CITY OF MORGAN HILL

Regular Meeting Agenda

Planning Commission

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

Tuesday, November 14, 2017 7:00 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Pursuant to Government Code Section 54954.2

PLEDGE OF ALLEGIANCE

OPEN PUBLIC COMMENT PERIOD

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

ORDERS OF THE DAY

PUBLIC HEARINGS

1. **ZA2017-0009: EAST DUNNE - YOUNG: REQUEST FOR A ZONING AMENDMENT FROM THE R-2 3,500 TO R-3 MEDIUM DENSITY ZONE DISTRICT. ASSESSOR PARCEL NUMBER 726-02-007 LOCATED ON THE NORTH SIDE OF EAST DUNNE AVENUE.**

   Recommendation:

   1. Adopt Resolution Recommending City Council approval of the Zoning Amendment.
   2. No further CEQA action required.

2. **ZA2017-0008: MONTEREY-DOBKIN: REQUEST FOR A ZONING MAP AMENDMENT FROM THE ML - LIGHT INDUSTRIAL ZONING DISTRICT TO THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT. ASSESSOR PARCEL NUMBER 726-25-006 LOCATED ON THE EAST SIDE OF MONTEREY ROAD.**

   Recommendation:

   1. Adopt Resolution Recommending City Council approval of the Zoning Amendment.
   2. No further CEQA action is required.

3. **AAE2017-0039: MONTEREY - UHC: REQUEST FOR A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM EXTENSION FOR SEVEN RESIDENTIAL BUILDING ALLOTMENTS. ASSESSOR PARCEL NUMBER(S) 817-36-032 AND 033, ARE LOCATED ON THE NORTHEAST CORNER OF MONTEREY ROAD.**

   Recommendation:

   1. Adopt a Resolution granting a one-year RDCS extension for seven (7) residential allotments.

4. **RDCS 2017-0001: E. DUNNE - KRUSE: REQUEST FOR A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM EXTENSION FOR THREE RESIDENTIAL BUILDING ALLOTMENTS. ASSESSOR PARCEL NUMBER 728-01-002, IS LOCATED ON THE NORTH SIDE OF EAST DUNNE AVENUE.**

   Recommendation:

   1. The application has been withdrawn. No action necessary.

5. **GENERAL PLAN AMENDMENTS, GPA2017-0001 AND -0002: CITY OF MORGAN HILL. AMENDMENTS TO THE MORGAN HILL 2035 GENERAL PLAN TO CORRECT MISCELLANEOUS LAND USE MAP AND TEXT ERRORS.**

   Recommendation:

   1. Adopt Resolution Recommending City Council approval of the General Plan Amendments.
   2. No further CEQA action is required.

ANNOUNCEMENTS

ADJOURNMENT

NOTICE

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

PUBLIC COMMENT

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

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

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

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

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

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

AMERICANS WITH DISABILITIES ACT (ADA)

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

Sustainable Morgan Hill Vision

Morgan Hill is a socially responsible, environmentally conscious, and economically sound community that embraces inclusiveness with participation by all.

CITY COUNCIL ONGOING PRIORITIES

Enhancing Public Safety · Protecting the Environment · Maintaining Fiscal Responsibility · Supporting Our Youth, Seniors, and Entire Community · Fostering a Positive Organizational Culture · Preserving and Cultivating Public Trust · Preserving Our Cultural Heritage

2017 STRATEGIC PRIORITIES

High Speed Rail

Inclusiveness

Infrastructure

Regional Initiatives

Telecommunications

2017 STRATEGIC PRIORITIES:

High Speed Rail

The City of Morgan Hill will directly advocate for our community's needs through our communications, discussions, and decisions. We will continue to engage the community, the High Speed Rail Authority, our state and federal legislators, and other regional agencies to mitigate negative impacts and convey our position that the High Speed Rail Authority should only use the existing Highway 101 right-of-way to avoid all impacts to residents, schools, and businesses. Should the Authority decide the 101 right-of-way is not feasible, we will strongly advocate for the route with the least impact on Morgan Hill.

