Housing Ordinance requires the provision of units affordable to moderate-income households in for-sale developments. Requiring that developers achieve deeper owner-occupied affordability through cross-subsidization and existing incentives may not be effective. However, the City could seek to bridge the gap between inclusionary for-sale units and low-income households by providing financial support. Additionally, in light of the homeownership gap in Morgan Hill, the City should require developers to affirmatively market for-sale inclusionary units to Hispanic households.

- f. Adopt preferences for tenants who have been displaced from rental housing in Morgan Hill.

The City should consider implementing an admissions preferences for affordable housing for tenants who have recently been displaced. These tenants are more likely to be members of protected classes. Such a preference could apply both in inclusionary developments and in affordable developments that receive City funds.

III. Connect Morgan Hill Residents to Employment Opportunities.

In general, access to a wide range of types of opportunity are available to residents of Morgan Hill. Although school proficiency is not equal across the city, there are high-performing schools in the city. Access to environmental health is generally higher than in much of the region. Key related exceptions involve transportation and job access. Morgan Hill does not have the abundance of job opportunities that exist further north in Santa Clara County. The disconnect between where Morgan Hill residents – a population that is more heavily Hispanic than the broader region – live and where jobs are concentrated can be addressed in two broad ways. First, the City can seek to increase employment opportunities in Morgan Hill itself. Second, the City can seek to address transportation gaps in order to make it easier for residents to reach jobs in northern Santa Clara County.

- a. Prioritize the creation of jobs that are accessible to low- and very low-income workers who reside within the Downtown Morgan Hill Priority Development Area (PDA).

The burden of long commutes to northern Santa Clara County does not fall evenly on all workers. Employees in high-paying technology and other professional jobs are better able to absorb the cost of relatively high fares on Caltrain or car maintenance and gas (or the expense of buying an electric or more fuel-efficient vehicle). Additionally, they are more likely to have jobs that allow them to work at home some or all of the time. For lower income workers, often living in downtown Morgan Hill, in service, retail, manufacturing, and logistics jobs, high transportation costs may be a significant burden with the potential to cancel out the reduced housing costs of living in Morgan Hill rather than northern Santa Clara County. When making zoning decisions with implications for types of job creation and determining how to utilize limited resources for incentivizing job creation, the City should prioritize the creation of jobs that strike a balance between decent wages and low barriers to entry (in terms of educational attainment and other credentials).

- b. Create incentives for local businesses to hire Morgan Hill residents.

For jobs that exist in Morgan Hill, increasing the likelihood that Morgan Hill residents obtain those jobs would help to reduce disparities in access to employment faced by Hispanic residents. These incentives could include expedited processing of permit applications, a tax break or some other subsidy for each job filled by a Morgan Hill resident.

- c. Advocate for VTA to expand bus service in Morgan Hill.

Morgan Hill has both local bus service and connections to San Jose through VTA bus lines, but local service is limited, both in terms of areas served and frequency, and hours of service. The City does not have control over VTA's bus network but should encourage expansions of service that make commuting by bus a more realistic option for workers in Morgan Hill, including service and retail workers who are more likely to work evenings and weekends. In particular, the corridor along Dunne Avenue has significant development but lacks local bus service.

- d. Study local first mile/last mile transit service solutions in Morgan Hill building on lessons learned from the first on-call shuttle service established within the City.

To the extent that VTA or Caltrain services expansion are both outside the City's control and may be unlikely to occur, the City can still focus on the development of first mile/last mile options that connect residents to Caltrain and regional bus service. If the City is successful in facilitating affordable housing development in the eastern portion of the city, which has less access to regional transportation networks, it will be critical ensure that first mile/last mile solutions are coordinated with such development.

IV. Increase Fair Housing Enforcement, Outreach, and Education in Morgan Hill.

Santa Clara County contracts with Project Sentinel, a private, nonprofit organization, to provide fair housing services throughout the Santa Clara Urban County, which includes Morgan Hill. As the largest city in the Urban County, however, it is likely that Morgan Hill could benefit from more geographically targeted enforcement, outreach, and education efforts to counter housing discrimination. Such efforts might focus on discrimination against Housing Choice Voucher holders, which only became unlawful as of January 2020. The City might consider either entering into a separate contract with Project Sentinel or providing funds to Santa Clara County to increase its contract amount and target some portion of Project Sentinel's efforts to Morgan Hill specifically.

5.5 Contributing Factors Appendix

Access to financial services

This analysis of access to financial services is measured by physical access to bank branch locations. The FDIC provides information on the location of banks by physical addresses, cities and towns, counties, and states. According to the FDIC dataset, Morgan Hill has nine FDIC-Regulated Full-Service Brick and Mortar Branches³⁹ for their population of just over 45,000 people.⁴⁰ This is relatively consistent with the amount of financial services offered throughout other municipalities in Santa Clara County. Although the existence of physical financial services does not examine discriminatory practices within these services, it does suggest that many residents have sufficient access to financial services.

Access to proficient schools for persons with disabilities

Morgan Hill Unified School District (MHUSD) offers special education services to 1,072 students with disabilities. Programs include WorkAbility, a training program for special education students ages 14.9-22 that provides career awareness and exploration in addition to secondary education.⁴¹ MHUSD's Local Control and Accountability Plan (LCAP) provides strategic and intensive interventions in support to underperforming student groups such as Low Socioeconomic Status, English Learner, Migrant, and Foster/Homeless.⁴²

Students with disabilities in MHUSD disproportionately face suspension, with the average suspension rate being 5% in 2018-2019 (pre-COVID, when schools were open), but the rate for students with disabilities being almost double the rate at 9.7%.⁴³ Disproportionate student punishment can be an additional barrier for students with disabilities from accessing and staying within proficient schools.

Across Santa Clara County, students are not easily able to transfer between school districts without actually changing residences, and access to high-quality programs that may not be available in their home district generally is not grounds for inter-district transfer. Disparities in school discipline also decrease access to proficient schools and to any education whatsoever. Across Santa Clara County, the suspension rate for students with disabilities is over three times the rate for students who do not have disabilities. This is a higher rate of disparity than the statewide rate.

Access to publicly supported housing for persons with disabilities

Data from HUD shows that, across jurisdictions in Santa Clara County, persons with disabilities are underrepresented in Project-Based Section 8 developments in relation to their proportion of the income-eligible populations. Because local governments in the area do not play a direct role in the administration of Project-Based Section 8 developments, support for fair housing organizations to engage in testing of these developments may be the most effective way of

³⁹ All FDIC-related data derived from: *Download Data*, FEDERAL DEPOSIT INSURANCE CORPORATION, <https://banks.data.fdic.gov/bankfind-suite/bankfind?activeStatus=0%20OR%201&branchOffices=true&city=Morgan%20Hill&pageNumber=1&resultLimit=25&stalp=CA>

⁴⁰ All population and minority population data derived from: *QuickFacts*, UNITED STATES CENSUS BUREAU, (<https://www.census.gov/quickfacts/fact/table/morganhillcitycalifornia/BZA010219>).

⁴¹ DataQuest, California Department of Education, Morgan Hill Unified Report, 2019-20 Enrollment by Subgroup for Charter and Non-Charter Schools <https://dq.cde.ca.gov/dataquest/dqcensus/EnrCharterSub.aspx?cds=4369583&aggllevel=district&year=2019-20&ro=y>

⁴² MHUSA LCAP Plan, https://drive.google.com/file/d/1wQ7bfUZcUZ5_rCCqanA1KnkGndBl_u/view

⁴³ Morgan Hill Unified School District, Local Control Accountability Plan and Annual Update (LCAP) Template (2018).

addressing this underrepresentation. Although the data does not reflect similar disparities for other types of publicly supported housing, low-income persons with disabilities may also have limited access to Low Income Housing Tax Credit (LIHTC) units due to the way rents are set in those developments.

Morgan Hill has a moderate proportion of residents with disabilities. According to the 2019 American Community Survey (ACS) 5-Year Estimate, roughly 4,033 residents of Morgan Hill have disabilities, amounted to 9.1% of the total population. In contrast, approximately 8.0% of county residents have a disability. Organizations supporting people living with disabilities in housing matters in Morgan Hill are not based in the city itself. Instead, disability housing services are mostly based in San José, or other areas.

Access to transportation for persons with disabilities

In Santa Clara County, VTA Access Paratransit (a non-profit organization) works with the county's Valley Transit Authority to provide rides to seniors and adults under the American Disabilities Act (ADA) who cannot drive. A person must only have a partial disability and live in the county to become eligible for VTA Access service. It costs \$4.00 for a one-way trip of any distance.⁴⁴ This is cheaper than rideshare services. The person must schedule their ride one to three days in advance, and their pickup and drop-off locations have to be in the county. The person must also go through their eligibility certification process, which includes a one-page Data Card and a phone interview. The Data Card asks for basic personal information, such as the person's birthdate, addresses, primary language; explanation of the person's primary disability; and information regarding any mobility aids or specialized equipment.⁴⁵

Morgan Hill has a Caltrain stop at 17300 Depot Street in Morgan Hill. This station is in Zone 6, and it takes approximately two hours to reach San Francisco

Ken Transportation is also available for all residents of Santa Clara County who need non-emergency rides. It is intended for people in wheelchairs or that need assistance using vehicles.⁴⁶

The barrier to access to transportation for persons with disabilities, which is closely tied to broader issues with transportation in the area, is an overall lack of public transportation. Due to their disproportionately low incomes and the decreased likelihood of being able to use private vehicles for transportation, persons with disabilities bear the brunt of deficiencies in the system. Lack of transportation is connected to health and employment outcomes as low-income persons with disabilities often need public transportation to get to medical appointments or to workplaces.

Admissions and occupancy policies and procedures, including preferences in publicly supported housing

The Santa Clara County Housing Authority (SCCHA) administers admissions and occupancy policies and procedures for Housing Choice Voucher holders in Morgan Hill. SCCHA lists only one local preference for its Housing Choice Voucher Program: income eligible families displaced as a result of a federally-declared disaster. Additionally, SCCHA states in its HCV Administrative Plan that it will issue available 59-Mainstream vouchers to eligible people on the Section 8 Waiting List who have a disabled (elderly or non-elderly) head of household, spouse, and/or co-head. SCCHA receives direct applicant referrals from partnering agencies for the following programs:

⁴⁴ Paratransit and elder transport services, Sarah Care of Campbell, <https://sarahcarecampbell.com/paratransit-services.php> (last visited Jun 10, 2021).

⁴⁵ Personal Data Card, Certification and Authorization for Release of Protected Health Information, EnglishApp_2017.pdf, http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site_Content/EnglishApp_2017.pdf (last visited Jun 10, 2021).

⁴⁶ Ken Transportation | A Medical Transportation Provider in San Jose, California | About Us, , <http://www.kentransport.com/medical-transportation-about-us> (last visited Jun 10, 2021).

Chronically Homeless Direct Referral Program, Special Needs Population Direct Referral Program, and Veterans Affairs Supportive Housing Program. Those who are referred from these programs are able to bypass the Section 8 or Project-Based Voucher waiting lists. Finally, SCCHA may draw from the waiting list and/or receive direct referrals from the Santa Clara County Office of Supportive Housing for the Mainstream Voucher Program

SCCHA also applies criminal background screening policies which are fairly consistent with fair housing best practices. The Housing Authority applies a reasonable lookback period of just three years. However, their policy also states that they *may* terminate assistance “if a household member has engaged in criminal activity (by preponderance of evidence) regardless of whether the member has been arrested or convicted.” Still, in determining whether to deny or terminate assistance, the Housing Authority considers a multitude of factors, including the seriousness of the case, the effect of termination on other household members, the participation or culpability of other household members, the time elapsed, recent history, and likelihood of favorable conduct in the future.

The availability of affordable units in a range of sizes

Morgan Hill has a substantial supply of LIHTC and BMR housing but few units produced through other programs. There are no 3+ bedroom BMR units in the city.⁴⁷ At the same time, at least 366 LIHTC units in Morgan Hill (more than one-third of the total supply) appear to have three or more bedrooms.⁴⁸ A lack of affordable units in a range of sizes can cause overcrowding as families are forced to share smaller units. In Morgan Hill, 14% of renter households experience overcrowding (the same rate as renters in the county). 0% of Black, 0% of Native American, 5% of White, 5% of Asian American or Pacific Islander, and 14% of Hispanic residents of the city experience overcrowding. (These racial categories are all referring to individuals of that race alone, except Hispanic which is referring to Hispanic people of all races.) This issue is compounded by the lack of 3+ bedroom BMR housing. The Morgan Hill Family – Scattered Site project is a new construction 41-unit apartment project located in the Morgan Hill. Altogether, 18 of these units are 3-bedroom units (including one reserved for a staff manager).⁴⁹ Besides the manager unit, all units are reserved for Project-Based Voucher holders. SCCHA’s Housing Choice Voucher waiting list last formally opened in 2006 and the average wait for a household to receive a housing voucher is 8-10 years. However, SCCHA has begun opening “interest lists” for HCV assistance, and households are able to sign up for the interest list at this time.

The availability, type, frequency, and reliability of public transportation

Public transportation is extremely limited in Morgan Hill. Caltrain⁵⁰ and VTA⁵¹ offer regional service between Morgan Hill and San Jose, but that service is relatively infrequent. Additionally, Caltrain fares are unaffordable for some low-income commuters. VTA also operates local bus service in Morgan Hill, but that service also suffers from geographic coverage gaps in the eastern part of the city and long headways.⁵²

The public transportation system in Santa Clara County has significant gaps that render existing systems, including those of the Valley Transportation Authority and Caltrain less usable to low-income individuals who are disproportionately members of protected classes. Specifically, bus service is extremely limited in many parts of the county, particularly outside of San Jose, with

⁴⁷ City of Morgan Hill, [BMR Rental List - Updated October 2021](#).

⁴⁸ <https://lihtc.huduser.gov/>

⁴⁹ [MORGAN HILL FAMILY APARTMENTS, 41 UNITS \(A SCATTERED SITE PROJECT\)](#).

⁵⁰ <https://www.caltrain.com/stations/systemmap.html>

⁵¹ <https://www.vta.org/go/routes/68>

⁵² <https://www.vta.org/go/routes/87>

some major arterial streets lacking any service. Even where service exists, 30-minute headways or wait times between buses are common. Transportation between South County and San Jose can be extremely time-consuming with trip times of nearly two hours, not accounting for unexpected traffic, between Gilroy and San José. Faster forms of transportation, such as Caltrain, are often too expensive for daily use by members of protected classes, and the Valley Transportation Authority's light rail system is limited in scope, not traveling past Mountain View to Palo Alto, not connecting to Cupertino, and not connecting to South County. Advocates and stakeholders reported that the VTA's bus network is spread too thin and has too few buses and/or wait times between buses to efficiently and effectively meet people's needs. In turn, those problems reduce ridership, resulting in decreased fare revenue and a justification for cutting service further.

Community opposition

Community opposition has not derailed or delayed the development of affordable housing to nearly the extent of some other cities in Santa Clara County and the broader Bay Area. Morgan Hill's large supply of LIHTC and BMR units, as well as the fact that it already has sufficient permitted units to meet its RHNA allocation for the next Housing Element cycle are all indicative of community support for affordable housing. By contrast, particularly in the highest resource portions of the region, housing production, and affordable housing production in particular, has lagged, in part due to community opposition.

Deteriorated and abandoned properties

Between its relatively young housing stock and the high demand for housing in both the city and the region,⁵³ Morgan Hill has few issues with deteriorated and abandoned properties. For the most part, that high demand in the region ensures that housing is turned over and rehabilitated frequently. This demand has created gentrification that, in turn, has led to a rapid increase in high-end, luxury buildings replacing deteriorated older housing – creating cost difficulties for existing neighborhood residents and leading a large proportion of households to be rent-burdened. At the same time, this gentrification has ensured housing stock is rarely on the market long enough to become deteriorated or abandoned.⁵⁴ Gentrification and displacement risk in Morgan Hill are of concern but not to the same extent as in other cities in the region that have higher concentrations of renters and more renters living in non-deed restricted older units.

Displacement and lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking

Domestic violence (DV) remains a notable issue within Morgan Hill. Santa Clara County, where Morgan Hill is located, averages 9 deaths a year due to domestic violence with many more people being affected by non-fatal forms of interpersonal violence⁵⁵. Across the country and within Morgan Hill, victims and survivors of domestic violence are forced to make the decision between remaining within a physically or emotionally abusive relationship or household to ensure themselves access to housing or to adopt the risk of losing such shelter in order to escape this violence. The accessibility of domestic violence shelters within Santa Clara County is notably

⁵³ COUNTY OF SANTA CLARA, HOUSING ELEMENT UPDATE 2015-2022, 29 (2014),

https://www.sccgov.org/sites/dpd/DocsForms/Documents/HealthElement_2015_Adopted_Final.pdf.

⁵⁴ Bruce Colbert, *Resolving California's Housing and Homeless Crisis*, NEW GEOGRAPHY (Nov. 15, 2018),

<https://www.newgeography.com/content/006142-resolving-californias-housing-and-homeless-crisis> (discussing the effects of gentrification, including reductions in deteriorated housing).

⁵⁵ Emanuel Lee, *Domestic Violence Cases Decrease During Pandemic* San Jose Inside (2020),

<https://www.sanjoseinside.com/news/domestic-violence-cases-decrease-during-pandemic/> (last visited Jun 23, 2021).

limited when compared to the number of survivors in need of housing support; 2,500 people are turned away from such shelters annually within the area.

The U.S. Department of Housing and Urban Development (HUD) and the County of Santa Clara Office of Supportive Housing are aware of the dangerous decision that many people, disproportionately women, are forced to make, and included within a larger 2019 grant to combat homelessness within the area, the county received \$1 million in federal funding to be allocated to housing support for survivors of domestic violence.⁵⁶ As accessible and affordable housing continues to be a priority within Morgan Hill and Santa Clara County, it is imperative that there are intentional steps taken to ensure this accessibility remains true for domestic violence survivors.

Additionally, California state law protects victims of domestic violence, sexual assault, stalking, human trafficking, or abused elder or dependent adult who terminates their lease early.⁵⁷ The tenant must provide written notice to the landlord, along with a copy of a temporary restraining order, emergency protective order, or protective order that protects the household member from further domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult. Alternatively, proof may be shown by submitting a copy of a written report by a peace officer stating that the victim has filed an official report, or documentation from a qualified third party acting in their professional capacity to indicate the resident is seeking assistance for physical or mental injuries or abuse stemming from the abuse at issue. Notice to terminate the tenancy must be given within 180 days of the issuance date of the qualifying order or within 180 days of the date that any qualifying written report is made.

Displacement of residents due to economic pressures

For the most part, the high demand for housing in Santa Clara County,⁵⁸ including in Morgan Hill, ensures that housing is turned over and rehabilitated frequently. This demand has created gentrification that, in turn, has led to a rapid increase in high-end, luxury buildings replacing deteriorated older housing – creating cost difficulties for existing neighborhood residents and leading to cost-burden and severe cost-burden. Morgan Hill has not experienced decline in its population of people of color, likely as a result of its strong affordable housing production and relatively lower housing costs than in northern Santa Clara County. There is a need for strong anti-displacement policies in Morgan Hill to prevent low-income residents, who are disproportionately likely to be Hispanic and/or to have disabilities, from being pushed out of the city, if housing costs in Morgan Hill rise to the levels of northern Santa Clara County or if affordability covenants for deed-restricted units expire.

Impediments to mobility

There are no mobility counseling programs in Santa Clara County, including in Morgan Hill.

Santa Clara County utilizes exception payment standards to bring more apartments in high opportunity areas within reach of Housing Choice Voucher holders. For example, the payment standard for a one-bedroom unit is \$2,360. A Zillow search conducted during this Assessment of Fair Housing process revealed 20 advertised units within that price range. The payment standard

⁵⁶ Laurel Anderson & Marina Hinestrona, County of Santa Clara Receives over \$21 Million in Federal Funding for Homeless Housing Programs County News (2019), <https://www.sccgov.org/sites/opa/newsroom/Pages/federalfundingforhomelesshousingprograms.aspx> (last visited Jun 23, 2021).

⁵⁷ Cal. Civ. Code § 1946.7

⁵⁸ COUNTY OF SANTA CLARA, HOUSING ELEMENT UPDATE 2015-2022, 29 (2014), https://www.sccgov.org/sites/dpd/DocsForms/Documents/HealthElement_2015_Adopted_Final.pdf.

for a two-bedroom unit is \$2,851. A Zillow search again revealed 20 available units under that price.

Santa Clara County uses separate waiting lists for its various affordable housing programs and has a policy of absorbing all incoming vouchers porting into the county. The City of Morgan Hill uses a single partner – Housekeys – to administer the lease-up process for all of its BMR properties, which, in turn, makes it easier for tenants to find affordable units in the city regardless of location.

Inaccessible buildings, sidewalks, pedestrian crossings, or other public or private infrastructure

This Assessment did not reveal any current or ongoing concerns about inaccessibility within government facilities and services within Morgan Hill. Santa Clara County has additional measures to ensure that government facilities and services are accessible. This includes the position of a Coordinator of Programs for the Disabled whose role is to ensure accommodations and field complaints of accessibility violations within the county,⁵⁹ as well as a newly established Office of Disability Affairs who will ensure compliance and equitableness within county accessibility.⁶⁰ This is a positive sign that the government facility and services within the City of Morgan Hill will match this accessibility, as there are otherwise county-wide measures to hold them accountable if they do not.

Inaccessible government facilities or services

This Assessment did not reveal any current or ongoing concerns about inaccessibility within government facilities and services within Morgan Hill. The city website is accessible to persons with disabilities (particularly users with vision impairments) as required with Section 508 of the Rehabilitation Act.⁶¹

Lack of access to opportunity due to high housing costs

In Morgan Hill, the average home value is \$1,399,720, which has increased by 26.4% between 2021 and 2022.⁶² The median rent for a one-bedroom apartment is \$2,841, which is a 17% year-over-year change from 2020.⁶³ These high housing costs are out of reach for households at many income levels but particularly for extremely low- and very-low income households that are disproportionately Hispanic and that disproportionately include persons with disabilities. High housing costs make it difficult to move to Morgan Hill, and, within Morgan Hill, they make the downtown area, where the vast majority of deed-restricted affordable housing is located, the primary viable living option. However, downtown Morgan Hill may not afford residents as high access to proficient schools as eastern Morgan Hill where housing costs are even more out of reach. These issues are in many ways even more intense in the broader region as northern Santa Clara County – particularly the West Valley – has many areas with extremely high housing costs as well as abundant educational and employment opportunities.

Lack of affordable, accessible housing in a range of unit sizes

⁵⁹ Public Access functional for Under the Americans with Disabilities Act, Public Access Under the Americans with Disabilities Act - County of Santa Clara, <https://www.sccgov.org/sites/scc/Pages/public-access-americans-disabilities-act.aspx> (last visited Jun 25, 2021).

⁶⁰ Katie Lauer, Santa Clara County Creates Office of Disability Affairs to Improve Accessibility San Jose Inside (2021), <https://www.sanjoseinside.com/news/santa-clara-county-creates-office-of-disability-affairs-to-improve-accessibility/> (last visited Jun 25, 2021).

⁶¹ <https://www.morgan-hill.ca.gov/accessibility>

⁶² <https://www.zillow.com/morgan-hill-ca/home-values/>

⁶³ <https://www.zumper.com/rent-research/morgan-hill-ca>

Although Morgan Hill has been successful in its efforts to foster significant development of LIHTC and BMR housing in recent years, BMR development has included relatively more one- and two-bedroom units than three-bedroom units. There appear to be no available three-bedroom BMR units whatsoever.⁶⁴ As discussed above, with at least 366 LIHTC units with three or more bedrooms, larger LIHTC units are relatively more available than are larger BMR units. Because most affordable multifamily development in Morgan Hill has been fairly recent, most such units were subject to accessibility requirements.

It is also imperative that not only is there a sufficient amount of affordable housing, but that there are also enough units across a range of unit sizes so that these developments are accessible to groups or families of all numbers. A lack of affordable units in a range of sizes can cause overcrowding as families are forced to share smaller units. Overcrowding is already an issue in Santa Clara County, especially among Hispanic households. The 2015-2019 American Community Survey shows that Hispanic households experience overcrowding at a rate of 17.9%. This is almost double the rate of the next-highest group, which is Asian American households (9.2%).

Lack of affordable in-home or community-based supportive services

Much of the infrastructure for in-home and community-based supportive services in Morgan Hill consists of private businesses and small nonprofit organizations rather than government or public services, and few nonprofit or governmental services are based in Morgan Hill itself. For example, the San Andreas Regional Center, a nonprofit that serves individuals with developmental disabilities and their families, operates in Monterey, San Benito, Santa Clara, and Santa Cruz Counties. Similarly, resources regarding in-home and community-based supportive services are provided primarily at the county level rather than the city level. At the county level, due to the absence of any waiting list for Home and Community-Based Services for persons with developmental disabilities, this issue primarily affects people with psychiatric disabilities. A robust array of services, including the most intensive models of community-based services like Assertive Community Treatment, are available. Additionally, across types of disabilities, undocumented adults face barriers due to federal restrictions of Medicaid assistance for undocumented people. The California Legislature has approved state funding for Medi-Cal services for undocumented people until they reach the age of 26, a critical investment that exceeds that of any other state, but there remains a funding gap for services for most undocumented adults.

Lack of affordable, integrated housing for individuals who need supportive services

There is a large overall shortage of affordable housing in Morgan Hill, as suggested by the large proportion of households that are rent-burdened. Without more overall affordable housing, it is impossible to provide more affordable, integrated housing for individuals who need supportive services. Morgan Hill is home to one development assisted with Measure A funds – Crossings on Monterey – and has one more in the pipeline – Royal Oak Village.⁶⁵ These developments either have or are planned to have fewer units than most Measure A developments assisted by Santa Clara County. Housing for individuals who need supportive services in Santa Clara County is largely located outside of Morgan Hill—for example, in San José. As a consequence, only around 5% of those in need of supportive services qualify for Permanent Supportive Housing, which has led to increasing homelessness in the region, which affects Morgan Hill alongside its neighbors.

Lack of assistance for housing accessibility modifications

⁶⁴ <https://www.morgan-hill.ca.gov/DocumentCenter/View/24873/BMR-Rental-Unit-List-October-2021-PDF>

⁶⁵ <https://osh.sccgov.org/housing-community-development/2016-measure-affordable-housing-bond/2016-measure-housing-bond>

The City of Morgan Hill provides funding to Rebuilding Together to assist with home rehabilitation, which often includes accessibility modifications.⁶⁶

Farewell to Falls is a free, home-based program intended to prevent seniors from falling in their homes in Santa Clara County (and San Mateo County). The program focuses on home modifications. Farewell to Falls works through the Trauma Service and Emergency Department at Stanford University Medical Center.⁶⁷

Home Safety Services provides home modifications, such as grab bars, stair railings and wheelchair ramps, for seniors. Rebuilding Together *Silicon Valley* also aid with home modifications for low-income homeowners in Morgan Hill, among other cities and unincorporated areas of Santa Clara County.⁶⁸

Lack of assistance for transitioning from institutional settings to integrated housing

Much of the Morgan Hill assistance available to those from marginalized communities attempting to transition from an institutional setting to integrated housing is non-specific to the city and instead operates at a county level for all of Santa Clara. This does allow for the assistance to be more robust and cover more groups in need of transition help. For disabled adults, the Silicon Valley Independent Living Center offers resources and supportive housing-related services. The Santa Clara Resource Reentry Center offers housing assistance and referrals for individuals attempting to reintegrate into society after leaving the criminal justice system. Although not an institutional setting, there are attempts to help homeless individuals transition into integrated housing as well such as through the Community Plan to End Homelessness⁶⁹ which has been endorsed by Morgan Hill.⁷⁰

Lack of community revitalization strategies

The City of Morgan Hill does not lack community revitalization strategies. The city's downtown area is the most racially, ethnically, and socioeconomic part of the city, as well as the part of the city that has the highest concentration of residents in greater need of access to opportunity. The Downtown Specific Plan presents a holistic vision for ensuring that the downtown area is economically vibrant and affords residents access to opportunity.⁷¹ Regionally, there also does not appear to be a lack of place-based revitalization planning.

Lack of local private fair housing outreach and enforcement

There are multiple fair housing organizations serving Morgan Hill. The organization most directly focused on fair housing is Project Sentinel, a non-profit based in Santa Clara (but serving the entire county) which aims to promote fair housing through fair housing testing, the filing of administrative complaints, and landlord-tenant mediation.⁷² Santa Clara County provides CDBG funds to Project Sentinel to serve a geographic area that includes Morgan Hill.⁷³ Other organizations include Bay Area Legal Aid, Law Foundation of Silicon Valley, Senior Adults Legal Assistance, Legal Aid Society of Santa Clara County, and Asian Law Alliance, each of which

⁶⁶ <https://www.morgan-hill.ca.gov/316/Housing-Rehabilitation>

⁶⁷ Senior & Aging Adult Resources - Santa Clara County Fire Department, <https://www.sccfd.org/education-and-preparedness-overview/safety-information-referral-assistance/senior-aging-resources> (last visited Jun 24, 2021).

⁶⁸ Ibid.

⁶⁹ Santa Clara County, Santa Clara County Community Plan to End Homelessness 2020-2025 (2020).

⁷⁰ <https://www.morgan-hill.ca.gov/DocumentCenter/View/37598/20-069-Endorsing-2020-Community-Plan-to-End-Homelessness?bidId=>

⁷¹ <https://www.morgan-hill.ca.gov/668/Downtown-Specific-Plan>

⁷² <https://www.housing.org/about>

⁷³ <https://www.morgan-hill.ca.gov/1859/Fair-Housing>

provides some variation of fair housing services to different communities within Morgan Hill, the County, and the surrounding region.

However, this private fair housing outreach and enforcement may not be sufficient. Almost all of these fair housing organizations and outreach/enforcement efforts are conducted at a county-wide or regional level rather than being specifically for Morgan Hill, and organizations generally do not have offices in Morgan Hill (though Project Sentinel has a satellite office in Gilroy). Although this is understandable as there may not be sufficient resources to support Morgan Hill-specific work, it does raise concerns about private efforts insufficiently addressing Morgan Hill-specific issues in favor of larger issues.

Lack of local public fair housing enforcement

The California Department of Fair Employment and Housing (DFEH) conducts public fair housing enforcement in Morgan Hill. Residents may submit complaints to the agency, which they will investigate and determine whether or not the complainant has a right to sue. Santa Clara-wide, community engagement has indicated that advocates prefer to file complaints with HUD over DFEH, because the intake process can be lengthy. DFEH tends to have a high volume of cases, with advocates reporting intake interviews sometimes taking place up to four months after filing a complaint. There has also been inconsistent reporting among various investigations. DFEH tends to achieve better results if there is more evidence provided upfront, and/or if the site of the complaint is near their offices. Santa Clara County, of which Morgan Hill is a part, was responsible for over 600 received complaints. While there is not segregated data for the cities within Santa Clara County to determine how many of these complaints originated from Morgan Hill, the high total number does suggest that there are likely many complaints of discrimination in Morgan Hill causing individuals and families to reach out to agencies such as DFEH and HUD.

Lack of meaningful language access for individuals with limited English proficiency

Many documents on Morgan Hill's website are translated from English into Spanish, and some documents are translated into Asian languages, including Vietnamese and/or Tagalog. Given that Spanish may be the only required language for translation under HUD's criteria, the City's efforts appear to exceed those required by law of CDBG subrecipients. Nonetheless, the development of a formal Language Access Plan may help ensure greater consistency in translation practices. There is reason for concern about the potential for unfair practices among private landlords that only provide information and documents to LEP tenants in English.

Lack of private investment in specific neighborhoods

As previously mentioned, downtown Morgan Hill is the most racially, ethnically, and socioeconomically diverse part of the city. It is also the part of the city regarding which it is important that the City remain on guard against possible disinvestment. Nonetheless, there does not appear to be any lack of private investment in downtown Morgan Hill, as many of the significant developments in the pipeline in Morgan Hill are located in that area.⁷⁴

Lack of public investment in specific neighborhoods, including services or amenities

Likewise, lack of public investment in specific neighborhoods, including services or amenities, is not a contributing factor to fair housing issues in Morgan Hill. Many of the projects in the development pipelines referred to above are assisted with both private and public investment. Additionally, the Downtown Specific Plan demonstrates a holistic approach to pairing land use

⁷⁴ <https://www.morgan-hill.ca.gov/DocumentCenter/View/40380/Significant-Projects---January-2022>

changes with infrastructure investments in the most racially, ethnically, and socioeconomically diverse part of Morgan Hill.

Lack of local or regional cooperation

Morgan Hill does have notable connections to the remainder of the county and region in a number of areas. Firstly, it is a member of the Cities Association of Santa Clara County (SCASCC) along with 14 other cities in the region who share a policy priority of housing/unhoused advocacy⁷⁵ as outlined in their Housing Position Paper.⁷⁶ Beyond housing, Morgan Hill is connected to the remainder of the region within areas such as transportation, orchestrated by the VTA, as well as by relying on other county services particular to housing such as through governmental organizations like the Santa Clara Housing Authority and through external organizations like the Silicon Valley Independent Living Center (housing assistance for disabled adults within the county).

With that being said, there are significant ways in which insufficient regional cooperation exacerbates fair housing issues in Morgan Hill. Namely, some high resource cities have not facilitated the production of sufficient housing at a range of income levels to meet their share of regional need. Cities like Morgan Hill that are more accepting of new residential development pick up the slack. Such growth is positive for Morgan Hill and helps to make it a more vibrant community, but there are trade-offs, including more traffic and higher housing costs that result from the inaction of other cities.

Lack of resources for fair housing agencies and organizations

Santa Clara County has a wealth of private fair housing enforcement organizations, many of which are at least partly funded by entitlement cities and the county. Multiple fair housing organizations in the County receive or have received Fair Housing Initiative Program (FHIP) funds from HUD, and also benefit from Community Development Block Grant funds. Participants in the community engagement process have reported that it can be difficult to hire and/or retain staff due to the high cost of living in the area. Across the various fair housing organizations in the County, each has a particular focus, with participants from community engagement reporting that the Law Foundation of Silicon Valley focuses on evictions, Bay Area Legal Aid focuses on subsidized housing, Asian Law Alliance does some fair housing work but focuses mostly on San José administrative hearings, and SALA is only able to take on a small caseload.

As mentioned above, Santa Clara County provides funding to Project Sentinel to provide fair housing services in Morgan Hill (as well as other cities that are not direct HUD grantees and the unincorporated county).

Lack of state or local fair housing laws

City of Morgan Hill

The City of Morgan Hill does not have any local fair housing laws, but residents benefit from the broad range of protections afforded by the State of California, which far surpass those available under federal law.

State of California

⁷⁵ <https://citiesassociation.org/policy/>

⁷⁶ <https://storage.googleapis.com/proudcity/santaclaracountycities/uploads/2019/04/2020-05-14-CASCC-Final-Approved-Housing-Position-Paper.pdf>

Passed in 1959, California's Fair Employment and Housing Act (FEHA) protects many forms of discrimination against tenants and homeowners based on their "race, color religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information." This law targets owners of any housing accommodation, banks, mortgage companies, and other financial institutions accused of discrimination.⁷⁷

This law prohibits cities, counties, and all other local government agencies from having zoning or land-use policies that discriminate against people for any of the traits listed above. FEHA also addresses many forms of discrimination, such as denying someone a home loan or homeowner's insurance, sexual harassment for housing rights or privileges, refusing to provide reasonable and necessary modifications for a tenant with a disability, etc.⁷⁸ This law also targets practices that have a discriminatory effect, which result in a disparate impact on a particular group of people or creates or reinforces segregated housing patterns.⁷⁹ The law also include financial assistance practices with discriminatory effects, such as creating terms or conditions of financial assistance that result in discrimination, failing to provide information about access to financial assistance, etc.⁸⁰ This law also applied to discrimination in land use practices.⁸¹

California recently passed a statewide source of income protections. California also has a robust set of statewide antidiscrimination laws, including the Unruh Civil Rights Act, Ralph Civil Rights Act, Bane Civil Rights Act, the Fair Employment and Housing Act, California Civil Code Section 1940.3, and Government Code Sections 11135, 65008, and 65580-65589.8. Whether complaints regarding these laws can be fully and timely pursued, however, is a different matter. Advocates have commented approvingly on recent changes to unlawful detainer laws, which increased the time period from five calendar days to five business days.

Land use and zoning laws

Morgan Hill is illustrative of how the availability of sufficient sites for multifamily development can outweigh zoning regulations as a determining factor of whether such development – including affordable housing occurs. As the City's zoning map below reflects, most of the City's residentially zoned land is zoned for single-family homes. Nonetheless, multifamily zoned areas are sufficient to ensure that there are enough permitted developments in the pipeline for Morgan Hill to meet its RHNA targets at all income levels for the next Housing Element cycle. At the same time, the relative lack of land zoned for multifamily housing in the more heavily White and higher-income eastern portion of the City is a concern, and relatively stringent maximum heights and density limits for multifamily housing could curb multifamily housing development and affordable housing development in the future if developers' cost constraints change.⁸² Thus, the City should seek ways to create opportunities for affordable housing development in the eastern portions of the city and may need to consider changes to multifamily development standards at some point in the

⁷⁷ Fair Employment and Housing Act (FEHA), 12955–12957 GOV (1959), https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=3.&title=2.&part=2.8.&chapter=6.&article=2 (last visited Jun 22, 2021).

⁷⁸ Housing | DFEH, <https://www.dfeh.ca.gov/housing/> (last visited Jun 22, 2021).

⁷⁹ PRACTICES WITH A DISCRIMINATORY EFFECT, 12060 2 CCR, [https://govt.westlaw.com/calregs/Document/I6B716F755D0E4E5683D6FABF3ADF9751?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I6B716F755D0E4E5683D6FABF3ADF9751?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) (last visited Jun 22, 2021).

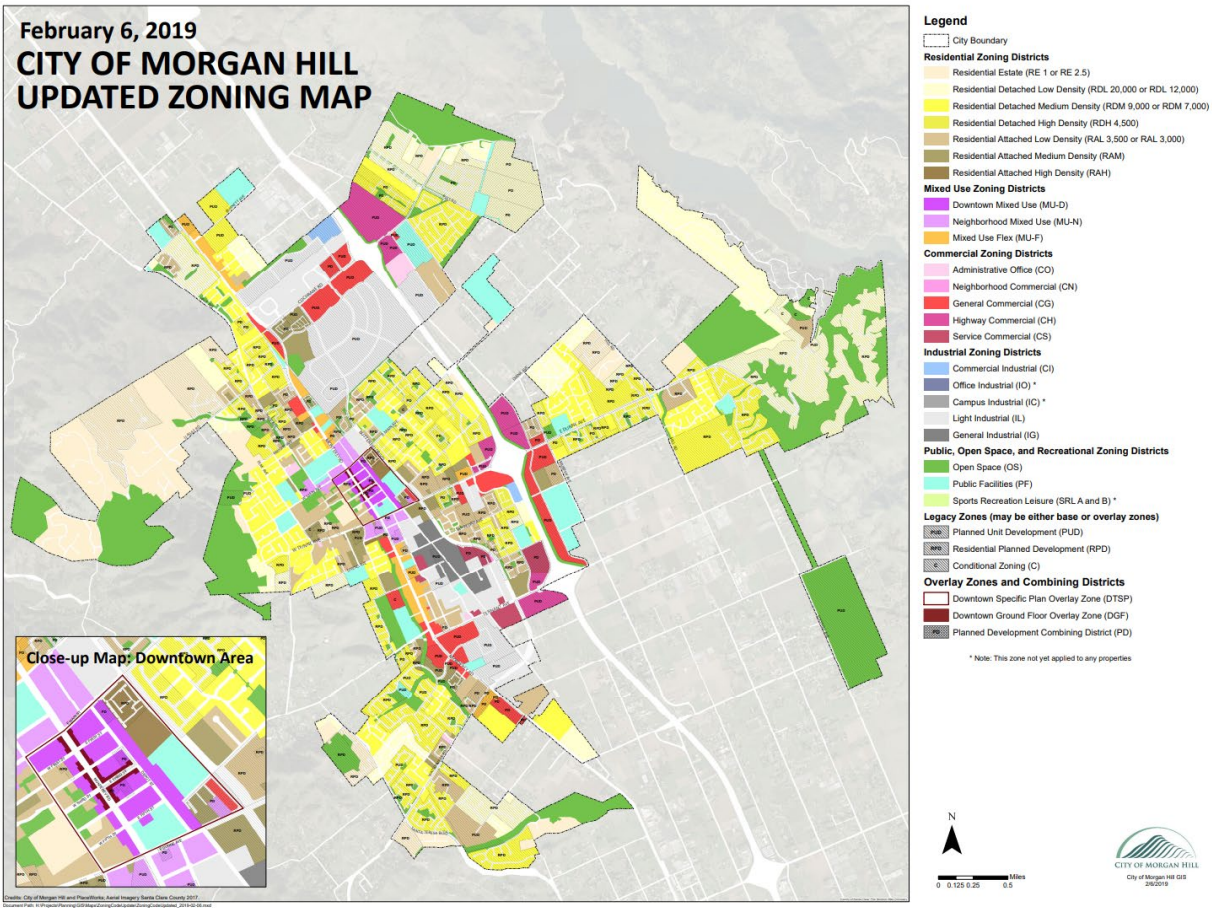
⁸⁰ Ibid.

⁸¹ Ibid.

⁸²

https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIZOCO_C_H18.18REATZODI_18.18.030DEST

future. Regionally, exclusionary zoning is a much more significant issue as many high resource cities accommodate far less multifamily development than Morgan Hill has.



Lending Discrimination

The data below show that White and Asian applicants are far more likely to be successful in getting a loan approved, and less likely to be given a subprime loan, than Black or Hispanic/Latino applicants across each category of loan in Santa Clara County. This Assessment did not reveal information suggesting different trends in lending patterns in Morgan Hill than those evident countywide. The differential rates vary across categories and across racial/ethnic groups, but for the most part, the difference between the highest and lowest percentage in each category fits into the commonly accepted 4/5ths disparate impact test, and should therefore be considered a practically significant disparate impact across the racial/ethnic groups.

Percentage of Loan Applications Resulting in Originated Loans by Race or Ethnicity and Loan Purpose in Santa Clara County, 2014-2017 Home Mortgage Disclosure Act Data

Race or Ethnicity	Home Purchase	Refinancing	Home Improvement

White, Not Hispanic	70.34%	62.50%	66.63%
Black, Not Hispanic	61.65%	49.98%	55.43%
Asian, Not Hispanic	70.27%	64.88%	62.11%
Hispanic/Latino	57.84%	50.51%	52.68%

Across home purchase, refinancing, and home improvement, White and Asian loan rates tend to cluster on the high end of the spectrum, with Black and Hispanic loan rates clustered at the bottom. The largest gap between the highest and lowest rates in a category is about 14 percentage points. Using the 4/5ths test, the difference between Asian and Black refinancing loans, for instance, clearly falls below the 4/5ths ratio, as does the differential between Hispanic and White home improvement loans. The gap between White and Hispanic home purchase loans falls barely within the 4/5ths ratio.

Percentage of Loan Applications Denied by Race or Ethnicity and Loan Purpose in Santa Clara County 2014-2017 Home Mortgage Disclosure Act Data

Race or Ethnicity	Home Purchase	Refinancing	Home Improvement
White, Not Hispanic	7.70%	14.26%	14.63%
Black, Not Hispanic	12.30%	21.61%	26.09%
Asian, Not Hispanic	9.33%	12.96%	18.05%
Hispanic/Latino	14.04%	21.11%	26.23%

When it comes to denials of loan applications, Hispanics have the highest rate of denial in both home purchase and home improvement, while Black applicants have the highest rate of denial for refinancing. However, the Black and Hispanic rates for these three categories are very similar, differ by about two percentage points at most. Meanwhile, White and Asian applicants outpace Black and Hispanic applicants in every category. The differential rates are more concerning for denials than for approvals, with Hispanics being denied for home purchase loans at twice the rate of White applicants. While not as extreme, the differentials in refinancing and home improvement also fall below the 4/5ths ratio.

Percentage of Originated Loans That Were High-Cost by Race or Ethnicity in Santa Clara County, 2014-2017 Home Mortgage Disclosure Act Data

Race or Ethnicity	Number of Loans Originated	Percentage High-Cost
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White, Not Hispanic	62,431	1.80%
Black, Not Hispanic	1,689	3.37%
Asian, Not Hispanic	73,926	1.23%
Hispanic/Latino	14,275	4.79%

The statistics for subprime loans may not seem like cause for concern, since each percentage is so low. However, the low percentages are due to the extremely costly market in Santa Clara County. The differences between racial/ethnic groups is striking, even at these levels. The Hispanic/Latino subprime rate, 4.79%, is nearly four times the rate of Asian subprime loans, 1.23. These discrepancies also related to the wealth gap and economic and employment disparities which also have racial underpinnings.

Location of accessible housing

Although it is not possible to precisely map the location of accessible housing in the city, it tends to exist where there are concentrations of new, multifamily housing and where there are concentrations of publicly supported housing. The American Community Survey does not facilitate the disaggregation of housing units by the number of units in a structure and the year a structure is built together, but it does allow a look at those two data points separately. It is likely that the downtown area and the Monterey Road corridor, which has seen the most significant growth in recent multifamily development, has an outsized share of Morgan Hill's accessible housing.

Location of employers

Although Morgan Hill is home to some employers, it lacks the major employment centers of San Jose and northern Santa Clara County, which are home to major technology companies as well as higher education institutions and more government offices. The location of employers thus results in many Morgan Hill residents having long and costly commutes. According to the 2015-2019 American Community Survey, 22.7% of Morgan Hill workers have commutes of 60 minutes or longer as opposed to just 10.6% of Santa Clara County workers. The costs of these long commutes are more difficult for lower wage workers, who are disproportionately Hispanic, to bear than they are for others.