Inclusiveness

We will celebrate the diversity, history, and culture of our community. Through City Council workshops, community meetings, and researching successes in other communities, the City will listen to and collaborate with the community to define how inclusiveness will be further woven into our community's fabric and to increase public participation. The City's communications, services, public spaces, and projects will embrace all community members as partners, advancing our vision of being a socially responsible community.

Infrastructure

The City will review its streets, parks, and public facilities infrastructure needs initially by updating its 2014 infrastructure study to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for the Santa Teresa extension and road maintenance. We will continue to work closely with our community to inform them of the needs and engage them to find an affordable and sustainable solution.

Regional Initiatives

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. This regional involvement will include, but not be limited to, partnering with the League of California Cities, Valley Transportation Authority, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.

Telecommunications

The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Development Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure. The plan will be used to signal Morgan Hill's support for business expansion.

CITY OF MORGAN HILL

PLANNING COMMISSION STAFF REPORT
MEETING DATE: November 14, 2017

PREPARED BY: Terry Linder, Interim Planning Manager
APPROVED BY: Jennifer Carman, Community Development Director

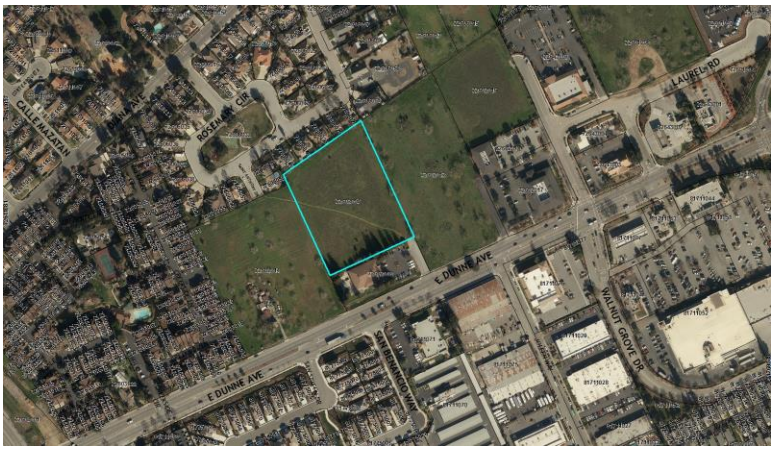
ZA2017-0009: EAST DUNNE - YOUNG: REQUEST FOR A ZONING AMENDMENT FROM THE R-2 3,500 TO R-3 MEDIUM DENSITY ZONE DISTRICT. ASSESSOR PARCEL NUMBER 726-02-007 LOCATED ON THE NORTH SIDE OF EAST DUNNE AVENUE.

RECOMMENDATION(S)

1. Adopt Resolution Recommending City Council approval of the Zoning Amendment.

2. No further CEQA action required.

LOCATION MAP



PROJECT SUMMARY:

1.	Location:	North side of East Dunne Avenue approximately 610 feet west of Walnut Grove Drive
2.	Site Area:	3.49 Acres
3.	General Plan:	Residential Attached Medium (16 to 25 du/ac)
4.	Zoning:	R-2 3,500/Residential Planned Development(RPD)

BACKGROUND

In July 2016, the City of Morgan Hill adopted the 2035 General Plan. The 2035 General

Plan Land Use Map amended the land use designation on the subject property from Multi-Family Low (5-14 dwelling units per acre) to Residential Attached Medium (16-24 dwelling units per acre). The General Plan designation on the parcels to the south and east were also amended from Multi-Family Low to Residential Attached Medium. The parcel to the west was amended to both Multi-Family Low and Mixed-Use Flex (7-24 dwelling units per acre).