Location of environmental health hazards

The geographic relationship of environmental health hazards to housing is an important component of fair housing choice. When environmental health hazards are concentrated in particular areas, neighborhood health and safety may be compromised, and patterns of segregation entrenched.

Relevant factors to consider include the type and number of hazards, the degree of concentration or dispersion, and health effects such as asthma, cancer clusters, obesity, etc. Additionally, industrial siting policies and incentives for the location of housing may be relevant to this factor.

There are no Superfund sites in Morgan Hill in contrast to areas further to the north and west in Silicon Valley that have several.⁸³ In light of Morgan Hill's lack of heavy industrial facilities, vehicle

⁸³ <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>

emissions are the main source of potential environmental harm, thereby reinforcing the importance of transit improvements in South County.

Location of proficient schools and school assignment policies

Morgan Hill only has one school district, the Morgan Hill Unified School District.⁸⁴ The district serves neighboring portions of South San Jose and unincorporated San Martin, which reduces concerns that the proliferation of school districts contributes to segregated school attendance patterns in the area, an issue that is of greater concern in northern Santa Clara County. There do, however, appear to be disparities in school proficiency between schools within the district, and schools in the more heavily White eastern portions of the city may afford students better educational outcomes than those in more diverse downtown Morgan Hill.⁸⁵ Creating more flexibility for students from downtown Morgan Hill to attend schools in eastern Morgan Hill as well as investing in affordable housing in eastern Morgan Hill are potentially mutually reinforcing strategies for overcoming these trends.

Location and type of affordable housing

Virtually all affordable housing in Morgan Hill is located in and around downtown Morgan Hill, and LIHTC units account for the largest share of affordable units. The lack of affordable housing in eastern Morgan Hill may reduce protected class members' access to opportunities present in those parts of the city. LIHTC units, in contrast to Project-Based Section 8 units, generally are not affordable to extremely low-income households without Housing Choice Vouchers. Because it likely is not feasible to build new Project-Based Section 8 or Public Housing, attaching Project-Based Vouchers to new and existing LIHTC units is the most likely way to increase the lowest income residents' access to affordable housing in the city. Housing that is affordable to extremely low-income households is essential to meeting the needs of persons with disabilities, particularly those who rely on SSI as their primary source of income.

Loss of affordable housing

Loss of affordable housing is a significant problem in Morgan Hill though the City's Inclusionary Housing Ordinance goes some length towards warding off the issue through robust affordability terms. According to data from the National Housing Preservation Database, subsidies recently expired for San Pedro Gardens and The Willows.⁸⁶ It is possible that the database has not been updated to reflect recapitalization of these properties, but, if it is not, support to their tenants who would now be at risk may be necessary. The issue of expiring subsidies is of significant concern throughout Santa Clara County and the broader region.

Occupancy codes and restrictions

The State of California has not adopted the Universal Building Code. Instead, they have enacted the California Building Code, which also incorporates the International Building Code. The California Building Code has a rather broad definition of family, in that it does not only limit a family to "an individual or two or more persons who are related by blood or marriage," but expands the definition to any persons who "otherwise live together in a dwelling unit."⁸⁷ This definition is not restrictive in a way that would negatively affect access to housing.

⁸⁴ <https://www.mhusd.org/about>

⁸⁵ <https://www.greatschools.org/california/morgan-hill/morgan-hill-unified-school-district/schools/?gradeLevels%5B%5D=e>

⁸⁶ <https://nhpd.preservationdatabase.org/Data>

⁸⁷ CAL., BUILDING CODE § 202.

Santa Clara County also defines family broadly, as “one or more persons . . . living as a single . . . household,” explicitly excluding only those “operating a hotel, club, fraternity or sorority house.”⁸⁸ Moreover, the code explicitly deems “necessary domestic help” as included within the definition of family.⁸⁹ Morgan Hill retains the expansive, non-restrictive view adopted by both California and Santa Clara County.⁹⁰ Accordingly, occupancy codes and restrictions are not a major factor in reducing access to fair housing in Morgan Hill.

Private Discrimination

According to the California Department of Fair Employment and Housing (DFEH) Annual Report, there were 597 complaints in Santa Clara County in 2019.⁹¹ Broken down by category, there were 206 employment complaints, 28 housing complaints, 4 under the Ralph Civil Rights Act, and 14 under the Unruh Civil Rights Act. 340 of the complaints were investigated and determined actionable. This data was not broken down by city to specifically reflect levels of complaint activity in Morgan Hill.

Quality of affordable housing information programs

There does not appear to be any general-eligibility mobility counseling programs for Housing Choice Voucher holders in Morgan Hill; however, the City has done well by having a single website portal for information about and applying to BMR housing within Morgan Hill.⁹²

It is also important to note that residents of Morgan Hill have access to the same affordable housing information programs as Santa Clara County. While Santa Clara County also lacks general-eligibility mobility counseling programs, it does offer some discrete programs for particular populations within the county, such as the Welfare to Work information program for Welfare to Work clients and the Silicon Valley Independent Living Center counseling program for developmentally disabled adults.

Regulatory barriers to providing housing and supportive services for persons with disabilities

This Assessment did not reveal regulatory barriers to providing housing and services for persons with disabilities in Morgan Hill and the broader region beyond those addressed above with respect to land use and zoning laws. Even those land use and zoning laws primarily impede the provision of housing for persons with disabilities by reducing opportunities to develop multifamily housing rather than by singling out housing types dedicated to persons with disabilities for adverse treatment.

Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs

The term “siting selection” refers here to the placement of new publicly supported housing developments. Placement of new housing refers to new construction or acquisition with rehabilitation of previously unsubsidized housing. State and local policies, practices, and decisions can significantly affect the location of new publicly supported housing. Local policies, practices, and decisions that may influence where developments are sited include, but are not

⁸⁸ SANTA CLARA COUNTY, CAL., CODE § 1.30.030.

⁸⁹ *Id.*

⁹⁰

https://library.municode.com/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIZOCO_C18.128GETE_18.128.020DE

⁹¹ https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/10/DFEH_2019AnnualReport.pdf

⁹² <https://www.housekeys1.com/>

limited to, local funding approval processes, zoning and land use laws, local approval of LIHTC applications, and donations of land and other municipal contributions. For example, for LIHTC developments, the priorities and requirements set out in the governing Qualified Allocation Plan (QAP) influence where developments are located through significant provisions in QAPs such as local veto or support requirements and criteria and points awarded for project location.

The main policy-driven factor related to the siting of publicly supported housing is the heavy focus of affordable housing development efforts throughout the state on transit-oriented development. Overall, there is very high access to transportation throughout Santa Clara County. When real affordability is built into transit-oriented development, these investments may have a positive effect on stable integration in areas undergoing gentrification by arresting the process of displacement.

The California Tax Credit Allocation Committee's (CTCAC) QAP heavily incentivizes family-occupancy LIHTC development in what it terms "High Resource" or "Highest Resource" areas. None of Morgan Hill falls within High Resource areas. This is the case despite high income levels and access to proficient schools in eastern Morgan Hill. LIHTC development in these areas would contribute to greater residential racial integration. In light of the significant incentives for LIHTC development in High Resource and Highest Resource areas, CTCAC's current identification of high resource areas undermines efforts to foster integration in Morgan Hill and presents a missed opportunity. The QAP includes set-aside pools for the South and West Bay Region (San Mateo and Santa Clara Counties) of 6%, which is roughly equal to its share in the population of the state.

Source of income discrimination

In 2019, the California Legislature passed S.B. 329, a bill that prohibited discrimination against Housing Choice Voucher holders.⁹³ It is likely that source of income discrimination still occurs on a frequent basis despite these protections, thus reinforcing the importance of investments in fair housing enforcement. Although Morgan Hill does not have its own local source of income protections, some of its neighbors do as well as Santa Clara County with respect to the unincorporated areas.

State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings

State or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, and other integrated settings are not a significant contributing factor to fair housing issues in Morgan Hill or Santa Clara County. A severe shortage of available, integrated affordable housing is the primary driver of the segregation of persons with disabilities, rather than laws, policies, or practices that discourage persons with disabilities from living in integrated housing.

Unresolved violations of fair housing or civil rights law

This Assessment did not reveal any unresolved violations of fair housing or civil rights law in Morgan Hill.

⁹³ https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB329

Appendix H6

Evaluation of Past Performance

City of Morgan Hill Housing Element 2023-2031

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City of Morgan Hill Housing Element

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APPENDIX H-6 | Evaluation of Past Performance

6.1 Introduction

California law (Government Code Sections 65588(a)) requires Housing Elements to assess the achievements under the adopted housing programs as part of the eight-year update. These results should be quantified where possible (e.g., the number of units rehabilitated), but may be qualitative where necessary (e.g., mitigation of governmental constraints). The results should then be compared with what was projected or planned in the earlier element. Where significant shortfalls exist between what was planned and what was achieved, the reasons for such differences must be discussed.

6.2 Accomplishments of the Current Housing Element

Morgan Hill has developed programs and implemented initiatives to incentivize housing production; assisted citizens in paying their rent and purchasing homes; facilitated development of supportive and transitional housing; and assisted people experiencing homelessness. This section highlights some of the key accomplishments during the 5th Housing Element cycle. This Housing Element builds upon the success of the previous Housing Element and speaks to the evolutionary response of the City's Housing efforts.

The City of Morgan Hill continues to be resourceful in the face of the challenging effects of the 2012 elimination of the Redevelopment Agency, and the resulting loss of \$4 million in annual funding to support the rehabilitation and development of affordable housing in Morgan Hill. Historically the City has built a model Program with one in every eight units being affordable and income restricted. In the absence of redevelopment, the City continues to seek out new strategies to support housing production, affordability and services.

The historical backdrop to Morgan Hill's unique housing story began in 1977, when the voters adopted the Residential Development Control System (RDCS), a smart growth residential pacing policy. This was done in response to the community's concern for the amount and pace of residential growth and its impacts on city services and infrastructure. For 40 years, RDCS worked as a "de facto" Inclusionary Housing Ordinance, incentivizing the creation of high-quality, affordable housing throughout the city. RDCS continued through a city-initiated ballot, Measure S, which was approved in November of 2016 and effective March 2017. The RDCS program provided an opportunity for park lands and open space, safe routes to schools, proximity to the downtown businesses and services, and affordable housing. Through RDCS, Morgan Hill has been able to obtain a significant amount of affordable housing.

In 2018 RDCS was suspended with the enactment of Senate Bill 330 ("SB 330") which went into law, effective as of January 1, 2020. SB 330 enacted Government Code Section 66300, the "Housing Crisis Act of 2019" as a direct result of the legislature being forced to act due to the housing supply not keeping up with population and job growth. Ultimately, the result is a statewide affordability crisis that has grown significantly due to undersupply and increases in housing prices. The Housing Crisis Act preempts and precludes the enforcement of RDCS while the State of California's Housing Crisis Act is in effect. SB330 originally set a temporary 5-year prohibition of residential density reduction associated with a "housing development project," from January 1, 2020, to January 1, 2025. SB 8 extended the temporary prohibition for an additional 5-year period, concluding on January 1, 2030. In preparation for the suspension of RDCS, the City of Morgan

Hill adopted an Inclusionary Housing Ordinance (IHO) in August of 2018 to replace the RDSCS mechanism that allowed for the creation of Below Market Rate (BMR) units. An IHO is one tool that is used to obtain affordable units in the City, and to ensure that, to the extent possible, affordability is disbursed throughout the entire development. Thus, the IHO has carried on the good policy of requiring all new housing neighborhoods to produce 15% affordable units if the project is located outside of downtown, and 10% if it is located within downtown.

Morgan Hill's primary housing mission is to continue the City's legacy to improve, preserve, and create safe quality housing in Morgan Hill for residents at all income levels, in the form of both rental and ownership opportunities. As a result of the elimination of redevelopment agencies statewide, the City's Housing Program accepted secondary responsibility to serve as the successor to the former Morgan Hill Redevelopment Agency's housing functions and administer its legacy housing assets.

With the elimination of the agency, the City restructured its housing programs to reflect the services that can be provided based on the limited staff resources and funding. The housing functions provide coordination of new unit private development production, implementation of the Housing Element, achievement of the Regional Housing Needs Allocation efforts (RHNA), and provision of various local housing related services and programs. For a full review of the previous Housing Element, see Attachment A.

Overall, a significant number of housing units have been built, particularly for people experiencing homelessness. The city has been able to continue to support affordable development by systematically partnering with local housing stakeholders, such as the County of Santa Clara and through its participation in Measure A. Measure A, a \$950 million Affordable Housing Bond, was passed by the Santa Clara County voters in November of 2016. This bond has spurred affordable housing developments countywide, including 4,800 new units dedicated to extremely low-income households and individuals, families exiting homelessness, and other underserved populations. A Morgan Hill development named "The Crossings" was amongst one of the first Measure A projects approved for funding.

The Crossings is a three-story affordable housing development located at 16800 Monterey Rd, Morgan Hill, CA 95037, occupied in 2020 and consisting of 39 affordable housing units, developed by Urban Housing Communities. There are 20 apartments reserved for chronically homeless and homeless individuals and families. The Crossings received \$5.8 million in Measure A funding and \$750,000 in 2018 from the City of Morgan Hill.

The "Royal Oak Village" is the City's second Measure A affordable rental development. This project by Urban Housing Communities is under construction and has a September of 2023 expected occupancy date. There are 73 units of which 18 are permanent supportive housing, 30 are farmworker units, and 24 are permanent supportive housing (PSH) units. The project is located at the Royal Oaks Mushroom Farm along Watsonville Road, south of Monterey Road. The project received \$400,000 in 2021 from the City of Morgan Hill Housing Program,

\$8,363,000 million from the Countywide Measure A Bond and \$1,528,000 in 2022 from the Urban County CDBG Program.

The City of Morgan Hill assisted in the development of the Morgan Hill Family – Scattered Site affordable rental development by EAH. This is a 41-unit apartment community on three (3) separate properties that are noncontiguous but within $\frac{3}{4}$ of a mile of one another. The property provides permanent housing for low-income families at or below 60% of the Area Median Income (AMI) and includes six (6) units set-aside for Transitional Aged Youth (T.A.Y. units). The City of Morgan Hill Housing Program provided funding in the amount of \$4,5000,000.00 with City Housing funds. The project includes: Tobiano at Orchard Ranch" (40 E. Dunne Avenue), Tovero

at Orchard Ranch (16873 Monterey Rd), Palomino at Orchard Ranch (16170-16180 Monterey Road).

The main performance measure by which a city is evaluated by HCD is its annual progress on the Regional Housing Needs Allocation goals (RHNA, the number of new homes that a city is "assigned" in each income category to produce over an eight-year cycle). The city is currently in its fifth RHNA Housing Element cycle for the Planning Period: January 31, 2015 – January 31, 2023. For the current RHNA cycle (2015-2023), Morgan Hill has exceeded its total RHNA goal of 928 by producing 2,203 homes since 2014, thus satisfying the overall RHNA Housing goal by 237%. However, the City's quantified objectives outlined in the 5th Housing Element cycle was based on anticipated RDCS allocations, instead of the RHNA goal, from Fiscal Year 2013/2014 through Fiscal Year 2022/2023. Based on the quantified objectives of the 5th Housing Element cycle, the City accomplished its objectives for low- and moderate-income units as of May 2022 and has a remaining objective of 44 extremely low-income units, 26 very low-income units, and 997 above moderate-income units. It is surmised that the quantified objectives were not met due to the passage of SB 330 which suspended RDCS on January 1, 2020.

Table 6-1 Quantified Objectives (2015-2023) Compared to Actual Accomplishments						
	<i>Extremely Low Income</i>	<i>Very Low Income</i>	<i>Low Income</i>	<i>Moderate Income</i>	<i>Above Moderate Income</i>	<i>TOTAL Comp/Obj</i>
	<i>Comp/Obj</i>	<i>Comp/Obj</i>	<i>Comp/Obj</i>	<i>Comp/Obj</i>	<i>Comp/Obj</i>	
New Construction	31 / 75	49 / 75	192 / 70	418 / 170	1,513 / 2,510	2,203 / 2,900
Rehabilitation ¹	32 / 16	182 / 80	40 / N/A	7 / N/A	-	254 / 96
Conservation/ Preservation	-	-	-	-	-	-

Note: comp = completed; obj = objective.

Source: City of Morgan Hill, 2022

Some of the particularly noteworthy accomplishments of the current Housing Element include the following:

1. Met the Low-, Moderate-, and Above-Moderate Housing RHNA goals. Provided for the orderly creation of new housing, with 2,203 new housing units created since 2015. Approximately 31 percent of the units built have been affordable to very low-, low-, and moderate-income residents. The affordable units that have been built during the most recent cycle are largely attributable to the City's work establishing affordable and special needs housing as a high priority. The City is on track to meet its last remaining goal of 193 very low-income units pending permit issuance.
2. The City Council adopted Residential Development Design and Development Standards ("Standards") to replace the RDCS Competition Manual. The Standards have been developed to meet the requirements of "Objective Standard" and are consistent with the Morgan Hill 2035 General Plan. The purpose of the Residential Development Design and Development Standards is to articulate project design requirements for all residential and mixed-use developments. These Standards will be utilized to detail the review process by clearly stating the City of Morgan Hill's objectives for high quality, residential projects that are aesthetically pleasing, livable, sustainable, well-connected to neighborhood services. These Standards implement requirements of SB 330 "Housing Crisis Act of 2019" and shall remain in effect until SB 330 is rescinded or extended.

3. The City continues to place a high priority on providing quality housing opportunities for an economically and socially diverse community. This priority is reflected as a strategy in the Housing Element. In December 2020, the City Council endorsed the five-year Santa Clara County 2020 Community Plan to End Homelessness (2020-2025), developed collaboratively by representatives of community-based service organizations, local government, philanthropy, business, healthcare, and people with lived experience. Morgan Hill applied for and received a \$450,000 capacity building grant from Destination Home for a period of 3 years (\$150,000 per year) to fund an Unhoused Specialist position that began in 2021. This teammate goes out into the community to engage and offer support and basic needs to our homeless residents, conducts a needs assessment/survey, a critical first step in ensuring they have an opportunity to access permanent housing when it becomes available. All countywide shelter beds are now coordinated through the Bill Wilson Center Hotline 408-385-2400. This teammate is working alongside the Psychiatric Emergency Response Team (PERT), a Mental Health Collaboration with the County Behavioral Health Department. The PERT Team consist of a clinician to conduct mental health evaluations and assessments for persons with serious mental illnesses including clients who are frequent users of emergency psychiatrist services.
4. In 2017, Destination: Home and the County of Santa Clara helped launch a countywide Homelessness Prevention System in which Morgan Hill participates- a unique partnership between public agencies, private funders, and non-profit organizations to help at-risk families and individuals maintain their housing and avoid falling into homelessness. In response to the rise in Homelessness in 2017, Morgan Hill has annually contributed \$25,000 to an ongoing Countywide Rapid Rehousing Program. This serves as a Homeless Prevention program providing rental assistance, security deposits, transportation, utilities, and motel stays for families experiencing homelessness. Since its inception in Fiscal Year 2017-2018 and through Fiscal Year 2021-2022, \$425,890.17 has been provided to 95 Morgan Hill families at risk of homelessness. Additionally, through the COVID pandemic \$685,000 was provided by Destination Home to Morgan Hill households financially impacted by the pandemic.
5. In 2017 a Safe Park Program for families experiencing homelessness was created through a public private partnership. The Safe Park offers an eight space, pet friendly overnight respite at a local church for eight homeless families (25 people max) living in their cars. They receive coordinated assessment, services, meals, and support with the goal of providing some stability and a path to permanent housing. Since its inception and ongoing the city contributes \$30,000 annually towards the case management provided by the South County Compassion Center. The total contracted amount during the 5th Housing Element cycle is \$136,265. The city has budgeted \$52,000 for FY 22/23 for Case Management for "Focus" Safe Car Park Program and referral services to the cities Inclement Cold Weather Shelter. Since January 2020 the City of Morgan Hill has also supported an inclement cold weather shelter at Community Christian Church during cold weather season. The city has provided support during the 5th Housing Element cycle, total contracted amount is \$49,336. The city has budgeted \$25,000 for FY 22/23.
6. In 2018, the City of Morgan Hill adopted an Inclusionary Housing Ordinance (IHO) requiring residential developments to provide 15% of the units (and 10% in Downtown) as part of the City's efforts to create and maintain an income-based affordable housing inventory. The IHO is a result of the loss of the City's Residential Development Control System (RDACS) growth management program which has been the mechanism for the City to obtain Below Market Rate (BMR) housing units for many years. In December of 2021, the City Council adopted an amendment to the IHO to create a funding mechanism that will allow the City to advance

projects that meet the City's Regional Housing Needs Allocation (RHNA) goals. Specifically, the City now allows for up to 50% of the affordable housing requirement to be satisfied with an in-lieu fee. This fee would provide the City with a funding mechanism to support projects that produce units that contribute to meeting the City's RHNA requirements. In-lieu fees are already allowed in the IHO. However, this recommended change allows this in-lieu fee to be *by right* provided that a minimum of 50% of the affordable units *will be built on site*. This programmatic change is intended to help the City meet its very low income and extremely low-income goals moving forward.

6.3 Housing Element Program Review

The overview below focuses primarily on the Below Market Rate Housing Program. These BMR units were either previously produced by the City's RDCS program, or the more recent Inclusionary Housing Ordinance Program.

6.3.1 Below Market Rate Program

The *Below Market Rate Housing (BMR) Homeownership and Rental Program* helps qualifying buyers and renters obtain affordably priced homes and apartments. The genesis of this program began in 1977 through the program formally known as RDCS. The homes are typically provided by private market developers based on the affordable requirements of the Inclusionary Housing Ordinance. In the "Post-RDA and post RDCS Era", Morgan Hill has evolved to keep pace with the changing rules to ensure that BMR units continue to be delivered to Morgan Hill residents. The City currently has over 550 first time homeowners in the program and 15 BMR renter households.

Participating homebuyers and renters must be income eligible. Homebuyers must be pre-approved to be able to financially qualify for a fixed-rate, fixed-term mortgage, and must have a minimum 3 percent down payment from their own funds to purchase a home. Eligible applicants are placed in a lottery until the opportunity to purchase or rent a unit becomes available either through new construction or resale of an existing unit. Priority in the lottery is provided for eligible buyers who live or work within the city limits. This program helps low- and moderate-income households purchase and rent homes that are affordable and adequate to their needs. It also prevents affordable homes from being sold to persons with little or no income obstacles, maintaining a larger base of affordable homes in the area. Home sale prices range from \$523,618 for a moderate two-bedroom home to \$634,840 for a moderate income, four-bedroom home. At the time of sale, properties will have a resale affordable restriction recorded on the title in order to preserve the long-term affordability of the unit for an additional 45 years. The BMR monthly rental prices are consistent with the State HCD income guidelines and adjusted for household size, ranging from \$908 for an Extremely Low Income one bedroom unit to \$2,451 for a four-bedroom low-income unit.

In 2015, the City collaborated with HouseKeys, after the sudden demise of Neighborhood Housing Services, for the administration of its Below Market Rate (BMR) Program. This enabled the City to continue to contract with an outside agency to administer the Program on site to serve as a test to identify best practices. Housing efforts were focused on the immediate need to transition the BMR Program and strived to carry out transactions to avoid a service interruption to developers, homeowners and new buyers in the pipeline. This was achieved by rapidly on-boarding the HouseKeys BMR team and working to create a new sustainable BMR business model. The City of Morgan Hill was the first model city acting as an incubator of innovation and collaboration. HouseKeys now operates as an Affordable Housing Program Administrator who works alongside 16 cities and builders to provide affordable housing opportunities to income-eligible households. As a Program Administrator they support the City's BMR program by specializing in Home

Ownership, Rental, and Finance Programs. During the 5th Housing Element cycle Morgan Hill has provided \$2,100,000 for the administration of its BMR program. The city has budgeted \$550,000 for FY 22/23 for BMR Ownership and Rental program administration for the sale of the new construction BMR unit, a resale, and ongoing monitoring, compliance, and asset management. From 2015 to 2021, there was 85 New Construction BMR homeowner units permitted and occupied by income qualified, first-time homebuyer families, an additional 53 BMR homes rehabilitated by HouseKeys and resold to income eligible families, and the administration of 89 subordinations to support homeowners refinance loans. Since 2015, there have been over 65 BMR ownership unit cases involving enforcement action or escalations. Of those 65, 41 involved attorney action, and 6 progressed to formal complaints filed and litigation in court to protect the affordability covenants. Through this process, the City and HouseKeys have learned how to strengthen the program and to implement policies and procedures defensible in court.

6.3.2 Rehabilitation

Through the former Morgan Hill Redevelopment Agency's (RDA) \$4 million in annual funding that was dedicated to support the rehabilitation and development of affordable housing, the City has historically offered a *Housing Rehabilitation Loan Program* to maintain and improve housing conditions. RDA was a significant cornerstone of the city's successful housing program. Since its dissolution in February of 2012, the City has had to reduce, reprioritize and restructure its programs. As a result, programs that were once offered, such as the *Housing Rehabilitation Loan Program* that provided loans to lower income owner-occupants of single-family dwellings and owners of rental housing with income-qualified renters has been effectively eliminated in Fiscal Year 2010/2011 due to the dissolution of the Redevelopment Agency.

However, during this current 5th Housing Element cycle, the City has continued to support rehabilitation efforts to improve Morgan Hill's stock of affordable housing through the following programs. The Urban County Community Development Block Grant Program (CDBG) of which Morgan Hill is a participating jurisdiction, has continued to fund rehabilitation services provided by Rebuilding Together Silicon Valley (RBTSV). Since 2015, CDBG has provided \$1,826,546.05 to RBTSV, a non-profit agency devoted to providing critical home repairs and accessibility modifications for low-income homeowners and seniors at no cost to the recipient. The work provided focuses on improvements such as grab bars and railings, half steps, wheelchair ramps or lifts, raised toilets, minor plumbing or electrical, carpentry, and painting. Repairs are made possible, at no cost to the recipient, by utilizing volunteer labor, generous donations, government grants, and donated or discounted materials. Applicants must own their home, have a household income below 80% area median income, and preference is given to those 50% or below area median income. This program has been funded in part by the CDBG program, and in part by the City of Morgan Hill.

In addition to the Urban County CDBG Program, since 2016, the City of Morgan Hill has also contracted with RBTSV for minor repair services, the total City contracted amount during the 5th Housing Element cycle was \$350,000. Additionally, in years 2017-2021 the City funded a RBTSV Blight busters' program in collaboration with the code compliance team to assist with bringing a low-income home into compliance with health and safety rules. The Blight busters' program had a total contract amount of \$150,000 from 2017-2021 and ended June of 2021. From July 2015 to June 2020, 2,564 home repairs were completed by RBTSV on 258 homes in Morgan Hill (this is the result of both the Urban County CDBG Program funding and the City of Morgan Hill Program funding).

The City of Morgan Hill's housing policy towards its multifamily housing partnerships is to provide stewardship to guaranty investment and re-investment in quality, long term housing stock. This generally results in supporting non-profit partners as they raise rehabilitation dollars for renovation

of aging structures in the City of Morgan Hill. The former Morgan Hill Redevelopment Agency originally provided loans in previous years. Since then, the following developers have sought out and received City approval to refinance and resubordinate existing loans to rehabilitate their properties through the State's Tax Credit and Bond programs.

First Community Housing intends to rehab Murphy Ranch I, a 62-unit affordable apartment community and Murphy Ranch II, a 38-unit affordable apartment community located at 310 E Dunne Ave. Construction is scheduled to start during the second quarter of 2022 and will take 12-15 months to complete. The rehab will include performing critical and immediate repairs in excess of \$2.5 million at Murphy Ranch I and II. The primary scope of work is to complete roof repairs, security camera upgrades, repaint the building exteriors, complete common area and unit interior improvements, resurface parking areas, replace rotted fencing, and upgrade the heating, cooling, and ventilation systems at each building to support energy efficiency.

EDEN Housing began rehabilitation work on Depot Commons in 2021 located at 17145 Depot Street. Depot was 12 affordable units and is being converted to 18 affordable units and 1 managers unit within the existing footprint. The rehab will include site work, interior and exterior upgrades, replacement of interior finishes, roofing, siding, doors, windows, the HVAC system and the additional of solar. The rehabilitation is expected to be completed in 2022.

EDEN Housing began rehabilitation work on the Willows Apartments in year 2021 located at 50 W Edmundson Ave. The Willows consists of 19 affordable units and 1 managers unit. The rehab will include the replacement of roofing, partial siding, doors, windows, the HVAC system and the addition of Solar. The interiors of the buildings will include upgrades to doors, cabinets, electrical & plumbing fixtures, and flooring. The rehabilitation is expected to be completed in 2022. The Willow Apartments and Depot Commons are being rehabbed together and the total development cost of this rehab is \$27.2 million.

In 2021 EDEN Housing completed a \$2.1 million rehabilitation of Sycamore Glen, a 20-unit senior property in Morgan Hill originally constructed in 1989. The property recently completed renovations in 2021, Improvements includes: heating and cooling units for each unit, all new double pane windows throughout, full unit interior renovations, drought-tolerant landscaping and install water efficient irrigation, repairs to failing pedestrian bridges and new stairs throughout, exterior lighting and parking lot upgrades, upgrades to the small community room and ADA upgrades throughout the site.

In February of 2022, EDEN Housing requested, and the City Council of Morgan Hill approved, the waiver of the 2020 surplus cash distribution payment (\$44,777) due to the City to support their property Villa Ciolino's immediate urgent rehabilitation needs. Villa Ciolino is a 42-unit affordable family housing apartment community located at 80 Ciolino Avenue. The more urgent rehab work will begin in 2022, primarily to address the exterior dry rot needs. EDEN has a longer-term goal to continue to apply for and seek out Tax Credit and Bond Funds to do a full re-syndication for the entire property, a much larger scale rehab of the property is scheduled for 2023.

In 2017, EAH completed an \$18,105,464 million extensive rehabilitation of the Cochrane Morgan Hill Apartments located at 18555 Butterfield Blvd (96 Units). The scope of the improvements included but not limited to the replacement of plumbing, an upgrade to the electrical systems, extensive interior, and exterior upgrades, such as appliances, energy efficient systems, replacement of the countertops and cabinets, windows and flooring. Additionally, ADA accessibility features were implemented, restriping of the parking areas, replacements of the irrigation and upgrades to the interior and exterior common area amenities.

In 2019, EAH completed a \$50,910,953 million rehabilitation of Park Place Apartments, located at 16480 Del Monte Ave (112 Units). The scope of the improvements included but not limited to

replacement and upgrades to the plumbing and electrical systems, roof, AC system, appliances, and ADA enhancements. Additionally, an upgrade to the exterior and interior lighting, landscaping and irrigation improvements, repair of the basketball court surface, paving of the playground, and an upgrade to the interior and exterior common area amenities.

6.3.3 Santa Clara County Housing Programs

The Housing Authority of Santa Clara County administers the Section 8 Housing Assistance Payments Program (Section 8). This program links landlords with tenants eligible for rental assistance. Section 8 guarantees landlords fair market rent while providing subsidies for tenants in rental properties. Section 8 tenants are those elderly, handicapped, or very low- or extremely low-income families needing help to secure decent housing. Morgan Hill is participating in this program. Currently, 344 Morgan Hill households use Section 8 housing choice vouchers. There are 632 households on the waiting list for vouchers from Morgan Hill. The Housing Choice Voucher interest list (accessed through the Applicant Portal) is a permanently open list. When vouchers are available, active applicants are randomly selected to be offered a voucher (if eligible).

Community Development Block Grants (CDBG)

Morgan Hill participates in the Santa Clara County CDBG Urban County Program that provides funding on behalf of the smaller urban county non entitlement cities to nonprofit agencies and participating cities to enable them to offer housing and housing-related services to eligible lower income persons including seniors, persons with disabilities, the homeless, and victims of gender-based violence.

Since 2015, the CDBG program has provided \$4,539,941.38 in funding for developers and service providers that have served Morgan Hill for the acquisition, construction, or rehabilitation of affordable housing, public facilities, and services for lower income persons. Local funding priorities are based on the collective community needs and goals documented in the County's Consolidated Plan. A summary of services funded during the 5th Housing Element cycle is listed below.

Figure H 6-1: Services Funded During 5th Housing Element Cycle

CDBG										
Name of Agency/Project	Areas Served	Office Location	2015	2016	2017	2018	2019	2020	2021	Total
Project Sentinel - Tenant Land	Morgan Hill	1490 El Camino Real, Santa Clara, CA 95050	\$30,000.00	\$30,260.00	\$30,450.00	\$34,188.99	\$33,411.00	\$36,490.00	\$37,000.00	\$231,799.99
Catholic Charities	Morgan Hill	2625 Zanker Road, Suite 200, San Jose, CA 95134	\$10,448.21	\$11,805.00	\$11,046.61	\$11,965.11	\$11,879.25	\$9,759.27	\$12,290.00	\$78,993.45
Boys & Girls Club	Morgan Hill	518 Valley Way, Milpitas, CA 95035	\$11,467.32	\$13,110.00	\$11,165.00	\$12,159.00	\$11,880.00	\$12,063.05	\$12,290.00	\$84,134.37
Community Solutions	Morgan Hill	9015 Murray Ave., #100, Gilroy, CA 95020	\$21,469.00	\$22,195.00	\$21,314.98	\$21,314.98	\$21,839.43	\$22,210.46	\$23,683.00	\$154,026.85
San Jose Family Shelter	Morgan Hill	692 N. King Road, San Jose, CA 95133	\$11,469.00	\$11,805.00	\$11,165.00	\$12,159.00	\$11,880.00	\$12,118.00	\$12,290.00	\$82,686.00
Live Oak	Morgan Hill	1147 Minnesota Avenue, San Jose, CA 95125	\$10,000.00	\$20,000.00	\$20,300.00	\$20,300.00	\$21,061.57	\$22,000.00	\$22,310.00	\$135,971.57
Next Door	Morgan Hill	234 East Gish Road, Suite 200, San Jose, CA 95112	\$11,469.00	\$13,110.00	\$13,110.00	\$12,159.00	\$11,832.82	\$12,118.00	\$12,290.00	\$86,088.82
SALA	Morgan Hill	1425 Kell Circle, Suite 109, San Jose, CA 95112	\$10,000.00	\$30,450.00	\$30,450.00	\$34,189.00	\$33,411.00	\$36,490.00	\$37,000.00	\$221,940.00
SVLC	Morgan Hill	25 N. 14th Street, Ste. 1000, San Jose, CA 95112	\$11,469.00	\$13,110.00	\$13,110.00	\$12,159.00	\$11,880.00	\$12,117.60	\$12,290.00	\$86,135.60
West Valley	Morgan Hill	10104 Vista Drive, Cupertino, CA 95014	\$10,000.00	\$11,469.00	\$11,165.00	\$12,159.00	\$9,835.55	\$12,118.00	\$12,290.00	\$109,036.55
YWCA	Morgan Hill	375 S. Third Street, San Jose, CA 95112	\$10,221.70	\$12,333.76	\$11,165.00	\$11,165.00	\$11,713.08	\$11,889.41	\$12,290.00	\$80,777.95
LifeMoves	Morgan Hill	33 Encina Ave, Palo Alto, CA 94301	\$9,615.95	\$5,167.82	\$10,284.00	\$11,214.00	\$10,958.80	\$11,179.00	\$11,239.00	\$69,758.57
Project Sentinel Fair Housing -	Morgan Hill	1490 El Camino Real, Santa Clara, CA 95050	\$30,974.00	\$31,277.00	\$29,720.28	\$34,886.88	\$28,058.60	\$30,657.00	\$31,089.00	\$216,662.76
Rebuilding Together	Morgan Hill	1701 S. 7th Street, Ste. #10, San Jose, CA 95112	\$50,194.00	\$50,194.00	\$49,902.21	\$50,194.00	\$56,747.00	\$56,747.00	\$56,747.00	\$370,725.21
Galvan Park Playground Morga	Morgan Hill	N/A	\$209,593.80	\$259,825.27	\$257,127.00	\$200,000.00	\$299,999.99	\$299,999.99	\$300,000.00	\$1,826,548.05
Galvan Park Refurbishment an	Morgan Hill	N/A	\$66,384.00							\$66,384.00
Galvan Park Refurbishment an	Morgan Hill	N/A	\$72,136.25							\$72,136.25
Britton Middle School	Morgan Hill	N/A	\$216,417.39							\$216,417.39
Total								\$350,120.00		\$4,539,941.38

HOME										
Name of Agency/Project	Areas Served	Office Location	2015	2016	2017	2018	2019	2020	2021	Total
Eden Redwoods & Wheeler	Gilroy	N/A			\$733,706.00					\$733,706.00
EAH Morgan Hill Family Apartm	Morgan Hill	N/A	\$756,269.00							\$756,269.00
Total										\$1,489,975.00

HOME Program (Home Investment Partnership Act)

The federal HOME Program is administered by the County of Santa Clara Office of Supportive Housing and provides loans and grants to nonprofit organizations to assist with financing to develop permanently affordable housing through acquisition, construction, or rehabilitation. In 2015, EAH Morgan Hill Family Apartments received \$756,269 in HOME funds for the construction of Morgan Hill Family – a scattered site development that consists of a 41-unit apartment project built on three (3) separate properties that are noncontiguous but within $\frac{3}{4}$ of a mile of one another,

Tobiano at Orchard Ranch” (40 E. Dunne Avenue), Tovero at Orchard Ranch (16873 Monterey Rd), and Palomino at Orchard Ranch (16170-16180 Monterey Road). The property provides permanent housing for very low-income families at or below 60% AMI and includes six (6) units for Transitional Aged Youth (T.A.Y. units). The HOME funds were used for the construction and permanent financing of the residential portion of the project. The City of Morgan Hill funded this project \$4,500,000.00 with City Housing Program funds.

Shelter Plus Care

Shelter Plus Care (S+C) was originally the name of a Program that was administered by the Housing Authority. It provided a five-year rent subsidy to homeless/disabled individuals and their families to assist them in securing permanent affordable rental housing. Applicants had to be currently homeless and diagnosed with one of the following disabilities: mental illness, HIV/AIDS, or a drug and/or alcohol dependency. In addition to rent subsidy, the program also arranged for various treatment services and case management. S+C clients were required to pay 30 percent of their monthly income towards rent and S+C paid the balance. The Housing Authority transferred S+C program in 2016 to the County of Santa Clara Office of Supportive Housing for the purpose of integrating the program and the referring body into one coordinated entry effort. The program as described still exists through the coordinated countywide entry system. The name “S+C” was the referral process for a HUD funded grant that allowed shelter providers to refer their residents and was eliminated when coordinated entry was created. Coordinated entry was part of a larger effort to streamline access to homeless and housing services countywide. All Continuum of Care (CoC) funded programs now use the coordinated entry system as the referral mechanism. Participants do not apply; they are given an assessment by their homeless service provider that places them on a community queue and prioritizes them by vulnerability and acuity. The community queue is used to refer individuals starting with the highest scoring individual on the queue. The CoC funding includes the subsidies and services that were originally provided by the program called S+C. There are three CoC grants that provide subsidy assistance only. Additional information can be found on the Grant Inventory Worksheet (GIW) at HUD: <https://www.hud.gov/sites/dfiles/CPD/documents/CoC/2021/GIW/FY%202021%20CA-500%20GIW.xlsx>. Currently there are 1,422 units in the 35 Permanent Supportive Housing (PSH) Programs in Santa Clara County that have a subsidy and service that is CoC funded. As of February 28, 2022, during the 5th Housing Element cycle there are 71 households housed in Morgan Hill and affiliated with the CoC funded PSH programs.

Attachment 6-A

Evaluation of Past Performance: Program Evaluation

City of Morgan Hill Housing Element 2023-2031

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Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1a-1 Evaluate Land Availability Annually. Evaluate annually the amount of land available for development and the projected eight-year need, and adjust the General Plan and zoning as necessary to accommodate the City's regional housing allocation.	Ongoing	The City's Housing Division and Planning Division annually reviews the amount of land available for development during the Annual Progress Report (APR) to HCD and OPR to ensure enough land is available to accommodate the outstanding RHNA.	Retain program
1c-1 Annual RDCS Objectives. Establish annual objectives under the RDCS allocation process for affordable housing based on past production and future needs.	Discontinued	SB 330 suspended the RDCS program effective January 1, 2020, as the Housing Crisis Act preempts and precludes the enforcement of RDCS while the State of California's Housing Crisis Act is in effect.	Delete program
1c-2 Annually Evaluate RDCS Allocations. Annually evaluate the outcome of the allocation process to determine if further adjustments to the system are advisable to ensure that the annual allocations are maximized for both market rate and affordable housing. Points to consider include the RDCS's impacts on cost, supply and affordability of housing, as well as the timing of the process. Ensure that there are sufficient allocations to meet the Regional Housing Need Allocation (RHNA). Include results in the annual progress report submitted to HCD.	Discontinued	SB 330 suspended the RDCS program effective January 1, 2020, as the Housing Crisis Act preempts and precludes the enforcement of RDCS while the State of California's Housing Crisis Act is in effect.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1h-1 RDSCS Refinement. Continue to develop and implement varied RDSCS standards for different types of developments. For example, consider if senior or multi-family developments should have different scoring criteria than single-family developments.	Discontinued	SB 330 suspended the RDSCS program effective January 1, 2020, as the Housing Crisis Act preempts and precludes the enforcement of RDSCS while the State of California's Housing Crisis Act is in effect.	Delete program
1h-2 Review Height Limits. Review the Zoning Ordinance to ensure that height limits allow for a desirable design at the intended density.	Complete	Height limits were reviewed and revised during the Zoning Code Ordinance update in 2018 as part of the 2035 General Plan Update; however, further review of height limits may be warranted within the Zoning Ordinance and the Objective Standards to allow for the intended density allowed in the General Plan.	Retain and modify program
1h-3 Review Design Standards. Review design guidelines and standards to ensure that housing developments, particularly in higher density designations, provide adequate privacy, open space and other amenities.	Complete	The Residential Development Design and Development Standards were adopted in December 2019 and updated in December 2020 to implement the requirements of SB 330 and SB 35 to articulate objective project design requirements for all residential and mixed-use developments.	Delete program
1j-1 Monitor and Implement RDSCS in New Projects. Continue to monitor and ensure that an appropriate percentage of all new market rate housing be affordable to lower, median, and moderate income households. The Planning Commission and City Council shall annually review proposed RDSCS allocation procedures to ensure that developers will maximize points in the RDSCS by providing sufficient affordable units.	Discontinued	SB 330 suspended the RDSCS program effective January 1, 2020, as the Housing Crisis Act preempts and precludes the enforcement of RDSCS while the State of California's Housing Crisis Act is in effect.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

Program	Status	Evaluation	Recommendation
1l-1 RDCS Points for BMR Housing. On an annual basis, when the City Council updates RDCS scoring criteria, ensure that provisions are retained within the RDCS that award points for developments that voluntarily reserve a percentage of the proposed housing for below market rate units.	Discontinued	SB 330 suspended the RDCS program effective January 1, 2020, as the Housing Crisis Act preempts and precludes the enforcement of RDCS while the State of California's Housing Crisis Act is in effect. In preparation for the suspension of RDCS, the City of Morgan Hill adopted an Inclusionary Housing Ordinance (IHO) in August of 2018 to replace the RDCS mechanism that allowed for the creation of Below Market Rate (BMR) units.	Delete program
1q-1 New Funding Sources. Monitor and consider new sources of funding for affordable housing development and rehabilitation; continue to regularly apply for grant funding such as CalHOME.	Ongoing	Staff will continue to seek out funding opportunities that both allow for programming and capacity to implement that programing. Morgan Hill is limited on resources and staffing levels reflect the 2012 elimination of the Redevelopment Agency, and the resulting loss of \$4 million in annual funding to support the rehabilitation and development of affordable housing in Morgan Hill. Morgan Hill applied for and received a \$450,000 capacity building grant from Destination Home for a period of 3 years (\$150,000 per year) to fund an Unhoused Specialist position that began in 2021 and will continue to seek out such opportunities.	Retain and modify program
1r-1 Partnership for Tax Credits. Continue to support applications for Low-Income Housing Tax Credits either by acting as co-applicant with the developer or providing them with matching funds.	Complete/ Ongoing	Support for tax credits and bonds is regularly provided for both new development and rehabilitation. As Housing Program funding is available, the City of Morgan Hill takes the opportunity to partner with affordable housing developers and fund projects. (2015 EAH Morgan Hill Family – Scattered Site \$4,5000,000.00, 2018 Crossings on Monterey \$750,000, 2021 Royal Oak Village \$400,000).	Retain and modify program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1bb-1 Solar Energy Assessment District. Study the possibility of forming a voluntary (opt-in) solar energy assessment district to provide loans to offset the initial cost of installing solar panels or other efficiency improvements. Loans would be paid for by a municipal bond and paid back by an increase in the participating household's property taxes for the life of the loan.	Complete	A Solar Energy Assessment District was not implemented; however, the City of Morgan Hill participates in the Property Assessed Clean Energy (PACE) Program which allows property owners to finance energy improvements and pay the costs back in individual property taxes.	Delete program
1cc-1 R-2 Zoning. Modify the R-2 zoning standards (Chapter 18.55 of the Zoning Code) to explicitly state that second units are an allowed use.	Complete	The Zoning Ordinance was updated in 2018 which modified the RAL zoning district (previously named R-2) to allow Accessory Dwelling Units (secondary units) as a permitted use.	Delete program
1cc-2 Secondary Unit Information. Develop resources to help educate homeowners, architects, and builders about secondary dwelling units. Potential actions include producing handouts and fact sheets and hosting "How To" workshops.	Ongoing	The City Housing Program has partnered with the Housing Trust of Silicon Valley and other providers to market and offer workshops and resources for homeowners constructing Accessory Dwelling Units (ADUs). HTSV offers an ADU Construction Loan Program for a three-year term. On site tours of prefabricated ADUs have occurred at city hall. The Planning team updated the ADU ordinance in 2019 and 2021 to comply with legislation that amended ADU law (AB 3182 (2020) and SB 13, AB 68, AB 881, AB 587, AB 670, and AB 671 (2019).	Retain and modify program
1dd-1 Secondary Unit Fees. Reduce per-unit impact fees for secondary dwelling units to reflect smaller household sizes and lesser impacts.	Ongoing	Effective in 2020, pursuant to the Government Code, no impact fees are imposed on accessory dwelling units less than 700 square feet in size; in addition, impact fees charged for an accessory dwelling unit more than 700 square feet are charged proportionality in relation to the square footage of the primary dwelling unit.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1ee-1 Secondary Unit Ordinance. Study and revise the secondary dwelling unit ordinance to ensure it follows standard best practices. Points to consider include:. • Clarify the ordinance to ensure properties are not subdivided and second units sold as separate units. • Utilize window design techniques to reduce impact on adjacent property for two-story second units. • Increase the maximum permitted second unit size to 50 percent of primary dwelling or 750 square feet, whichever is smaller. • Reduce parking requirements to one space for a two-bedroom second unit, or allow tandem parking for the two spaces. • Reduce or eliminate the minimum lot size for second units. • Have second units governed by the same land use controls as other buildings (setbacks, lot coverage, etc.). • Review and revise the zoning ordinance to allow second units in additional zoning districts, including certain multi-family and mixed use districts such as CC-R and CL-R, where some existing lots developed with single-family uses could accommodate greater density in a second unit configuration.	Complete	Chapter 18.84 (Accessory Dwelling Units) of the Zoning Code was created in 2018 and updated in 2019 to be consistent with the Government Code to allow for accessory units as an important form of affordable housing while preserving the character and integrity of residential neighborhoods in Morgan Hill.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1ii-1 Rental Assistance Programs. Undertake the following: (1) Refer rental property owners to the Santa Clara County's Housing Authority's waiting list; (2) When in contact with rental property owners, inform them of the Housing Authority's vouchers program; and, (3) Promote the availability of vouchers for use in the rental rehabilitation program.	Ongoing	When in contact with rental property owners, inform them of the Santa Clara County Housing Authority's voucher programs and encourage them to list their vacant rental units on the Housing Authority's website (www.scchousingauthority.org/section-8-landlord-resources/). Rental assistance programs are continuously updated and marketed to the community in English and Spanish (https://www.morgan-hill.ca.gov/2303/Summer-2022-Food-and-Rental-Assistance).	Retain program
1II-1 Update Funding Information. Update, as needed, directories of State and federal housing and community development programs that provide financial assistance. Annually identify State and federal programs that are most applicable to Morgan Hill and have the greatest potential for funding affordable housing in the city.	Ongoing Beginning of Fiscal year	The city participates in the Urban County Community Development Block Grant (CDBG) and HOME consortium. Morgan Hill is not an entitled city; however, as population increases, the city will evaluate the opportunity to become an entitled city in the future.	Retain and modify program
1nn-1 Housing Rehabilitation of Rental Properties. Provide financial assistance for substantial housing rehabilitation to rental property owners with extremely low, very low or low income tenants in exchange for long term affordability (as required by the funding source).	Ongoing	During the 5 th cycle, 254 affordable apartment units have been rehabilitated (+7 managers units).	Retain program
1nn-2 First-Time Homebuyer Program. Provide a first-time homebuyer downpayment assistance program targeted to low and moderate income residents and employees.	Ongoing	Since 2015, \$612,880.00 has been provided in the form of BEGIN down payment assistance.	Retain program
1nn-3 Promote Extremely Low Income Housing. Provide priority funding consideration for extremely low income housing developments.	Ongoing	There are 158 extremely low-income units in the development pipeline.	Retain program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
100-1 Update City's Affordable Housing Strategy. Continue to update the City's Affordable Housing Strategy with the most current Census data. Identify methods to create housing affordable to extremely low income households.	Complete/ March 2018	March of 2018, the City employed Keyser Marston Associates, Inc. (KMA) to identify potential programs to increase the supply of affordable housing. KMA provided an initial list for the City's consideration.	Delete program
100-2 Review Housing Objectives Annually. Review housing objectives annually and recommend program modifications if annual housing objectives are not being met.	Complete/ Ongoing Each Spring part of annual report to CC	Annual Housing Program Status Reports provided to City Council.	Retain program
11t-1 Term of BMR Units. Review the term of affordability for ownership housing units.	Ongoing. Complete.	In November of 2019 and December of 2021, BMR programmatic revisions were discussed with the City Council, at which point Council solidified that the intent of the ownership program is long-term affordability and stability, not rate of return.	Delete program
11t-2 BMR Equity. Develop opportunities for owners of BMR units to build equity/wealth, while protecting the public investment of resources.	Complete	The BMR ownership program provides homeowners with a stable long-term housing payment, and the ability to earn below market rate equity through a recorded restriction agreement that utilizes the Consumer Price Index (CPI) to calculate the resale price for 45 years. This facilitates the homeowners ability to earn some equity (pending market conditions), and supports the preservation of the affordability aspect of the home.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

<i>Program</i>	<i>Status</i>	<i>Evaluation</i>	<i>Recommendation</i>
1vv-1 Annual Monitoring of Potential At-Risk Units. Annually monitor the status of at-risk assisted rental housing units. Contact current property owners of at-risk projects to determine their financial objectives and appropriate financial assistance needed to meet those objectives (rehabilitation assistance, operating subsidies, additional Section 8 vouchers, etc.).	Ongoing	Since 2015, there have been over 65 BMR ownership cases involving enforcement action or escalations. Of those 65, 41 involved attorney action, and 6 progressed to formal complaints filed and litigation in court. Through this process, the City and HouseKeys learned how to strengthen the program and make policies and procedures defensible in court. This is part of the administration provided by HouseKeys. Additionally, third party BMR portfolio monitoring occurred 2017.	Retain program
1yy-1 Semi-Annual Survey of Rental Vacancies. Conduct a semi-annual survey of rental housing vacancies to determine the applicable vacancy rate for implementing the condominium conversion ordinance.	Ongoing Annual	A vacancy survey is conducted annually. Vacancy rates have consistently been at 1%.	Retain program
1zz-1 Housing Discrimination. Refer discrimination complaints to Project Sentinel or other organizations that combat housing discrimination.	Ongoing	Staff continues to refer residents to the Law Foundation and Project Sentinel. The Project Sentinel Fair Housing Program receives Urban County CDBG funding.	Retain program
2e-1 Resale and Rental Inspection. Research and evaluate creating a resale and rental inspection program to maintain and improve the quality of the housing stock.	Complete	From 2015 to 2021, there was 53 BMR homes, rehabbed and <i>resold</i> to income qualified, first-time homebuyers by the City's BMR administrator HouseKeys. July 25, 2018, the City Council authorized the establishment of a \$1,000,000 Below Market Rate (BMR) Housing Acquisition and Rehabilitation Program with a revolving fund to provide for the preservation of BMR homes that need to be acquired and/or rehabilitated by the City and resold to new eligible homeowners. Each of the 53 resale homes was inspected by the City's BMR administrator as part of the resale process.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

Program	Status	Evaluation	Recommendation
2m-1 Work with Mobile Home Interest Groups. Work with mobile home residents and nonprofit groups, as opportunities and interests arise, to explore the purchase of existing mobile home parks to preserve or enhance their affordability. Options include providing funding for feasibility studies, assisting in accessing state and federal programs (such as the California Mobilehome Park Resident Ownership Program), and using available local affordable housing funds as gap funding.	Ongoing	Morgan Hill has a mobile home park ordinance (Municipal Code Chapter 5.36) that limits the amount that space rents can be increased from year to year on mobile home spaces constructed before January 1, 1990. A basic provision of the ordinance is that rents, for leases of 12 months or less, can increase by no more than 75% of the annual increase in the CPI. However, there is a provision in the ordinance that permits an owner to petition to increase rents by more than the 75% of CPI limitation to yield a "just and reasonable return on their property." This provision allows rents to increase so that the property's Net Operating Income (NOI) increases at a rate of up to 40% of the annual increase in the CPI since 1981. Annual rent increases under this provision may not exceed more than twice the CPI or 15%, whichever is less.	Delete program
2n-1 Energy Audits/Weatherization. Partner with local organizations for energy audits/weatherization programs. Typical projects include energy audits, energy efficiency rebate applications, weatherization (reducing air leakage, etc.), window replacement, appliance swaps, etc.	Complete	Morgan Hill is a participating jurisdiction in the Urban County CDBG Program which funds rehabilitation services provided by Rebuilding Together Silicon Valley (RTSV) which includes weatherization repairs and energy efficiency upgrades. This implementation program/action is repetitive of other similar actions, and therefore is proposed to be removed.	Delete program
3i-1 Low Interest Loans for Accessibility. When funds are available, provide low interest rehabilitation loans to make existing residences accessible to the disabled.	Ongoing	In collaboration with RTSV, Morgan Hill offers a low-income senior and/or disabled Homeowner Rehabilitation Grant Program. From July 2015 to June 2020 RTSV has worked on 258 homes and completed 2,564 repairs in Morgan Hill.	Retain and modify program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

Program	Status	Evaluation	Recommendation
3i-2 Housing for Mentally Impaired Homeless Adults. Work with nonprofit organizations (Community Solutions and South County Housing are two examples of nonprofits with which the City has relationships) to evaluate the need for additional units in Morgan Hill for mentally impaired homeless adults.	Ongoing	Efforts have included participation in Measure A's Affordable Housing Bond, dedicated to extremely low-income households and homeless. The Crossings is 39 units of which 20 apartments are reserved for chronically homeless. The Royal Oak Village has 73 units of which 24 are permanent supportive housing (PSH) units. The Morgan Hill Family – Scattered Site affordable rental development has 41 units of which six are set-aside for Transitional Aged Youth aging out of the foster care system. Currently processing a 41-unit project "The Magnolias," of which 11 units are for chronically homeless.	Retain and modify program
3i-3 Housing for Developmentally Disabled Adults. Coordinate with North Bay Regional Center to integrate their clients into affordable housing. Consult with North Bay Regional Center on new affordable development projects to ensure that new units are built that support adults with developmental disabilities to live lives integrated with the rest of the community.	Ongoing	The Housing Program facilitates community meetings as needed to successfully integrate developmentally disabled adults into the neighborhood. There are currently three group homes owned and operated by the San Andreas Regional Center in Morgan Hill (previously named North Bay Regional Center).	Retain and modify program
3j-1 Locations for Senior Housing. Identify criteria and locations within the city that are appropriate for senior housing developments and assist developers as appropriate.	Complete	Ongoing efforts. Morgan Hill Senior Housing project (81 units) received a \$14.3M award in 2022 from the State Housing and Community Development Multifamily Housing Program (MHP). Pending a California Debt Limit Allocation Committee (CDLAC) proposed bond allocation award (June of 2022). If awarded, project will be fully funded, and construction will commence December 2022.	Delete program
3l-1 Reduced Impact Fees for Senior Housing. Reduce per- unit impact fees for small senior housing units to reflect smaller household sizes and lesser impacts.	Complete	The City instituted reduced impact fees for senior housing.	Delete program

Table H 6-2 Evaluation of 2015-2022 City of Morgan Hill Housing Element Programs

Program	Status	Evaluation	Recommendation
3q-1 Emergency Voucher Program. Consider implementing a one-time emergency voucher program to assist residents displaced by criminal activity, natural disasters or other emergencies. Coordinate with social service providers.	Ongoing	Since 2015, the city has assisted 6 families with emergency hotel placement as a result of flooding and will continue to aid in this effort as resources are available. Coordination with the County of Santa Clara also occurs as they have a county wide emergency hotel placement program.	Retain program
4b-1 Impact Fees for Downtown Housing. Reduce per-unit impact fees for small downtown housing units, to reflect smaller household sizes and lesser impacts.	Complete	The City instituted reduced impact fees for housing units within the Downtown.	Delete program
4p-1 Increase Awareness of Universal Design Principles. Educate the Planning Commission about universal design. Make information available at Development Services Center.	Ongoing	Previous Planning Commissions have been educated regarding universal design, but continuous education is needed as Planning Commission vacancies are filled and as Morgan Hill's population continues to age and there is an increasing demand for age-friendly housing built with universal design principles.	Retain program
4p-2 Universal Design Ordinance. Study and, if appropriate, adopt a universal design ordinance or policies to encourage the inclusion of universal design features in new construction. Options include identifying minimum, cost-effective amenities for all new construction and offering points in the RDCS for homes that provide a more extensive selection of universal design features.	Ongoing	A Universal Design Ordinance was not prepared during the 5 th Housing Element cycle; however, points were awarded towards projects that provided universal design features in the RDCS competition. With the passage of SB 330, the RDCS program has been suspended effective January 1, 2020.	Retain and modify program

Appendix H7

Public Participation

City of Morgan Hill Housing Element 2023-2031

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City of Morgan Hill Housing Element

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APPENDIX H-7 | Public Participation

7.1 Introduction

The 2022 update of the Housing Element involved an extensive community engagement process. The initial efforts began in May and June of 2021, with a series of workshops that were held to provide a roadmap of the past, present, and future housing in Morgan Hill, to communicate how we got here, and to discuss the housing needs for current and future residents. The opportunity was taken to share the State mandates for housing production that are in response to the housing crisis and geared towards increasing the supply. The initial workshops served as a springboard to leap into a deeper community engagement process. City staff used a variety of methods to solicit public input on the Housing Element update, including distributing three survey's (two pertaining to Assessment of Fair Housing (AFH)), hosting public workshops, providing information at community events, conducting focus groups, giving presentations to the Community, and holding several workshops with the community and the Planning Commission. Staff prioritized involvement and engagement of residents and community members that are most directly impacted by the plan and development, especially Latinx, homeless, and other underrepresented or underserved groups. For a synopsis of presentations provided, surveys, and results of public input, see Attachment 7-A.

Community outreach and engagement opportunities were designed to provide a safe engagement process that followed safe public health protocols around COVID-19, and to implement a meaningful engagement process that promoted a sense of ownership and real participation among community members. Staff involved a diverse range of participants, seeking input from the business community, community-based organizations, and other stakeholders.

7.1.1 City Website

A City website (<https://www.morgan-hill.ca.gov/2063/Housing-Element-Update>) specifically for the Housing Element update was established to provide an overview of the Housing Element process, FAQs, recordings, online comments to the City, and to announce future events (i.e., workshops, survey). Presentations from public outreach meetings were available for viewing, and documents related to the Housing Element were linked to the website, including the results of the surveys.

7.2 List of Meetings

The City of Morgan Hill started the engagement process for the Housing Element in May 2021. Below is a list of meetings and community-based organizations (CBO's) that City staff met with and consulted during the community participation process:

- ❖ 5/18/21 What is Affordable Housing 101, Spanish with English (Zoom presentation)
- ❖ 5/19/21 All Things Housing Community Workshop (Zoom presentation)
- ❖ 5/22/21 All things Housing - In-person
- ❖ 5/23/21 Hablando Vivienda con Nuestras Familias En Espanol (Zoom presentation)
- ❖ 5/28/21 Agricultural Workforce Housing in South County (Zoom presentation)
- ❖ 6/2/21 Community Workshop - State Mandates for Housing Production, City Council Meeting, (Zoom presentation)

- ❖ 6/10/21 Town Hall - Creating Inclusive Communities through Design Form, (Zoom presentation)
- ❖ 6/16/21 Community Workshop - Housing Affordability, (Zoom presentation)
- ❖ 6/23/21 Community Workshop - Housing and Long-term Sustainability, (Zoom presentation)
- ❖ 8/11/21 Community Workshop - Let's Talk Housing Santa Clara County, Introducing the Housing Element Update (Countywide Zoom presentation with interactive City of Morgan Hill breakout room)
- ❖ 11/11/21 South County Collaborative (Zoom presentation and interactive focus group with 30 CBOs)
- ❖ 1/11/22 Social Services Agency, South County Staff (Zoom presentation & interactive focus group)
- ❖ 1/13/22 Morgan Hill Unified School District (MHUSD) Fawn Meyers HR Director (Zoom interview)
- ❖ 1/18/22 Compassion Center Staff (CBO Zoom interactive focus group)
- ❖ 1/18/22 COVID Testing day, obtained feedback from attendees
- ❖ 1/18/22 Gavilan College South County Basic Needs Staff (CBO Zoom interactive focus group)
- ❖ 1/20/22 Parents Helping Parents (CBO Zoom interactive focus group)
- ❖ 1/20/22 Digital Nest serving youth in South County (CBO Zoom interactive focus group)
- ❖ 1/20/22 Morgan Hill Library (Zoom interactive focus group)
- ❖ 1/25/22 Medical Social Worker Valley Health Center and Saint Louise Hospital (Zoom interactive focus group)
- ❖ 1/25/22 Richard Prato Director of Human Resources, Christopher Ranch Agriculture Employer (phone interview)
- ❖ 1/25/22 Introduction to the Housing Element (Planning Commission workshop)
- ❖ 1/19/22 Eden Housing (Jasmine Square) Jonathan Crowther James (Affordable Housing Developer Focus Group)
- ❖ 1/28/22 St. Vincent De Paul and St. Catherine's (faith based and CBO interactive Zoom interview)
- ❖ 1/31/22 Building Back Better, Joint Venture Silicon Valley, Executive Director Quency Phillips (interactive Zoom interview)
- ❖ 2/2/22 Catholic Charities, Greg Kepferle (interactive Zoom interview)
- ❖ 2/3/22 Employment Development Department (Zoom interview)
- ❖ 2/3/22 Saint Joseph's Food Pantry, David Cox (CBO Zoom interview)
- ❖ 2/3/22 South County Collaborative Board Members (CBO interactive Zoom focus group)
- ❖ 2/3/22 Morgan Hill Bible Church Homeless Safe Park (focus group in person with unhoused families)
- ❖ 2/10/22 Townhall Housing Element (Zoom presentation)
- ❖ 2/14/22 Silicon Valley Independent Living Center, Patricia Cokes (CBO Zoom interview)
- ❖ 2/17/22 Townhall Housing Element (Zoom presentation and community feedback)
- ❖ 2/22/22 Sites Inventory (Planning Commission workshop)
- ❖ 3/7/22 Silicon Valley @Home (CBO interactive Zoom focus group)
- ❖ 3/8/22 Evaluation of Past Performance (Planning Commission workshop)
- ❖ 3/14/22 Edward Boss Prado Foundation, Cecilia Ponzini (telephone interview)
- ❖ 3/21/22 Voices School, (surveying of parents, in-person)
- ❖ 3/26/22 Spanish mass at Saint Catherine's (in person surveying)

- ❖ 3/27/22 Spanish mass at Saint Catherine's (in person surveying)
- ❖ 4/9/22 City Booth at the Farmers' Market/Sidewalk Saturdays
- ❖ 4/12/22 Goals & Policies (Planning Commission workshop)
- ❖ 4/26/22 Assessment of Fair Housing (AFH) and Affirmatively Furthering Fair Housing (Planning Commission workshop)
- ❖ 5/10/22 Constraints Analysis (Planning Commission workshop)
- ❖ 5/11/22 Santa Clara County Planning Collaborative Developer Listening Session (interactive Zoom roundtable)
- ❖ 5/24/22 Housing Element Update (Planning Commission workshop)

7.3 Assessment of Fair Housing (AFH) Outreach

The outreach activities elicited broad community participation during the development of the AFH. The City conducted numerous outreach activities to reach all segments of the community and purposely focused on reaching Latinx, individuals and families currently housed in affordable housing, homeless, and other underrepresented or underserved groups. The City prioritized outreach by conducting small interactive focus groups with service providers/CBO's via Zoom as outlined above. The City also reached out purposefully to the Latinx community by translating all surveys to Spanish and conducting in person meetings as well as Zoom workshops in Spanish. City staff also conducted outreach during the Spanish mass at St. Catherine's as identified above.

In addition, two Assessment of Fair Housing (AFH) surveys were provided (both in English and Spanish), one for Community Based Organizations (in which the City received 25 responses) and another survey geared towards underrepresented or underserved individuals and families (in which the City received 651 responses). The surveys were provided electronically and in hard-copy format to the following organizations and locations:

- ❖ Affordable Rental Housing locations
 - Cochrane Village
 - Crest Avenue Apartments
 - The Crossings at Morgan Hill
 - The Crossings Monterey
 - Depot-Commons
 - Jasmine Square
 - Murphy Ranch Family Townhomes
 - Royal Court Apartments
 - San Pedro Gardens
 - The Skeel Apartments
 - Terracina at Morgan Hill
 - The Willows Apartments
 - Villa Ciolino
 - Orchards Ranch Scattered Sites
 - Park Place
- ❖ CBO's
 - Building Back Better, Joint Venture Silicon Valley
 - Catholic Charities
 - Christopher Ranch
 - Destination Home Silicon Valley
 - Digital Nest
 - Employment Development Department
 - Eden Housing

- Gavilan College
- Morgan Hill Unified School District
- Parents Helping Parents
- The Compassion Center
- Morgan Hill Library
- Saint Louise Hospital
- St. Vincent De Paul
- St. Catherine's
- Saint Joseph's Food Pantry
- Silicon Valley @Home
- Silicon Valley Independent Living Center
- Social Services Agency
- Valley Health Center
- Voices School
- ❖ Panaeria bakery
- ❖ Morgan Hill Senior Center
- ❖ Rotary
- ❖ Senior Affordable Rental Housing locations
 - Sycamore Glen
 - Horizons
 - Bella Terra Apartments
 - The Lodge at Morgan Hill
 - The Huntington
- ❖ Unhoused individuals through outreach to encampments

7.4 Summary of Public Input

There were several themes that were common among all comments obtained in the community participation process, from both, CBO's as well as individuals.

Comments obtained from CBO's that were developed into Goals for the Housing Element are summarized below:

- ❖ Provide a range of housing opportunities affordable to Morgan Hill workforce.
- ❖ Promote Extremely Low-Income housing.
- ❖ Prevent homelessness and address the housing needs of people experiencing homelessness.
- ❖ Establish special needs housing for seniors, persons with disabilities, and veterans.
- ❖ Conduct community education/outreach to inform residents about affordable housing and how to seek assistance.

Some specific comments that were brought up by CBO's that were developed into key Policies include:

- ❖ An affordable housing overlay district could be used to increase affordable housing.
- ❖ Pass a commercial linkage fee ordinance.
- ❖ Zone more land and/or change zoning regulations for multi-family to increase affordable housing.
- ❖ Pass a rent stabilization ordinance.

- ❖ Integrate affordable housing throughout the community.
- ❖ Protect residents from displacement.

Common themes obtained in the community participation process among individuals that provided feedback that were developed into Goals or Policies are summarized below:

- ❖ Provide a range of housing opportunities affordable to Morgan Hill workforce.
- ❖ Prevent homelessness and address the housing needs of people experiencing homelessness.
- ❖ Integrate affordable housing throughout the community.
- ❖ Ensure that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults.
- ❖ Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability.
- ❖ Pass a rent stabilization ordinance.
- ❖ Create an affordable housing overlay district.
- ❖ Zone more land to allow multi-family rental housing.
- ❖ Increase housing education, outreach, and enforcement.

One comment or view that was not accepted, or not included, in the Housing Element Update that was common among several CBO's, as well as individuals, was the request to 'pass an affordable housing bond issue to provide funding to construct multi-family housing'. The City did not include an affordable housing bond as a policy in the Housing Element Update as passing an affordable housing bond is costly, would require voter approval, and other policies and actions were identified that can achieve the same goal of developing multi-family housing, such as studying the creation of an affordable housing overlay, considering a commercial linkage fee, and expand multi-family zoning areas throughout the City.

For a synopsis of presentations provided, surveys, and results of public input, see Attachment 7-A.

Attachment 7-A

Public Participation

City of Morgan Hill Housing Element 2023-2031

DRAFT



DRAFT HOUSING ELEMENT AVAILABLE FOR PUBLIC REVIEW

The Housing Element:

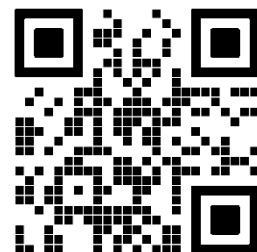
- Assesses housing needs for all populations
- Reviews constraints to providing housing
- Identifies housing goals, policies, and implementation programs for the next 8 years

Comments accepted through July 5th

Town Hall on Zoom June 23rd @ 5:30pm

(link on webpage below)

Scan the QR code or visit the City's website at <https://www.morgan-hill.ca.gov/2063/Housing-Element-Update> to access the Draft Housing Element and provide feedback



Written comments and any questions should be directed to:

Adam Paszkowski, Principal Planner, at
adam.paszkowski@morganhill.ca.gov or 408-310-4635 or at
17575 Peak Avenue, Morgan Hill, CA 95307

Adam Paszkowski

From: City of Morgan Hill <pio@morganhill.ca.gov>
Sent: Friday, February 25, 2022 1:02 PM
To: Adam Paszkowski
Subject: [EXTERNAL] Weekly 411 Community News for February 25

February 25, 2022



Hello Morgan Hill!



What a sunny and bright winter this is! It may be pleasant day-to-day, but so little rain is problematic.

Valley Water has many [water conservation tips](#) and [landscape rebates](#) to help homeowners and businesses transition to drought-resistant landscaping.

Visit mhvalueswater.com for local water use guidelines scheduled to change on Tuesday, March

1.

City Engagement

Survey: Morgan Hill's Housing Element
Survey Closes on February 28

The City is in the process of updating the Housing Element of the General Plan for the

2023-2031 period as required by State law. The Housing Element establishes policies and programs to address Morgan Hill's existing and projected housing needs for all economic segments of the community.

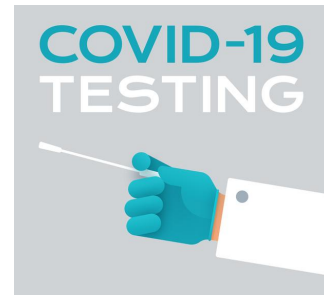
The process includes asking community members what they see as Morgan Hill's most significant housing needs. All responses are kept confidential; one survey can be submitted per person.

- Survey in English: <https://www.surveymonkey.com/r/JDZYJ65>
- Survey in Spanish: <https://www.surveymonkey.com/r/QZKN6W3>

COVID TESTING at the Morgan Hill Council Chamber Tuesday, March 1, 9:30 a.m. - 4:00 p.m.

17555 Peak Avenue, Morgan Hill, 95037
Schedule an appointment [here](#).

Appointments for this location will be open for scheduling 7 days before the testing date. Once all appointments are filled, this location will no longer appear as an option.



Library, Culture, and Arts Commission

Tuesday, March 1, 5:30 p.m. [View Meeting Information](#)

The Commission meetings are virtual and live-streamed on [Facebook](#), Channel 17, and the [City's website](#).

Members of the community who would like to participate may join the virtual meeting at <https://bit.ly/LCACMeeting> or call 669-900-9128, then enter the meeting identification when prompted: 874 0656 4997.

Public comment may be provided in the following ways:

- Join the virtual Library, Culture, and Arts Commission meeting via the link above; when public comment is opened, raise your virtual hand and be called upon to speak for up to three minutes;
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to three minutes;
- Send public comments in writing via email to chris.ghione@morganhill.ca.gov.

Please note that comments made on Facebook are not considered public comment.

City Council Special / Regular Meeting

Wednesday, March 2, [View Meeting Information](#)

Planning Commission Candidate Interviews, 5:30 p.m. - 7:00 p.m.

Regular City Council Meeting, 7:00 p.m.

The City Council meetings are virtual and live-streamed on [Facebook](#), Channel 17, and the [City's website](#).

Agenda items include:

- [Public hearing](#) to receive input on the proposed Industrial Ordinance, Industrial Preservation and Optimization Policy, and the Industrial Code Amendments
- Redistricting [public hearing](#) regarding submitted draft maps

Members of the community who would like to participate may do so virtually: <https://bit.ly/MHCityCouncilMeeting> or call 669-900-9128, then enter the meeting id: 873 3200 8380.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above; when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes;
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes;
- Send public comments in writing to City Clerk: ccpubliccomment@morganhill.ca.gov.

Please note that comments made on Facebook are not considered public comment.

2022 State of the City Address

Wednesday, March 9, 7:00 p.m.

Please join Mayor Rich Constantine and the City of Morgan Hill on Wednesday, March 9, 2022, from 7 p.m. to 8 p.m. for a virtual 2022 State of the City Address. Mayor Constantine will reflect on the prior year's challenges and accomplishments and set the stage for what's to come in 2022.

Residents can participate via Zoom:

- <https://bit.ly/2022StateoftheCityAddress>
- Or call 669-900-9128 and use Webinar ID 863 7717 5045 when prompted
- Submit questions by Monday, March 7, 5 p.m. to pio@morganhill.ca.gov
- Questions can be asked during the event by raising your virtual hand or through the Q&A feature

The event will also be streamed on [Facebook](#), Channel 17, and the City's [website](#).

Survey: City-Owned Recreation Facilities

Survey Closes on March 11

The City of Morgan Hill is working on the development of a [long term site master plan](#) for the City-owned recreation facilities on Condit Road. These facilities include the Outdoor Sports Center, Aquatics Center, and adjacent City-owned undeveloped property.

As part of this process, the City is seeking community input on the improvements and expansions to the site. While these improvements or expansions may not occur for several years, it is essential for the City to plan well in advance.

We encourage all residents and regular visitors to Morgan Hill to [take the short survey](#) and provide your input.

Volunteers Needed: Recreation Division Swim Meet

April 1, 2 & 3 Aquatics Center, Morgan Hill

The Aquatics Center will be hosting a Pacific Masters swim meet on April 1, 2, & 3. We are looking for volunteers to work outside to assist with the meet.

If you are interested in volunteering, please [apply using our volunteer link](#). Once that is completed, applicants will be emailed a link to select time slots.

For questions regarding the event, contact Lisa Rick at lisa.rick@morganhill.ca.gov.

Economic Development: February 2022 Newsletter

[eNewsletter Now Available](#)

Find information about key efforts that impact our business community, including:

- Shopping Center Sales Tax Rebounds,
- Industrial Preservation & Optimization Policy,
- Businesses Newly Opened and Coming Soon, and
- Business Resources



Morgan Hill Recreation Preschool

Registration Open for 2022-2023 School Year

To register, visit www.mhreconline.com using the codes listed on the [Recreation Preschool](#) webpage. The first month's tuition is due upon registration. A completed registration packet, a copy of your child's birth certificate, and up-to-date immunization records will be required before the start of the program.

Community Corner



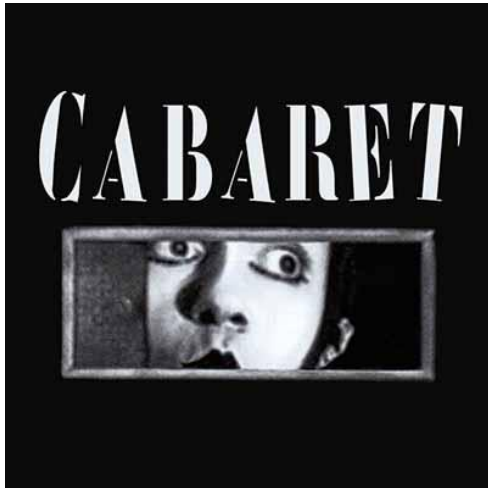
Training in Restorative Justice
March 5, 8:30 a.m. - 4:30 p.m.
Register by March 3

Registration Required



\$20,000 in Scholarships
Youth Film Competition
EmPower Silicon Valley

March 10 Kick Off Event
Registration



South Valley Civic Theater
Starting March 11
Morgan Hill Community Playhouse
17090 Monterey Road, Morgan Hill

[Purchase Theater Tickets](#)



southvalleysymphony.org

NextGen Young Artists Concert
March 12, 7:30 p.m.
Advent Lutheran Church

[Purchase Concert Tickets](#)



Hazardous Materials Division

Learn about FREE lead paint inspection and abatement services available for homeowners in Santa Clara County

[HazMat Division Link](#)

Registrar of Voters

Now accepting applications for election workers for the June 7, 2022 Statewide Direct Primary Election

[Registrar of Voters Employment Link](#)



Santa Clara County
Trades Orientation Program (TOP)

Interested in a career in the trades?
TOP is recruiting now!

[TOP Flyer](#)

[TOP Website](#)

City Maintenance Projects



The Scoop

News you want to know about public projects and maintenance activities throughout Morgan Hill.

Click the image [or here](#) for the latest updates and what to expect in the coming week.



Housing & Road Alignment Begins on Hale Lumber Site

Depot - Latala Project Information



Llagas Creek Flood Control Phase 2

Project Information

COVID-Related Resources & Information



From the California Department of Industrial Relations [Full Description of the Program](#)

The Supplemental Paid Sick Leave (SB 114) was passed on February 8, 2022, and is effective February 19, 2022, in response to the continued COVID-19 pandemic.

The Bill approves provisions designed to help reduce the impact of the virus on families. It provides paid sick leave to employees to care for themselves or family members when they have COVID or time off to get vaccinated.

This provision allows for retroactivity to January 1, 2022, and will remain in effect until September 30, 2022.

Your Morgan Hill



Morgan Hill City Hall Office Hours

The Civic Center area is open to the public: Monday through Friday,
8 a.m. - 5 p.m.

All individuals - employees and visitors -
must wear a mask while indoors in all
City facilities, regardless of vaccination
status.

State and County Health Information

[CA Coronavirus Information](#)

[Santa Clara County Public Health](#)

Elected Officials

Morgan Hill City Council

- [Rich Constantine, Mayor](#)
- [Gino Borgioli, District A, Mayor Pro Tem](#)
- [Yvonne Martínez Beltrán, District B](#)
- [Rene Spring, District C](#)
- [John McKay, District D](#)

County Supervisor

District 1: [Mike Wasserman](#)

California State Assembly District 30:

[Robert Rivas](#)

California State Senate District 17:

[John Laird](#)

U.S. Congressional District 19:

[Zoe Lofgren](#)

City of Morgan Hill Commissions:

- [Library, Culture, and Arts](#)
- [Parks and Recreation](#)
- [Planning](#)

City of Morgan Hill Advisory Committees:

- [City/School Liaison Committee](#)
- [Youth Action Council](#)

City of Morgan Hill | 408-779-7271
17575 Peak Ave. Morgan Hill, CA 95037 | www.morganhill.ca.gov

Follow updates on the City of Morgan Hill's
[website](#) and [Facebook](#), [Twitter](#), [Instagram](#), and [Nextdoor](#).



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City of Morgan Hill | 17575 Peak Avenue, Morgan Hill, CA 95037

[Unsubscribe](#) adam.paszkowski@morganhill.ca.gov

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Sent by pio@morganhill.ca.gov powered by



From: [City of Morgan Hill](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] Housing Element Workshop - February 22, 2022
Date: Friday, February 18, 2022 5:03:56 PM

[View this in your browser](#)

As a reminder, please join us to hear about Morgan Hill's "Site Inventory" discussion as part of the 2023-2031 Housing Element Update at the February 22, 2022 Planning Commission meeting.

Planning Commission Meeting

Date: Tuesday, February 22, 2022

Time: 7:00 p.m.

Location: Video Conference

Weblink: <https://bit.ly/PlanningCommissionMtg>

Phone: (669) 900-9128 Webinar ID: 862 0324 6251

In addition, the final DRAFT Housing Needs Assessment is now available for review:

- [DRAFT Housing Needs Assessment](#) (February 18, 2022)

* * * * *

This complimentary message is being sent to subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at:

<http://www.morgan-hill.ca.gov/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

You are receiving this message because you are subscribed to Housing Element Update on www.morgan-hill.ca.gov. To unsubscribe, click the following link:

[Unsubscribe](#)

From: [City of Morgan Hill](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] Upcoming Town Hall and Planning Commission Meetings
Date: Tuesday, February 15, 2022 1:22:54 PM

[View this in your browser](#)

Dear Community Members,

The City of Morgan Hill will be holding two upcoming Housing Element Update meetings: (1) a Town Hall Meeting this Thursday, February 17th at 5:30 p.m., and (2) during the Planning Commission Meeting next week, Tuesday, February 22nd at 7:00 p.m.

Our sincere apologies for the technical difficulties we experienced during the February 10, 2022 Town Hall Meeting. The Virtual Town Hall: Morgan Hill's Housing Element Discussion is rescheduled to **Thursday, February 17, 5:30 p.m. - 6:30 p.m.** via Zoom. Spanish interpretation will be available. The February 17th Town Hall Meeting will be more of a Q & A forum, please attend to provide your input and help shape policies for the Housing Element.

Town Hall Meeting

Date: Thursday, February 17, 2022

Time: 5:30 p.m.

Location: Video Conference

Weblink: <https://bit.ly/Communitytownhall>

Or Telephone: 1 669 900 9128, Webinar ID: 828 0731 9295

City of Morgan Hill staff recorded the following video (<https://youtu.be/D6UweZcnSyE>) discussing what is a Housing Element, new Housing Element laws, Affirmatively Furthering Fair Housing (AFFH) requirements, Morgan Hill's Housing Needs Assessment, what is RHNA (Regional Housing Need Allocation), the cities Sites Inventory, and Morgan Hill's Housing Element process.

The City of Morgan Hill will be holding a second Housing Element Update workshop with the Planning Commission to discuss the City's "Site Inventory" at their February 22, 2022 Planning Commission meeting. Please join us to hear more about what a "Site Inventory" is, projects that are in the 'Pipeline', and where Morgan Hill stands in meeting its 2023-2031 Regional Housing Need Allocation (RHNA).

Planning Commission Meeting

Date: Thursday, February 22, 2022

Time: 7:00 p.m.

Location: Video Conference

Weblink: <https://bit.ly/PlanningCommissionMtg>

Phone: (669) 900-9128 Webinar ID: 862 0324 6251

* * * * *

This complimentary message is being sent to subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at:

<http://www.morgan-hill.ca.gov/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

You are receiving this message because you are subscribed to Housing Element Update on www.morgan-hill.ca.gov. To unsubscribe, click the following link:

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Adam Paszkowski

From: City of Morgan Hill <pio@morganhill.ca.gov>
Sent: Friday, February 4, 2022 2:02 PM
To: Adam Paszkowski
Subject: [EXTERNAL] Weekly 411 Community News for February 4

February 4, 2022



Featured This Week



Welcome to the first full week in February! It doesn't exactly feel like winter, but we can still celebrate.

February is Black History Month! African Americans have made significant contributions to U.S. history that we can recognize and honor throughout the month.

February was chosen for Black History Month primarily because the second week of the month coincides with the birthdays of both Abraham Lincoln, February 12, and Frederick Douglass celebrated on February 14.

An impressive collection and resources are available at the National Museum of African History & Culture, part of the Smithsonian museum system: <https://nmaahc.si.edu/>.

City Engagement

Morgan Hill Recreation Preschool

Registration Opens Monday, February 7, 8:00 a.m., for 2022-2023 School Year

To register, visit www.mhreconline.com using the codes listed on the [Recreation Preschool](#) webpage. The first month's tuition is due upon registration. A completed registration packet, a copy of your child's birth certificate, and up-to-date immunization records will be required before the start of the program.



It's Good to be Prepared!

Morgan Hill's Office of Emergency Services (OES) is getting ready to host the Winter 2022 Community Emergency Response Team Training and welcomes the community to [register for the class](#).

The Community Emergency Response Team (CERT) training is a 20-hour, all-hazard training offered by OES in partnership with Gilroy OES.

The training is designed for anyone ages 13 and older interested in learning how to protect themselves, their family, neighbors, and their neighborhood in an emergency.

The CERT basic training is now being offered as a combination of online training and a one-day, hands-on skills training. The online ZOOM training will be a bi-weekly class estimated to take 12 hours from February 8 – March 5. Questions: jennifer.ponce@morganhill.ca.gov.

Planning Commission Meeting

Tuesday, February 8, 7:00 p.m. [View Meeting Information](#)

Planning Commission meetings are virtual and live-streamed on [Facebook](#), Channel 17, and the [City's website](#).

Members of the community who would like to participate may do so virtually: <https://bit.ly/PlanningCommissionMtg> or call 669-900-9128, then enter the webinar ID: 862 0324 6251.

Public comment may be provided in the following ways:

- Join the virtual Planning Commission meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes;
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes;
- Send public comments in writing to pcpubliccomment@morganhill.ca.gov.

Please note that comments made on Facebook are not considered public comment.

Virtual Town Hall: Morgan Hill's Housing Element

Thursday, February 10, 5:30 p.m. - 6:30 p.m.

The City is in the process of updating the Housing Element of the General Plan for the 2023-2031 period as required by State law. The Housing Element establishes policies and programs to address Morgan Hill's existing and projected housing needs for all economic segments of the community.

Virtual Meeting Link: <https://bit.ly/Communitytownhall> or call 669-900-9128, then enter the meeting ID when prompted: 828 0731 9295.

This virtual town hall meeting will also be streamed live on Facebook at <https://www.facebook.com/morganhillengage/>.

The town hall will discuss the existing and upcoming Housing Element, the City's housing needs, the City's Sites Inventory, housing policies, and Affirmatively Furthering Fair Housing (AFFH) requirements.

The process also includes asking community members what they see as Morgan Hill's most important housing needs. Please complete the short survey to provide us with your input. All responses are kept completely confidential. One survey can be submitted per person.

- Survey link in English: <https://www.surveymonkey.com/r/JDZYJ65>
- Survey link in Spanish: <https://www.surveymonkey.com/r/QZKN6W3>

Community Presentation: Deadly Dangers of Fentanyl

Presentation on Thursday, February 10, 6:00 - 7:30 p.m.

Learn about drugs sold to kids on social media, hear testimonials from families experiencing loss from fentanyl poisoning, get Narcan training, and more.

Two options for attending

- In-Person: City Council Chamber Building, 17555 Peak Ave.
- Virtual: <https://bit.ly/FentanylAwarenessCommunityMeeting>

Registration required for all attendees: <https://www.surveymonkey.com/r/LTP6HLW>.

See the event flyer in [English](#) and [Spanish](#) for additional information. Contact Dori Prado, 408-390-9012, for any questions.

City / School Liaison Committee Meeting

Friday, February 11, 8:30 a.m., [Virtual Meeting Information](#)

Community members who would like to participate remotely may do so via the virtual meeting link: <https://bit.ly/MHCity-SchoolLiaisonMtg> or call 669-900-9128, then enter the meeting id: 852 4065 6291.

Public comment may be provided in the following ways:

- Join the virtual City / School Liaison Committee meeting via the link above; when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes;
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes;
- Send public comments in writing to City Clerk: ccpubliccomment@morganhill.ca.gov.

City Council Meeting & Redistricting Workshop

Wednesday, February 16

5:30 p.m. - Workshop

7:00 p.m. - Regular Meeting, [View Meeting Information](#)

At the workshop, the City Council and community will review and discuss [all draft maps](#). The City Council will provide direction on which maps it would like to move forward with. After the workshop, there will be a regular City Council meeting starting at 7:00 p.m. with the same Zoom and call-in connections.

Residents are encouraged to participate via Zoom:

- Join via Zoom: <https://bit.ly/MHCityCouncilMeeting>
- or call 669-900-9128; Webinar ID: 873 3200 8380

The next steps after the February 16 workshop are:

- At the March 2 City Council public hearing, the Council may adopt the final district map
- The final district maps must be adopted by April 17 in accordance with State law.

Helpful Reminders from the Morgan Hill PD

Identity theft and identity fraud are terms used to refer to all types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain.



What Are the Most Common Ways That Identity Theft or Fraud Can Happen? Read the latest [info & tip sheet](#) on the department's [Crime Prevention](#) webpage.

Community Corner



Youth Development Through Golf

**Students Register by February 9
for Classes & Days**

Registration Opens Feb. 9



High School Virtual Job Shadow Day

**Students Register by February 11
[Event](#) Scheduled for Feb 24**

Registration & Program Info



Online Tutoring Pods

Feb. 14 - May 25 Via Zoom
Days & Times Vary Per Grade Level

Register & Receive Link



Morgan Hill HUB

Starts Feb. 15 / Tues. Wed. & Thurs.
After School Program, Ages 12-18

Registration Required



Mental Health Support for Young Adults

Classes in the Area



Upcoming Service Changes

Routes & Times



Save the Date March 27 Wildflower Run

Registration Open

City Maintenance Projects



The Scoop

News you want to know about public projects and maintenance activities throughout Morgan Hill.

Click the image [or here](#) for the latest updates and what to expect in the coming week.

COVID-Related Resources & Information

[Local Vaccinations and COVID Testing Locations, Dates, and Times](#)

[Rent and Housing Support from Local, County, and State Agencies](#)

Your Morgan Hill



Morgan Hill City Hall Office Hours

The Civic Center area is open to the public: Monday through Friday,
8 a.m. - 5 p.m.

All individuals - employees and visitors -
must wear a mask while indoors in all
City facilities, regardless of vaccination
status.