The applicant submitted a Preliminary Residential Development Control System (RDCS) application on November 1, 2017 proposing the development of 46 residential attached units. The proposed rezone is a requirement for the applicant to compete in the 2017 RDCS process and must be completed by the Final RDCS application filing deadline of January 4, 2018.

PROJECT DESCRIPTION

A rezone is being initiated for a parcel located on the north side of East Dunne Avenue by the applicant, Dividend Homes. A letter of justification has been provided (Attachment 2). The proposed amendment would change the zoning map designation on a 3.5-acre parcel from R-2 3,500/RPD to R-3 to be consistent with the General Plan Land Use Designation of Residential Attached Medium.

Site Description

The parcel to be rezoned includes the following:

1. APN 726-02-007 (Tsai Young H and So M et al, Owner): The 3.5-acre property located on the north side of East Dunne Avenue (adjacent to the Kyono property) is currently zoned R-2 3,500/RPD and is undeveloped.

Surrounding Zoning/Land Use

North:	R-1 7,000/Single family detached homes on lots approximately 7,000 square feet in size
South:	R-2 3,500/RPD/Kinder Care Facility
East:	R-2 3,500/RPD/Undeveloped
West:	R-2 3,500/RPD/Undeveloped

ANALYSIS:

The proposed Zoning Amendment was analyzed for consistency with the: 1) General Plan and 2) Zoning Code:

The City's effort to update the Zoning Ordinance and Zoning Map to reflect the new 2035 General Plan is expected to conclude in early 2018. Without this application, the subject site would be rezoned R-3 Medium Density Residential District to be consistent with the General Plan as part of that process.

General Plan

The General Plan land use designation for the subject site is Residential Attached Medium (16-24 du/ac). The property is currently undeveloped. With the proposed rezone, the property could be developed in accordance with the R-3 development standards that include a minimum lot area of 6,000 square feet (4,500 square feet for duet units on corner lots) in accordance with the specified density of the General Plan. A maximum of 83 units could be developed on the parcel. The preliminary RDCS application that has been filed demonstrates a proposed density of 16.8 units/acre, with a net site area of 2.74 acres.

The requested R-3 zoning designation corresponds to the Residential Attached Medium General Plan designation.

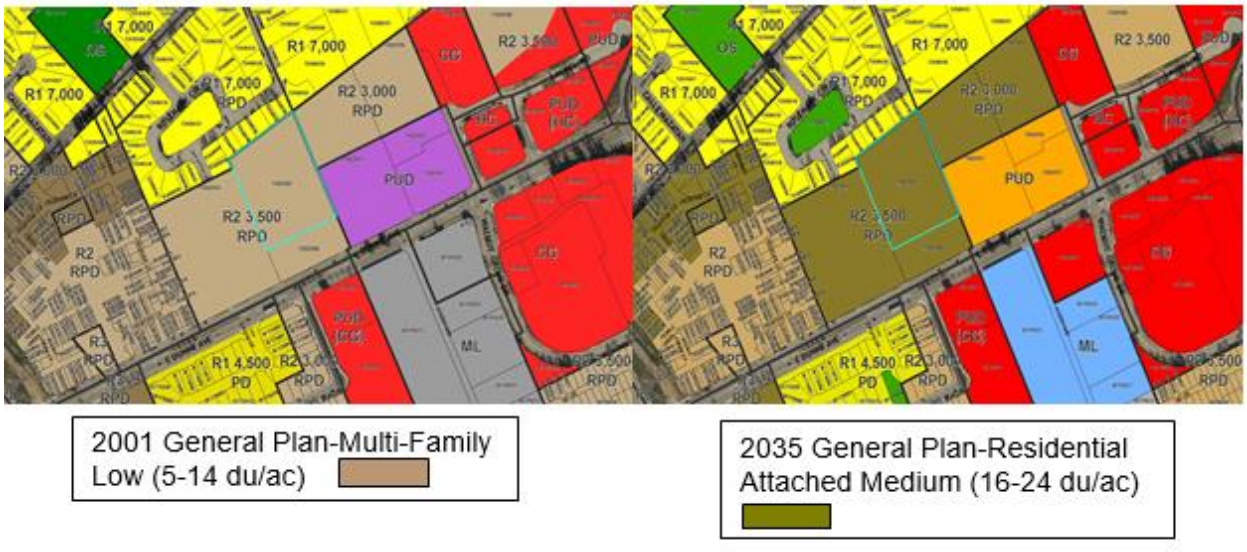
Zoning Ordinance

The Zoning Ordinance sets forth the following requirements for proposed Zoning Amendments:

To amend Division I of the Zoning Ordinance, the City Council shall find the following:

A. *That the proposed amendment is in general conformance with the General Plan;*

The proposed zoning amendment from to R-2 3,500/RPD to R-3 Medium Density Residential would conform to the site's Residential Attached Medium General Plan designation, as demonstrated in the following:



B. *That the public necessity, convenience and general welfare require the adoption of the proposed amendment.*

No change in use or development of the site is allowed because the zoning remains inconsistent with the General Plan land use designation. Amending the site's zoning will allow future residential development consistent with the City's General Plan land use diagram and General Plan goals and policies related to the provision of an adequate housing supply.

C. *The proposed amendment does not grant a change in land use from commercial or industrial to a residential land use for property incorporated into the urban service boundary after December 7, 1990 unless it can be determined pursuant to the terms of Section 18.78.070 of the municipal code that the amount of undeveloped, residentially developable land on the same side of Monterey Road as the proposed amendment is insufficient to accommodate five years' worth of residential growth.*

The property was included within the Urban Service Area prior to 1990. The requested change in zoning does not change the land use or zoning from commercial or industrial to residential and is therefore not subject to this provision.

Community Engagement

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

Conclusion

The proposed R-3 Medium Density Residential District is the appropriate zoning for the property given the site's General Plan Land Use Designation of Residential Attached Medium (16-24 dwelling units per acre). Staff recommends approval of the proposed Zoning Amendment.

California Environmental Quality Act (CEQA):

The project was reviewed as part of Master Environmental Impact Report for the 2035 General Plan update and has been found consistent with the California Environmental Quality Act Section 21083.3 and Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), there are no new environmental effects peculiar to the property or the project and no new information, and thus additional environmental review is not required. The Zoning Amendment complies with the General Plan as required by Government Code Section 65860 and as noted in this report.

LINKS/ATTACHMENTS:

1. Planning Commission Resolution
2. Letter of Justification

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF ZONING AMENDMENT ZA2017-0009 CHANGING THE ZONING DESIGNATION OF A 3.5 ACRE PARCEL LOCATED ON THE NORTH SIDE OF EAST DUNNE AVENUE APPROXIMATELY 610 FEET WEST OF WALNUT GROVE DRIVE (ASSESSOR PARCEL NUMBER 726-02-007), FROM R-2 3,500/RPD TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

WHEREAS, an application for rezoning of the property located on the north side of East Dunne Avenue approximately 610 feet west of Walnut Grove Drive, APN 726-02-007 was made by the Dividend Homes Inc. on behalf of the owners of the property, Hsing-Tsai and So-Mei-Tsai Young and Sherry H.C. Tsai and Chau-Ran Wang ("Owners"), from R-2 3,500/Residential Planned Development to R-3 Medium Density Residential to be consistent with the General Plan;

WHEREAS, the rezoning is necessary to achieve consistency with the General Plan to allow Owners to participate in the 2017 Residential Development Control System (RDCS) process;

WHEREAS, the General Plan designates the above-referenced parcel as Residential Attached Medium;

WHEREAS, such application was considered by the Planning Commission at their regular meeting of November 14, 2017 at which time the Planning Commission recommended approval of Application ZA2017-0009: E. Dunne Avenue-Young; and

WHEREAS, the project site was reviewed as part of Master Environmental Impact Report for the 2035 General Plan update and has been found consistent with the requirements of the California Environmental Quality Act. No new environmental effects peculiar to the property or the project and no new information has been identified, and thus additional environmental review is not required pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183; and

WHEREAS, the Zoning Amendment complies with the General Plan as required by Government Code Section 65860; and

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

Attachment: Planning Commission Resolution [Revision 1] (1475 : ZA2017-0009: E. Dunne - Young)

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

SECTION 1. The proposed Zoning Amendment is consistent with the General Plan.