State and County Health Information

[CA Coronavirus Information](#)

[Santa Clara County Public Health](#)

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- [Gino Borgioli, District A, Mayor Pro Tem](#)
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- [Rene Spring, District C](#)
- [John McKay, District D](#)

County Supervisor

District 1: [Mike Wasserman](#)

California State Assembly District 30:

[Robert Rivas](#)

California State Senate District 17:

[John Laird](#)

U.S. Congressional District 19:

[Zoe Lofgren](#)

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Adam Paszkowski

From: City of Morgan Hill <pio@morganhill.ca.gov>
Sent: Friday, January 28, 2022 4:01 PM
To: Adam Paszkowski
Subject: [EXTERNAL] Weekly 411 Community News for January 28

January 28, 2022



Featured This Week



It's Good to be Prepared!

Morgan Hill's Office of Emergency Services (OES) is getting ready to host the Winter 2022 Community Emergency Response Team Training and welcomes the community to [register for the class](#).

The Community Emergency Response Team (CERT) training is a 20-hour, all hazard training offered by OES in partnership with Gilroy OES. The training is designed for anyone ages 13 and older interested in learning how to protect themselves, their family, their neighbors, and their neighborhood in an emergency situation.

Teenagers are eligible to receive community service hours, but require a parent/guardian's participation in the training.

During the training community members will learn:

- Disaster Preparedness
- Fire Safety
- Disaster Medical Operations and Triage
- Light Search and Rescue

- Team Organization
- Disaster Psychology
- Terrorism
- Incident Command System.

Due to the pandemic, the CERT basic training is now being offered as a combination of online training and a one-day, hands-on skills training. The online ZOOM training will be a bi-weekly class estimated to take 12 hours from February 8 – March 5.

To register for this free opportunity please go to this link <https://cert-basic-feb-8.eventbrite.com> or contact Jennifer Ponce, Office of Emergency Services, for more information.

Jennifer can be reached at jennifer.ponce@morganhill.ca.gov.

City Engagement

City Council Annual Goal Setting Workshop

Continuing Saturday, January 29, 9:00 - 5:00 p.m.

[Virtual Meeting Information & Materials](#)

City Council meetings are virtual and live-streamed on [Facebook](#), Channel 17, and the [City's website](#).

Members of the community who would like to participate may do so virtually: <https://bit.ly/MHCityCouncilMeeting> or call 669-900-9128, then enter the meeting id: 873 3200 8380.

Public comment may be provided in the following ways:

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- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes;
- Send public comments in writing to City Clerk: ccpubliccomment@morganhill.ca.gov.

Please note that comments made on Facebook are not considered public comment.

Draft Redistricting Maps Submission Deadline

Monday, January 31, 2022

It's that time! Submit your City Council district map proposal for consideration by the January 31, 2022, deadline. [Morgan-Hill.ca.gov/2183/Draw-a-Map](http://www.morgan-hill.ca.gov/2183/Draw-a-Map) shows different mapping tools and how to redraw a City Council district map.

All draft maps are available for public review on the City's redistricting webpage at <http://www.morgan-hill.ca.gov/2182/Draft-Maps>.

Next up in the redistricting process is the February 16 City Council Redistricting Workshop noted below.

Library, Culture, and Arts Commission

Tuesday, February 1, 5:30 p.m. [View Meeting Information](#)

The Commission meetings are virtual and live-streamed on [Facebook](#), Channel 17, and the [City's website](#).

Members of the community who would like to participate may join the virtual meeting at <https://bit.ly/LCACMeeting> or call 669-900-9128, then enter the meeting identification when prompted: 874 0656 4997.

Public comment may be provided in the following ways:

- Join the virtual Library, Culture, and Arts Commission meeting via the link above; when public comment is opened, raise your virtual hand and be called upon to speak for up to three minutes;
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to three minutes;
- Send public comments in writing via email to chris.ghione@morganhill.ca.gov.

Please note that comments made on Facebook are not considered public comment.

City Council Meeting

Wednesday, February 2 - CANCELED

Please join the City Council at the next scheduled meeting on February 16, starting with the redistricting workshop at 5:30 p.m. See below for workshop details.

Morgan Hill Recreation Preschool

Registration Opens Monday, February 7, 8:00 a.m., for 2022-2023 School Year

Please visit our website for more information on the program and how to register.

To register, visit www.mhreconline.com using the codes listed at the website link above. The first month's tuition is due upon registration. A completed registration packet, a copy of your child's birth certificate, and up-to-date immunization records will be required before the start of the program.

Virtual Town Hall: Morgan Hill's Housing Element

Thursday, February 10, 5:30 p.m. - 6:30 p.m.

The City is in the process of updating the Housing Element of the General Plan for the 2023-2031 period as required by State law. The Housing Element establishes policies and programs to address Morgan Hill's existing and projected housing needs for all economic segments of the community.

Virtual Meeting Link: <https://bit.ly/Communitytownhall> or call 669-900-9128, then enter the meeting ID when prompted: 828 0731 9295.

This virtual town hall meeting will also be streamed live on Facebook at <https://www.facebook.com/morganhillengage/>.

The town hall will discuss the existing and upcoming Housing Element, the City's housing needs, the City's Sites Inventory, housing policies, and Affirmatively Furthering Fair Housing (AFFH) requirements.

The process also includes asking community members what they see as Morgan Hill's most important housing needs. Please complete the short survey to provide us with your input. All responses are kept completely confidential. One survey can be submitted per person.

- Survey link: <https://www.surveymonkey.com/r/JDZYJ65>

Community Presentation: Deadly Dangers of Fentanyl

Presentation on Thursday, February 10, 6:00 - 7:30 p.m.

Learn about drugs sold to kids on social media, hear testimonials from families experiencing loss from fentanyl poisoning, get Narcan training, and more.

Two options for attending

- In-Person (Tentative): City Council Chamber Building, 17555 Peak Ave.
- Virtual: <https://bit.ly/FentanylAwarenessCommunityMeeting>

Registration required for all attendees: <https://www.surveymonkey.com/r/LTP6HLW>.

See the event flyer in [English](#) and [Spanish](#) for additional information.
Contact Dori Prado at 408-390-9012 for any questions.

City Council Redistricting Workshop

Wednesday, February 16, 5:30 p.m.

At the workshop, the City Council and Community will review and discuss all draft maps. The City Council will provide direction on which maps it would like to move forward with.

Residents are encouraged to participate via Zoom:

- Join via Zoom: <https://bit.ly/MHCityCouncilMeeting>
- or call 669-900-9128; Webinar ID: 873 3200 8380

Next steps after February 16's workshop are:

- At the March 2 City Council public hearing, the Council may adopt the final district map
- The final district maps must be adopted by April 17 in accordance with State law.

This will bring to conclusion the [City's redistricting process](#), which began this past summer.

Recreation Division: Volunteers Needed

The Aquatics Center will be hosting a Pacific Masters swim meet on April 1, 2, & 3. We are looking for volunteers to work outside to assist with the meet.

If you interested in volunteering please [apply using our volunteer link](#). Once that is completed, applicants will be emailed a link to select time slots.

For questions regarding the event, contact Lisa Rick at lisa.rick@morganhill.ca.gov.

Environmental Services: Private Sewer Lateral & Water Conservation Ordinances

Thinking of selling a property? If so, take note of the Private Sewer Lateral Ordinance and the Water Conservation Ordinance that take effect on June 1, 2022. It's right around the corner!

These City ordinances will require two different inspections to take place prior to the sale of a property:

1. For properties built more than 15 years ago, privately-owned sewer lateral lines will need to be inspected prior to a sale of property by a NASSCO certified plumber with a Morgan Hill business license. If there are any damages to the line, they will need to be repaired before a Compliance Certificate can be granted. The City has established two grant opportunities to assist homeowners with the sewer line repair/replacement process.

- Info: <https://www.morgan-hill.ca.gov/1987/Private-Sewer-Lateral-Inspection-Repair->
- Grant: <https://www.morgan-hill.ca.gov/2192/Grant-Program-to-Replace-or-Repair-PSL>
- NASSCO: <https://www.nassco.org/education-and-training/certified-professionals-directory/>

2. For all properties built before January 1, 1994, the plumbing fixtures need to be retrofit prior to a resale, if not already so, with high-efficiency ones that consume less water with each use. An inspection by a contractor with a Morgan Hill business license will check toilets, urinals, and showerheads. Upon passing, property owners will receive a Water Conservation Certificate.

- Info: <https://www.morgan-hill.ca.gov/2216/Water-Conservation-Ordinance>
-

Economic Development: January 2022 Newsletter [eNewsletter Now Available](#)

Find out more about key efforts that impact our business community, including:

- Quarterly Sales Tax Update
- Housing Element Plan
- Industrial Preservation & Optimization Policy
- Downtown Lane Reduction and Place-Branding Update
- Business Resources.



[Subscribe to Future Economic Development eNewsletters](#). Thank you for continuing to “Choose Morgan Hill.”

Community Corner

Rebekah Children's Services Multiple Resources



- Updated: Feb. 4 [Deadline](#) for Winter Culinary Academy
- [Free Monthly Program](#) for Diaper & Menstrual Products
- [Parent Cafe](#) Series in English & Spanish
- [Free Food](#) 4th Friday of Every Month



January 29, noon - 5:00 p.m.
Running Shop & Hops
17500 Depot Street

Raffle Proceeds to Benefit
Edward Boss Prado Foundation

[More Info](#)

**Volunteer
to help
your
local park!**

February 5, 9:00 - 11:00 a.m.

Butterfield
between Barrett and Watsonville

[Where to Meet & More Info](#)



Youth Development Through Golf

Register by February 9 for
Range of Classes & Days

[Registration Opens Feb. 9](#)



High School Virtual Job Shadow Day

Students Register by February 11
[Event](#) Scheduled for Feb 24

[Registration & Program Info](#)



Darren Dean Vocational
Education Grant

Info & Requirements

Make Your Home
More Energy Efficient

DIY Tool Kits

County of Santa Clara's
Safe Gun Storage Campaign

Take the Survey



**American
Red Cross**

American Red Cross
National Blood Shortage

Sign Up To Donate



SANTA CLARA COUNTY
Behavioral Health Services

Proud Parents
Education Group

Upcoming Sessions

**THE
LGBTQ
YOUTH
SPACE**

Events & Resources
Morgan Hill & Gilroy

South County Info

City Maintenance Projects



The Scoop

News you want to know about public projects and maintenance activities throughout Morgan Hill.

Click the image [or here](#) for the latest updates and what to expect in the coming week.

COVID-Related Resources & Information

Place Your Order for Free At-Home COVID-19 Test Kits

Residential households in the U.S. can order one set of four free at-home tests.

Order directly from the United States Postal Service:
<https://special.usps.com/testkits> or covidtests.gov.

**Order your free
at-home COVID
tests!**

Visit covidtests.gov



Limit 4 tests per household

[Local Vaccinations and COVID Testing Locations, Dates, and Times](#)

[Rent and Housing Support from Local, County, and State Agencies](#)

[Food and Grocery Resources](#)

Your Morgan Hill



Morgan Hill City Hall Office Hours

The Civic Center area is open to the public: Monday through Friday,
8 a.m. - 5 p.m.

All individuals - employees and visitors -
must wear a mask while indoors in all
City facilities, regardless of vaccination
status.

State and County Health Information

[CA Coronavirus Information](#)

[Santa Clara County Public Health](#)

Elected Officials

Morgan Hill City Council

- [Rich Constantine, Mayor](#)
- [Gino Borgioli, District A, Mayor Pro Tem](#)
- [Yvonne Martínez Beltrán, District B](#)
- [Rene Spring, District C](#)
- [John McKay, District D](#)

County Supervisor

District 1: [Mike Wasserman](#)

California State Assembly District 30:

[Robert Rivas](#)

California State Senate District 17:

[John Laird](#)

U.S. Congressional District 19:

[Zoe Lofgren](#)

City of Morgan Hill Commissions:

- [Library, Culture, and Arts](#)
- [Parks and Recreation](#)
- [Planning](#)

City of Morgan Hill Advisory Committees:

- [City/School Liaison Committee](#)
- [Youth Action Council](#)

City of Morgan Hill | 408-779-7271
17575 Peak Ave. Morgan Hill, CA 95037 | www.morganhill.ca.gov



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Sent by pio@morganhill.ca.gov powered by



From: [City of Morgan Hill](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] Introduction to the 2023-2031 Housing Element Update Workshop
Date: Tuesday, January 25, 2022 3:22:16 PM

You don't often get email from webmaster@morgan-hill.ca.gov. [Learn why this is important](#)

[View this in your browser](#)

Dear Community Members,

Please join us to hear about Morgan Hill's 2023-2031 Housing Element Update process during tonight's Planning Commission meeting at 7:00 p.m.

PLANNING COMMISSION MEETING

DATE: Tuesday, January 25, 2022

TIME: 7:00 p.m.

LOCATION: Video Conference

Weblink: <https://bit.ly/PlanningCommissionMtg>

Phone: (669) 900-9128 Webinar ID: 862 0324 6251

* * * * *

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Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

You are receiving this message because you are subscribed to Housing Element Update on www.morgan-hill.ca.gov. To unsubscribe, click the following link:

[Unsubscribe](#)

From: [City of Morgan Hill](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] Town Hall Community Meeting and Other Updates
Date: Thursday, February 3, 2022 4:48:34 PM

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[View this in your browser](#)

Dear Community Members,

We have three key updates to the Housing Element Update webpage that you should be aware of: 1) **Community Meeting (Town Hall)** on Thursday, February 10th, 2) **Housing Needs Survey**, and 3) **Draft Assessment of Housing Needs**. More detailed information can be found below or by visiting the Housing Element Update website at: <https://www.morgan-hill.ca.gov/2063/Housing-Element-Update>

Community Meeting (Town Hall)

Come join the City of Morgan Hill staff for a Town Hall on Thursday, February 10, 2022 at 5:30 p.m. via Zoom, that will discuss the housing needs of the city, the cities Sites Inventory, existing and upcoming Housing Element, housing policies, and Affirmatively Furthering Fair Housing (AFFH) requirements.

Town Hall Meeting

Date: Thursday, February 10, 2022

Time: 5:30 p.m.

Location: Video Conference

Weblink: <https://bit.ly/Communtytownhall>

Or One tap mobile: 16699009128,,82807319295#

Or Telephone: 1 669 900 9128, Webinar ID: 828 0731 9295

What are Morgan Hill's most important Housing Needs Survey

The City is in the process of updating the Housing Element of the General Plan for the 2023-2031 period as required by State law. The Housing Element establishes policies and programs to address Morgan Hill's existing and projected housing needs for all economic segments of the community. The first step in this process is to ask community members what they see as Morgan Hill's most important housing needs.

Please help shape the future of housing in Morgan Hill by completing the 10-question survey. The survey should take less than 5 minutes to complete, and all responses are kept completely confidential. One survey can be submitted per person. To access the survey in English, please click [here](#). To access the survey in Spanish, please click [here](#).

Draft Assessment of Housing Needs

During the January 25, 2022 Planning Commission meeting, the [DRAFT Assessment of Housing Needs](#) was presented to the Commission. To view the DRAFT Assessment of Housing Needs document in PDF format, please click [here](#).

* * * * *

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<http://www.morgan-hill.ca.gov/list.asp?mode=del>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

You are receiving this message because you are subscribed to Housing Element Update on www.morgan-hill.ca.gov. To unsubscribe, click the following link:

[Unsubscribe](#)



The City of Morgan Hill is launching a series of Housing Workshops!

A roadmap of housing in Morgan Hill; how we got here and the future of housing for current and future residents.

We will share the what, why, and how housing will change per State law and hear your thoughts on creating the best version of Morgan Hill for the future.

Four virtual community workshops will be held right before the City Council meetings at 5:30 pm:

- All Things Housing - Wednesday, May 19th
- State Mandates for Housing Production - Wednesday, June 2nd
- Housing Affordability - Wednesday, June 16th
- Housing and Long-Term Sustainability - Wednesday, June 23rd

In addition to the workshops above, here are additional opportunities to join the conversation:

- Affordable Housing 101 in Spanish with English Translation - Tuesday, May 18th at 5:00 pm
- All Things Housing - Saturday, May 22nd, 9 am to noon, Third St. in front of parking garage
- A Model for Agricultural Workforce Housing in South County - Friday, May 28th at 10:00 am
- Creating Inclusive Communities through Design Form - Thursday, June 10th at 5:30 pm
- Hablando Vivienda con Nuestras Familias in Spanish with English Translation - Sunday, May 23rd at 2:00 pm



For more information on the workshops above or about Housing in Morgan Hill visit <https://www.morgan-hill.ca.gov/2021HousingConversation>

Countywide Community Meeting #2

An introduction to the Housing Element update

August 11th, 2021 from 6 - 7:30 pm
Register at bit.ly/countywidemeeting2



Let's Talk Housing
SANTA CLARA COUNTY

Learn more about the update process, how to participate, and join a breakout session to discuss housing in your community.

This meeting includes the cities of **Gilroy, Morgan Hill, and the County of Santa Clara**

Visit letstalkhousingcc.org for more info



Reunión comunitaria del condado de Santa Clara #2



Introducción a la actualización del elemento de vivienda

11 de agosto del 2021 de 6 a 7:30 pm
Regístrese en bit.ly/countywidemeeting2

Let's Talk Housing
SANTA CLARA COUNTY

Aprenda más sobre el proceso de actualización, cómo participar y únase a una sesión de grupo para hablar sobre la vivienda en su comunidad.

Esta reunión incluye las ciudades de **Gilroy, Morgan Hill, y el Condado de Santa Clara.**

Visite letstalkhousingcc.org para más información



Countywide Meeting Summary

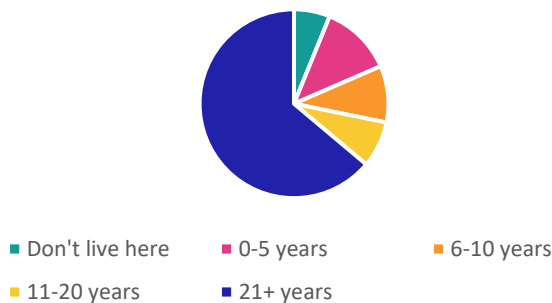
Morgan Hill: Introducing the Housing Element Update

A series of countywide meetings about the Housing Element update were held from August to September 2021. Each meeting offered Spanish-language interpretation and provided community members with an introduction to the Housing Element update, why it matters, information on the Let's Talk Housing outreach effort and countywide trends. Breakout room discussions with individual cities and towns followed.

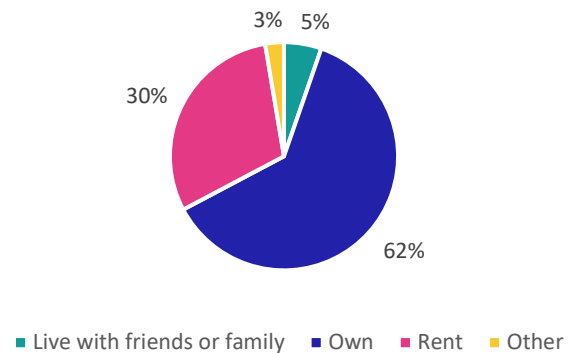
Who We Heard From

In total 832 registered for the series. Of those who registered for the series, the majority identified as White and over half were 50 years or older. Over sixty percent lived over 21 years in within the county, and over half were homeowners.

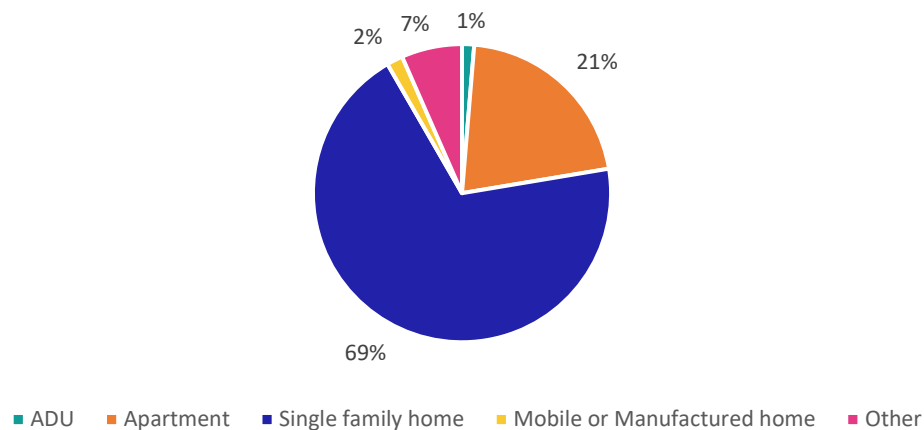
How long have you lived in County?



Living Situation



Type of Home



Countywide Meeting Summary



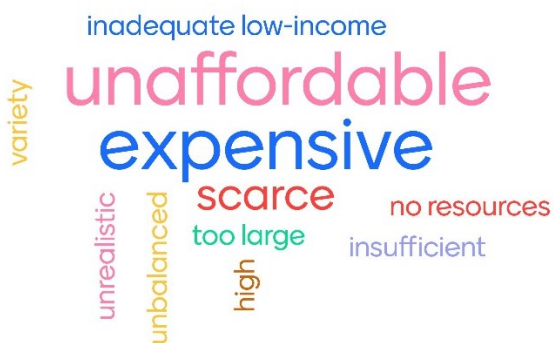
Morgan Hill was part of the August 11th, 2021 introductory meeting, along with Gilroy and Unincorporated Santa Clara County. Seventeen people who registered for the August 11th meeting identified as living in Morgan Hill, including four who live here, and three who work here. Of the residents, three owned their home and one rented. A majority of them (5) have lived in the county for 21 years or more.

What We Heard

Main Meeting

People were asked to share a word in the chat describing housing now at the beginning of the meeting, and the housing they envisioned in their communities ten years from now.

Now



In 2030



Breakout Session

In the breakout session, participants expressed that they valued the town's hills and parks. One participant noted being a happy Morgan Hill resident for over 40 years. However, participants recognized that rent and home prices are unaffordable for many. Key challenges to meeting Morgan Hill's housing needs include lack of vacant land and some community resistance to multifamily housing. Among ideas for addressing these needs were: including commercial buildings an inclusionary zoning policy and streamlining the development process. Participants expressed support for existing policies and programs such as limits to condo conversions and the town's partnership with the County to provide project-based housing vouchers.

Post Event Survey

The post-event survey reflected the variety of opinions present on issues ranging from a desire to preserve communities as they are, to an appeal for more and diverse housing everywhere in the county. Community members responded that they valued the space and the information provided within it and looked forward to more opportunities to engage in the housing element update process.



Talk with Your Community: Morgan Hill

1. What We Value and Love

In the chat, share a word or two about what you value or love about your community and it's housing. Who wants to talk about what they wrote?

- Our hills and parks!
- Been happy living here for 40 years

2. Key Housing Needs, Challenges or Opportunities

In the chat, share a word or two about our key housing needs, challenges or opportunities. Who wants to talk about what they wrote?

- Challenge of finding sites - limited vacant land and policies against converting non-res to residential
- Extremely low-income housing is a challenge -- can low income be combined with extremely low? Seems they should be separated
- Live in apartment that was concerned about being converted to condos, but city policy helped to keep from happening
- Should focus on potential for housing the un-housed (tiny homes?)
- Apartments near single family housing - people concerned will bring down home prices -- need to address
- Have done good job of meeting higher income housing needs; want to make sure lower income needs met, including special needs (people w disabilities, etc.)



Let's Talk Housing

SANTA CLARA COUNTY

- High AMI makes “affordable” housing very expensive for people who are on ELI fixed income housing, SSI
- City working to address - takes money, plus time to change policies and develop programs
- Section 8 voucher program open now - getting info out
- City partnering with county for project-based vouchers
- Challenge to get affordable housing developments through the process; get resources

3. Ideas or Suggestions

In the chat, share any ideas or suggestions you have to help meet our housing needs. Who wants to talk about what they wrote?

- Include nonresidential builders in inclusionary zoning program -- commercial development creates housing needs; should participate
- [also see points above]



Let's Talk Housing
SANTA CLARA COUNTY

4. How to Better Hear from Our Community

How can we make sure we hear from our entire community?

- Having people/places that community trusts be conduits for getting out info and helping with participation
- Housing team very active reaching out to CBOs and getting them ready for Housing Element work and promote housing
- How to address people's opposition to new housing reducing their property value and inherently opposed
- Need to educate people about affordable housing -- who it serves, how it works
- Key message -- 48% of low-income renters are paying more than 50% for housing

5. What Kind of Housing Do We Have in the Future

Let's return to it being 2030, and how we've accomplished a lot! In the chat, share with us a word or two about your vision for the housing in our community. Who wants to talk about what they wrote?

- 100% of people are paying 30% or less of income on housing
- Have 4 100% affordable developments moving forward -- want to see them all succeed!
- Modular housing is overloaded - hard to keep up with demand
- Want to see more local serving businesses so don't have to drive across town to access services



HOUSING ELEMENT

The City of Morgan Hill is in the process of preparing the 6th cycle (2023-2031) of the Housing Element Update. The Housing Element is Morgan Hill's housing plan that identifies our City's housing needs and opportunities and establishes clear goals and objectives to inform future housing decisions.

At its core, the Housing Element is an opportunity to have a community conversation about how to address local housing challenges and find solutions. The Housing Element is an important part of [Morgan Hill 2035 General Plan](#), which serves as the blueprint for how we will grow and address changing needs for development. The Housing Element must be updated every eight years and be certified by the [California Department of Housing and Community Development \(HCD\)](#).

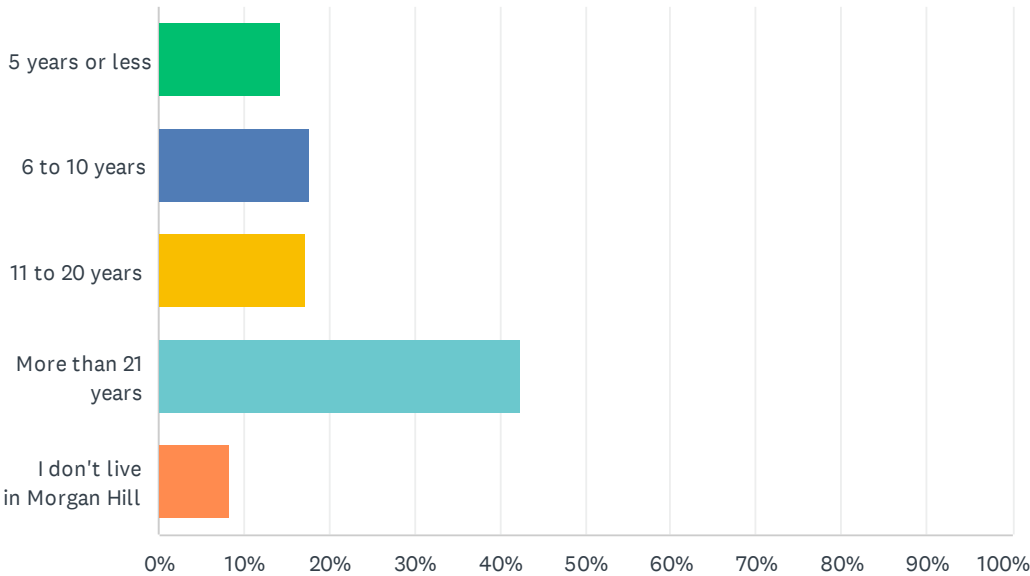
Notify Me

To sign up for notifications and updates on the Housing Element Update, select the Notify Me link or contact 408.310.4635 Adam.Paszkowski@MorganHill.Ca.Gov and Rebecca.Garcia@Morganhill.Ca.Gov.

Upcoming Meeting Housing Element discussion at the Planning Commission Meeting, April 12, 2022 at 7:00 pm. 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 that would like to participate in the meetings remotely may do so by join the virtual meeting at: <https://bit.ly/PlanningCommissionMtg> or by calling in to: (669) 900-9128, then enter the webinar ID#: 862 0324 6251. Public comment may be provided in the following ways: Join the virtual Planning Commission meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes. Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and *6 when called upon to speak for up to 3 minutes. Send public comments in writing to the Minutes Clerk at pcpubliccomment@morganhill.ca.gov.

Q1 About how long have you lived in Morgan Hill?

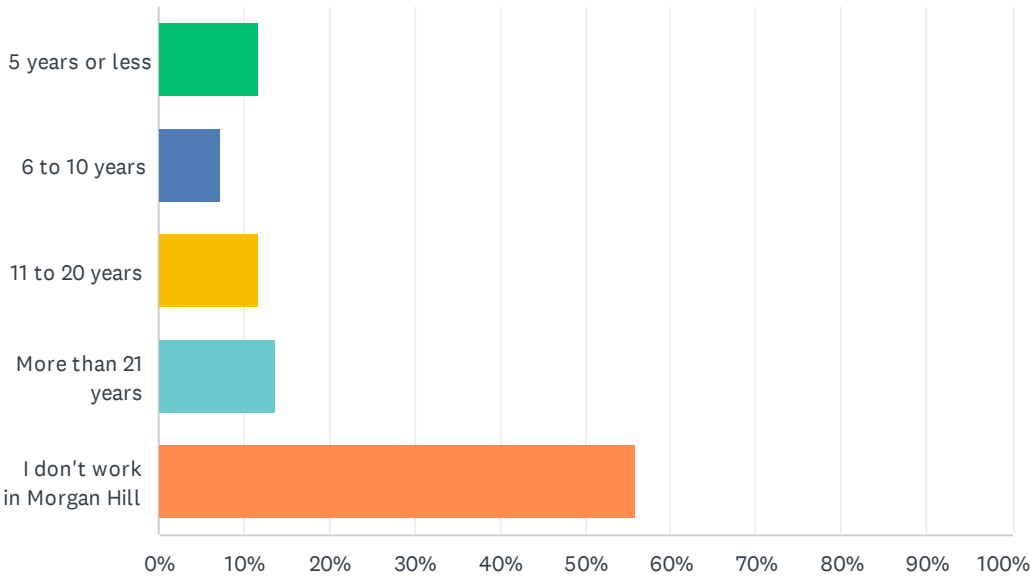
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
5 years or less	14.29%	43
6 to 10 years	17.61%	53
11 to 20 years	17.28%	52
More than 21 years	42.52%	128
I don't live in Morgan Hill	8.31%	25
TOTAL		301

Q2 How long have you worked in Morgan Hill?

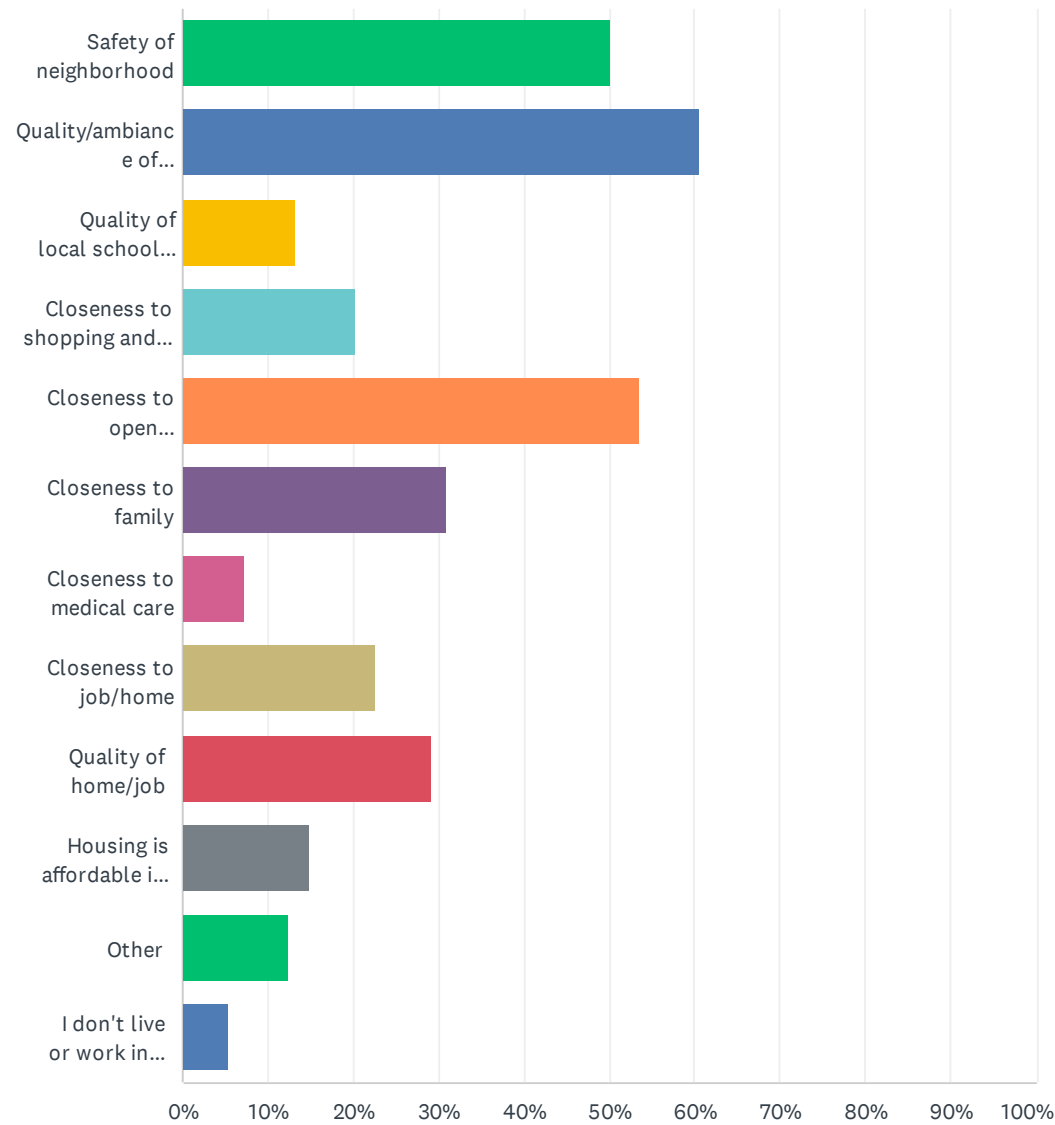
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
5 years or less	11.63%	35
6 to 10 years	7.31%	22
11 to 20 years	11.63%	35
More than 21 years	13.62%	41
I don't work in Morgan Hill	55.81%	168
TOTAL		301

Q3 Select the reason(s) why you live or work in Morgan Hill.

Answered: 301 Skipped: 0

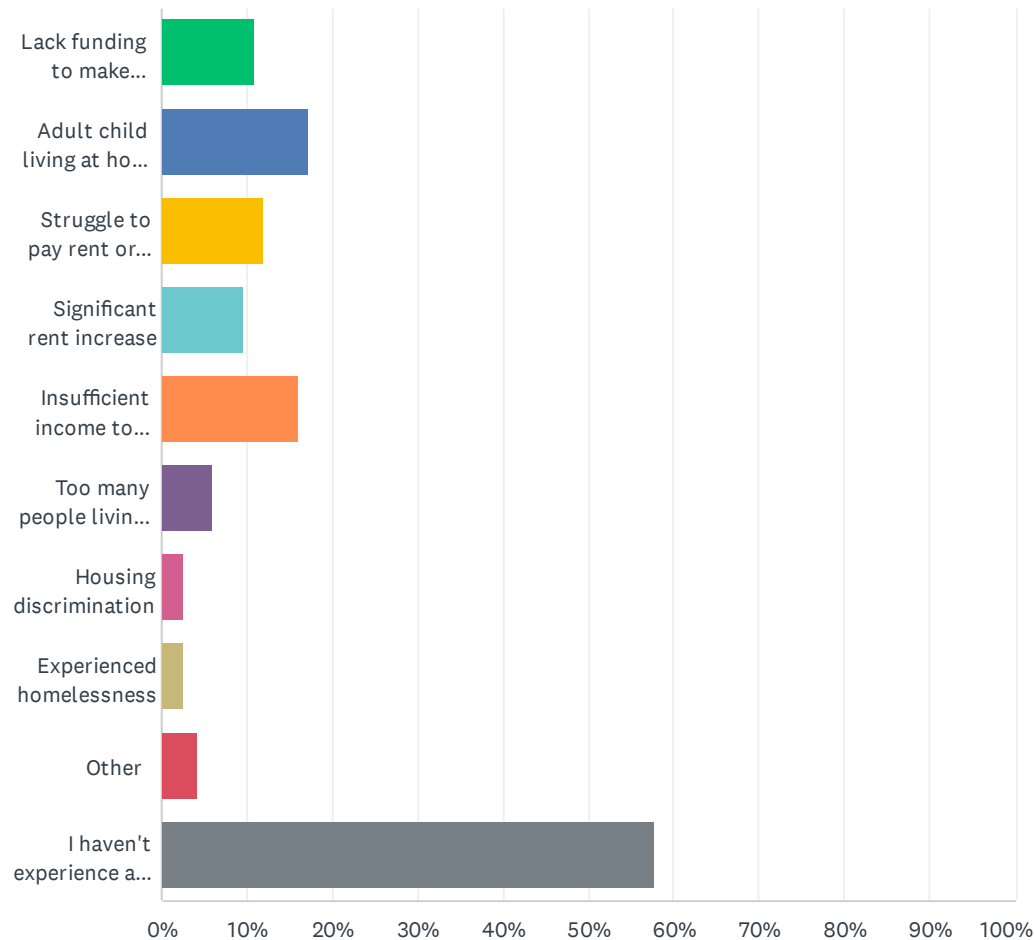


Morgan Hill 6th Cycle Housing Element Update Questionnaire

ANSWER CHOICES	RESPONSES	
Safety of neighborhood	50.17%	151
Quality/ambiance of neighborhood	60.47%	182
Quality of local school system	13.29%	40
Closeness to shopping and services	20.27%	61
Closeness to open space/recreational areas	53.49%	161
Closeness to family	30.90%	93
Closeness to medical care	7.31%	22
Closeness to job/home	22.59%	68
Quality of home/job	29.24%	88
Housing is affordable in Morgan Hill	14.95%	45
Other	12.29%	37
I don't live or work in Morgan Hill	5.32%	16
Total Respondents: 301		

Q4 Within the past two years, have you experienced any of the following housing issues? (select all that apply)

Answered: 301 Skipped: 0

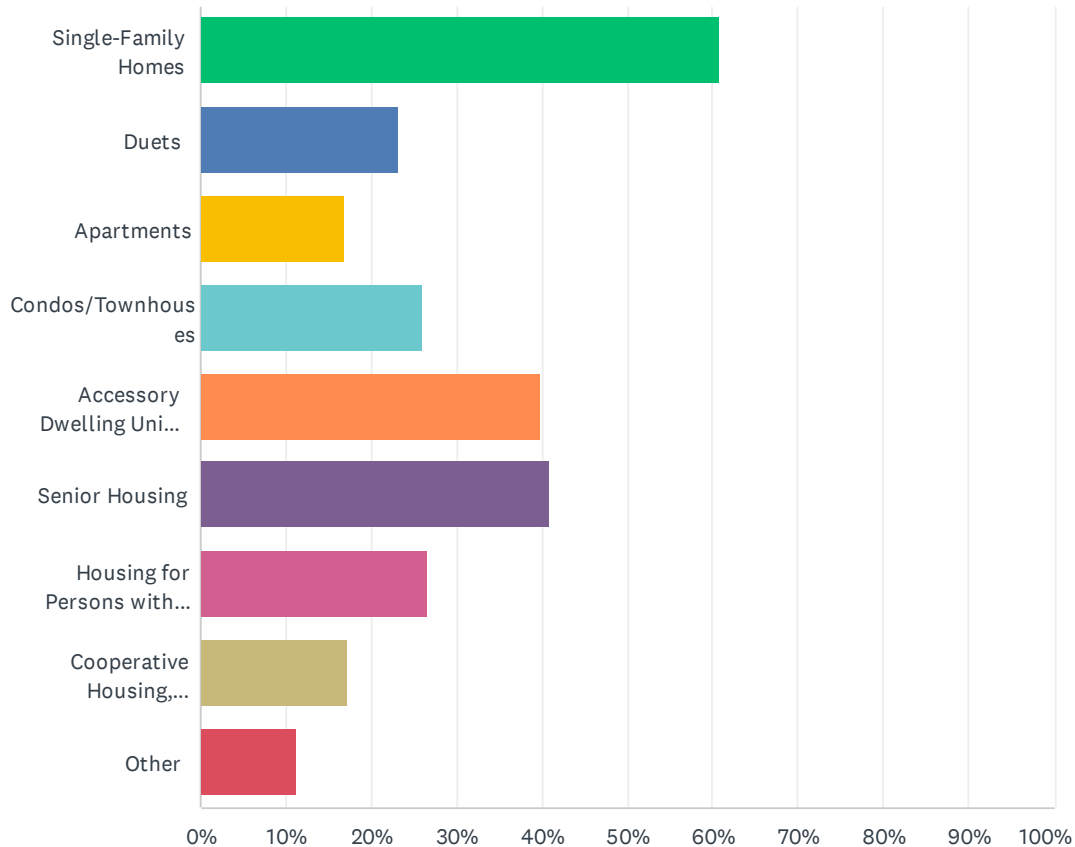


Morgan Hill 6th Cycle Housing Element Update Questionnaire

ANSWER CHOICES	RESPONSES	
Lack funding to make necessary home repairs	10.96%	33
Adult child living at home due to inability to afford housing	17.28%	52
Struggle to pay rent or mortgage	11.96%	36
Significant rent increase	9.63%	29
Insufficient income to afford living in Morgan Hill	15.95%	48
Too many people living in one home (overcrowding)	5.98%	18
Housing discrimination	2.66%	8
Experienced homelessness	2.66%	8
Other	4.32%	13
I haven't experience any housing issues	57.81%	174
Total Respondents: 301		

Q5 What types of housing would be a good addition to Morgan Hill's housing? (choose all that apply)

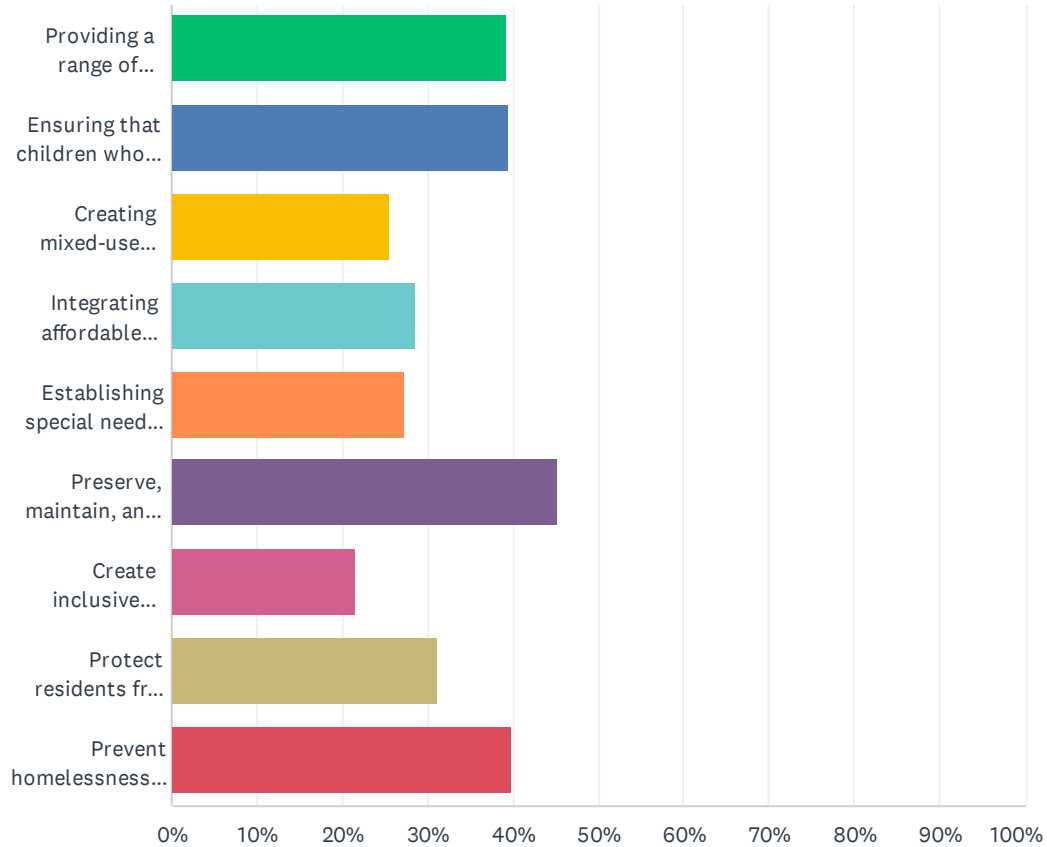
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
Single-Family Homes	60.80%	183
Duets	23.26%	70
Apartments	16.94%	51
Condos/Townhouses	25.91%	78
Accessory Dwelling Units (granny flats, in-law units, secondary units, tiny homes, etc.)	39.87%	120
Senior Housing	40.86%	123
Housing for Persons with Disabilities	26.58%	80
Cooperative Housing, Intergenerational, or Foster Family Housing	17.28%	52
Other	11.30%	34
Total Respondents: 301		

Q6 Please indicate which of the following housing priorities are most important for Morgan Hill.

Answered: 301 Skipped: 0

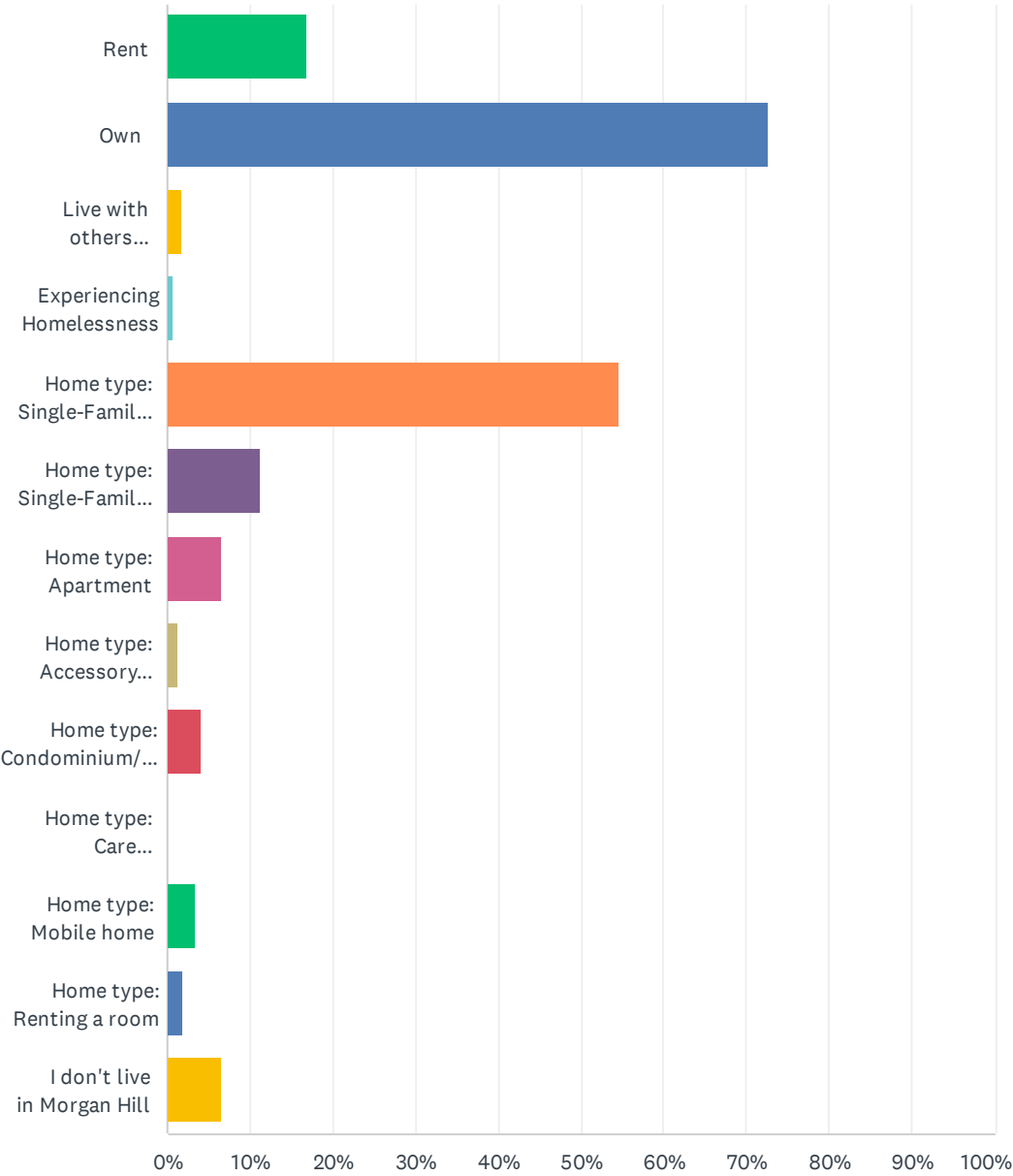


Morgan Hill 6th Cycle Housing Element Update Questionnaire

ANSWER CHOICES	RESPONSES	
Providing a range of housing opportunities affordable to Morgan Hill workforce	39.20%	118
Ensuring that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults	39.53%	119
Creating mixed-use (commercial/office and residential) projects that encourage walkable neighborhoods and reduce tendency on automobiles	25.58%	77
Integrating affordable housing throughout the community to create mixed-income neighborhoods avoiding concentrations in any one neighborhood	28.57%	86
Establishing special needs housing for seniors, persons with disabilities, and/or veterans	27.24%	82
Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability	45.18%	136
Create inclusive neighborhoods, connecting residents to jobs, schools, and services	21.59%	65
Protect residents from displacement by economic pressures by keeping people in their homes/communities	31.23%	94
Prevent homelessness and address the housing needs of people experiencing homelessness	39.87%	120
Total Respondents: 301		

Q7 If you live in Morgan Hill, what best describes your current home?
(Please indicate if you rent or own and the type of home you live in)

Answered: 301 Skipped: 0

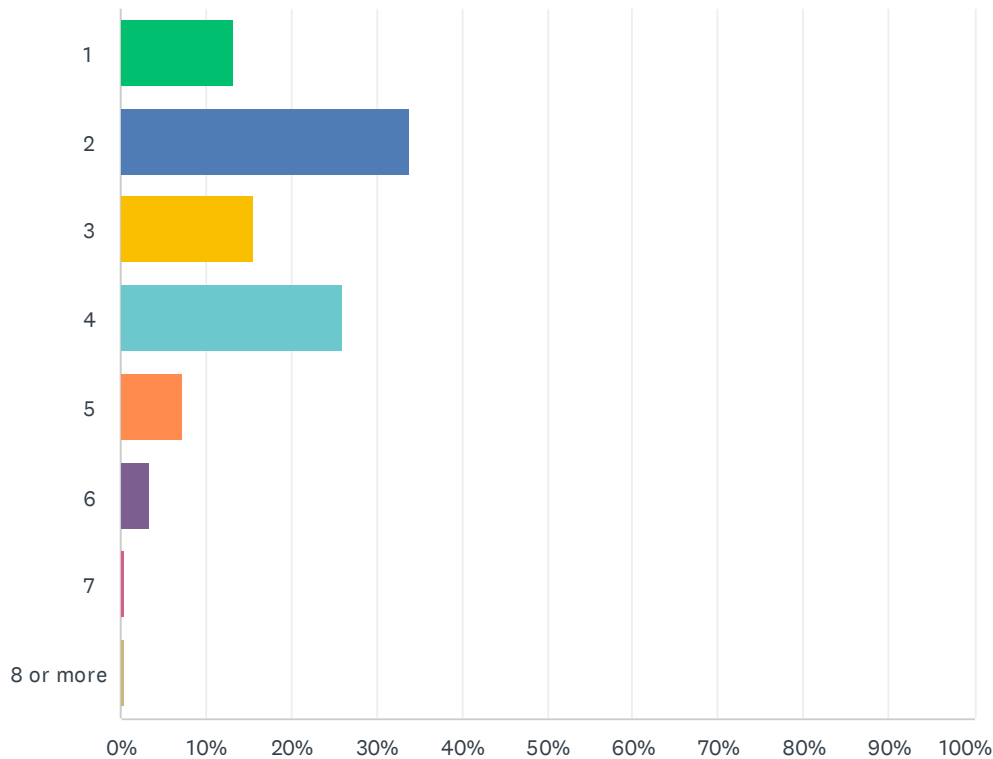


Morgan Hill 6th Cycle Housing Element Update Questionnaire

ANSWER CHOICES	RESPONSES	
Rent	16.94%	51
Own	72.76%	219
Live with others (family/friends) with no rent	1.66%	5
Experiencing Homelessness	0.66%	2
Home type: Single-Family Detached House	54.49%	164
Home type: Single-Family Attached House	11.30%	34
Home type: Apartment	6.64%	20
Home type: Accessory Dwelling Unit	1.33%	4
Home type: Condominium/Townhome	3.99%	12
Home type: Care Facility/Assisted Living	0.00%	0
Home type: Mobile home	3.32%	10
Home type: Renting a room	1.99%	6
I don't live in Morgan Hill	6.64%	20
Total Respondents: 301		

Q8 What is your household size?

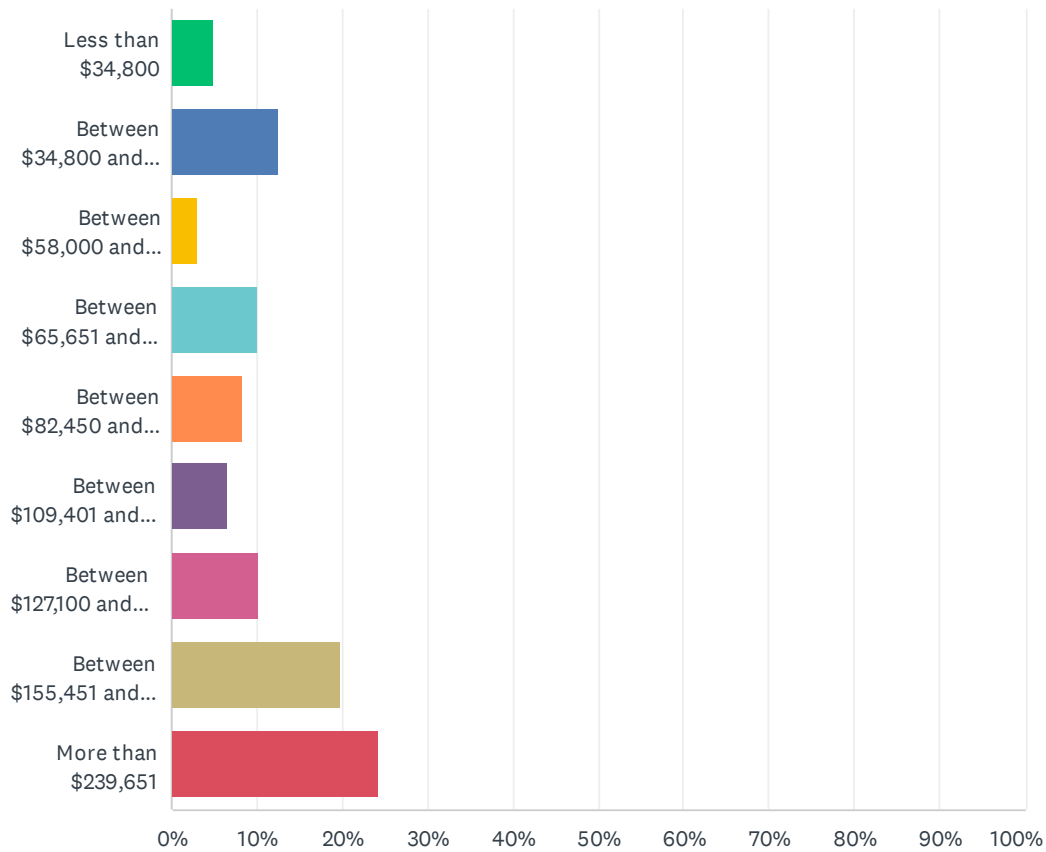
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
1	13.29%	40
2	33.89%	102
3	15.61%	47
4	25.91%	78
5	7.31%	22
6	3.32%	10
7	0.33%	1
8 or more	0.33%	1
TOTAL		301

Q9 What is your annual household income range?

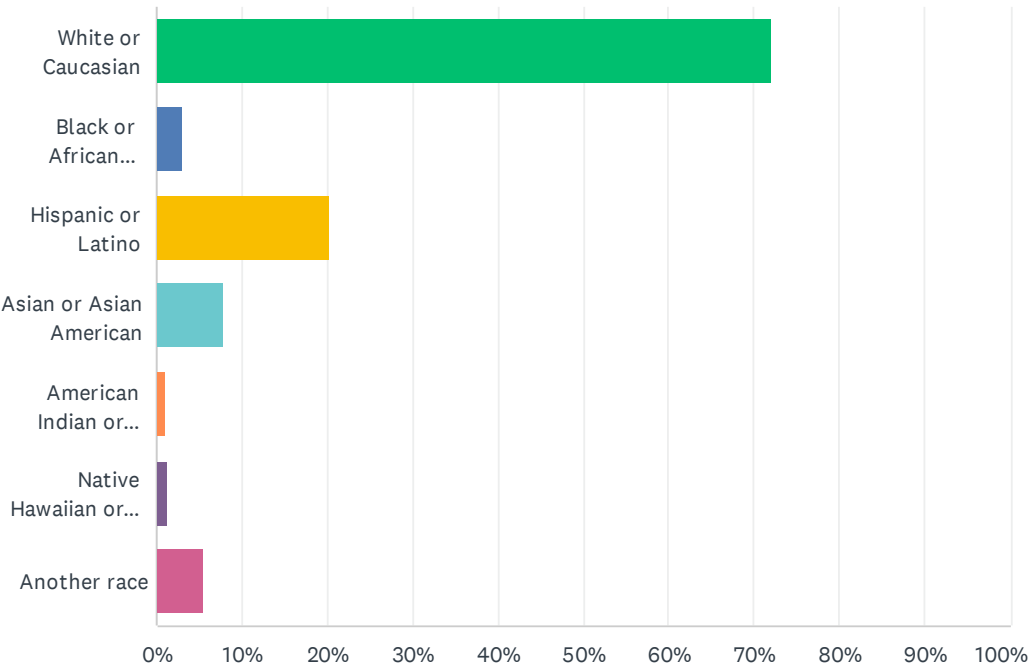
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
Less than \$34,800	4.98%	15
Between \$34,800 and \$57,999	12.62%	38
Between \$58,000 and \$65,650	2.99%	9
Between \$65,651 and \$82,449	9.97%	30
Between \$82,450 and \$109,400	8.31%	25
Between \$109,401 and \$127,099	6.64%	20
Between \$127,100 and \$155,450	10.30%	31
Between \$155,451 and \$239,650	19.93%	60
More than \$239,651	24.25%	73
TOTAL		301

Q10 Please specify your race/ethnicity (choose all that apply)

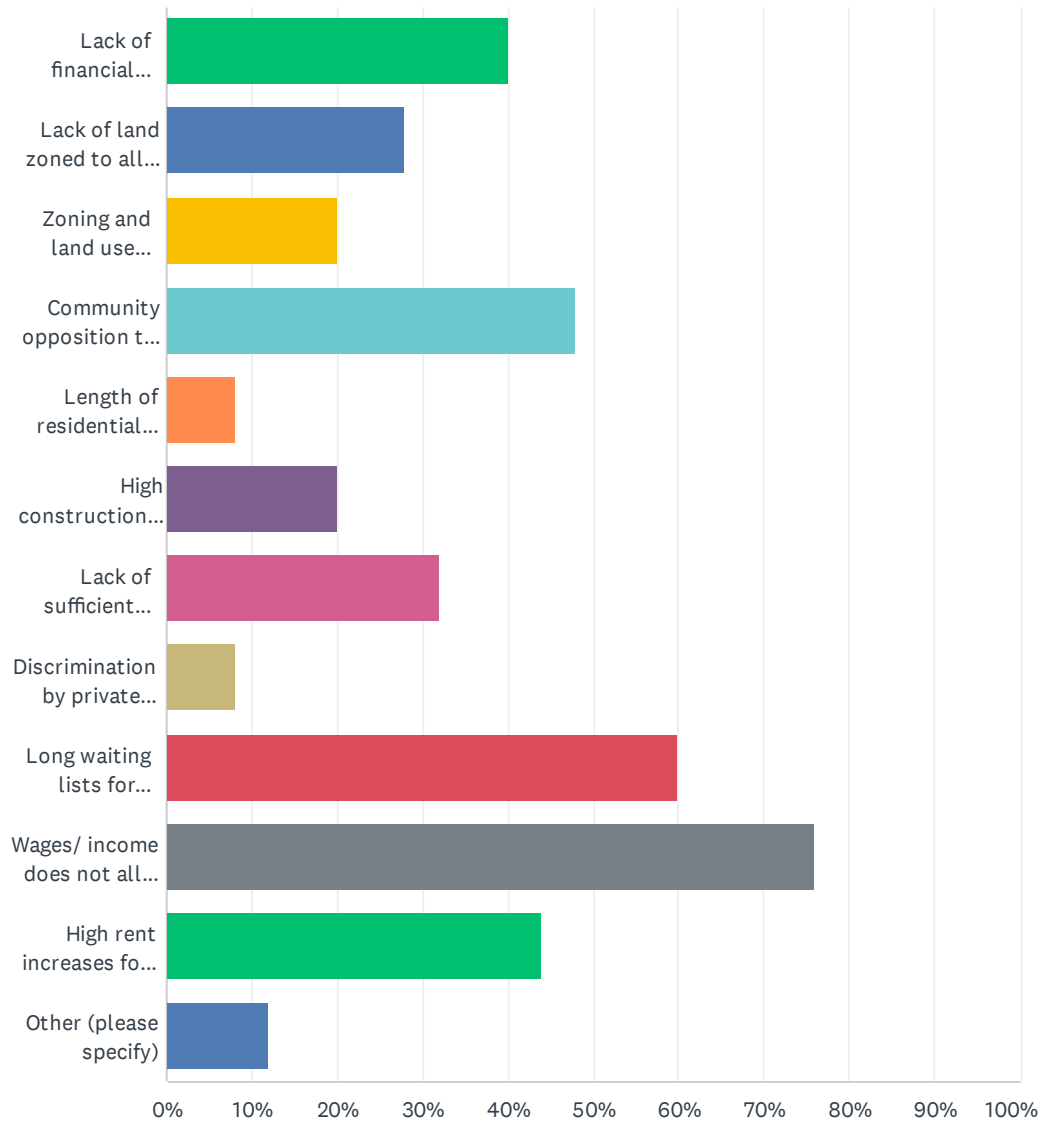
Answered: 301 Skipped: 0



ANSWER CHOICES	RESPONSES	
White or Caucasian	72.09%	217
Black or African American	2.99%	9
Hispanic or Latino	20.27%	61
Asian or Asian American	7.97%	24
American Indian or Alaska Native	1.00%	3
Native Hawaiian or other Pacific Islander	1.33%	4
Another race	5.65%	17
Total Respondents: 301		

Q1 What do you consider to be the most significant barriers in Morgan Hill and the broader region to people with protected characteristics accessing decent, safe, affordable housing that connects them with a broad range of opportunities?

Answered: 25 Skipped: 0



Morgan Hill Assessment of Fair Housing (AFH) Stakeholder Questionnaire

ANSWER CHOICES	RESPONSES
Lack of financial resources for the development of affordable housing	40.00% 10
Lack of land zoned to allow multi-family housing	28.00% 7
Zoning and land use regulations that make affordable housing infeasible	20.00% 5
Community opposition to affordable housing	48.00% 12
Length of residential development approval processes	8.00% 2
High construction costs (labor and material)	20.00% 5
Lack of sufficient supportive services for residents of affordable housing	32.00% 8
Discrimination by private landlords	8.00% 2
Long waiting lists for affordable housing and for Housing Choice Vouchers (shortage of housing that is affordable) or lack of supply	60.00% 15
Wages/ income does not allow one to pay the high cost of rent for jobs worked by low-income individuals	76.00% 19
High rent increases for tenants in market-rate housing	44.00% 11
Other (please specify)	12.00% 3
Total Respondents: 25	

#	OTHER (PLEASE SPECIFY)	DATE
1	Lack of ELI housing.	3/16/2022 3:26 PM
2	There is centralized hub for low-income residents like a one stop, where folks can find supportive services, resources, housing prevention services for our marginalized low income residents	3/16/2022 2:12 PM
3	The facilities on the list are income restricted but not necessarily affordable (having to pay 2/3 of your income to pay the rent for a senior facility): https://www.morgan-hill.ca.gov/DocumentCenter/View/19598/Housing-Resource-Guide-Updated-08-20-2021?bidId=	3/16/2022 12:55 PM

Q2 How have those barriers affected your organization's ability to carry out its mission?

Answered: 23 Skipped: 2

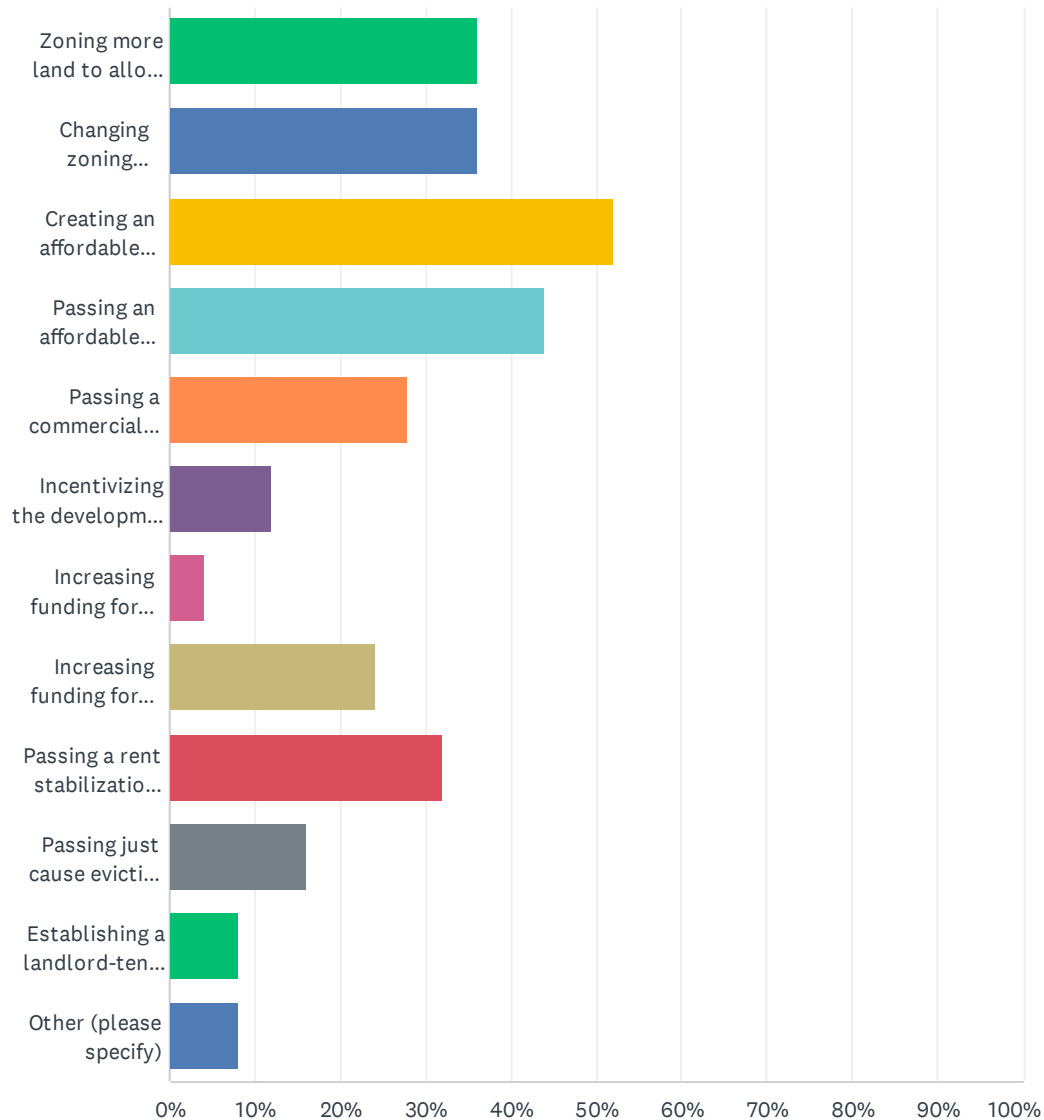
#	RESPONSES	DATE
1	The combination of land, resources, and political will is critical to making affordable housing happen. If any of those pillars are weak, housing is delayed or not built at all.	3/17/2022 2:57 PM
2	The combination of land, resources, and political will is critical to making affordable housing happen. If any of those pillars are weak, housing is delayed or not built at all.	3/17/2022 10:24 AM
3	We can't recruit staff, we can't serve vulnerable families	3/16/2022 9:04 PM
4	You can't begin to solve homelessness without ELI housing.	3/16/2022 3:26 PM
5	We have not been able to secure City of Gilroy approval for a facility that would offer services to the homeless in South County.	3/16/2022 2:34 PM
6	We need the State to take a bigger commitment on affordable housing and housing prices throughout the state and specifically in our area is out of control. They need to provide more funding for affordable housing and education for it; more tax incentives for it's building, etc.	3/16/2022 2:30 PM
7	If we had a place to provide supportive services such as (Homeless housing prevention services, homeless services, resources and navigation services to address the barriers) to the community. We can establish an office at the Centennial Recreation Center or Morgan Hill Community & Cultural Center, we at CARAS could provide more services to the community. In my opinion, Morgan Hill Community Center is under-utilized. Every City north of us they have multiple centers and supportive services that provide needed assistance to those in need and the homeless population. If Morgan Hill wants to stay a vibrant place to live, we need to be planning and offering a comprehensive one stop shop, we at CARAS are more than open to discuss options and when we can get funding. Morgan Hill can apply for federal funding and request American Rescue Plan funding from Santa Clara County who has or will receive 362 million dollars. We can request in partnership with Morgan Hill for these funds and get approval for move some funding to be allocated to other needs for the community and those impacted by covid-19	3/16/2022 2:12 PM
8	Population work 2or more jobs to meet expenses, resulting in children alone at home	3/16/2022 2:11 PM
9	These barriers affect the quantity and quality of resources for affordable housing. Therefore limiting our abilities, to ensure that all have equal opportunities to enhance their quality of life. The lack of adequate funding, to meet the growing needs of our homeless population and or individuals/families at risk of losing their housing, is casually overlooked. As most of the resources provided to this population comes from independent non-profit organizations. South County has the highest homeless rate capita in Santa Clara County.	3/16/2022 1:49 PM
10	They have delayed our ability to advance housing developments in the pipeline.	3/16/2022 1:27 PM
11	Displacement creates resource allocation and opportunities even more difficult when aiming to serve our population	3/16/2022 1:22 PM
12	Yes, to make them self-sufficient.	3/16/2022 1:19 PM
13	Not having affordable housing has brought our organization to have more homeless and people in need of a roof over there head.	3/16/2022 1:09 PM
14	Clients are constantly moving or becoming homeless. This causes loss of contact and eventually causing cases to discontinue.	3/16/2022 1:06 PM
15	We have many clients who are unhoused or have significant challenges sustaining safe and stable housing.	3/16/2022 1:01 PM
16	unable to guide family into affordable housing	3/16/2022 12:58 PM

Morgan Hill Assessment of Fair Housing (AFH) Stakeholder Questionnaire

17	Those with unstable housing are hard to contact, so they do not get access to their health services and benefits	3/16/2022 12:57 PM
18	few options we can recommend	3/16/2022 12:55 PM
19	Community Opposition, as a backdrop to affordable housing, colors every housing issue. It pressures elected officials to act in ways that run counter to housing goals, and places stress on staff. Political will is an easy term to throw around, but if there isn't a concerted effort to craft "messaging" around the realities of the regulatory climate and the planned effort going forward, then it's hard for elected officials to survive and be supportive. Beyond messaging, there needs to be a sophisticated effort to aggregate local demand and highlight stories of need, impact, and the benefit of affordable housing.	3/16/2022 12:53 PM
20	Increased costs. Increased time to complete developments. Narrowed location options. Reduced numbers of units available.	3/14/2022 12:58 PM
21	There is not enough immediate housing (safe shelter) options for the communities experiencing homelessness. Also, those who have been recently released from incarceration and/or have a criminal background are still being discriminated against in the competitive rental market.	3/14/2022 12:12 PM
22	I work primarily with students attending local community colleges. Typically students facing housing barriers are unable to identify affordable housing within the county including room rentals of sorts. In my experience students also need more wrap around services as many are in the county without family or other support networks.	3/14/2022 11:56 AM
23	there is not enough affordable housing supply so you can provide support and service at the cbo level but that can only do so much if there is nowhere for them to live at the end of the day	3/14/2022 11:34 AM

Q3 What are the top three steps that you think the City of Morgan Hill should take in order to address the barriers to accessing decent, safe, affordable housing? (Please select exactly 3 choices)

Answered: 25 Skipped: 0



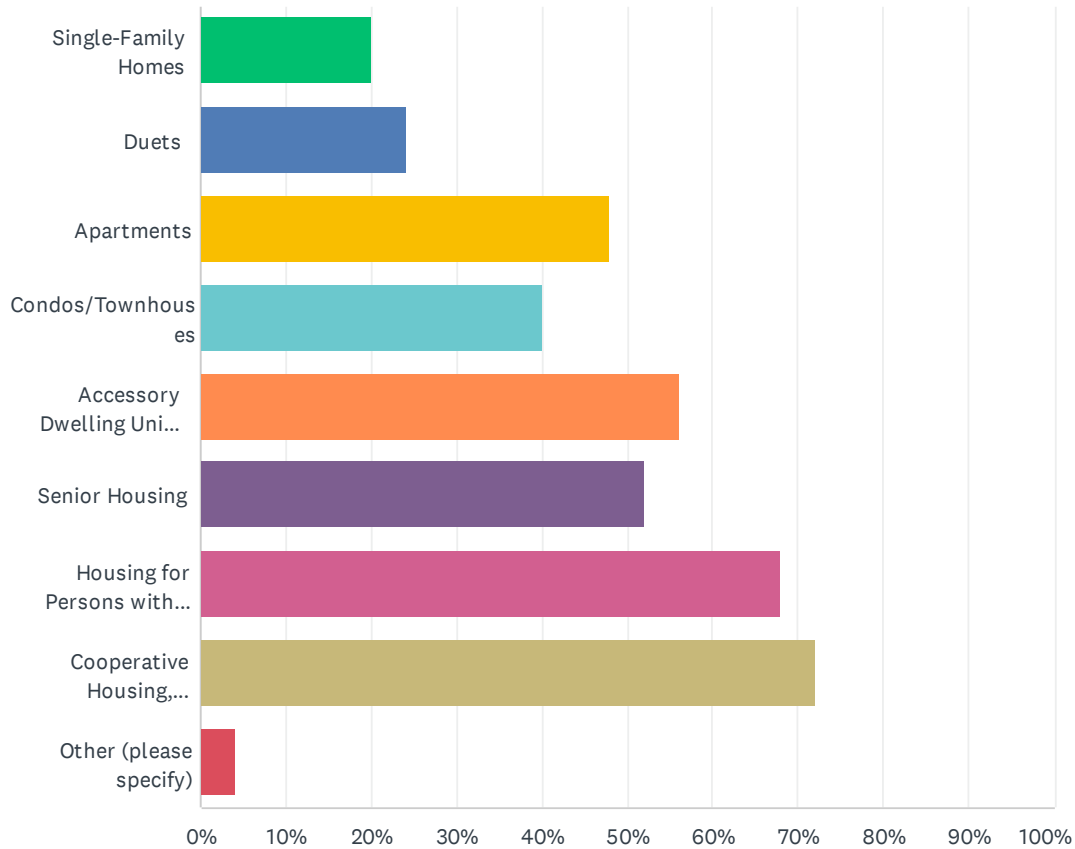
Morgan Hill Assessment of Fair Housing (AFH) Stakeholder Questionnaire

ANSWER CHOICES	RESPONSES	
Zoning more land to allow multi-family rental housing which is typically less expensive than renting a single-family home	36.00%	9
Changing zoning regulations for multi-family districts to enhance feasibility of increasing affordable housing development	36.00%	9
Creating an affordable housing overlay district to enhance feasibility for the purpose of increasing affordable housing development	52.00%	13
Passing an affordable housing bond issue which will provide funding to construct multi-family rental housing	44.00%	11
Passing a commercial linkage fee ordinance which will require new businesses to fund or construct affordable housing	28.00%	7
Incentivizing the development of Accessory Dwelling Units (ADUs) subject to income restrictions	12.00%	3
Increasing funding for landlord-tenant legal services	4.00%	1
Increasing funding for fair housing education, outreach, and enforcement, including fair housing testing	24.00%	6
Passing a rent stabilization ordinance	32.00%	8
Passing just cause eviction protections	16.00%	4
Establishing a landlord-tenant mediation process	8.00%	2
Other (please specify)	8.00%	2
Total Respondents: 25		

#	OTHER (PLEASE SPECIFY)	DATE
1	Calculate how many ELI rental units you need in Morgan Hill.	3/16/2022 3:26 PM
2	There's already a ton of development causing Morgan Hill to have increased traffic and little green space so further development seems like a poor idea	3/16/2022 12:55 PM

Q4 What types of housing would be a good addition to Morgan Hill's housing? (choose all that apply)

Answered: 25 Skipped: 0



ANSWER CHOICES		RESPONSES	
Single-Family Homes		20.00%	5
Duets		24.00%	6
Apartments		48.00%	12
Condos/Townhouses		40.00%	10
Accessory Dwelling Units (granny flats, in-law units, secondary units, tiny homes, etc.)		56.00%	14
Senior Housing		52.00%	13
Housing for Persons with Disabilities		68.00%	17
Cooperative Housing, Intergenerational, or Foster Family Housing		72.00%	18
Other (please specify)		4.00%	1
Total Respondents: 25			

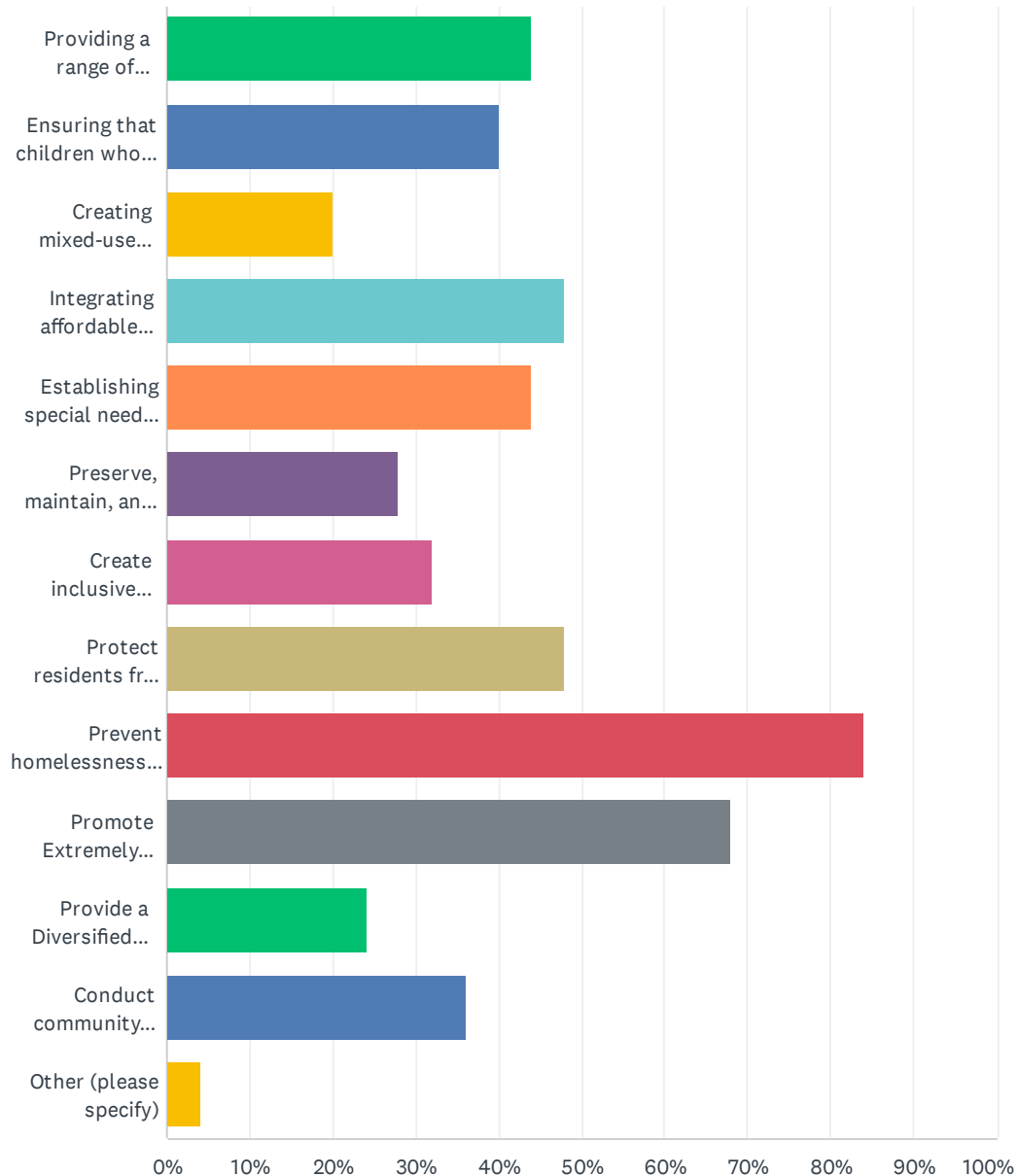
#	OTHER (PLEASE SPECIFY)	DATE
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Morgan Hill Assessment of Fair Housing (AFH) Stakeholder Questionnaire

1	A good addition would be to add what you need. Tell me what you need and I can tell you what would be a good addition.	3/16/2022 3:26 PM
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Q5 Please indicate which of the following housing priorities are most important for Morgan Hill.

Answered: 25 Skipped: 0



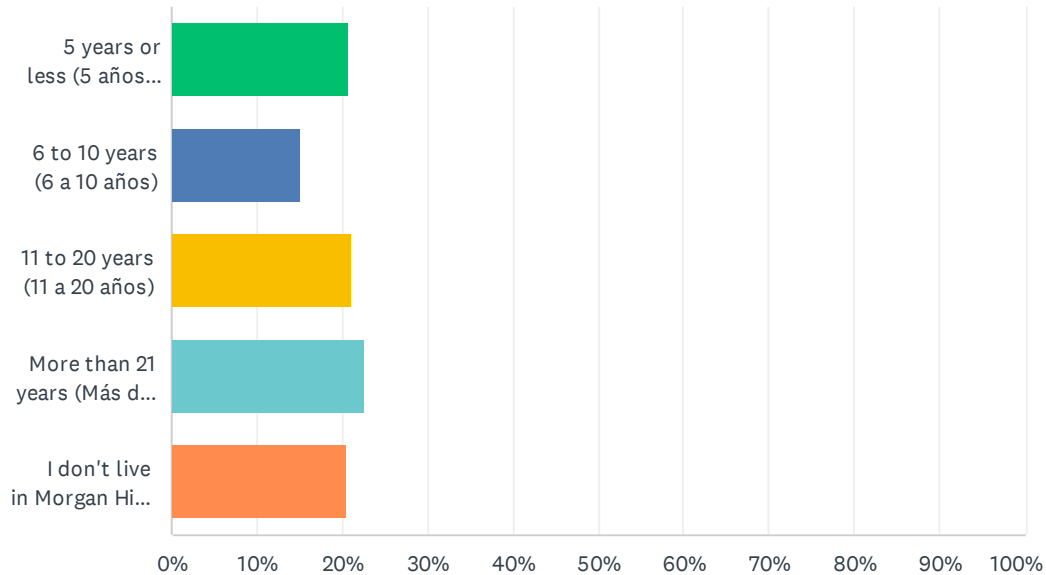
Morgan Hill Assessment of Fair Housing (AFH) Stakeholder Questionnaire

ANSWER CHOICES	RESPONSES	
Providing a range of housing opportunities affordable to Morgan Hill workforce	44.00%	11
Ensuring that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults	40.00%	10
Creating mixed-use (commercial/office and residential) projects that encourage walkable neighborhoods and reduce tendency on automobiles	20.00%	5
Integrating affordable housing throughout the community to create mixed-income neighborhoods avoiding concentrations in any one neighborhood	48.00%	12
Establishing special needs housing for seniors, persons with disabilities, and/or veterans	44.00%	11
Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability	28.00%	7
Create inclusive neighborhoods, connecting residents to jobs, schools, and services	32.00%	8
Protect residents from displacement by economic pressures by keeping people in their homes/communities	48.00%	12
Prevent homelessness and address the housing needs of people experiencing homelessness	84.00%	21
Promote Extremely Low-Income (ELI) Housing (affordable housing for households making less than 30% of the Area Median Income)	68.00%	17
Provide a Diversified Housing Stock in Morgan Hill	24.00%	6
Conduct community education/outreach to inform residents about affordable housing and how to seek assistance	36.00%	9
Other (please specify)	4.00%	1
Total Respondents: 25		

#	OTHER (PLEASE SPECIFY)	DATE
1	provide higher wage employment opportunities	3/16/2022 2:37 PM

Q1 About how long have you lived in Morgan Hill? (¿Cuánto tiempo hace que vive en Morgan Hill?)

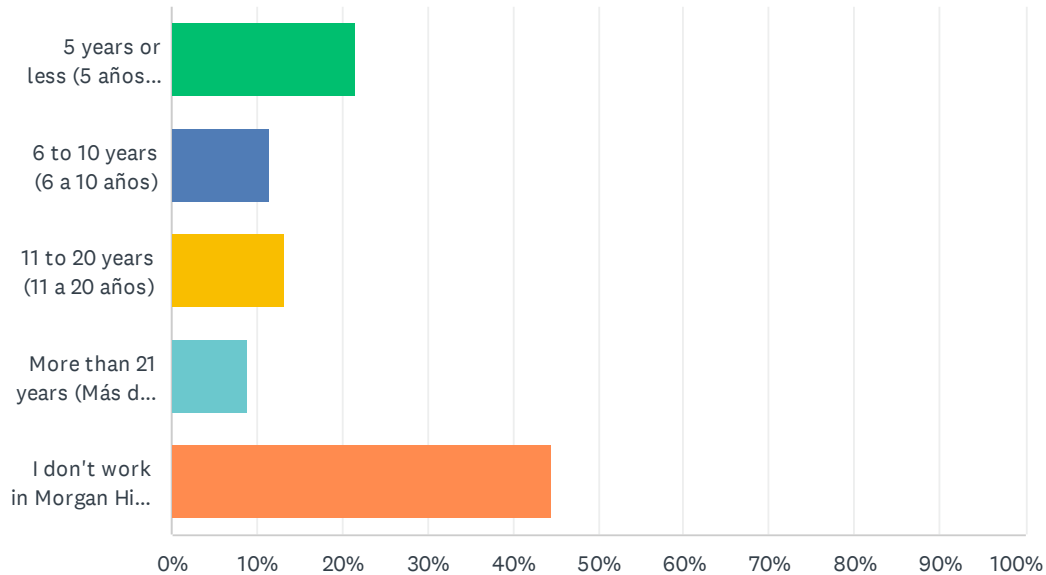
Answered: 648 Skipped: 3



ANSWER CHOICES	RESPONSES	
5 years or less (5 años o menos)	20.68%	134
6 to 10 years (6 a 10 años)	15.12%	98
11 to 20 years (11 a 20 años)	21.14%	137
More than 21 years (Más de 21 años)	22.69%	147
I don't live in Morgan Hill (Yo no vivo en Morgan Hill)	20.37%	132
TOTAL		648

Q2 How long have you worked in Morgan Hill? (¿Cuánto tiempo ha trabajado en Morgan Hill?)

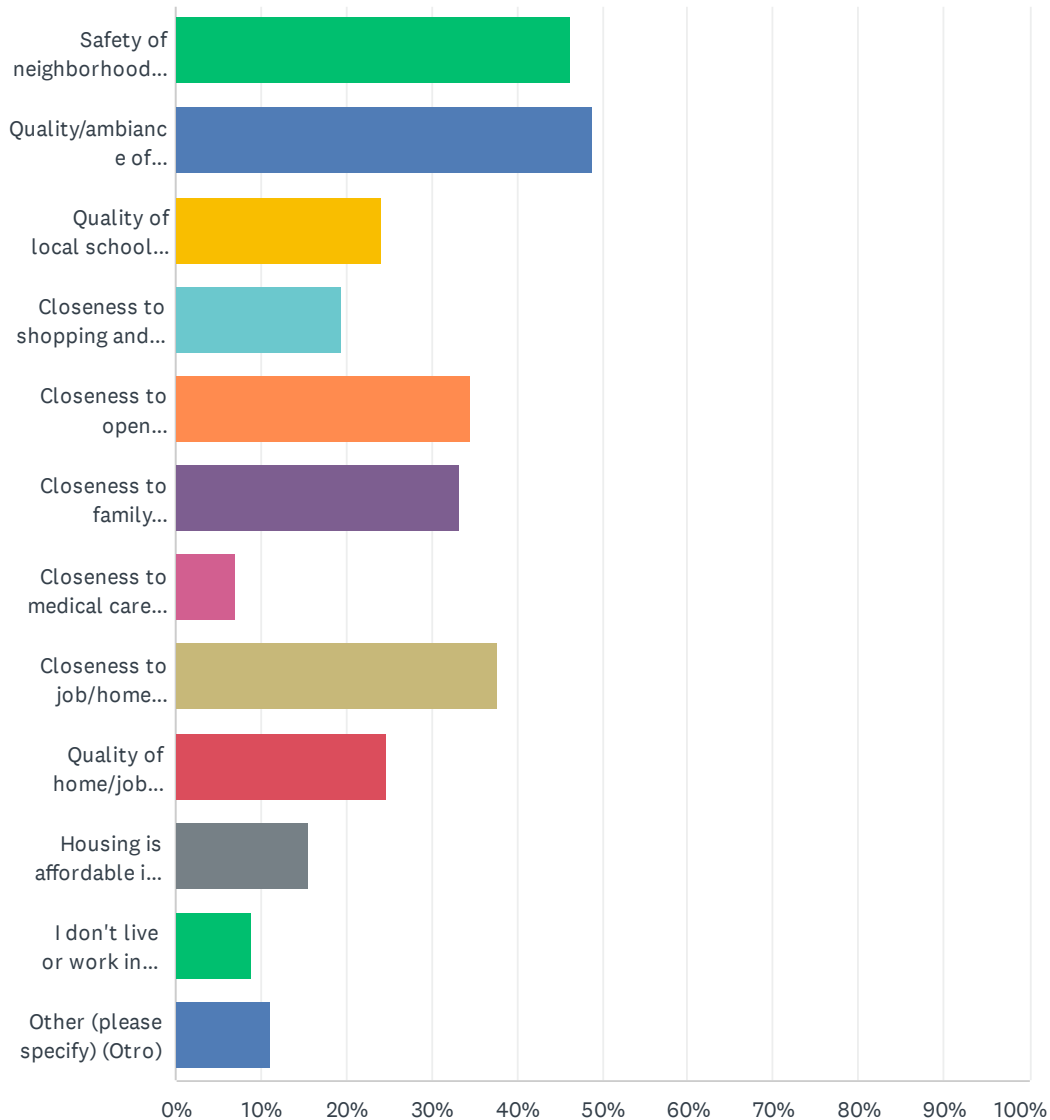
Answered: 647 Skipped: 4



ANSWER CHOICES	RESPONSES	
5 years or less (5 años o menos)	21.64%	140
6 to 10 years (6 a 10 años)	11.44%	74
11 to 20 years (11 a 20 años)	13.29%	86
More than 21 years (Más de 21 años)	8.96%	58
I don't work in Morgan Hill (Yo no trabajo en Morgan Hill)	44.67%	289
TOTAL		647

Q3 Select the reason(s) why you live or work in Morgan Hill. (Seleccione las razones por las que vive o trabaja en Morgan Hill.)