SECTION 2. The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.62.050 of the Municipal Code.

SECTION 3. Further development shall comply with the site development standards of the R-3 Medium Density Residential District.

SECTION 4. The Planning Commission recommends that the City Council approve the Zoning Amendment from R-2 3,500/RPD to the R-3 Medium Density Residential District to the site described attached hereto, as Exhibit "A", and by this reference incorporated herein.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2017, 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 **JOHN McKAY, Chair**

Date: _____

Attachment: Planning Commission Resolution [Revision 1] (1475 : ZA2017-0009: E. Dunne - Young)

EXHIBIT A

CITY OF MORGAN HILL

LEGAL DESCRIPTION

Real property in the City of Morgan Hill, County of Santa Clara, State of California, described as follows:
PARCEL ONE:

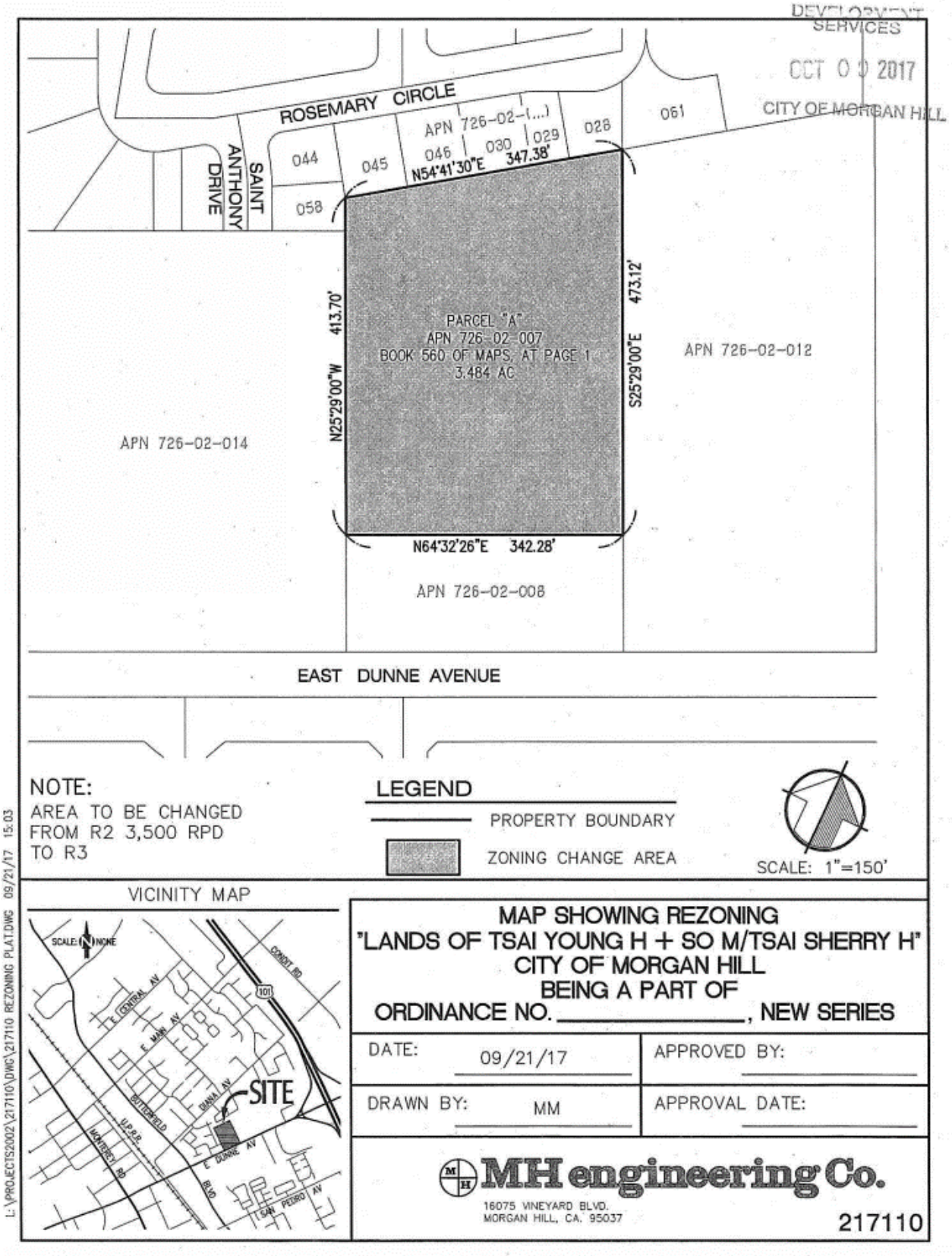
PARCEL "A", AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "PARCEL MAP IN THE CITY OF MORGAN
HILL OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, PORTION OF LOT 71 MORGAN HILL RANCH, MAP NO. 1", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON MAY 21, 1986 IN BOOK 560 OF MAPS, AT PAGE 1 .

PARCEL MO:

AN EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES OVER THE NORTHEAST 30 FEET OF PARCEL B, AS SHOWN ON PARCEL MAP ABOVE REFERRED TO.
APN: 726-02-007

Attachment: Planning Commission Resolution [Revision 1] (1475 : ZA2017-0009: E. Dunne - Young)

EXHIBIT A CONT.



Attachment: Planning Commission Resolution [Revision 1] (1475 : ZA2017-0009: E. Dunne - Young)

DIVIDEND HOMES, INC.
385 WODVIEW AVE., SUITE 100
MORGAN HILL, CA 95037
408-779-5900 FAX 408-779-3840
roliver@dividendhomes.com
jvrotsos@dividendhomes.com

DEVELOPMENT SERVICES
OCT 0 9 2017
CITY OF MORGAN HILL

October 6, 2017

Mr. John Baty
City of Morgan Hill – Planning Department
17575 Peak Ave.
Morgan Hill, CA 95037

Re: Zoning Amendment Application – APN 726-2-7 (behind 605 East Dunne Ave.) 3.48 acres

Dear Mr. Baty:

This letter is written as part the required documents supporting a request to rezone the above referenced property from its present zoning of R2-3500 RPD to R-3.

In the most recent General Plan Update, adopted earlier this year, the General Plan designation of this property was changed from Multi-Family Low to Residential Attached Medium (16-24 du/ac). This created a disconnect with the existing zoning of R2. City Staff is planning a clean-up to adjust the inconsistency on this site (and other sites in the City) later this year or early next year. However, the Property Owner wishes to have us submit an application for allotments in this year's Measure S competition under the new (and now current) General Plan designation of Residential Medium (16-24 du/ac), thus necessitating the filing of an application to Amend the existing zoning to R-3 at this time.

As further justification for this request, the City Staff recently reviewed and updated a Master Circulation Plan for the area between Butterfield Blvd. and Freeway 101 – Diana Ave. and East Dunne. That revised Master Circulation plan requires the location of two new city streets crossing the Subject Property, one which will bifurcate the Subject Parcel and one which will be located between the existing nursery school and the Subject Property. This will require the dedication of new public ROW's constituting over 25% of the Subject Property. The impact of these new required ROW is significant and the Owner needs the zoning change consistent with the new General Plan designation to hopefully make up for the loss of value due to the significant ROW dedication.

We appreciate your prompt review and processing of this application so that we can compete in this year's Measure S competition.