Answered: 645 Skipped: 6

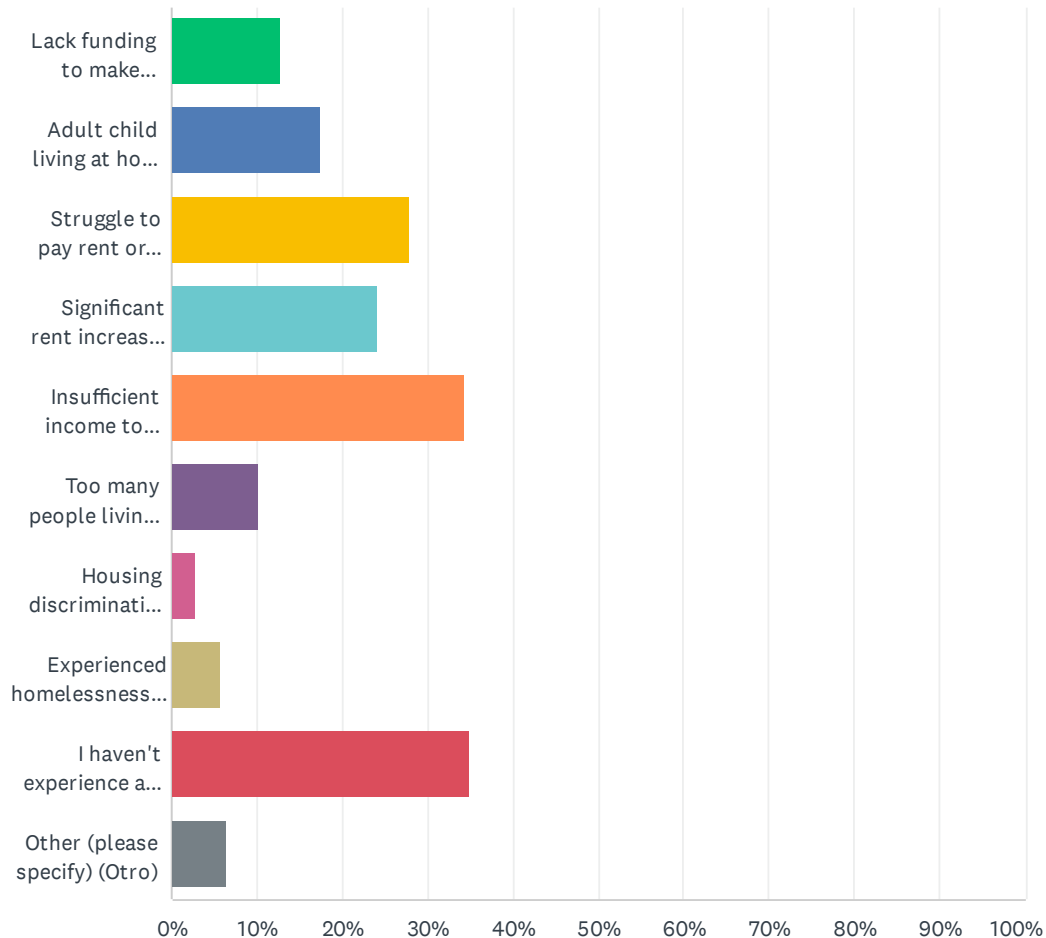


Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Safety of neighborhood (seguridad del vecindario)	46.36%	299
Quality/ambiance of neighborhood (Calidad/ambiente del vecindario)	48.84%	315
Quality of local school system (Calidad del sistema escolar local)	24.19%	156
Closeness to shopping and services (Cercanía a tiendas y servicios)	19.38%	125
Closeness to open space/recreational areas (Cercanía a espacios abiertos/áreas recreativas)	34.57%	223
Closeness to family (Cercanía a la familia)	33.33%	215
Closeness to medical care (Cercanía a la atención médica)	7.13%	46
Closeness to job/home (Cercanía al trabajo/hogar)	37.67%	243
Quality of home/job (Calidad del hogar/trabajo)	24.81%	160
Housing is affordable in Morgan Hill (La vivienda es accesible en Morgan Hill)	15.50%	100
I don't live or work in Morgan Hill (No vivo o trabajo en Morgan Hill)	8.99%	58
Other (please specify) (Otro)	11.01%	71
Total Respondents: 645		

Q4 Within the past two years, have you experienced any of the following housing issues? (select all that apply) (En los últimos dos años, ¿ha experimentado alguno de los siguientes problemas de vivienda? (seleccione todas las que correspondan))

Answered: 636 Skipped: 15

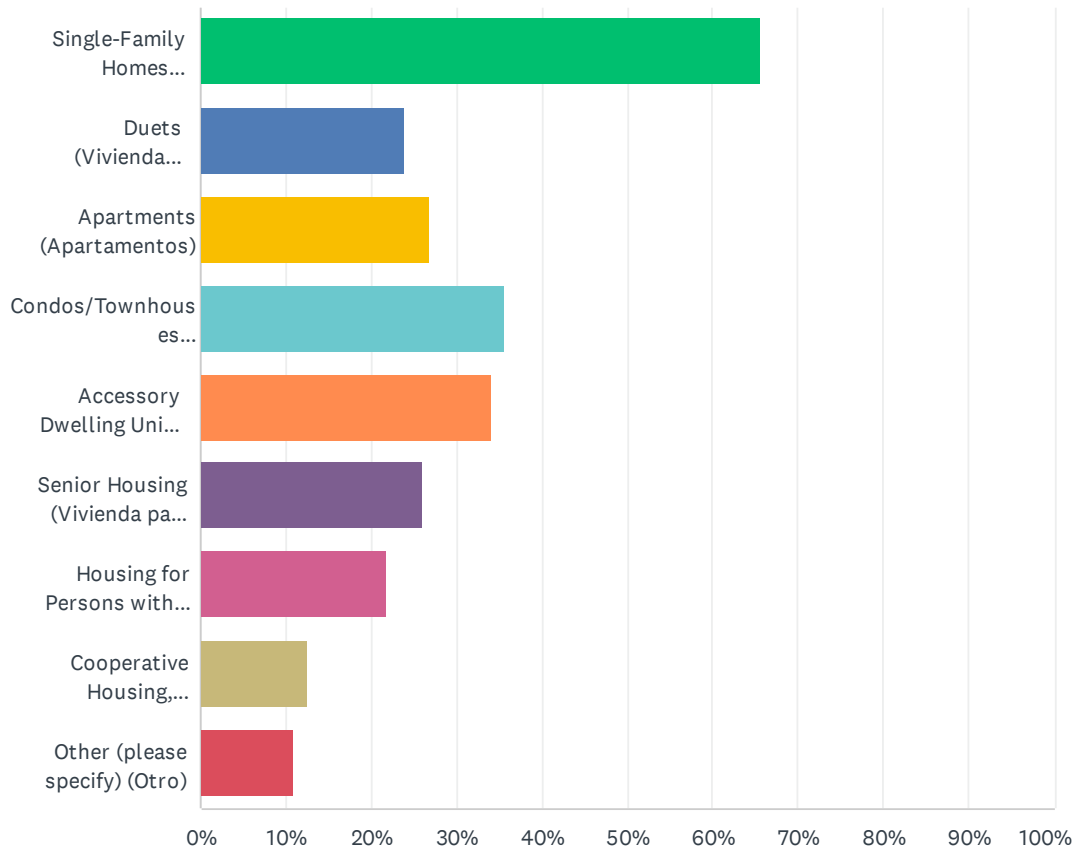


Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Lack funding to make necessary home repairs (Falta de fondos para hacer las reparaciones necesarias en el hogar)	12.89%	82
Adult child living at home due to inability to afford housing (Hijo adulto que vive en el hogar debido a la incapacidad de pagar una vivienda)	17.45%	111
Struggle to pay rent or mortgage (Lucha para pagar la renta o préstamo de casa)	27.83%	177
Significant rent increase (Aumento significativo de la renta)	24.06%	153
Insufficient income to afford living in Morgan Hill (Ingresos insuficientes para vivir en Morgan Hill)	34.43%	219
Too many people living in one home (overcrowding) (Demasiadas personas viviendo en una casa (superpoblación))	10.22%	65
Housing discrimination (Discriminación en vivienda)	2.83%	18
Experienced homelessness (Experiencia sin hogar)	5.66%	36
I haven't experience any housing issues (No he experimentado ningún problema de vivienda)	35.06%	223
Other (please specify) (Otro)	6.45%	41
Total Respondents: 636		

Q5 What types of housing would be a good addition to Morgan Hill's housing? (choose all that apply) (¿Qué tipo de vivienda sería una buena adición a la vivienda de Morgan Hill? (elija todo lo que corresponda))

Answered: 635 Skipped: 16

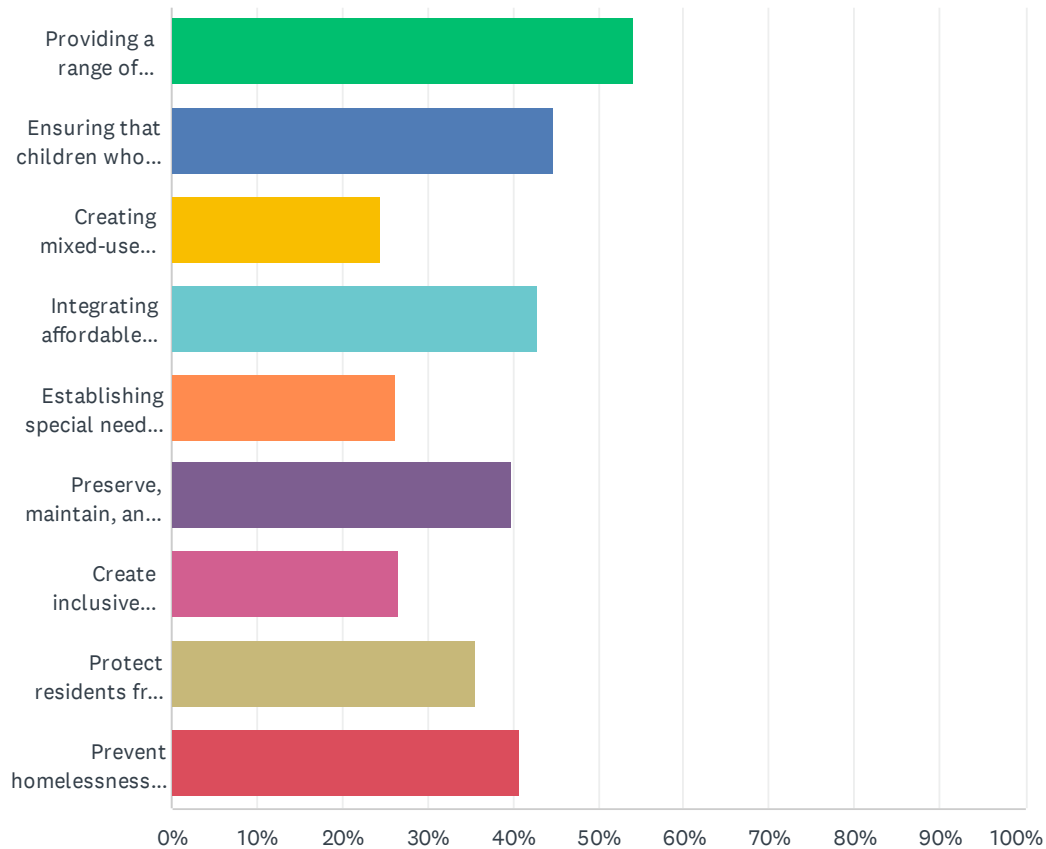


Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Single-Family Homes (Viviendas Unifamiliares Aislada)	65.67%	417
Duets (Vivienda Unifamiliar Pareada)	23.78%	151
Apartments (Apartamentos)	26.77%	170
Condos/Townhouses (Condominios/Casas Adosadas)	35.59%	226
Accessory Dwelling Units (granny flats, in-law units, secondary units, tiny homes, etc.) (Unidades de vivienda accesoria (pisos de abuela, unidades para suegros, unidades secundarias, casas pequeñas, etc.))	34.02%	216
Senior Housing (Vivienda para personas mayores)	25.98%	165
Housing for Persons with Disabilities (Vivienda para Personas con Discapacidad)	21.73%	138
Cooperative Housing, Intergenerational, or Foster Family Housing (Vivienda cooperativa, intergeneracional o viviendas de familia adpotivas)	12.60%	80
Other (please specify) (Otro)	10.87%	69
Total Respondents: 635		

Q6 Please indicate which of the following housing priorities are most important for Morgan Hill. (Indique cuáles de las siguientes prioridades de vivienda son las más importantes para Morgan Hill)

Answered: 635 Skipped: 16

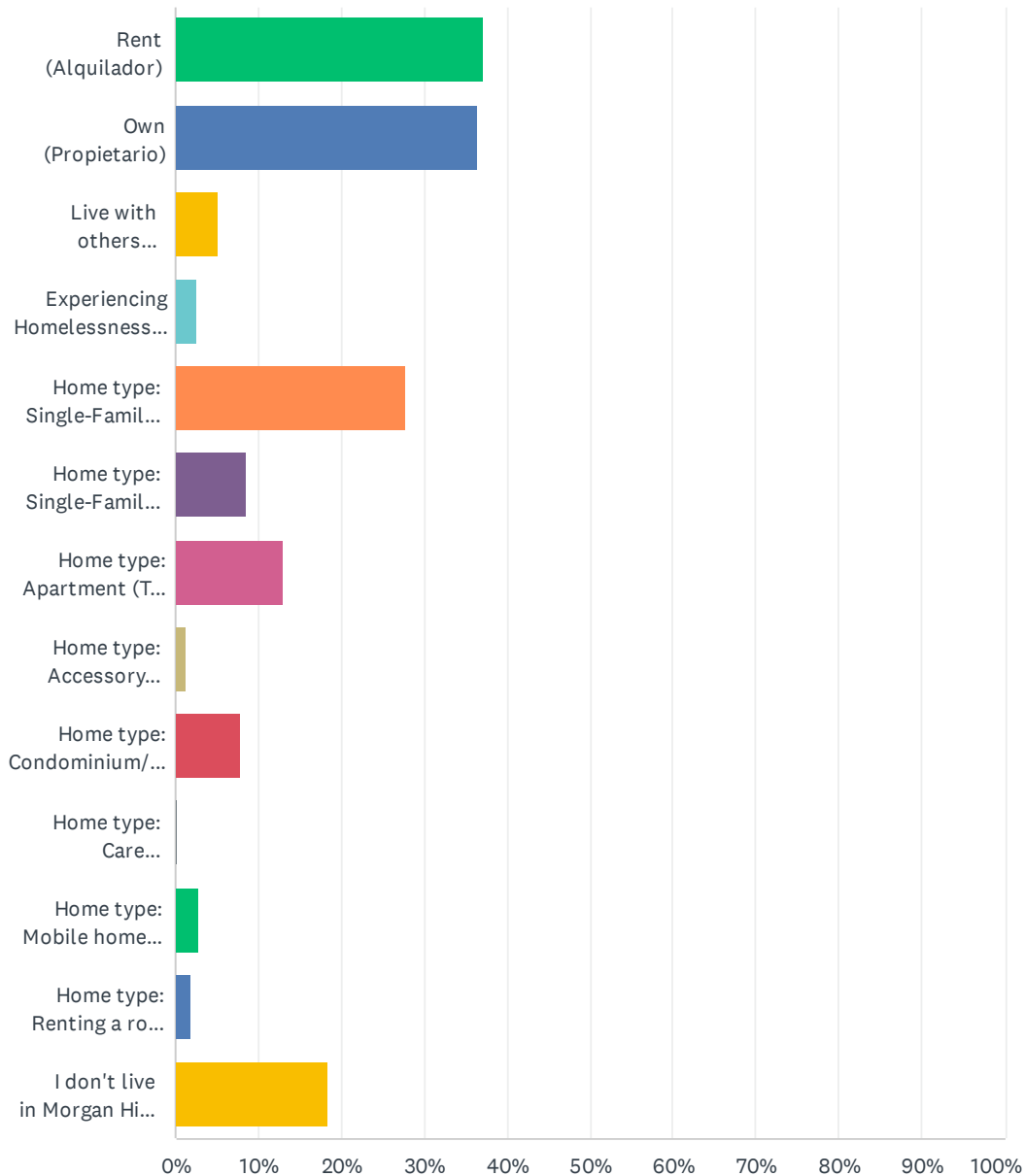


Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Providing a range of housing opportunities affordable to Morgan Hill workforce (Brindar una variedad de oportunidades de vivienda accesible para la fuerza laboral de Morgan Hill)	54.17%	344
Ensuring that children who grew up in Morgan Hill have housing options so they can live in Morgan Hill as adults (Garantizar que los niños que crecieron en Morgan Hill tengan opciones de vivienda para que puedan vivir en Morgan Hill como adultos)	44.72%	284
Creating mixed-use (commercial/office and residential) projects that encourage walkable neighborhoods and reduce tendency on automobiles (Crear proyectos de uso mixto (comercial/oficina y residencial) que fomenten vecindarios transitables y reduzcan la tendencia a los automóviles)	24.57%	156
Integrating affordable housing throughout the community to create mixed-income neighborhoods avoiding concentrations in any one neighborhood (Integrar viviendas accesible en toda la comunidad para crear vecindarios de ingresos mixtos evitando concentraciones en un solo vecindario)	42.83%	272
Establishing special needs housing for seniors, persons with disabilities, and/or veterans (Establecimiento de viviendas con necesidades especiales para personas mayores, personas con discapacidades y/o veteranos)	26.14%	166
Preserve, maintain, and rehabilitate existing housing to ensure neighborhood livability and promote continued housing affordability (Preservar, mantener y rehabilitar las viviendas existentes para garantizar la habitabilidad del vecindario y continuar promoviendo la accesibilidad de viviendas)	39.84%	253
Create inclusive neighborhoods, connecting residents to jobs, schools, and services (Crear vecindarios inclusivos, conectando a los residentes con trabajos, escuelas y servicios)	26.61%	169
Protect residents from displacement by economic pressures by keeping people in their homes/communities (Proteger a los residentes del desplazamiento por presiones económicas manteniendo a las personas en sus hogares/comunidades)	35.59%	226
Prevent homelessness and address the housing needs of people experiencing homelessness (Prevenir la falta de vivienda y abordar las necesidades de vivienda de las personas sin hogar)	40.63%	258
Total Respondents: 635		

Q7 If you live in Morgan Hill, what best describes your current home?
 (Please indicate if you rent or own and the type of home you live in) (Si vive en Morgan Hill, ¿qué describe mejor su hogar actual? (Indique si es propietario o alquilador y el tipo de vivienda en la que vive))

Answered: 641 Skipped: 10

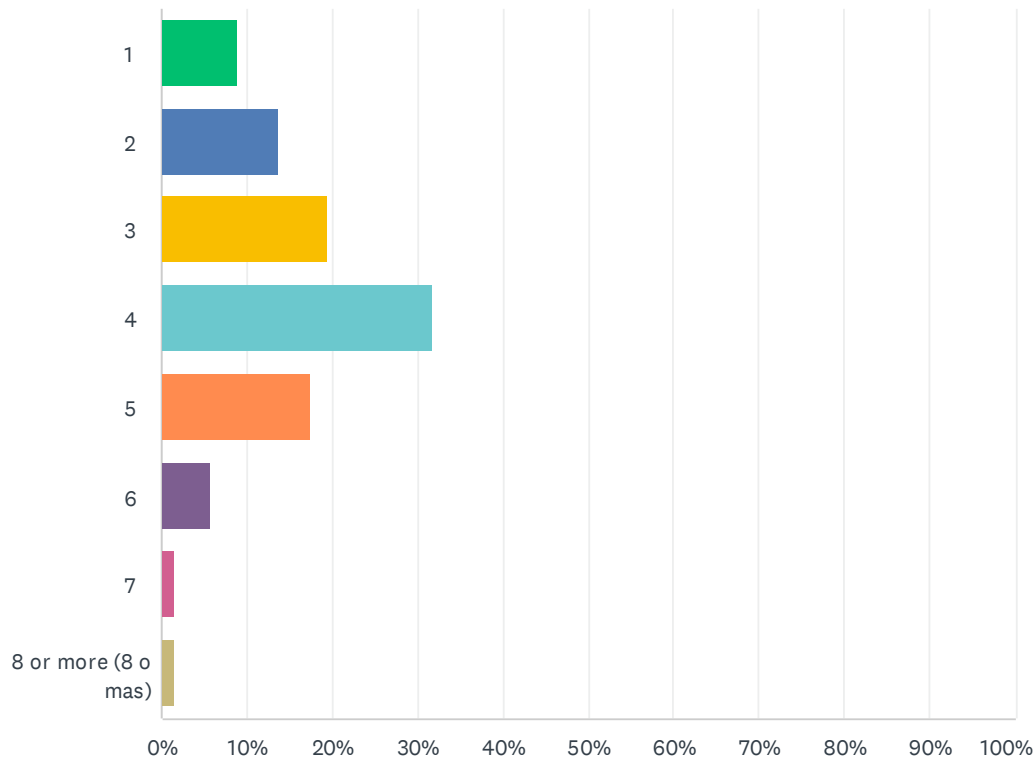


Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Rent (Alquilador)	37.13%	238
Own (Propietario)	36.51%	234
Live with others (family/friends) with no rent (Vive con otros (familiares/amigos) sin renta)	5.15%	33
Experiencing Homelessness (Sin hogar)	2.65%	17
Home type: Single-Family Detached House (Tipo de vivienda: Vivienda Unifamiliar Aislada)	27.77%	178
Home type: Single-Family Attached House (Tipo de vivienda: Vivienda Unifamiliar Pareada)	8.42%	54
Home type: Apartment (Tipo de vivienda: Apartamento)	13.10%	84
Home type: Accessory Dwelling Unit (Tipo de vivienda: Unidad de Vivienda Accesorio)	1.25%	8
Home type: Condominium/Townhome (Tipo de casa: Condominio/Casa adosada)	7.80%	50
Home type: Care Facility/Assisted Living (Tipo de vivienda: Centro de atención/vivienda asistida)	0.16%	1
Home type: Mobile home (Tipo de vivienda: Casa móvil)	2.81%	18
Home type: Renting a room (Tipo de vivienda: Alquilar una habitación)	1.87%	12
I don't live in Morgan Hill (Yo no vivo en Morgan Hill)	18.41%	118
Total Respondents: 641		

Q8 What is your household size? (¿Cuál es el tamaño de su hogar?)

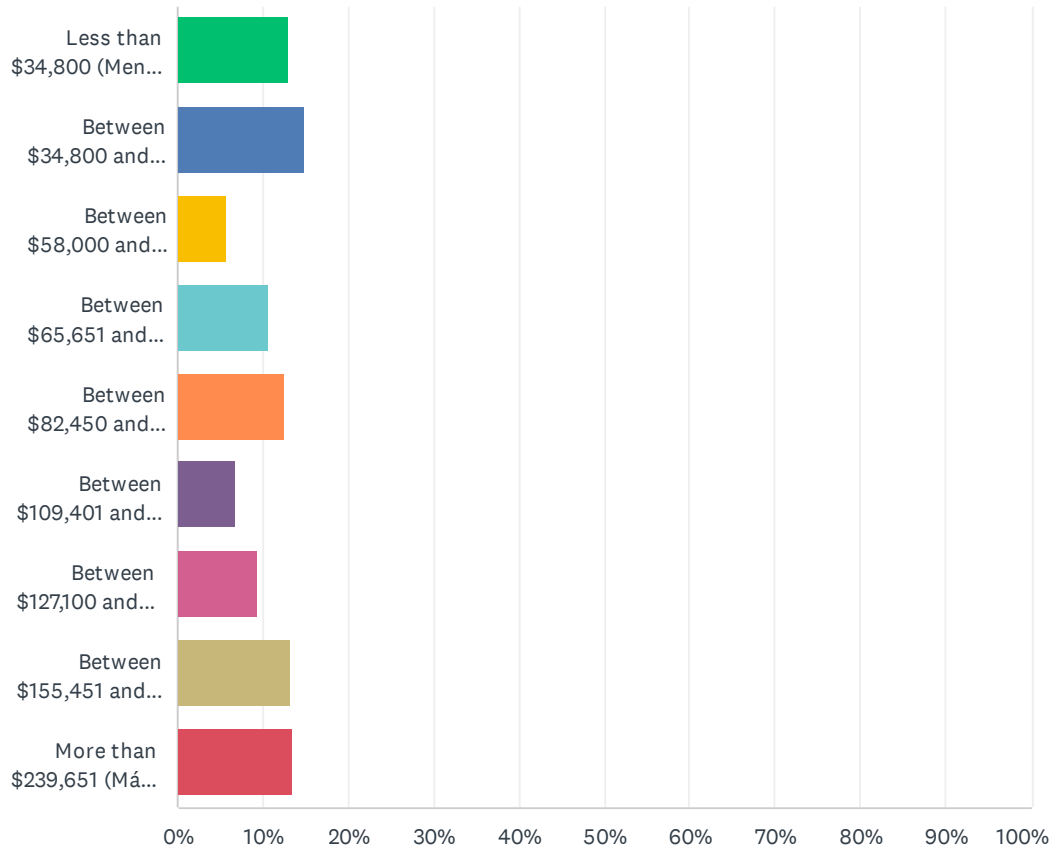
Answered: 642 Skipped: 9



ANSWER CHOICES	RESPONSES	
1	9.03%	58
2	13.71%	88
3	19.31%	124
4	31.78%	204
5	17.45%	112
6	5.76%	37
7	1.40%	9
8 or more (8 o mas)	1.56%	10
TOTAL		642

Q9 What is your annual household income range? (¿Cuál es el rango de ingresos anuales de su hogar?)

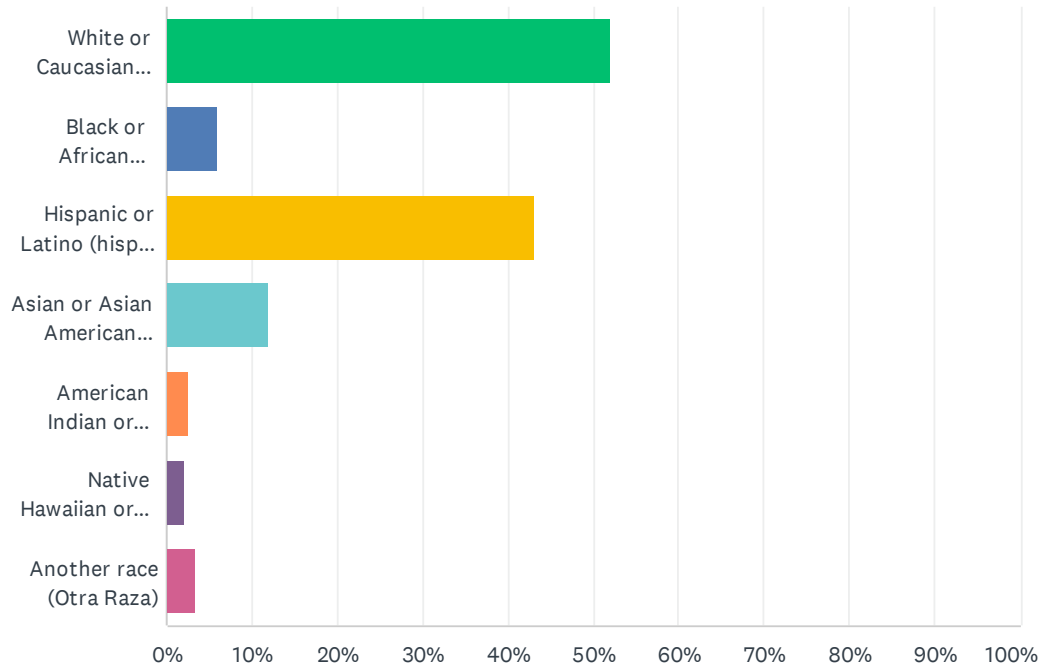
Answered: 633 Skipped: 18



ANSWER CHOICES	RESPONSES	
Less than \$34,800 (Menos de \$34,800)	13.11%	83
Between \$34,800 and \$57,999 (Entre \$34,800 y \$57,999)	14.85%	94
Between \$58,000 and \$65,650 (Entre \$58,000 y \$65,650)	5.85%	37
Between \$65,651 and \$82,449 (Entre \$65,651 y \$82,449)	10.74%	68
Between \$82,450 and \$109,400 (Entre \$82,450 y \$109,400)	12.48%	79
Between \$109,401 and \$127,099 (Entre \$109,401 y \$127,099)	6.79%	43
Between \$127,100 and \$155,450 (Entre \$127,100 y \$155,450)	9.48%	60
Between \$155,451 and \$239,650 (Entre \$155,451 y \$239,650)	13.27%	84
More than \$239,651 (Más de \$239,651)	13.43%	85
TOTAL		633

Q10 Please specify your race/ethnicity (choose all that apply) (Especifique su raza/origen étnico (elija todas las que correspondan))

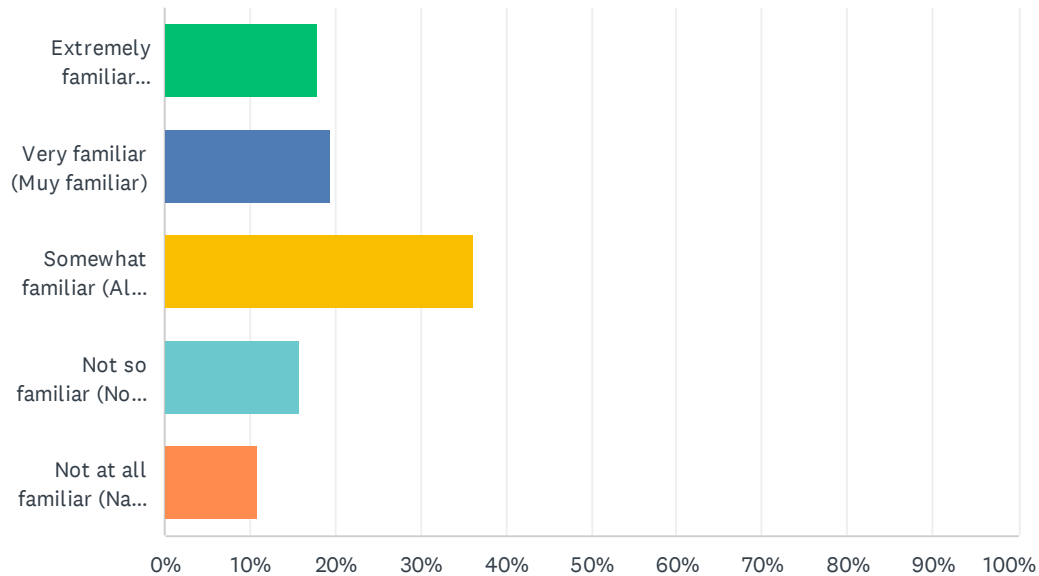
Answered: 636 Skipped: 15



ANSWER CHOICES	RESPONSES	
White or Caucasian (Blanco o caucásico)	52.04%	331
Black or African American (negro o afroamericano)	5.97%	38
Hispanic or Latino (hispano o latino)	43.08%	274
Asian or Asian American (asiático o asiático americano)	11.95%	76
American Indian or Alaska Native (Indio americano o nativo de Alaska)	2.52%	16
Native Hawaiian or other Pacific Islander (Nativo de Hawai u otra isla del Pacífico)	2.20%	14
Another race (Otra Raza)	3.46%	22
Total Respondents: 636		

Q11 How would you assess your understanding of your right to be free from housing discrimination? (¿Cómo evaluaría su entendimiento del derecho de ser libre de discriminación en la vivienda?)

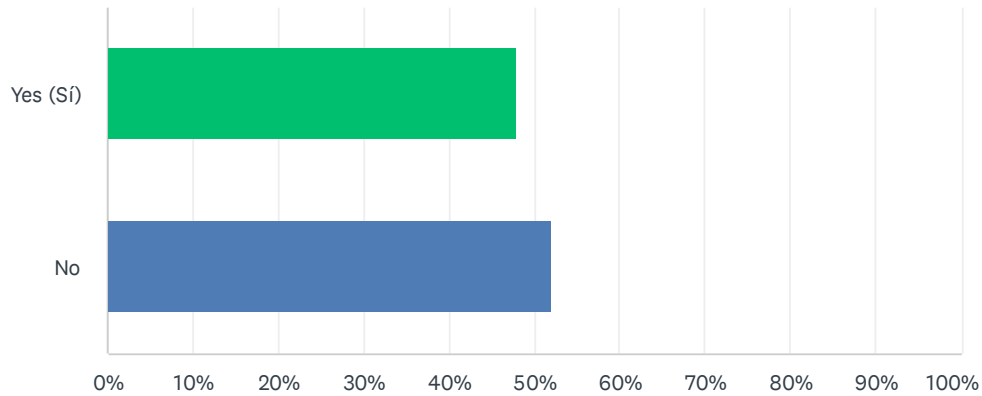
Answered: 637 Skipped: 14



ANSWER CHOICES	RESPONSES	
Extremely familiar (Extremadamente familiar)	17.90%	114
Very familiar (Muy familiar)	19.31%	123
Somewhat familiar (Algo familiar)	36.26%	231
Not so familiar (No tan familiar)	15.70%	100
Not at all familiar (Nada familiar)	10.83%	69
TOTAL		637

Q12 If you wanted more information about your fair housing rights, do you know where you would look? (Si quisiera más información sobre el derecho de vivienda justa, ¿sabría dónde buscar?)

Answered: 645 Skipped: 6



ANSWER CHOICES		RESPONSES
Yes (Sí)		47.91% 309
No		52.09% 336
TOTAL		645

Q13 If you answered yes to the previous question, where would you look for more information about your fair housing rights? (Si su respuesta es afirmativa a la pregunta anterior, ¿dónde buscaría más información sobre becas de vivienda justa?)

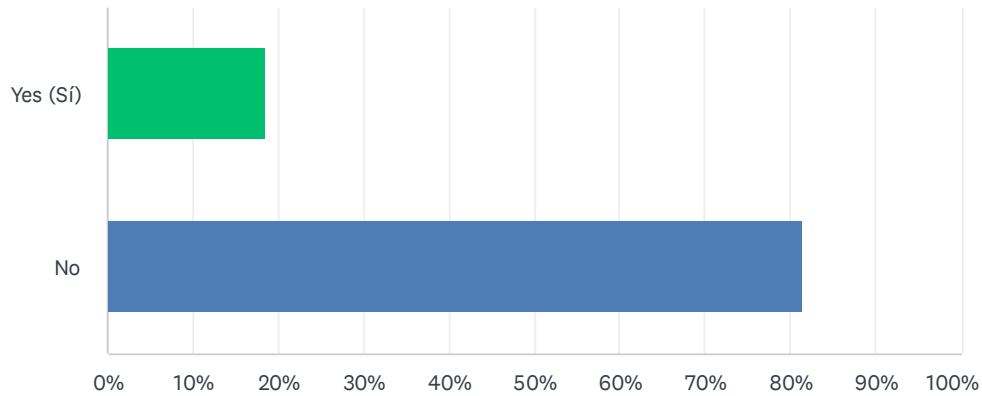
Answered: 229 Skipped: 422

Q13 If you answered yes to the previous question, where would you look for more information about your fair housing rights? (Si su respuesta es afirmativa a la pregunta anterior, ¿dónde buscaría más información sobre becas de vivienda justa?)

city county www.dfeh ca.gov Law Morgan Hill City Morgan Hill look housing
research city FEHA County Housing department HUD Library Online
Federal Google Fair Housing Act website MH
Internet City Hall State SCC fair housing go search Web
Housing Authority Project Sentinel California Government websites
resources Santa Clara county contact

**Q14 Have you or anyone you know experienced housing discrimination?
(¿Usted o alguien que conoce ha experimentado discriminación en la vivienda?)**

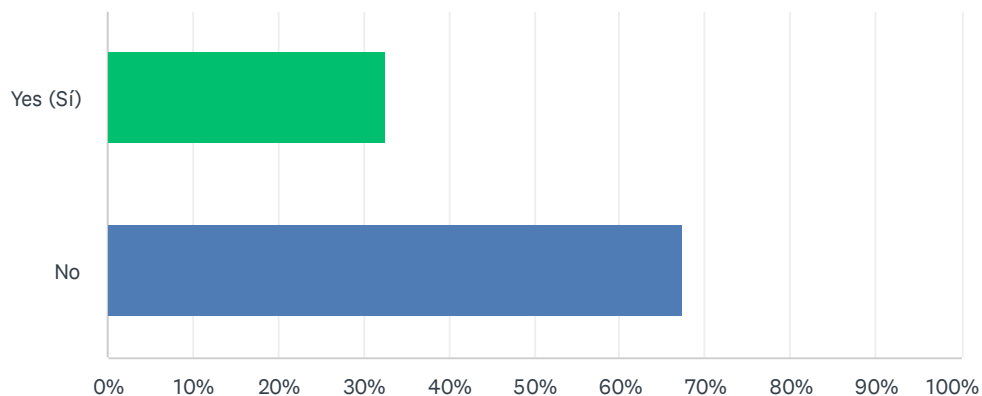
Answered: 618 Skipped: 33



ANSWER CHOICES	RESPONSES	
Yes (Sí)	18.61%	115
No	81.39%	503
TOTAL		618

Q15 If you were to experience housing discrimination, would you know where to turn for help? (Si a tenido experiencia de ámbito discriminatorio en la vivienda, ¿sabría a dónde acudir en busca de ayuda?)

Answered: 613 Skipped: 38



ANSWER CHOICES	RESPONSES	
Yes (Sí)	32.63%	200
No	67.37%	413
TOTAL		613

Q16 If you answered yes to the previous question, whom would you contact? (Si respondió afirmativamente a la pregunta anterior, ¿con quién se pondría en contacto?)

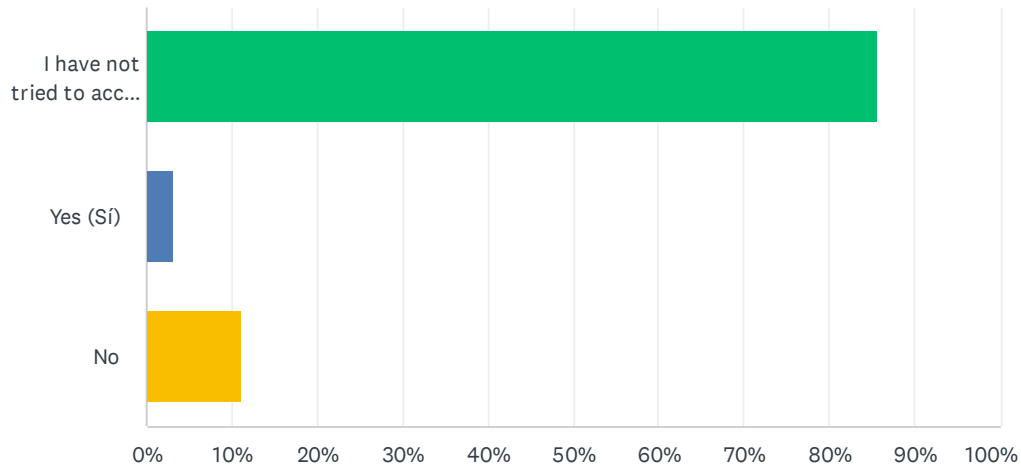
Answered: 146 Skipped: 505

Q16 If you answered yes to the previous question, whom would you contact? (Si respondió afirmativamente a la pregunta anterior, ¿con quién se pondría en contacto?)

Housing City Hall contact DFEH State City Morgan Hill attorney
Department housing authority websites lawyer
Online city Project Sentinel fair housing local
Google Law County Morgan Hill HUD Santa Clara County
offices Government agency internet

Q17 If you have tried to access help complaining about an instance of housing discrimination, were you able to get help? (Si ha intentado acceder a ayuda quejándose de un caso de discriminación en la vivienda, ¿pudo obtener ayuda?)

Answered: 591 Skipped: 60



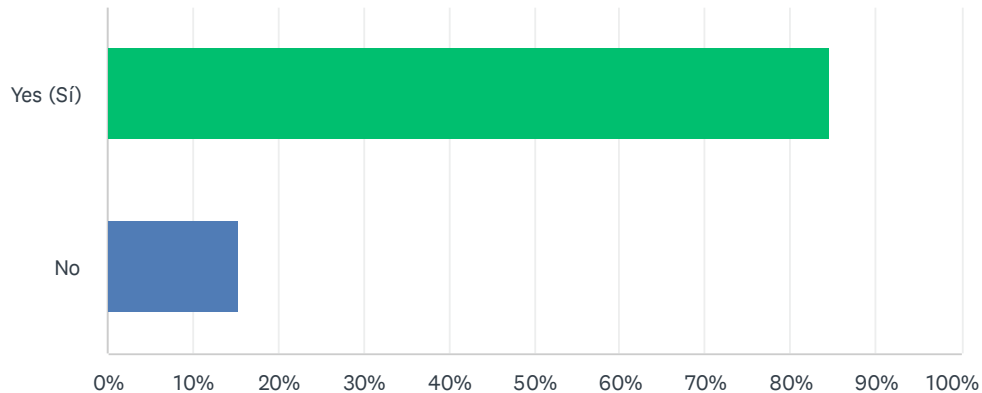
ANSWER CHOICES	RESPONSES	
I have not tried to access help complaining about an instance of housing discrimination (This question does not apply to me). (No he intentado acceder a algún tipo ayuda o exponer alguna queja por un caso de discriminación de vivienda (esta pregunta no aplica en mí caso)).	85.62%	506
Yes (Sí)	3.21%	19
No	11.17%	66
TOTAL		591

Q18 If you answered yes to the above question, how effective were the services you received? (Si su respuesta es afirmativa a la pregunta anterior, ¿qué tan efectivos fueron los servicios que recibió?)

Answered: 18 Skipped: 633

Q19 Are there areas in Morgan Hill and the broader region where it is especially hard to afford housing? (¿Hay áreas en Morgan Hill y sus alrededores en general donde es especialmente difícil pagar una vivienda?)

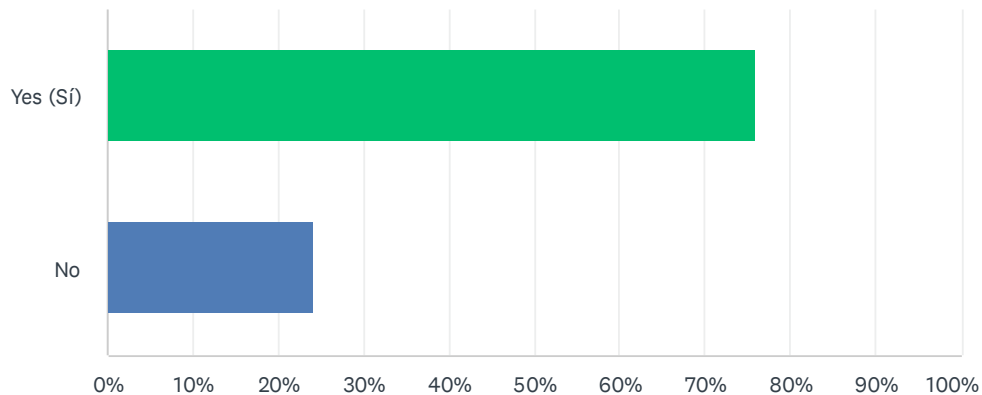
Answered: 581 Skipped: 70



ANSWER CHOICES	RESPONSES	
Yes (Sí)	84.68%	492
No	15.32%	89
TOTAL		581

Q20 If you answered yes to the previous question, are there amenities (public transit, schools, shopping, health care, etc.) in those places that would make them attractive places to live? (Si respondió sí a la pregunta anterior, ¿existen comodidades (transporte público, escuelas, centros comerciales, atención médica, etc.) en esos lugares, convirtiéndolos en lugares atractivos para vivir?)

Answered: 478 Skipped: 173



ANSWER CHOICES	RESPONSES	
Yes (Sí)	75.94%	363
No	24.06%	115
TOTAL		478

Q21 If you answered yes to the previous question, please list the amenities that make the area(s) an attractive place(s) to live. (Si respondió afirmativamente a la pregunta anterior, enumere las comodidades que hacen de la(s) zona(s) un lugar(es) atractivo(s) para vivir.)