Respectfully,

Richard B. Oliver

Attachment: Letter of Justification (1475 : ZA2017-0009: E. Dunne - Young)

CITY OF MORGAN HILL

PLANNING COMMISSION STAFF REPORT
MEETING DATE: November 14, 2017

PREPARED BY: John Baty, Principal Planner/Development Services
APPROVED BY: Jennifer Carman, Community Development Director

ZA2017-0008: MONTEREY-DOBKIN: REQUEST FOR A ZONING MAP AMENDMENT FROM THE ML - LIGHT INDUSTRIAL ZONING DISTRICT TO THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT. ASSESSOR PARCEL NUMBER 726-25-006 LOCATED ON THE EAST SIDE OF MONTEREY ROAD.

RECOMMENDATION(S)

1. Adopt Resolution Recommending City Council approval of the Zoning Amendment.

2. No further CEQA action is required.

POLICY CONSIDERATIONS:

Should the proposed rezoning and project be allowed to proceed in advance of the completion of the Monterey Corridor Study and Implementation Project or block level master plan?

PROJECT SUMMARY:

1. Location: East side of Monterey Road opposite the southerly terminus of Old Monterey Road (APN 726-25-006)
2. Site Area: 5.66 gross acres
3. General Plan: Mixed Use Flex
4. Zoning: ML – Light Industrial
5. Request: R-3 Medium Density Residential

BACKGROUND:
The subject site is zoned ML – Light Industrial, which prior to the adoption of the Morgan Hill 2035 General Plan in July 2016, matched the site's Industrial General Plan Land Use designation.

With the adoption of the Morgan Hill 2035 General Plan, the land use designation for the site was changed to Mixed Use Flex, which 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).

The ML – Light Industrial Zoning District is not consistent with the Mixed Use Flex General Plan designation. Because state law (Government Code Section 65860) requires the zoning ordinance to be consistent with the general plan, the zoning for the subject site can either be changed by the City through the Zoning Code Update process or through a privately initiated Zoning Amendment process.

The City's effort to update the Zoning Ordinance and Zoning Map to be consistent with the Morgan Hill 2035 General Plan is expected to be concluded by spring 2018 at which time the subject property could be rezoned to the proposed new MU-F Mixed Use Flex Zoning District or other commercial or residential zoning district that would be consistent with the Mixed Use Flex General Plan Land Use designation.

The applicant is proposing the site be rezoned to the R-3 Medium Density Residential Zoning District in advance of the Zoning Code Update. If the applicant's proposal is approved by City Council in December 2017, the applicant intends to submit a Residential Development Control System (RDCS) application in January 2018 consistent with the R-3 district.

Monterey Corridor Study and Implementation Plan
Properties with the Mixed Use Flex General Plan designation are allowed to develop at any time with commercial uses; however, prior to development of residential or mixed-use projects, the General Plan requires a block level master plan to identify how commercial uses will be incorporated within the development of a block and how individual development projects will connect with each other.

To facilitate the Morgan Hill 2035 General Plan vision of transforming the portions of the City along Monterey Road (outside of Downtown) into a vibrant Mixed Use corridor that encourages walking and bicycling, the City has contracted with Lisa Wise Consulting to conduct a comprehensive market analysis/land use capacity study of the corridor (Monterey Corridor Study), which will serve as the basis for formulating recommendations for potential implementation strategies (e.g., zoning changes).

The subject property is included in the Monterey Corridor Study at the northern end of a segment of the corridor that extends from Main Avenue to the Monterey Road railroad overcrossing. At a block level, the subject property is at the northern end of the block on east side of Monterey Road between East Central Avenue and the railroad

overcrossing.

Although it is anticipated that the implementation strategy recommendations will be presented to the Planning Commission and City Council by spring of 2018, actual zoning changes would likely not occur until summer or fall 2018.

Project Description
The Zoning Amendment initiated by the applicant, City Ventures, is a proposal to change the zoning for the subject site from the ML – Light Industrial Zoning District to the R-3 Medium Density Residential District. The applicant's letter of justification is attached.