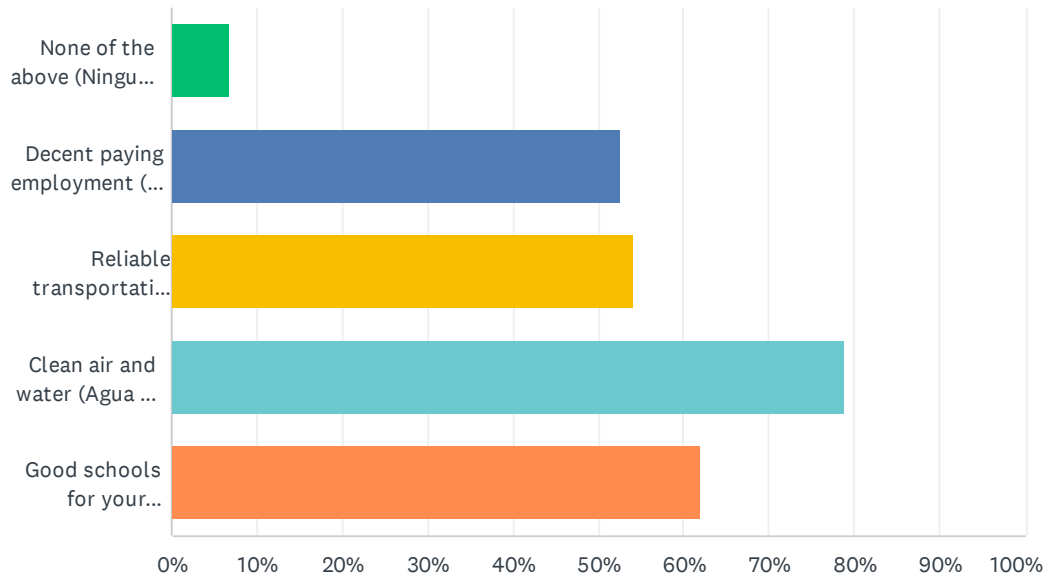
Answered: 247 Skipped: 404

Q21 If you answered yes to the previous question, please list the amenities that make the area(s) an attractive place(s) to live. (Si respondió afirmativamente a la pregunta anterior, enumere las comodidades que hacen de la(s) zona(s) un lugar(es) atractivo(s) para vivir.)

Quiet medical offices recreation great library tiendas public bike clean private space land
access activities bus Shopping medical Downtown available services retail
community etc stores walking open space nearby
transportation transit areas housing restaurants
shopping center schools safe neighborhoods parks Family
shopping gyms close jobs grocery stores options
neighborhoods quality good schools entertainment
public transportation work trails outdoor spaces safety
close downtown nice friendly safe escuelas grocery Medical good doctors
Public transit variety hospitals less traffic proximity health care freeway walkable

Q22 Based on where you currently live, are you able to obtain (select all that apply): (Basado en el lugar donde viva actualmente, ¿puede obtener (seleccione todo lo que corresponde):)

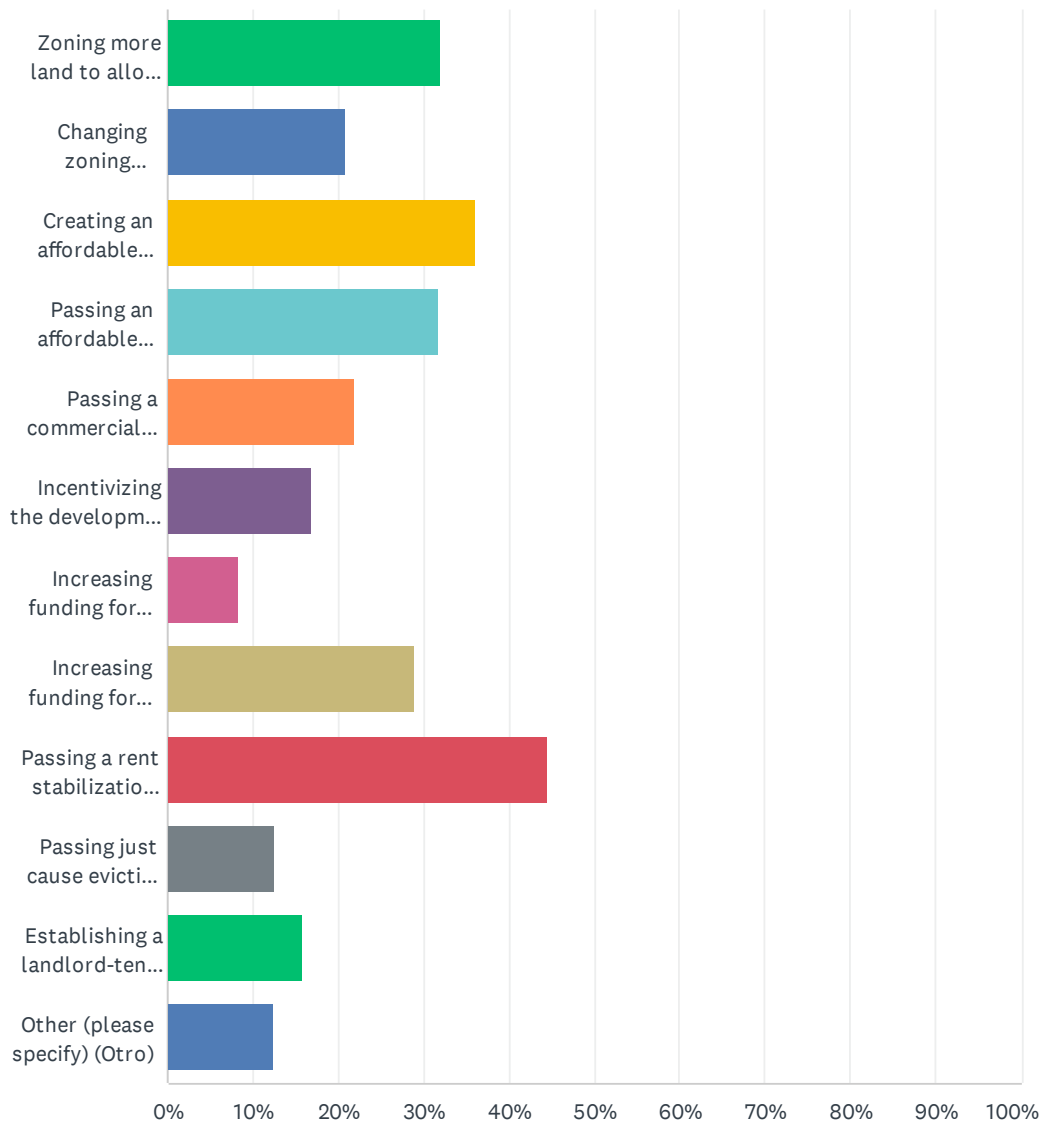
Answered: 518 Skipped: 133



ANSWER CHOICES	RESPONSES	
None of the above (Ninguna de las anteriores)	6.76%	35
Decent paying employment (Un Empleo bien pagado)	52.70%	273
Reliable transportation (Transporte confiable)	54.25%	281
Clean air and water (Agua y Aire Fresco(a))	78.96%	409
Good schools for your children (Buenas escuelas para sus hijos)	61.97%	321
Total Respondents: 518		

Q23 What are the top three steps that you think the City of Morgan Hill should take in order to address the barriers to accessing decent, safe, affordable housing? (Please select 3 choices) ¿Cuáles son los tres pasos principales que usted cree que la Ciudad de Morgan Hill debería tomar para abordar cualquier barrera y poder acceder a una vivienda digna, segura y asequible?)

Answered: 491 Skipped: 160



Morgan Hill Assessment of Fair Housing (AFH) Questionnaire

ANSWER CHOICES	RESPONSES	
Zoning more land to allow multi-family rental housing which is typically less expensive than renting a single-family home (Zonificar más terrenos para permitir viviendas de alquiler multifamiliares que generalmente son menos costosos en vez de alquilar una casa unifamiliar)	31.98%	157
Changing zoning regulations for multi-family districts to enhance feasibility of increasing affordable housing development (Cambiar las regulaciones de zonificación para distritos multifamiliares para mejorar la viabilidad de aumentar el desarrollo de viviendas asequibles)	20.98%	103
Creating an affordable housing overlay district to enhance feasibility for the purpose of increasing affordable housing development (Crear un distrito de recubrimiento de viviendas asequibles para mejorar la viabilidad con el fin de aumentar el desarrollo de viviendas asequibles)	36.05%	177
Passing an affordable housing bond issue which will provide funding to construct multi-family rental housing (Aprobar un bono de vivienda asequible que proporcionaría fondos para construir viviendas de alquiler multifamiliares)	31.77%	156
Passing a commercial linkage fee ordinance which will require new businesses to fund or construct affordable housing (Aprobar una ordenanza de tarifas de vinculación comercial que requerirá que las nuevas empresas financien o construyan viviendas asequibles)	22.00%	108
Incentivizing the development of Accessory Dwelling Units (ADUs) subject to income restrictions (Incentivar el desarrollo de Unidades de Vivienda o Accessory Dwelling Units (ADU's) sujetas a restricciones de ingresos)	16.90%	83
Increasing funding for landlord-tenant legal services (Aumentar los fondos para servicios legales de propietarios e inquilinos)	8.35%	41
Increasing funding for fair housing education, outreach, and enforcement, including fair housing testing (Aumentar los fondos para educación, difusión y la aplicación de la ley de vivienda justa, incluyendo pruebas de vivienda justa)	28.92%	142
Passing a rent stabilization ordinance (Aprobar una ordenanza de estabilización de alquiler)	44.60%	219
Passing just cause eviction protections (Pasar protecciones de desalojo por razones no justificadas)	12.63%	62
Establishing a landlord-tenant mediation process (Establecer un proceso de mediación entre propietario e inquilino)	15.68%	77
Other (please specify) (Otro)	12.42%	61
Total Respondents: 491		



September 8, 2021

To: Bay Area Local Planning Directors

RE: Public Participation and Transparency for Bay Area Housing Elements

Dear Bay Area Planning Directors,

The Bay Area can be a place where everyone can afford to live and prosper in a healthy community. To realize this vision, our local governments must prioritize deep community engagement when updating our Housing Elements.

We face an unprecedented affordable housing crisis exacerbated by the climate crisis and the COVID-19 pandemic. Decades of racist and exclusionary policies and systems have caused these crises to disproportionately harm Black, Latinx, Asian & Pacific Islander, and Indigenous communities. The 6th Cycle Housing Element update can be an opportunity for our region to recover from these crises by making sure everyone, regardless of race or income, can enjoy safe, stable homes near their jobs, families, and healthcare needs.

To plan for a better future, **we urge our cities and counties to comply with Housing Element law by implementing comprehensive, inclusive, and detailed public engagement processes.** Regional experts and community leaders have developed recommendations below.

State law requires local governments to **make “a diligent effort...to achieve public participation of *all economic segments* of the community in the development of the housing element.”** (Gov. Code 65583(c)(9) (emphasis added)). “A diligent effort means going beyond simply giving the public an opportunity to provide input and should be **proactively and broadly conducted through a variety of methods to assure access and participation.**” (Department of Housing and Community Development (HCD), [Affirmatively Furthering Fair Housing \(AFFH\) Guidance](#) Memo, April 2021, p. 21). Therefore, our cities and counties must make intentional, proactive, and robust efforts to solicit and incorporate input from community members of all economic backgrounds. A particular effort must be made to include low-income people, people of color, immigrants, non-English speakers, people with disabilities, and others who often face barriers to being heard in public decision making.

The Housing Element “**must describe meaningful, frequent, and ongoing community participation, consultation, and coordination that is integrated with the broader stakeholder outreach and community participation process** for the overall housing element,” (HCD AFFH [Guidance Memo](#), p. 10). Local governments should create an outreach plan, release drafts of the Housing Element to the public for review and comment with ample time before submission to HCD, and schedule community input meetings at accessible locations and times, including on evenings and weekends (*Id.* at 10).

Particularly for the Assessment of Fair Housing section of the Housing Element, local governments must examine housing needs and disparities for members of protected classes based, in part, on “**local data and knowledge,” including “information obtained through community participation or consultation, such as narrative descriptions of people’s lived experiences.”** (Gov. Code 65583(c)(10); HCD AFFH [Guidance Memo](#), p. 24). This “analysis should not be limited to the jurisdiction itself, but should **include the surrounding region** and an understanding of the role the jurisdiction plays in current and historical trends of segregation at a regional level.” (HCD AFFH [Guidance Memo](#), p. 46). This means that cities and counties must also explicitly seek out information about fair housing issues and disparities from people who need to live in the jurisdiction but cannot.

Public health challenges related to the pandemic demand even more thoughtful and robust planning than usual to ensure that members of the public have opportunities to participate. For example, in addition to traditional public meetings and workshops, cities and counties should provide a mix of opportunities, including booths at outdoor events, hard copy surveys at essential offices and businesses (such as culturally diverse grocery stores, corner stores, and laundromats in low-income neighborhoods), online surveys advertised through email, social media, and local news, and other creative avenues.

Regional experts and community leaders have developed the following recommendations and call on local leaders to employ these strategies to fulfill their legal and moral obligations:

1. **Proactively work with community-based organizations to plan engagement workshops and opportunities** to ensure that their members and partners can directly participate as part of the evaluation and creation of the Housing Element. Send any relevant preparatory materials and other necessary documents to community-based organizations prior to the meeting, so that they may share them with interested members with ample time for review. HCD requires local jurisdictions to engage with groups and individuals, including the following (HCD AFFH [Guidance Memo](#), p. 21):
 - a. Public housing authorities
 - b. Housing and community development providers
 - c. Advocacy groups (local, regional, and state level)
 - d. Community members who are lower income
 - e. Persons and households with special needs
 - f. Members of protected classes
 - g. Representative advocacy organizations and other similarly interested parties

- h. Fair housing agencies
 - i. Independent living centers
 - j. Regional centers
 - k. Homeless service agencies
 - l. Legal services organizations
 - m. People who work in the jurisdiction but cannot afford to live there
 - n. Community groups that organize people of protected classes
2. **Engage community participation and feedback at all stages of the Housing Element process.** Participation should not be limited to public hearings. Jurisdictions should create a roadmap of all major milestones in the Housing Element process each with clear, targeted, and robust outreach and communication plans in which the public should have opportunities to:
- a. Provide input on all components of the Housing Element including: the review and evaluation of the prior element's programs and policies, Assessment of Fair Housing, existing needs and conditions, barriers to addressing housing needs, the adequacy of the land inventory, the selection of sites to accommodate affordable housing needs, potential new programs, etc. before release of a new draft element;
 - b. Review and comment on any draft Housing Element well in advance of its submission to HCD; each draft should indicate how the jurisdiction incorporated public input;
 - c. Review how the jurisdiction has considered and incorporated public input;
 - d. Review the adopted Element; and
 - e. Provide input on each annual Housing Element progress report before it is submitted to the City Council or County Board of Supervisors for approval.
3. **Conduct various methods of engagement to allow participation by all members of the public.** It is likely that much of the public engagement will be “virtual”, however, access to computers and internet is not equitably available. For members of the public who lack those resources or who are unable to use video applications, consistently provide an adequate telephone option to participate in meetings as well as surveys, short interviews, and other opportunities to engage at outdoor events and essential businesses and offices. When hosting a virtual meeting, provide multiple options for teleconferencing, with two-way communication options that allows computer- and phone-users to engage and provide public comment. For live-streamed meetings, the public should be allowed to comment in real time, through a combination of phone and video, chat boxes, and/or email.
4. **Post notices of all hearing/meeting times, topics, and detailed information regarding participation on easy-to-find places on the jurisdiction's website.** Notices must clearly show how public comments will be received.
5. **Translate all materials and notices into multiple languages** appropriate to the community. During meetings, interviews, and workshops, consider using separate

teleconference lines or audio channels to meet language access needs. Interpreters should be available for residents to understand and participate in the meeting.

6. **Make engagement opportunities accessible to people with disabilities**, including by providing reasonable accommodations such as sign language interpretation and written materials in Braille and other alternative formats.
7. **Give ample time for the public to review materials and submit comments prior to the meeting's start time, such as via email or a dedicated phone number.** Comments should be accepted starting from the time the notices are disseminated. Written or voice message comments should be allowed up until the start of the meeting, as well as live comments throughout the meeting. Have staff read them aloud on the record during the live meeting for transparency and consideration by the full governing body. Avoid arbitrary word limits for email comments. Voice message comments, which can be limited to 3 minutes, should be played during the comment period of the meeting. Ensure that these messages, as well as the emails, can be received in multiple languages and interpreted as needed.
8. **Convene public meetings at times outside of working hours.** Public meetings should be held at times that are convenient, and accessible to allow as many community members as possible to attend. Meetings during traditional working hours excludes many community members and disregards the intention of public participation.
9. **Meet people where they are.** For example, ask to attend regular meetings of community organizations, neighborhood associations, unions, advocacy and industry groups. Other opportunities could include having booths at outdoor events, school district food distribution sites, or outside of culturally diverse grocery stores. At all public engagement opportunities, the local government should describe the Housing Element process and ways to provide input at all stages. Advance planning and creativity will help ensure participation by all economic segments of the community.
10. **Meaningfully incorporate community input and show how it was incorporated.** Provide a transparent feedback loop about how the jurisdiction has considered and incorporated public input into the Housing Element.
11. **Create a designated Housing Element mailing list and website.** Maintain an active mailing list to notify the community, advocates, and all interested of new meetings and documents. Meeting notes, recordings of meetings, data tables and charts, and interim work products should be available on an easily accessed website.
12. **Create a diverse Housing Element Working Group** to provide input on the development of the Housing Element update AND to support and evaluate ongoing implementation. Ensure robust representation by renters, low-income people, people of color, tenant and community organizations, seniors, people with disabilities, unhoused people, farm and

agricultural workers, and others with special needs who are most impacted by the housing crisis, as well as experts in affordable housing development. This working group should continue after the adoption of the Housing Element to review and comment on its Annual Progress Reports and implementation.

The undersigned organizations remain committed to working in partnership with Bay Area jurisdictions to ensure the Housing Element update process is inclusive and lays out an effective roadmap to effectively address the affordable housing crisis. All Bay Area residents deserve a safe, accessible and affordable place to call home, with a range of choices free of barriers to fair housing. The Housing Element update process provides the tools to do just that. We look forward to continuing this work with you.

Regards,

Monith Ilavarasan, Organizer
Genesis of the Tri-Valley

Zoe Siegel, Director of Climate Resilience
Greenbelt Alliance

Shajuti Hossain, Staff Attorney
Public Advocates

Justine Marcus, State and Local Policy Director
Enterprise Community Partners

Jeff Levin, Policy Director
East Bay Housing Organizations

Leslie Gordon, Program Director of Equitable Development
Urban Habitat

Michael Rawson, Director
The Public Interest Law Project

Evelyn Stivers, Executive Director
Housing Leadership Council of San Mateo County

November 16, 2021

To whom it may concern,

California Government Code § 65583.2(c), instituted by Assembly Bill 2348 of 2004, defines residential densities “appropriate to accommodate housing for lower income households”; for cities with between 25,000 and 100,000 residents in a nonmetropolitan county (that is, a county which is part of a Metropolitan Statistical Area smaller than two million people), this default density or “Mullin density” is twenty dwelling units per acre. In a county inside an MSA larger than two million people, this density is thirty dwelling units per acre.

As of the Fifth RHNA Cycle, Santa Clara County, part of the San Jose-Sunnyvale-Santa Clara, CA MSA, had under two million residents (1,836,911 as of the 2010 Census). However, as of the 2020 Census, it has 2,000,468 residents. While HCD has yet to issue specific guidance, the following jurisdictions in Santa Clara County will have to zone at thirty units per acre in order to achieve a presumption of affordability for lower-income households in the Sixth RHNA Cycle:

- Campbell
- Cupertino
- Gilroy
- Los Altos
- Los Gatos
- Milpitas
- Morgan Hill
- Mountain View
- Palo Alto
- Saratoga

While the Mullin density sets minimum acceptable density for affordable housing at 30 du/ac, it is important to note that this density is generally insufficient for affordable housing production, given high land costs and highly competitive funding. In order to produce mandated affordable housing, we advise much higher densities limits— or preferably, no density limits.

Thank you for your time and consideration. We look forward to working with you to solve California's housing crisis.

South Bay YIMBY

Adam Paszkowski

From: Toni Tryforos <ttryforos28@gmail.com>
Sent: Friday, February 18, 2022 9:44 AM
To: Adam Paszkowski
Subject: [EXTERNAL] Housing Needs Assessment

[You don't often get email from ttryforos28@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

Good Morning Adam - I missed the majority of the meeting last night so sharing some feedback. I did do the survey a week or so ago.

I am a senior citizen and was extremely fortunate to be able to get affordable housing through the Housekeys program almost 2 years, right smack in the middle of the pandemic! The best part was that I live right next-door to my son and his family. Through my experience and in today's environment it's very obvious that many people within our community need more education on what affordable housing is and the stigma that it attracts undesirables in certain neighborhoods. On numerous occasions I have had to spell out that within my neighborhood of affordable housing we have educators, nurses, school principles, and people of all walks of life. I paid more for my one bedroom house than what the developer bought the Granada Theater for!

With limited space high density is the big push, multi-level homes, lots of stairs. There is no thought about the aging population and stairs, people with disabilities and stairs etc. if the only option is to build up there must be a design for a bedroom and full bathroom on a main level. I am fortunate my garage and front entry are ground level but bedroom and full bath upstairs. I hope I will be able to safely manage stairs as I continue to age.

There needs to be something that limits concessions the developers get especially with very limited parking within a community complex. Ideally, it would be nice to have less cars on the road but who are we fooling we don't have the infrastructure for mass transit. Street parking is already clogged up, car break ins and thefts are up, people deserve to have a somewhat safe place for their vehicles.

With all the housing we have and what's to come we need to make sure we have adequate schools. We desperately need another middle school in Morgan Hill so that we don't have to drive or bus our kids all the way to Martin Murphy. A round trip there can be about 1.5 hours. We have to go early just to find a parking spot.

People are very concerned about the drought which we know is not going to end anytime soon. We understand we need to get people housed but what happens when we run out of water which could very well happen in the next few years, if not sooner in certain areas. The city needs to fight harder with the state and county on some of the expansions being pushed. Growth is important for a city to thrive however, if we have no water we all lose.

This is getting too long now so I will end now. Thanks for your time.

Regards,
Toni Tryforos

Sent from my iPhone

WARNING: This message is from an external user. Confidential information such as social security numbers, credit card numbers, bank routing numbers, gift card numbers, wire transfer information and other personally identifiable

information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.

Via Email

January 28, 2022

Adam Paszkowski - Principal Planner, Planning Division
Rebecca Garcia - Housing Manager
Development Services Department
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

RE: City of Morgan Hill - Housing Element Priorities

Dear Mr. Paszkowski and Ms. Garcia

We are writing to you to share the results of our discussions of existing housing needs and proposals we have for programs and policies that should be considered for inclusion in the Housing Element Update you are currently preparing. We are also requesting an opportunity to meet with your staff to discuss these proposals in more detail and to determine the appropriate next steps for their consideration.

The priorities outlined below were identified over the course of five meetings held by a group of South County community leaders concerned about rising homelessness and the inadequate supply of affordable housing, and interested in exploring solutions that could be integrated into the Housing Element Update Process. These meetings were convened and facilitated by SV@Home and the South County Compassion Center, and participants were drawn from the diverse existing service and advocacy networks, and included community members who volunteer regularly in direct service to those in need, representatives of regional and local service organizations and housing policy advocates, as well as residents experiencing homelessness or who were formerly homeless.

Together, we understand that the Housing Element Update is a nearly once-in-a-decade process to assess needs and develop concrete action plans to address the housing issues in our community. We understand that changes to Housing Element law have increased requirements for this assessment, including special populations such as residents experiencing homelessness, and for the development of policies and programs with specific, and measurable steps to address the unmet housing needs.

We also understand that the new requirement to engage in meaningful, frequent, and ongoing community participation throughout the Housing Element process, including the new requirements included in the Affirmatively Furthering Fair Housing guidance from the state, have presented challenges for city staff and consultants across the county.

The community meetings that have generated these priorities have been designed to complement the City's efforts.

As a group we brought our range of experiences to the discussion, and shared a wide range of concrete actions we felt would address some of the needs we have identified. Some of these ideas sought to elevate policy needs that had already been raised in public discussions, others were reflections of the need to strengthen commitments or leverage opportunities in existing programs, and some were new measures intended to address the diversity of housing needs. The group then discussed the proposed actions and the needs they were intended to address. Some items were combined, some were determined to be redundant with existing programming, and new actions were identified through the discussion. The group then went through a prioritization process, which assessed the potential impact of specific actions, how aligned they were with our understanding of state guidance, and how they might augment existing efforts. Through this process the initial list of nearly 20 proposed actions was narrowed to the 8 priorities detailed below.

In developing the required sites inventory, prioritize parcels for permanent supportive housing, ELI, and VLI housing units downtown and in other central locations accessible to resources and transit, especially parcels owned by public agencies.

Identified need: Locating affordable housing in areas that are transit rich, close to resources to meet basic needs, and well integrated in residential growth areas, is the established best practice. Affirmatively furthering fair housing requires that sites for permanent supportive housing, and homes for residents with extremely low or very low incomes be located in areas with access to jobs, transit, and resources, including public land that can expedite affordable housing development. One of the biggest challenges affordable housing developers face in development of these units is the cost of land, especially when competing with market-rate developers who have more money available.

Program to address: Surplus or underutilized government-owned land can help, since affordable housing developers have priority to purchase this land. Prioritizing sites downtown opens up opportunities and establishes community expectations that the city is supporting affordable development in these areas.

Create opportunities for community discussions and education about homelessness, housing insecurity and specific housing needs to achieve an atmosphere of acceptance and understanding.

Identified need: Current political will in the city regarding development of affordable and permanent supportive housing reflects the need to build understanding of causes and issues of homelessness, the people and lives

impacted by the lack of affordable housing, and the community benefits of safe, stable, and affordable housing.

Program to address: We often misunderstand what housing needs look like, who experiences housing insecurity, and how they can become homeless. Some common understanding can be achieved with intentional and guided communication between people that do not normally have an opportunity to dialog with each other. This could include- but not be limited to- formats such as community workshops, short video interviews, and media partnerships.

Pursue a partnership with other cities and the county for an affordable housing portal that allows people to submit a single application for multiple affordable housing developments.

Identified need: Currently, to apply for affordable housing, residents need to search multiple websites and apply using many different web portals or paper applications. Since many people are applying for so few units, a person in need of affordable housing will need to apply for multiple opportunities to increase their chances of success, submitting and resubmitting the same information multiple times through many different channels. This process creates inequitable access to affordable housing for people most in need who lack the resources and time to monitor waitlist statuses, submit paper applications or have cognitive disabilities which hinder their ability to complete multiple applications at a time. This increases the likelihood that the renter will not successfully connect with an available affordable unit.

Program to address: A single source and application for affordable housing would help people find affordable housing without causing loss of time and resources to hunt for it and resubmit the same information. A single source would also allow the city or county to affirmatively market or share all affordable housing opportunities to vulnerable and hard to reach populations. This portal could be similar to the [San Jose Doorways](#) program currently in development, and [Dahlia in San Francisco](#), which provides a single starting point for people to apply for affordable housing (inclusionary or standalone). A single source would also make it easier for the city, county, and residents to track the availability of affordable housing in their area.

Express an explicit commitment to funding for basic needs services at local encampments.

Identified need: Each year, service providers must reapply for city funding to provide basic needs services at encampments where residents experiencing homelessness are living. This process is often politically contentious and

uncertain. The lack of certainty impacts the ability of these organizations to establish long-range plans and focus on service provision.

Program to address: Providing for the basic needs of residents experiencing homelessness and living in encampments can improve health, safety, and quality of life. Many cities already provide funding on an annual basis to provide some of these services, but each year they must reapply and wait for approval again. A long-range funding commitment from the city provides more certainty and allows the organizations providing these services to fully focus on service provision.

Support and facilitate the creation of community-based nonprofits, which will develop affordable housing, including the exploration of alternative models.

Identified need: Large multifamily affordable housing developments take years to complete and do not meet the needs of all residents experiencing homelessness or in need of affordable housing. This system makes it difficult for the exploration of alternative and innovative home types that may be better able to meet the needs of some residents. Currently, affordable housing is limited to large complexes to make efficient use of land values. These projects, although they are vital assets to the community, take long periods of time to fund, approve and construct. The large sizes and lack of tenant input on governance also pose challenges to the creation of a deeper sense of belonging, building a tight knit community and facilitating neighborly connections.

Program to address: We can expand our options of multifamily affordable housing to more creative and innovative options that have tangible community control and collaborative decision making tools, such as Community Development Corporations (CDCs), co-housing, co-op housing, tiny home communities, and community land trusts. However, since many of these options do not exist in South County, significant financial and technical support and training is needed to make them viable. Local efforts can complement the initial commitments made by Santa Clara County to provide technical assistance. Training can be assisted by other and more established non-profit organizations.

Partner with CDFIs to develop a loan program with full or partial loan forgiveness for homeowners who build ADUs and restrict affordability for 15 years.

Identified need: While Accessory Dwelling Units have been successful at increasing housing production and offering homes that are more affordable by design, homeowners who are “house rich but cash poor” may struggle to obtain financing to build an ADU.

Program to address: In partnership with a CDFI, the city should develop a loan program with full or partial loan forgiveness for homeowners who build ADUs and restrict affordability for 15 years. This would increase the ability of homeowners to increase the number of homes available, secure deed-restricted affordability, and provide an income stream for lower-income homeowners to increase their financial stability. There is an existing low interest loan program administered by the Housing Trust of Silicon Valley that could be used as a foundation for this program.

Create a public awareness campaign to increase community knowledge of the existing range of services for the unhoused and homelessness prevention resources.

Identified need: Many residents who need help with housing issues are not aware of the existing range of services for the unhoused and homelessness prevention resources currently available in our city, or through the County's 211 service. Many struggle to identify and access available resources on their own. Information about local resources, including those funded through the county, and the 211 service, is currently not available on city websites.

Program to address: The city should take steps to increase awareness of how to access the services available locally, including the 211 system, which can help residents in need navigate and access a wide variety of available resources in the county. At minimum, this should include publishing information on the city's website in an easily accessible location and ensuring city staff are aware of the program and can direct residents to it. The city should also consider a public awareness campaign using social media, publications such as city newsletters and printed collateral, events, and additional channels to increase awareness of the 211 system.

We recognize that our discussion were not representative of the full range of community perspectives in Morgan Hill, and that these proposed actions will not address the full complexity of our local housing needs, but we are confident that our collective experience represents a critical perspective in identifying existing housing needs and actions that should be incorporated into the Housing Element Update. As noted above, we are requesting an opportunity to meet with your staff to discuss these proposals in more detail and to determine the appropriate next steps for their full consideration.

Please contact Joanne Fierro at fierro5175@earthlink.net to set up a time for this meeting.

Thank you for your consideration, we look forward to further discussion.

This letter is being submitted by a working coalition of community housing advocates, community based housing and homeless service providers, and regional policy and advocacy organizations. This group has come together out of a series of five community meetings with over 60 unique participants.



February 28, 2022

Policy Recommendations for 6th Cycle Housing Element

Dear Planning staff:

YIMBY Law submits this letter to share our policy goals and recommendations for the Policies and Programs section of your Housing Element. We appreciate the opportunity to participate in the Housing Element process.

The Policies and Programs section of the city's Housing Element must respond to data, analysis and findings presented in the Housing Needs section. We repeatedly see findings that housing prices are high, segregation exists, and there is a lack of housing for special populations, but the Policies and Programs don't respond to these findings or try to change outcomes. The overview of the city's housing environment should set the scene, and the policies and programs should explain what the city is going to do to fix it.

Our policy goals are as follows:

Affirmatively Furthering Fair Housing

1. Prioritize rezoning in high resource, historically exclusionary neighborhoods.

Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their

Housing Elements.

- 2. Establish a strong tenant protection ordinance so that new housing benefits everyone.** Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.
- 3. Support homeownership opportunities for historically excluded groups.** Homeownership continues to be a path to building financial security and inter-generational wealth, which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.

Site Capacity

- 4. Adequately plan for density.** Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.
- 5. Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%.** Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.

6. **Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory.** Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.

Accessory Dwelling Units

7. **Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing element.** We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.
8. **Incentivize new ADUs, including those that are rent-restricted for moderate- or lower-income households or that are prioritized for households with housing choice vouchers.** Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second-story ADU construction, etc.

Zoning

9. **Allow residential to be built in areas that are zoned for commercial use.** There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.
10. **Allow flexibility in inclusionary zoning.** Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land

dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be “sprinkled throughout” the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.

Better Entitlement Process & Reducing Barriers to Development

- 11. Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing.** A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.
- 12. Reduce parking standards and eliminate parking minimums.** Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of \$30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.
- 13. Cap fees on all new housing.** Most construction costs are outside the City’s control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.
- 14. Provide local funding.** One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three

new revenue streams that should be considered: 1) **Transfer tax**, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) **Vacancy tax** may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) **Commercial linkage** fees should be adopted or revisited for increases on new commercial developments.

We urge you to include these policies in your 6th cycle Housing Element.

Best regards,

Sonja Trauss

Executive Director

YIMBY Law

sonja@yimbylaw.org

Adam Paszkowski

From: Kalisha Webster <kalisha@housingchoices.org>
Sent: Friday, April 15, 2022 7:36 PM
To: Adam Paszkowski; Rebecca Garcia
Cc: Jan Stokley
Subject: [EXTERNAL] Morgan Hill Developmental Disability Data for 2023-2031 Housing Element
Attachments: Morgan Hill Housing Element Comments for Developmental Disabilities.docx

You don't often get email from kalisha@housingchoices.org. [Learn why this is important](#)

Hello Adam and Rebecca,

My name is Kalisha Webster and I am the Housing Advocate at Housing Choices, we met last month during the meeting with the South County Housing Element Advocates spearheaded by SV@Home and The Compassion Center.

Housing Choices is a nonprofit organization funded by the San Andreas Regional Center (SARC) to support people with developmental and other disabilities find and retain affordable housing. SARC has contracted Housing Choices to engage with cities throughout Santa Clara County as they update their Housing Elements to provide data on the housing needs and best practices for inclusion of people with developmental disabilities in their housing plans.

Pursuant to SB 812, Housing Choices is submitting an assessment of the housing needs of Morgan Hill residents with developmental disabilities, as well as, a list of specific policy and program recommendations for inclusion in the draft 2023-2031 Housing Element, that we believe will best address their housing needs. Please note that the data tables are not numbered because we assume these tables will follow numbering in the larger document. If we can provide any more information, please let me know.

We are eager to work with you on this component of the Housing Element. In particular, we would like to:

- Meet with you to receive your feedback on our submission, particularly on the feasibility of the specific recommendations that are included
- Learn from you about other policy and program recommendations that are surfacing in the development of the Housing Element that might also have an impact on housing for people with developmental disabilities.
- Identify other appropriate venues for discussing our submission
- Learn how we can support you in engaging Morgan Hill households with developmental disabilities in the outreach process
- Post our recommendations for feedback on your Housing Elements web page
- Any other ideas you might have to help us broaden the larger community's understanding of the critical importance of deeply affordable housing to people with developmental disabilities.

Thank you so much for your work to bring more affordable housing to Morgan Hill.

Best Regards,



We have moved! Please note the new office address!

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psausedo@biabayarea.org

June 24, 2022

City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037
Transmitted Electronically

Dear Mr. Paszkowski

RE: 6th Cycle Housing Element: Constraints Section

The Building Industry Association of the Bay Area (BIA) respectfully submits the comments contained herein regarding Morgan Hill's draft Housing Element. Inclusive in each city's DRAFT Housing element is a requirement to include a chapter that provides a comprehensive listing and honest review of government and private sector constraints that may prohibit a city's ability to achieve buildout of its Housing Element.

As reported by HCD, Santa Clara County permitted a paltry 5,047 units of housing in 2021 with Morgan Hill permitting just 104 residential units. Considering the ongoing housing crisis, it is imperative that Morgan Hill thoroughly analyze all government-imposed constraints along with non-government constraints that add to the cost and/or inhibit the city's ability to permit and produce new housing of all types i.e., VLI, LI, Moderate and Market Rate. ABAG's 6th cycle RHNA allocation for Morgan Hill is 1,037 total units (262 VLI, 151 LI, 174 Moderate and 450 Market Rate).

BIA recommends the Constraints Section of the city's Housing Element provide, at a minimum, a listing and analysis of the following:

GOVERNMENT IMPOSED CONSTRAINTS:

Development Regulations:

- Parking
- FAR
- Height and/or Density Ranges
- Moratoriums on conversion of non-residential zoned land
- Requiring Commercial Square Footage within Mixed-Use projects

Mitigation Fees

- Increased Park Dedication Fees
- Increase Affordable Housing Fees

Inclusionary Housing (IZ)

- Increasing IZ mandates i.e., accelerating/increasing VLI/LI requirements for new housing projects
- Amenity/Community Benefit Plans (Public Art, PoPo's, Childcare centers)
- Requiring "above & beyond" dedication requirements for Parks, Roads/Transportation, etc.

Environmental Constraints

- Fault Zones
- Historic Buildings/Neighborhoods

New Taxes

- CFD's for Schools, Infrastructure or Services
- New/Increased/Extended Parcel Taxes
- Any/All New Taxes on Housing
- Revenue "Neutral" conditions (requiring new housing pay 100% for city services)

Mandated Labor Requirements

- Project Labor Agreements
- Prevailing Wage Requirements
- "Local" Construction Workforce Requirements
- Union Apprenticeship Requirements
- "Local" Business Sourcing Requirement

Citizen Concerns:

- Nimbyism/Neighborhood Opposition
- CEQA Lawsuits solely to stop/delay housing projects

Permit Processing Time

Long permitting processing times or permit processes that have a high degree of uncertainty i.e., discretionary reviews or processes with multiple public meetings, increase the cost of housing development for developers by (1) increasing carrying costs waiting for permits or (2) increasing the chance that a project will be rejected following a lengthy processing period.

NON-GOVERNMENT CONSTRAINTS**Land & Housing Development/Construction Costs**

- Land (average cost per multi-family unit approaches \$100,000 throughout Bay Area)
- Hard Costs (materials & labor)
- Soft Costs (architects, consultants, govt fees, financing)
- Supply-chain and inflationary costs of materials

BIA appreciates this opportunity to provide comment and recommendation on the City's 6th Cycle Housing Element and looks forward to working with the City of Morgan Hill to positively address the region's on-going housing crisis.

Respectfully,



Patricia E. Sausedo, Director
BIA Bay Area South Bay Government Affairs



75 E Santa Clara St, Suite 1300, San Jose, CA 95113
408.291.8650 | www.firsthousing.org

June 23, 2022

Adam Paszkowski
Principal Planner
City of Morgan Hill
Development Services Department
17575 Peak Avenue, Morgan Hill, CA 95037
adam.paszkowski@morganhill.ca.gov

RE: The City of Morgan Hill's Draft Housing Element (2023-2031)

Dear Mr. Paszkowski,

The City of Morgan Hill released a draft of its Housing Element on June 3, 2022, this letter is in response to that draft. First Community housing supports the variety of ways that Morgan Hill is looking to increase its supply of housing, especially affordable housing.

FCH supports a variety of housing types and would particularly encourage the City to consider more high-density projects like our Magnolias project, particularly since it is difficult both to efficiently build and operate affordable housing buildings with less than 60 units. Action HE-5.C stands out as FCH is helping the City complete this action by providing 10 units of RRH in our upcoming development, The Magnolias (<https://www.firstcommunityhousing.org/property-future-magnolias>).

We support:

Goal 1. Provide a diversified housing stock to meet the full range of future community housing needs.

Goal 2. Encourage Extremely Low-Income (ELI) housing production, increasing availability of affordable and workforce housing.

Goal 3. Advance equity and inclusion throughout the City.

Goal 4. Preserve and rehabilitate existing housing supply.

Goal 5. Promote housing for people experiencing homelessness.

Goal 6. Provide adequate housing for groups with special needs.

Goal 7. Increase community outreach and promote education of affordable housing.

- HE-5.2 Support Homeless and Service Agencies. Meet the needs of residents who are homeless or at risk of homelessness by collaborating with agencies providing emergency shelter for homeless Morgan Hill residents. When appropriate and possible, provide funding.
- HE-5.7 Innovative Solutions. Employ innovative solutions that further collaboration and coordination of the homeless continuum of care. This will include effective responses and best practices for prevention services, emergency shelters, interim housing, permanent housing, and ongoing housing stability to address the homelessness crisis.

- HE-5.13 Regular Reporting. Use metrics and improve data quality to track and improve the efficacy of homeless services, programs, and investments.
- Action HE-5.B Biannual Homeless Survey Coordinate the City's biannual Homeless Census and Survey in partnership with the County of Santa Clara every two years to conduct comprehensive counts of homeless residents to measure the prevalence of homelessness in the communities.
- Action HE-5.C Homeless Prevention Rental Assistance Provide homeless prevention rental assistance through an ongoing County of Santa Clara Rapid Rehousing program, targeting families at risk of homelessness.
- Action HE-5.D Safe Park Program Operate a Safe Park Program with the faith-based community offering an eight space, pet friendly overnight respite at a local church for eight homeless families living in their cars
- Action HE-5.F List of Available Services Provide a comprehensive, user friendly, list of homeless and social services available.
- Action HE-5.G Provide Direct Services Provide direct services, case management, and homeless outreach through the City's Unhoused Specialist to engage and offer support and basic needs to our homeless residents. Work alongside the Psychiatric Emergency Response Team (PERT), a Mental Health Collaboration with the County Behavioral Health Department.

Sincerely,



Deborah J. McClellan
Director of Communication
First Community Housing
75 E Santa Clara St, Suite 1300, San Jose, CA 95113
408.291.8650 x17 | firsthousing.org

Cc: Morgan Hill Planning Commission
Morgan Hill City Council Members
City Manager, Christina Turner
Housing Director, Rebecca Garcia

Adam Paszkowski

From: Laura Gonzalez-Escoto <laurage@msn.com>
Sent: Tuesday, July 5, 2022 7:38 AM
To: Rebecca Garcia; Adam Paszkowski
Subject: [EXTERNAL] Housing Element

The Element looks good and reads well. I will continue to advocate for 2 changes for how we do business:

1. The surveys taken indicate we need a huge community education push so that our residents and those who come to Morgan Hill to work are aware of our affordable housing opportunities. Equally important and often mentioned in text is we want to house our next generation and essential workers etc. But we make little effort to describe how to do that. By law we cannot exclude anyone from our housing but I continue to believe we can provide a fair lottery in which the first name pulled for each unit would be someone who lives, works, or has a significant tie to Morgan Hill. And back up buyers and/ or renters would be pulled for each unit

2. I will continue to advocate for an end to 45 year resale restrictions required by the State once upon a time. "Home ownership is a steppingstone to wealth that can be passed down over generations". This sentence came from the SJ Mercury news this morning describing the State removing restrictive covenants put in place decades ago which banned people of color from buying into developments across the State. If this massive review and title correction can be done statewide surely we can handle the job locally through title advisories etc.

Thanks for giving me an opportunity to comment.

Sent from my Verizon, Samsung Galaxy smartphone
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From: [Fran Koperniak](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] Input on Draft Housing Element
Date: Wednesday, June 15, 2022 5:00:08 PM

Dear Mr Paszkowski,

I have attended many of the city's workshops over the past year, and I participated in the priorities survey a few months ago. Thank you for all of the opportunities to learn about this important issue and requirement. I also very much appreciated how the workshops integrated the new California housing laws.

I have reviewed the Draft Housing Element and the attachments. It is very clear and well organized. It seems our allocation is reasonable and achievable. I suspect this is likely due to the city's ongoing efforts over the years.

The only concern I have relates to Goal 2. It seems funding for low income housing is scarce and not guaranteed. Hopefully, there will be some creative partnerships and sources of funding. This concern is surely not limited to Morgan Hill.

My primary interest is in Policies HE 1.3, HE1.5 on page H16 and Action HE7.B on page H51. I am a single family homeowner who is very interested in pursuing creative housing options as I age and as my income potentially decreases. Given the proportion of Morgan Hill aging adults who are homeowners, I believe I am not alone in this consideration. Any workshops specific to ADUs or other options would interest me specifically.

Other than that, I have no concerns. Thank you very much for a job very well done.
Fran Koperniak Weiss

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From: [D. Muirhead](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] comments on draft Housing Element
Date: Thursday, June 23, 2022 1:02:51 PM

Hello Mr. Paszkowski,
Here are some comments on the draft Housing Element from a resident of Morgan Hill. Regards, Doug Muirhead

As a preamble, I will mention several statements by staff at various Planning Commission meetings.

* I have no way to know if my comments/interests are excluded by the statement by Ms. Carman that the state has lots of restrictions on what goes into the Housing Element and how to address them. At one point Ms. Carman said she did not want to complicate the State approval process by adding unnecessary material to the Housing Element.
We know from Mr. Paszkowski's response to suggestions by a public member and a Commissioner during Constraints Analysis that the list presented to the Planning Commission included only those specifically identified by the State.

* Staff has indicated the need to better define "affordable housing". But a better understanding may very well not overcome objections from residents of the community and other interested parties.
The expected response by the City is to determine factors contributing to the creation and perpetuation of fair housing issues, e.g. community opposition to development.

* Ms. Garcia said that while we need affordable housing, our interest is in creating communities and not just building one project after another.

-----+-----+-----+-----+-----+-----+-----+-----+

As a preamble, I will respond in general to several items in the Housing Element.

* The document organization by topic area (aka Housing Element Goals and Policies)
Housing Production, Affordable Housing, Equity and Inclusion,
Housing Preservation, Homelessness, Accessibility
results in much duplication of policies and actions.

* You say you conducted a "meaningful engagement process that promoted a sense of ownership and real participation among community members."
As I discussed with Ms. Garcia at the Saturday City Info Table, many of your proposed actions are actually in areas where you are not in control, making them more aspirational than actionable and thus at odds with "ownership" and "participation".

* I would like to see early on a full list of community members who are "targets" of the Housing Element Goals and Policies. You can then mention a subset if appropriate for a set of Goals and Policies. I do not know who is included in "underrepresented groups", "underserved groups", "protected classes", nor "vulnerable groups".

You have mentioned at some point:

lower-income individuals

Latinx

homeless (aka?) unhoused [special needs]

homelessness population includes women and children

seniors (aging adults) [special needs]

persons with disabilities [special needs]

developmentally disabled [special needs]

veterans [special needs]

intergenerational

single parents [special needs]

youth aging out of foster care [special needs]

students

growing families

survivors of gender-based violence [special needs]

farmworkers [special needs]

shared-housing residents

co-housing residents

* You say Equity, Inclusion, and Diversity are themes that are woven throughout the document. I would like to see early on some clarity in the definitions of Equity, Inclusion, and Diversity.

You also state that the City's ambition is to create equitable and inclusive neighborhoods where residents are served by transit, recreational amenities, shopping, and health and personal services.

I would like you to illustrate where we currently stand and distance from the goal for each neighborhood, perhaps using a graphic of three thermometers. We need both definitions and measures of success.

* I would like you to quantify your claim that "many older adults own homes that no longer meet their needs; their homes are too large, not located near health and social services, and/or need repairs or accessibility modifications." I am an advocate for aging-in-place, but let's understand the size and distribution of this population.

* Your Action to Expand Bus Service is too limiting. What we want is to expand mobility options. Our historical desire to expand VTA bus service may not fit with VTA's business plan let alone the possibility of a restructured County Transit Agency. And Local First Mile/ Last Mile Transit Service is only a soon-to-be implemented *grant-funded* pilot on-call shuttle service.

Assessment of Fair Housing (AFH)

Affirmatively Furthering Fair Housing (AFFH)

-----+-----+-----+-----+-----+-----+-----+-----+-----+
1) [comment] I was impressed that your Citywide Town Hall Workshop in June 2022 included City staff available to take phone calls and emails for participants who lacked internet access or who are visually impaired. This is a different kind of inclusion that I much appreciate.

2) In Chapter 3 you describe how you estimate the number of proposed pipeline development projects that are expected to reach completion during the 6th cycle by examining completion rates of pipeline development projects during the 5th cycle (2015 through 2022).

[comment] Should you have an alternate forecast to account for interruptions due to health or economic downturns or supply chain impacts on construction costs and financing? Or is this the kind of adjustment you could make in your yearly report?

3) In Chapter 4 Goal 1 you want to encourage income-diverse neighborhoods by creating smaller single-family lot sizes.

[comment] Do not smaller homes and fewer "amenities" result in less profit for the developer? Do home builders support this targeted reduction in their profit?

4) In Chapter 4 Goal 1 you mention only pedestrian and bicycle for transportation coordination.

[comment] Transit options (especially locally provided) should also be mentioned. But with respect to connecting to pedestrian and bicycle routes and amenities, this is one area where you are not in control. While the City has a Bike/Ped/Trail/Park master plan, implementation is driven by successful grant applications.

5) In Chapter 4 Goal 2 for Extremely Low-Income (ELI) housing production you support Innovative Construction Methods. The California Building Standards Commission (CBSC) establishes a state-wide Building Standards Code for use throughout California. In adopting California Building Standards Code (Title 24) for local enforcement, the jurisdiction may amend the standards if such amendments are necessary to address a local geologic, topographic or climatic condition.

[comment] Other than ADUs, I only find Additional Authority in the area of Universal Design.

[comment] How do construction worker unions feel about new techniques and possibly lower cost and timeline for new housing types?

6) In Chapter 4 Goal 3 you say it is incumbent on the City of Morgan Hill to take proactive steps, consistent with its AFFH obligation, to address existing disparities in housing and access to opportunity in regional context and to take steps to prevent the emergence of segregated patterns.

[comment] How do you measure "existing disparities" and "emergence of segregated patterns"?

7) In Chapter 4 Goal 4 the housing stock of Morgan Hill in 2020 was made up of 59.0% single family detached homes, 17.7% single family attached homes, 5.5% multifamily homes with 2 to 4 units, 9.8% multifamily homes with 5 or more units, 8.0% mobile homes.

The housing type that experienced the most growth between 2010 and 2020 was Single-Family Home: Detached.
[comment] Diverse neighborhoods will be a hard sell if three-quarters of homes are currently single family.

8) In Chapter 4 Goal 4 159 units were rehabilitated from January 1, 2015 through January 1, 2020. Source of rehabilitation funds are CDBG and City housing funds. Other rehabilitation is through Rebuilding Together Silicon Valley. An eligible rehabilitation activity is the addition of bedrooms and other expansions to alleviate overcrowding. You have a goal that rehabilitation be environmentally friendly and energy-efficient.
[comment] How many of the rehabilitated units received rehabilitation assistance?
[comment] Of those, how many were Emergency Home Repairs and Accessibility Retrofits?
[comment] What was the distribution of grants to disabled, seniors, and low-income homeowners to rehabilitate housing units?

9) In Chapter 4 Goal 4 you want to coordinate the planning and funding of neighborhood infrastructure improvements.
[comment] But the City's approach to infrastructure improvements is to have developers provide the improvements as part of their projects. Will this approach work with smaller infill projects?

10) In Chapter 4 Goal 4 you want to convert abandoned and blighted properties into affordable housing.
[comment] How many properties currently exist in those categories? How is Code Enforcement currently working with those properties and what would be the process for conversion?

11) In Chapter 4 Goal 5 you have a blue box saying "the Sacramento region is in the middle of a homelessness crisis."
[comment] Why highlight Sacramento?

12) In Chapter 4 Goal 5
HE-5.2 Support Homeless and Service Agencies.
HE-5.3 Work with Santa Clara County Agencies.
HE-5.4 Religious Institutions Shelters.
ancillary operations with no additional local permitting requirements.
HE-5.6 Regional Coordination.
[comment] Holistically you should treat these as inter-related pieces.

13) In Chapter 4 Goal 5

HE-5.5 Youth Experiencing Homelessness.

[comment] What role for MHUSD?

14) In Chapter 4 Goal 5 you say older adults (persons age 65 or more) are a special needs group because a high percentage of them have relatively low incomes and decreasing mobility.

In 2019, 80% of older adults were homeowners.

[comment] What is the income distribution of those homeowners?

15) In Chapter 4 Goal 5 you say we had 6,240 older adults in 2020, up nearly 150 percent since 2000.

Older adults are an increasing proportion of our total population, from 7.5 percent in 2010 to 14 percent in 2019.

[comment] This trend is one that I have repeatedly raised with the City Manager in yearly budget hearings but which she refuses to address the impacts of.

16) You define some aspects of age-friendly housing built with universal design principles:

zero-step entrances, single-floor living, wide hallways and doorways, and electronic controls reachable from a wheelchair.

and suggest Universal Design should be included in New Housing through ordinance, policies or objectives to identify minimum, cost-effective amenities.

You also want to Increase Awareness of Universal Design Principles by educating the Planning Commission about universal design and make information available at the Development Services Center.

[comment] Do developers see a desire for universal design?

17) You mention State and Federal Accessibility Requirements for new multi-family units as well as providing a process to request modification to a land use or zoning standard, regulation, policy, or procedure.

[comment] What are the current requirements?

[comment] Would these be eligible for rehabilitation funding?

18) In Chapter 4 Goal 5 you intend to work to harness support for affordable housing citywide and to achieve an atmosphere of acceptance and understanding.

[comment] What are your measures of success?

19) You propose Actions in support of Rental Assistance Programs to Inform rental property owners of the Housing Authority's vouchers program and to Promote the availability of vouchers for use in the rental rehabilitation program.

[comment] What is the level of acceptance and trend in accepting vouchers?

[comment] Do rehabilitation vouchers go to the property owner or the tenant?

20) Action HE-2.E Strategically Urban Housing Development Incentives
Locations suitable for high-density housing development
are major transit nodes and transit corridors.

[comment] Awkward title wording.

[comment] Morgan Hill is unlikely to have significant transit nodes
or corridors.

21) The City will provide direct service and outreach to unhoused
residents consistent with the community-wide intake process to match
people experiencing homelessness to existing community resources that
are best fit for their situation. The City will also participate in the
County Mental Health Collaboration.

[comment] What are your measures of success? How secure is the funding
stream? Is this something that could be represented with a dashboard
as a way to educate the community?

22) Your Action to create Affordable Housing in Eastern Morgan Hill
(Timeframe: 2028-2031) is the only geographically specific reference.

[comment] What are the boundaries for "Eastern Morgan Hill".

23) Your Actions to Create Jobs within Downtown Morgan Hill Priority
Development Area and to create Incentives to Hire Morgan Hill Residents
(Timeframe: 2023-2024) are assigned to the Development Services Department.

[comment] What kind of businesses are the Economic Development Team
trying to recruit downtown?

[comment] Why should the City be responsible for creating incentives
for local businesses to hire Morgan Hill residents?

24) You want to facilitate by-right processing procedures
for Low Barrier Navigation Centers consistent with Assembly Bill 101.

[comment] No idea what Low Barrier Navigation Centers are nor what
Assembly Bill 101 is.

25) You have one pet-friendly overnight respite at a local church
for eight homeless families living in their cars.

[comment] How long is the waiting list for those slots? Why is this
action only to maintain the status quo and not expand to other sites?
Is this something that only works in unincorporated County sites?

26) You want to coordinate with San Andreas Regional Center to integrate
adults with developmental disabilities into housing integrated with the
rest of the community.

[comment] No idea what San Andreas Regional Center is.

27) [comment] Where in all this is Mr. Paszkowski's response to the
"safe neighborhoods" discussion where he said that crime prevention
can be achieved through environmental design.

28) [comment] What is the opposite of "by-right"? And what is Assembly Bill
2162 that permits "transitional and supportive housing where multi-unit

and mixed-use development is permitted"?

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Adam Paszkowski

From: Randy O <randalloconnor@gmail.com>
Sent: Wednesday, July 6, 2022 8:48 PM
To: Adam Paszkowski
Subject: [EXTERNAL] Comments on the Housing Element Draft

Hello Adam,

Apologies for being a day late... I wanted to reach out to offer comments and questions on the draft housing element.

I grew up in Gilroy and though I don't live in Morgan Hill, I have been volunteering with the YIMBY movement to review housing elements. I am excited to discover Morgan Hill's attitude toward the issue, and all the housing plans, particularly the considerations for affordable housing and the downtown planning. I grew up anti-development, watching open land get replaced with tract housing, but I became a pro-housing advocate after I saw a lot of my friends leave the bay, and California, primarily because of housing affordability. After living in places like Boston, and visiting Europe, and seeing walkable and long-lasting cities and towns, I want to be hopeful about the long-term!

I took notes while reading the housing element, and though I'm not a resident or an expert, I hope you'll consider the following notes and questions, and that they're useful!

--Morgan Hill Housing Element draft--

Pg h-1

[COMMENT] This page references Morgan Hill as having some of the highest rent increases, but not clear amongst where? Is that in the bay, or relative to previous decades? Just curious to understand the context.

Pg h-12

[COMMENT] That's so great to hear about the plethora of entitled projects and the expectations! I'd love it if the document showed how many were approved and developed during 5th cycle, or pointed readers to that info. (Looks like it appears in the Eval of Past Performance. Maybe this section could reference that doc?)

Table 3-3

[COMMENT] This table is good to see, and even though low income VS extremely low income pipeline numbers are the inverse of the RHNA, I'm excited to see all the units planned for below moderate income! In terms of the pipeline, same as my previous comment, I'd love maybe a little more background on the 5th cycle, or an explanation of where this pipeline is divided between 5th and 6th cycle.

Figure 3-1

[COMMENT] What's a low resource area? Would be good to know what exactly that means.

Some of the big projects are on the edge of town; how does transit, walking, neighborhood development look in association with these developments?

[PERSONAL NOTE] I really like the phrase "allow residents to age in place".

Policy HE-1.4

Can you point to mixed-income developments being developed?

Policy HE-1.11

[COMMENT] I'd love more explanation about the Downtown Specific Plan or specific plans for this cycle in relation to it. (Later found it in Constraints analysis, maybe this can point to that or the actual plan documents?)

Policy HE-1.20

How is the zoning changing? California is such a car culture, is addressing that part of the zoning changes? E.g. building additional mixed-use zones near other population centers, like the northeast and southern sections of town?

Policy HE-2.14

[PERSONAL NOTE] I'm excited by this idea of farmworker housing; I've not seen or heard of this before. Does this idea exist in other towns? I'd love to be able to learn more. (My mom worked in Gilroy public schools as a special needs paraeducator, and I've learned a lot about the difficulties her students face who are children of farmworkers.)

Action HE-1.A

[COMMENT] Is there a bigger evaluation that's done near the start of each element, or is this yearly evaluation always the process? How is this done in regard to building up versus out? How long until Morgan Hill hits its utility boundaries?

Action HE-2.A (Review height limits)

This is scheduled for 2028-2031, which would make it line up for the next Housing Element. Based on my reading of the constraints analysis, I saw it's mostly 30-35 feet, and I would hope/wonder if raising the height limit of mixed use/downtown by 1-2 stories sooner might encourage the development of Morgan Hill's land into higher resource areas?

Action HE-2.B (Strategically Incentives Urban Housing Development)

[COMMENT] Are there currently any incentives for transit-oriented, mixed-use development?

Action HE-3.A (Affordable Housing in Eastern Morgan Hill)

[COMMENT] Has any work been done on identifying sites for mixed-income to date?

Action HE-3.K (Expand bus service)

[COMMENT] Is this within the scope of the housing element? What does "advocating" for VTA expansion entail? (I would love to see more transit, and mixed-usage areas.)

Action HE-5.I By-right Transitional and Supportive Housing

Great!

---Sites Inventory Appendix---

Again, very excited to see such a surplus!

I saw more reference to high and low-resource, and was interested to understand what exactly that meant.

Table A

[COMMENT] What exactly does this table include? Are these available properties beyond the list of pipeline developments?

---Housing Needs Assessment---

Table H 1-4

[COMMENT] The first column is labeled "Income", but based on the explanatory paragraph above, is that column actually referring to the risk of these units being converted?

---Evaluation of Past Performance---

Page H-6-1

I just want to applaud the city's efforts to have such a great ratio of affordable housing.

---Constraints Analysis---

Loved learning all about the downtown plan and the Monterey corridor zoning proposals! Really excited to see them continue to take shape.

--

Thanks again for your work. I really enjoyed learning about Morgan Hill's housing, demographics, etc, having grown up down the road. Again, I'm just a layperson, but I hope my comments and questions were useful in any capacity.

Sincerely,
Randy O'Connor

--

randyo.net

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From: [B.C. Sharp](#)
To: [Adam Paszkowski](#)
Subject: [EXTERNAL] feedback on Housing Element draft
Date: Tuesday, June 21, 2022 2:19:09 PM

Hi Adam-

I was going to attend your update, but unfortunately I cannot due to a schedule conflict, so I'm going to send a short note on what I would have asked...

In general, the document made sense, and your methodology and how you laid out the goals was very well done. I did find one thing missing that bothered me:

Other than a portion of the goal (something like "...allowing people to age in place"), I did not see any evidence that you asked survey questions or talked to seniors in Morgan Hill, and the survey questions seemed to almost avoid that topic.

I think aging **must** be part of the housing element- MH has an old age dependency ratio about 5% higher than California overall, and that is going to skyrocket in the next few years as the remaining parts of the 'Boomers' get into their later 60's and 70's. At the same time, we're entering a time of economic uncertainty, high inflation, and growth pressures. "Aging in place" sounds good as a catchphrase, but that is not always possible or feasible, and the lack of any housing in which to 'downsize' (or plans to add anything of that nature as far as I can tell. And no, adding more "retirement homes" is not what I mean... Most seniors in MH (and most seniors in general) do not want to live in a communal if they can help it according to every survey I've seen. And- we're all going to live quite a bit longer than previous generations if you believe the demographic literature.

The current inventory information you provided does not show anything to address senior needs, nor does the plans. To be honest, it almost looks like the intention is for all those pesky senior citizens to either quietly sit in a home that's too big for them and hope for the best- or just move away to another community where their needs can be met.

I think we can do better than that.

Thanks for your kind consideration of my comment, and I hope you take them in the spirit intended- to make MH a community for everyone.

Bruce Sharp
17430 Montoya Cir
MH

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From: [Kenneth Rosales](#)
Cc: [Mathew Reed](#)
Subject: [EXTERNAL] Making Housing Elements Work through State Enforcement
Date: Wednesday, June 8, 2022 10:46:06 PM
Attachments: [Outlook-n1kmgzk3.jpg](#)

Good Evening Honorable Mayor, Councilmembers, and City Staff,

Your jurisdiction is either preparing for the release or is reviewing the first draft of your 6th Cycle Draft Housing Element before it is submitted to the California Department of Housing and Community Development (HCD) for initial review. As you may have heard, the vast majority of cities in the first rounds of submissions have received substantial comments from HCD outlining deficiencies and are being required to complete additional work to adjust and improve their housing elements so that they move into compliance. We believe this current moment presents an opportunity to assess working drafts with an eye on how the HCD review team has described some common issues they have observed. As of April 2022, jurisdictions in three major regions had submitted their “final” Housing Elements by their given deadlines but have continued to work with HCD on developing compliant Housing Element Updates:

- **The San Diego Association of Governments’** Housing Element deadline was on April 15, 2021, of which only 7 of 19 jurisdictions were in compliance;
- **The Southern California Association of Governments’** deadline was on October 15, 2021, of which only 7 of 197 jurisdictions were in compliance; and
- **The Sacramento Council of Governments’** Housing Element deadline was on May 15, 2021, of which only 17 of 28 jurisdictions were in compliance.

On March 25, 2022, SV@Home hosted a discussion during our monthly Housing Action Coalition event with David Zisser and Melinda Coy, HCD’s leadership for the Housing Element review team, titled [“Making Housing Elements Work through State Enforcement” \(click here\)](#). David and Melinda discussed how they will enforce Housing Element law and provided local advocates guidance on what they can do to help jurisdictions meet Housing Element requirements. Therefore, we would like to share the event recording and presentation slides as resources for your jurisdiction to use as you draft, publish, edit, and submit your Draft Housing Elements to HCD ([available here](#)). We have included time stamps on key topics within the webpage to make it easier to navigate the recording.

HCD reinforced the fact that they no longer consider the Housing Element Update to be a paper exercise, but instead a contract between jurisdictions and the state on housing commitments for eight-and-a-half years. To this end, HCD’s new Housing Accountability Unit will be monitoring implementation and will hold jurisdictions to the commitments laid out in the Housing Element’s plan. The following are key take-aways from HCD’s presentation, which we felt were particularly useful to consider as drafts are being finalized and reviewed:

- **Most Common and Overarching Concerns** - HCD has found that Housing Elements overwhelmingly describe but do not analyze the data that is provided.

Whenever data is included into Housing Elements, they want jurisdictions to ask themselves: What does the data mean? How are these assumptions supported?

Further, HCD discussed they would like jurisdictions to “show their work” for the conclusions that are drawn, to avoid assumptions, and to use their analyses as tools that guide solutions, rather than simply explaining existing conditions. In this way, the various sections (e.g. needs assessment, sites inventory, constraints, etc.) should be reflective of and inform each other.

- **Affirmatively Furthering Fair Housing (AFFH)** - HCD is looking for an analysis of patterns and trends - a story about the jurisdiction over time and how it has changed - rather than a demographic “data dump”.

They provided an example of what jurisdictions can ask themselves when providing their analyses: has our community become more diverse? Less diverse? Where are the areas of poverty and how have they evolved? How does this help to highlight the housing needs of each jurisdiction?

HCD would also like to see strategies for how local jurisdictions can “move the needle” (i.e. make progress) and assess whether the metrics and milestones of their actions will be successful in eight-and-a-half years.

They recommended jurisdictions review the [City of Sacramento’s Housing Element](#) on how AFFH can be adequately addressed and the [City of Folsom’s Housing Element](#) for a good example of AFFH in a high resourced community.

- **AFFH: High-resourced and Lower-resourced neighborhoods** - Under AFFH guidelines, it is important to add affordable housing opportunities throughout the jurisdiction. They clarified, however, that AFFH is also about providing community development options or programs to increase resources in low-resourced areas, preventing displacement, and increasing housing opportunities in terms of both sites and mobility.
- **Site Inventory** - HCD recommended jurisdictions provide supporting data to the selection of their sites, including the underlying assumptions to pick a site, such as development trends and substantive site-specific analysis.

When choosing sites, HCD suggested that a discussion of the selection process be included, answering: Why were the factors that shaped the process chosen, and how did those assumptions relate to answering the question: “is this a development opportunity within the planning period?”

For non-vacant sites, they mentioned jurisdictions should specifically provide substantial evidence that an existing use is likely to be discontinued. Such evidence could include: 1) site specific information on whether the use will be discontinued in an eight-and-a-half year period and explain the factors leading to that conclusion, 2) what market and development trends are there to support discontinued use, and 3) what programs and actions could be taken by the jurisdiction to address the constraints that might impede the redevelopment of non-vacant sites.

Further, HCD expects site inventories to be responsive to the AFFH analysis, rather than be considered independent.

- **Governmental and Market Constraints to the Development of Housing - HCD**

discussed that constraints are to be analyzed and assessed for their potential impact, rather than simply noted and/or justified.

They also advised jurisdictions to consider the perspective of a potential developer and ask: how does the range of development standards, processing fees, various impact fees, etc. affect the development of housing? How long does it take to get planning and construction approvals, and what are the additional costs? What are the points of discretionary uncertainty in the process? Are there systems in place to process streamlined applications? How might substantial or minor changes in these elements of the development process have the cumulative impact of facilitating more development in your jurisdiction?

HCD delved into the need of a thorough assessment and a clear timeline for developing concrete policy or program changes in response to these analyzed constraints rather than referencing on-going or future assessments that need to be conducted. They want to see studies made within the Housing Element Update itself to construct a policy or program rather than prescribing a “study” as the policy or program itself.

Importantly, HCD recommended that the constraints analysis be reflected in the assessment of site-specific conditions that are identified in the site inventory.

- **Programs and Policies - HCD explained how jurisdictions should present clear prioritization and provide specific actions and timelines for each policy and program, along with clearly explaining what a jurisdiction will do to make implementation more realistic and feasible.**

They suggested jurisdictions avoid the use of general language like “explore”, “consider”, “evaluate”, or “study”. Instead, HCD would like to see a detailed discussion about what exactly is going to be explored, what will be done, to what end, and what the outcome(s) would be. HCD gave the example of replacing language such as “will

explore providing incentives" with "we will develop an incentives program that will reduce fees/provide cost savings".

Moreover, HCD deliberated on how a jurisdiction's policies and programs should build on the assessment of existing measures and go beyond previous cycles. Policies and programs should support the narrative in the housing needs and development constraints analysis and be responsive to additional requirements of the AFFH analysis.

- **Funding** - HCD detailed how they will not accept the rationale that the lack of subsidies for affordable housing development is an insurmountable impediment to fulfilling housing commitments. Instead, they advised jurisdictions to find ways to spur development through land use reforms and additional financing mechanisms. These might include adopting a strong local density bonus program, an inclusionary housing ordinance with a robust in-lieu fee structure, or other impact fees as a mechanism to support affordable housing development. HCD also recommended looking into ways of lowering costs by deferring or waiving fees and taxes.
- **Non-Compliant Housing Elements** - HCD cautioned that jurisdictions with non-compliant Housing Elements will be ineligible for, or face delays in receiving, state funding. Jurisdictions would also be unable to use inconsistent zoning/general plan standards to deny affordable housing projects, and could be subject to additional legal ramifications and fines.
- **Implementation of RHNA through the 6th Cycle** - HCD re-emphasized that jurisdictions are required to monitor and adjust their site inventories to sustain capacity for their housing allocation throughout the planning period.
- **Enforcement** - HCD will review actions and inactions submitted in the Annual Progress Report by local jurisdictions and they will take action on jurisdictions that are inconsistent with their Housing Elements. HCD will also respond to public complaints if a jurisdiction's actions are in violation with state law.

We appreciate that additional guidance has been made available from multiple sources, including ABAG/MTC and the Santa Clara County Planning Collaborative - they have been instrumental in guiding us all through this complicated process. We know that the Housing Element Update has been a significant undertaking and that the HCD review process has been less central to the public and council's engagement to date. We hope that this letter provides constructive insight into what HCD will likely highlight and that it further enables local engagement throughout the next phases of the Housing Element process. We also hope that meaningful public participation will continue to be a priority as feedback is received from the state and incorporated into future drafts.

We appreciate your continued coordination on this Housing Element journey and we look forward to deepening our engagement as we move closer to January 2023.

Best,

Kenneth Rosales (He/Him)
Planning Senior Associate | SV@Home
408.518.0676
kenneth@siliconvalleyathome.org



#ReimaginingHome [Learn more about Affordable Housing Month 2022](#)

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June 21, 2022

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Submitted via email

Mayor Constantine and Councilmembers
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Dear Mayor Constantine, Mayor Pro Tem McKay, and Councilmembers Borgioli, Martínez Beltrán, and Spring:

RE: Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing

For much of the Housing Element Update process, the focus has been on the scale of the Regional Housing Needs Allocation (RHNA) and the planning process of identifying potential housing opportunity sites to meet these requirements. What we have observed through this process is that there is relatively less understanding and attention to the broader Housing Element requirements under Affirmatively Further Fair Housing (AFFH).

Through state law, AFFH not only requires that the city plan and implement policies that give low-income families the opportunity to live in high resource and affluent areas, but also to adopt policies that address disproportionate housing needs, including displacement risks, of protected classes. In every jurisdiction in the County lower-income renters - disproportionately working families of color, and people on fixed incomes including seniors and people with disabilities - struggle with housing instability due to extreme rent burden and/or overcrowding. In nearly all jurisdictions the impact of displacement can be tracked through changing demographics over time.

The California Department of Housing and Community Development (HCD) issued [guidelines and examples of policies to Affirmatively Further Fair Housing](#). We know that many jurisdictions throughout the County have been looking at policy options to respond to these requirements. Over the last 36 months the City of Palo Alto, in partnership with SV@Home, explored and adopted a number of creative policies designed to protect renters and stabilize families and communities. While the research and policy making process in Palo Alto was pretty extensive, we believe that the Assessment of Fair Housing, and the targeted outreach through the needs assessment, and program/policy development process, likely provide evidence that tenant protections policies are needed, where few policies existed before.

When the policy process began in Palo Alto, the City already had a right to a one-year lease and voluntary landlord/tenant mediation programs. These programs were valuable in some cases, but research and community engagement found that their reach was very limited and the effective enforcement was difficult to assess. However, a number of policies that alone address only a small piece of the need, were actually determined to be complimentary, and together were more likely to have real impact.

Based on the work in Palo Alto, and a number of other cities, below are a number of policies that the City of Morgan Hill should consider, or build upon, to further the community's anti-displacement goals by addressing housing instability.

1) Rental Survey Program

Rental survey systems collect basic information on rental housing – changes to tenancies, changes to rents - to empower cities to better understand the challenges faced by renters, and the effectiveness of state and local renter protections.

2) Tenant Relocation Assistance

When tenants are displaced due to redevelopment of an existing rental property, or the conversion of that property to another use, this policy would require the property owner to provide assistance to the tenant to help them relocate to another home.

3) Eviction Reduction Program

This expands on existing state law (AB 1482: The Tenant Protection Act of 2019), which limits the reasons a landlord can evict a tenant, to additional types of rental properties otherwise not covered by the state. Local jurisdictions can determine which loopholes they would like to close. Currently, state law exempts:

- a) Single family homes not owned by a corporation
- b) Rental property built within the past 15 years, including accessory dwelling units.
- c) Any duplex where the owner occupied the unit before the other unit's tenancy and continues to occupy the unit.
- d) Housing restricted by a deed, regulatory restrictions, or other recorded document limiting the affordability to low or moderate income households.
- e) Mobile homes.
- f) Rental property subject to local ordinances that restrict rent increases to less than 5% plus CPI.
- g) Single family homes where the owner occupies and rents at least 2 bedrooms or units (ADUs and JADUs).
- h) Owner occupied rental properties where the tenant shares bathroom or kitchen facilities with the owner.
- i) Hotels
- j) Rental property provided by non-profit hospitals, organizations such as churches, extended care for the elderly, adult care facilities etc.

4) Anti Rent-Gouging Policy

This policy also expands on existing state law (AB 1482: The Tenant Protection Act of 2019), which limits annual rent increases to 5% plus the Consumer Price Index (CPI), by including additional units exempted by state law. Each city can determine which loopholes they would like to close. They can also adopt lower thresholds for maximum increases like San Jose (5%) and Mountain View (CPI). Currently, state law exempts:

- a) Single Family homes not owned by a corporation
- b) Rental property built within the past 15 years, including accessory dwelling units.
- c) Any duplex where the owner occupied the unit before the other unit's tenancy and continues to occupy the unit.
- d) Housing restricted by a deed, regulatory restrictions, or other recorded document limiting the affordability to low or moderate income households.
- e) Mobile homes.
- f) Hotels

5) Security Deposit Limit

This policy would limit the amount that can be charged for security deposits to 1.5 times the monthly rent, and help reduce the financial obstacles to entry for low-income households.

6) Fair Chance Ordinance

This ordinance would limit landlords' ability to ask applicants about their history of interaction with the criminal justice system, which disproportionately impacts Black and brown households. The policy would not make it illegal for landlords to run background checks on tenants, but would make it illegal to include these questions on the initial rental application.

7) Right to Counsel

This program would provide tenants with legal assistance in eviction cases. Tenants experiencing housing instability will be better able to enjoy the rights they have, feel more empowered to exercise those rights, and be more likely to stay housed more often.

8) Tenant/Community Opportunity to Purchase (TOPA/COPA)

The local jurisdiction could provide tenants and/or community-based organizations notice of intended sale of rented property, and provide a specific time period during which the tenants and/or organization have the opportunity to purchase the property. Tenants at risk of being displaced through the sale of a building would be provided with another option to potentially stay in their home. A version of this policy is actively being explored and studied in the City of San Jose.

9) Proactive Rental Inspection

This establishes a program for code enforcement officers to routinely inspect the rental housing inventory. Through these programs tenants are more likely to be protected from living in substandard housing, and local jurisdictions may catch habitability issues before they become so large that they require “red tag” evictions.

10) Tenant Resource Center

As a response to the pandemic, the cities of San Jose and Mountain View created Eviction Help Centers where tenants and landlords could receive information on local laws, assistance to apply for rent relief and legal aid. These cities are now looking at making the centers a permanent tenant/housing resource center post-pandemic.

11) City-wide Affordable Rent Portals

A portal for submitting a common application for affordable housing would save the tremendous amount of time and energy it currently takes to submit the same information on separate applications for each affordable property. A clearinghouse of affordable housing opportunities would also allow the city or county to affirmatively market to vulnerable and hard to reach populations. Current examples of these portals include [San Jose Doorways](#) and [Dalia in San Francisco](#).

12) Increase Multi-lingual engagement with city services and housing opportunities

Language barriers can keep many communities from accessing the housing opportunities and services they need. Taking steps to increase the city's capacity to engage under multiple languages can improve those outcomes.

13) Net-loss policy

June 21, 2022

RE: **Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing**

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SB 330 (The Housing Crisis Act of 2019) requires that protected units are replaced one-for-one in cases of the redevelopment of a rental property. These provisions are currently mandated by state law, but local jurisdictions can adopt permanent no-net-loss ordinances. This policy would protect critical sources of housing affordable to lower-income families, and incentivize higher-density infill redevelopment when paired with land use policies to support the feasibility of this redevelopment.

These policies have been developed with consideration of some of the major barriers to housing stability, and causes of displacement, which have been identified through an extensive research and engagement process in Palo Alto, and a few other jurisdictions in the county. Through the housing element, these anti-displacement policies should be considered a comprehensive package of responses to address the complexity of the challenges faced by renters in Morgan Hill. For further information and if you have any questions, please feel free to reach out to our Preservation and Protection Associate, Emily Ann Ramos at emily@siliconvalleyathome.org.

Thank you for considering anti-displacement and tenant protections solutions to affirmatively further fair housing.

Sincerely,



Mathew Reed
Policy Director

July 5, 2022

Board of Directors

Kevin Zwick, Chair
United Way Bar Area

Gina Dalma, Vice Chair
*Silicon Valley Community
Foundation*

Candice Gonzalez, Secretary
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Google

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Jennifer Loving
Destination: Home

Mary Murtagh
EAH Housing

Chris Neale
The Core Companies

Kelly Snider
Kelly Snider Consulting

Staff
Regina Celestin Williams
Executive Director

Mayor Constantine and Councilmembers
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Dear Mayor Constantine, Mayor Pro Tem McKay, and Councilmembers Borgioli, Beltrán, and Spring:

RE: Comments on the Draft Housing Element

The 6th Cycle Housing Element Update process is a unique opportunity to fully assess housing needs in Morgan Hill and to identify new tools and sites to address these needs and constraints on developing housing. This process is also an opportunity to engage deliberately with the full community, especially those who are represented from populations that have been historically excluded and are at risk of displacement, to share their housing needs. This unique opportunity is one that is required to adhere to the clear legal guidance as outlined by HCD in multiple documents interpreting state law.

This is not a simple process, and we appreciate the work that Morgan Hill staff, elected and appointed representatives, and members of the community have done over the last 12-14 months. As you know, the expectations for this process are high, and jurisdictions throughout the state have struggled to generate compliant housing elements for this cycle.

During this comment period on the current draft, there is still time to receive public input and address concerns prior to submission of the Housing Element Update to the state. Towards that end, SV@Home is submitting the following comments.

Outreach, Community Input, and targeted AFFH outreach as the foundation of the Housing Element Update process

Morgan Hill shares the challenges of many local jurisdictions in effectively translating community input into clearly defined actionable programs in response. Morgan Hill has done an excellent job of documenting extensive community outreach and public participation, including both virtual and in-person events in both Spanish and English over a period of more than a year. Particular efforts were made to engage with residents at a range of income levels and representatives or members of school communities, homeless safe parking sites, affordable housing developments, affordable housing and market rate developers, and local and regional advocacy organizations serving residents in protected classes. The thoroughness of this outreach is reflected in the reported demographics of those who participated in meetings or completed surveys, which fairly closely approximate the demographics of the city as a whole. Staff also included summaries and graphic representations of feedback, and copies of letters and email correspondence received. However, programs to address these needs, in many cases, lack clear actions for implementation, specific timelines, and measurable outcomes.

SV@Home recommends that the City of Morgan Hill fully incorporates public input into clear strategies to address identified housing needs.

Housing Needs Assessment and Evaluation of Past Performance

The Housing Needs Assessment does not incorporate local knowledge or analysis. The Housing Needs Assessment is almost entirely taken from the data packet of demographic information provided by the Association of Bay Area Governments. Despite the robust collection of resident and stakeholder input and a clear familiarity with the Morgan Hill housing ecosystem, there was very little incorporation of local knowledge, or any analysis of need beyond the rudimentary assessment provided by ABAG, incorporated into the Housing Needs Assessment. ABAG's materials state that the final step for completing the Housing Needs Assessment when using the provided data packets is to "Make meaning and find insights: Add the analysis that contextualizes this data for your jurisdiction and connects housing needs to policies and programs."

SV@Home recommends that the City of Morgan Hill incorporate the local knowledge gathered through the outreach process, along with the data provided by ABAG, into an analysis that clearly lays out the housing needs of Morgan Hills communities.

Policies and Programs, Assessment of Fair Housing, and AFFH

The large number of Draft Housing Element Policies and Programs require prioritization in order to address them effectively. Morgan Hill's Draft Housing Element has identified 7 goals and 85 policies in Chapter 4: Goals and Policies section of the Draft Housing Element, and 57 Implementation Programs/Actions in Chapter 5: Implementation. We are concerned that such a large collection of priorities will strain a small department's ability to focus effectively on critical priorities. Additionally, the structure of the Goals and Policies section of the Housing Element (Chapter 4), separate from the Implementation section (Chapter 5) with steps to implement the Policies, creates challenges in easily seeing which actions are meant to implement which policies without cross-referencing each action to the previous chapter.

Morgan Hill's Draft Housing Element Policies and Programs lack specific timelines and measurable outcomes. As with many other jurisdictions across the state, few policies or implementation actions include concrete, actionable steps, clear timelines, and specific, measurable outcomes or indicators of success as required by HCD. Many policy implementation steps indicate "ongoing" as the timeline, which HCD has specified should generally be rewritten with clear, accountable steps. Some policies do not have corresponding implementation actions at all. Because of the lack of specificity, action steps, or measurable outcomes, it is not clear how policies will be resourced or implemented, or how the efficacy of individual policies will be evaluated in the future. [See examples.](#)

Policies included in the Draft Housing Element do not directly address, within the 6th cycle, the disparate outcomes and segregation patterns of impacted racial and ethnic groups identified in the Assessment of Fair Housing. The housing needs elicited from the community during the lengthy and robust outreach process have not been translated to strategies that will address the disparate outcomes and segregation patterns of impacted racial and ethnic groups identified in the Assessment of Fair Housing portion of the Housing Element. Of the 85 policies in the Draft Housing Element, only four are intended to further Goal 3 of advancing

July 5, 2022

Re: Comments on Morgan Hill's Draft Housing Element

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equity and inclusion throughout the City. In the Assessment of Fair Housing, these Affirmatively Furthering Fair Housing (AFFH) policies are laid out with strong connections to identified needs. However, implementation for some policies is indicated as “for the City’s next Housing Element,” with no specific timeline and no measurable outcome identified. And, in many cases the action is to “consider”, “study”, “review”, or “support.” In comment letters to other cities, HCD has instructed cities to avoid policies with similarly vague words unaccompanied by more detailed, concrete actions. [See examples.](#)

SV@Home recommends that the City of Morgan Hill prioritize the policies and programs in the housing element and discuss how each policy and program will be fully and realistically operationalized by providing the specific steps, timeline, and measurable outcomes that will achieve their intended goals. SV@Home further recommends that the City of Morgan Hill, per guidance from HCD, ensure that strategies will address the disparate outcomes and segregation patterns of impacted racial and ethnic groups identified in the Assessment of Fair Housing, within the 6th planning cycle.

Site Inventory and AFFH

In its heavy reliance on pipeline projects, Morgan Hill’s Site Inventory does not respond to housing needs identified during public outreach or the Housing Needs Assessment or to the duty to affirmatively further fair housing. Morgan Hill is in the unique position of having such a robust pipeline of residential development that the entire RHNA at every income level fits within currently proposed or entitled projects. While this is both laudable and indicative of the professionalism and commitment of Morgan Hill’s Planning and Housing Departments, it does not address the purpose of the Site Inventory, for several reasons.

HCD has consistently given guidance to cities to use an AFFH lens when initially deciding which sites to include, not as a check after choosing sites, and to describe the process and considerations for choosing sites. Although the City completed robust outreach, Housing Needs Assessment, and Assessment of Fair Housing, the pipeline sites cannot be responsive to those needs identified since they were chosen by developers in a process entirely separate from the Housing Element process.

Further, two of the five pipeline sites planned in the Draft Housing Element for lower-income housing units are located in areas identified by the State as low-resource. Because these sites hold a disproportionate share of the lower-income pipeline units, should all planned units be built, it would result in location of the bulk of the lower-income housing in low-resource areas. [See analysis.](#) No further sites beyond the pipeline sites are identified in the Site Inventory for lower-income sites: only sites for Moderate and Above Moderate units are listed.

AB 686, Statutes 2018 requires that a jurisdiction identify sites throughout the community, in a manner that is consistent with its duty to affirmatively further fair housing pursuant to Section 65583(c)(10)(A). In the context of AFFH, the site identification requirement involves not only an analysis of site capacity to accommodate the RHNA, but also an analysis and conclusion of whether the identified sites improve or exacerbate conditions for each of the fair housing areas (integration and segregation, racially and ethnically concentrated areas of poverty, areas of opportunity, disproportionate housing needs including displacement). No such analysis of sites is included in the Sites Inventory. The Assessment of Fair Housing identifies several priorities that could broaden the distribution of lower-income sites to include the higher-resource areas of eastern Morgan Hill, but indicates these priorities would not be implemented until the City’s next Housing Element.

In order to evaluate the sufficiency of the pipeline and estimate the number of proposed pipeline development projects that are expected to reach completion during the 6th cycle, the City examined completion rates of pipeline development **projects** during the 5th cycle for projects with discretionary entitlements and building permit applications and applied those success rates to housing **units** in the pipeline. We are concerned with this methodology, since housing units will not move forward in the absence of an approved project, and a single large failed development could have an outsized impact on the number of units produced. Should this failure occur within a development project of lower-income housing units, there is no site identified in the housing element to maintain the required capacity for lower income units.

SV@Home recommends that the City of Morgan Hill identify additional sites responsive to the housing needs identified during public outreach and in the Housing Needs Assessment, and responsive to the duty to affirmatively further fair housing; expand the “buffer” of sites planned to hold the RHNA at each income level in order to ensure compliance with SB 330, and monitor the City’s identified housing unit capacity continually rather than annually.

Constraints to the Development of Housing

The Constraints Assessment, in many cases, lists the City’s processes and standards rather than providing the required analysis of their cumulative impact on the supply and affordability of housing. In the Constraints Assessment, the City has included “Length of Time between Project Approval and Applications for Building Permits” as a constraint as required by State Housing Element law, but identifies this as a nongovernmental constraint “influenced by a number of factors, none of which are directly impacted by the City.” The City also notes that a recent Santa Clara County Planning Collaborative analysis in April 2022, performing a regional fee comparison, showed that the City of Morgan Hill’s impact fees typically fall just under the average when compared with other jurisdictions in the region, and conclude that “the City’s fees are not considered a constraint on housing production.” Both fees and permit processing timelines are assumed not to be a constraint because they are fairly average for the county, without any further analysis as required. In its Housing Element Building Blocks, HCD has stated that,

*“The analysis should identify the specific standards and processes **and evaluate their cumulative impact on the supply and affordability of housing.** Each analysis should use specific objective data (quantified, where possible). In cases where the analyses identify existing constraints, the housing element should include program responses to mitigate the effects. A determination should be made for each potential constraint as to whether it poses as an actual constraint.”*

The City identifies the relative lack of land zoned for multifamily as a constraint, especially in the eastern city, in relation to AFFH. However, the policies identified to address this constraint are targeted to the 7th Housing Element cycle, leaving this issue unaddressed in the 6th cycle. The Constraints Assessment also does not acknowledge that only one General Plan land use designation (Residential Downtown, 24-46 units/acre) is nearly sufficient to meet the minimum density for low-income housing (30 units/acre), or that this is located only in the downtown core, and simply lists development standards without analyzing how they could act as constraints (e.g. max FAR of .5 in Mixed-Use Flex).

SV@Home recommends that the City of Morgan Hill conduct a robust analysis of specific standards and processes and evaluate their cumulative impact on the supply and affordability of housing, as required by law, and create policies and programs that address identified constraints within the 6th planning cycle.

July 5, 2022

Re: Comments on Morgan Hill's Draft Housing Element

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SV@Home values its partnership with the City of Morgan Hill and is pleased to have been invited to provide feedback on the Draft Housing Element. We welcome the opportunity to engage in an ongoing dialogue as the Draft Housing Element moves through cycles of review and revision, with the shared goal of addressing the City's urgent housing need by boosting production of homes at all income levels, preserving existing affordable homes, and protecting the families in them.

Sincerely,



Regina Celestin Williams
Executive Director

Cc: Adam Paszkowski, Principal Planner; Rebecca Garcia, Housing Director; California Department of Housing and Community Development



Memorandum

Date: July 26, 2022

To: Chair and Planning Commission

From: Gina Paolini, Principal Planner

Subject: Selection of Planning Commission Chairperson and Vice Chair

Pursuant to City Council Policy CP-96-02, the Planning Commission must select a Chairperson and Vice Chair to serve one-year terms. City Council Policy CP-18-04 allows for the term of the Chairperson and Vice Chair to be extended for one year if there is a need to extend the term due to special circumstances. The term of service for these offices shall be one year, beginning at the first meeting in July of each year. No Planning Commissioner shall serve more than two consecutive full terms as Chairperson.

City Council Policy CP-96-02 provides that the member serving the longest on the Commission without having previously served as Chairperson within the prior 4 years will serve as the Chairperson. The member second in seniority who has not yet served during the previous four years as Chairperson will serve as Vice Chair. The policy further states that if the member serving as Vice Chair is on the Commission at the time the next Chairperson is selected, he or she will become Chairperson the following year. Prior to serving as Chairperson, a member must have been on the Commission at least one year.

Commission Member	Date of Appointment
Joseph Mueller	January 28, 1989
Wayne Tanda	April 25, 2007
Liam Downey	August 5, 2015
Mohammad Habib	May 3, 2017
Malisha Kumar	April 17, 2019
Paul Lake	March 2, 2022

Planning Commission Chair (prior 4 years)	
2018/19	Liam Downey
2019/20	Juan Miguel Munoz-Morris
2020/21	Mohammad Habib
2021/22	Malisha Kumar

Commissioner will be eligible to serve another term as Chairperson and Vice Chair provided at least four years have transpired since having previously served as Chairperson or Vice Chair. The period may be reduced by one-year increments if no other Commissioner is eligible or declines the position.

Selection of Planning Commission Chair and Vice Chair
July 26, 2022

On May 10, 2022, the Planning Commission selected Commissioner Mueller to serve as Vice Chair due to the resignation of Commissioner Gonzalez-Escoto, and to delay the official selection of Chairperson and Vice Chair for the 2022/2023 term.

Based on City Council policy, unless the Commission chooses to extend the term of Commissioner Kumar, Commissioner Mueller should be selected to serve as Chairperson being the most senior member of the Commission not having served in the prior years. Commissioner Tanda would serve as Vice Chair. The Chairperson and Vice Chair terms are for one-year, until July 1, 2023.