Site Description
APN 726-25-006 (Dobkin): The 5.66 gross acre parcel is largely undeveloped with one existing single-family home located in the lower half of the site, easterly of the new intersection of Monterey Road and Old Monterey Road, and approximately 60 feet west of the railroad right of way.

Surrounding Zoning / Land Use
North: PF – Public Facilities (across Monterey Road) / fire station

South: CL-R – Light Commercial/Residential / single-family home and Residential Planned Development (KB Homes)

East: PUD – Residential Planned Unit Development (Divco West and Madrone Townhomes (across railroad right of way) / open space (detention pond) and vacant industrial

West: R-1 7,000 (RPD), R-2 3,500, R-2 3,500 (PD) (across Monterey Road) / single-family detached homes on approximately 5,600 square foot lots, single-family home, townhomes and single-family detached homes on approximately 5,100 to 6,000 square foot lots.

ANALYSIS:
The proposed Zoning Map Amendment was analyzed for consistency with the General Plan and Zoning Code.

General Plan Consistency
The subject site is designated Mixed Use Flex on the Morgan Hill 2035 General Plan Land Use Map. This 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 or horizontally with a residential density of 7 to 24 dwelling units per acre and a maximum floor area ratio (FAR) of 0.5.

The R-3 Medium-Density Residential Zoning District requires a minimum site area of 2,000 square feet per dwelling unit, allowing up to approximately 21.78 dwelling units

per acre, which is within the density range allowed by the Mixed Use Flex General Plan designation.

Zoning Code Consistency
In order to approve the proposed Zoning Amendment, Section 18.62.070 of the Morgan Hill Zoning Code requires the following findings to be made:

A. *That the proposed amendment is in general conformance with the General Plan;*

   For the reasons detailed above, the proposed amendment is in general conformance with the General Plan.

B. *That the public necessity, convenience and general welfare require the adoption of the proposed amendment;*

   The proposed amendment to the R-3 Medium Density Residential Zoning District would bring the subject property into conformance with the Mixed Use Flex General Plan Land Use designation.

C. *The proposed amendment does not grant a change in land use from commercial or industrial to a residential land use for property incorporated into the Urban Service Area boundary after December 7, 1990 unless it can be determined pursuant to the terms of Section 18.78.070 of the Municipal Code that the amount of undeveloped, residentially developable land on the same side of Monterey Road as the proposed amendment is insufficient to accommodate five years' worth of residential growth.*

   The subject site was incorporated into the Urban Service Area boundary prior to December 7, 1990 and therefore this provision does not apply to this property..

Community Engagement
The proposed project was publicly noticed (mailing to property owners within 300 feet of the project and newspaper legal noticing) for the minimum 10-day period.

Conclusion At this time it is uncertain what the outcome of the Monterey Corridor Study/Implementation Plan will be regarding the zoning or its application to this site. The Planning Commission is being requested to determine that the subject site be allowed to be developed as an exclusively residential project. With that determination the proposed rezoning to the R-3 Medium Density Residential Zoning District would be appropriate, and if approved by the City Council this December, would allow the applicant to participate in the upcoming RDCS competition.

Should the Planning Commission be concerned that the Monterey Corridor Study may identify the property as an important site for future commercial development, or that the site should be developed with a mix of commercial and residential uses, the Planning Commission should recommend that the proposed rezoning request be denied. If the

request is denied by City Council, the applicant would not be allowed to participate in the upcoming RDCS competition as the current zoning does not allow residential uses. The subject property would be rezoned as part of the Zoning Code Update with the zoning standards potentially refined through implementation of the Monterey Corridor Study.

CEQA (California Environmental Quality Act):
The project was reviewed and found to be consistent with California Environmental Quality Act (CEQA) Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) in that the proposed project is consistent with the Morgan Hill 2035 General Plan for which an Environmental Impact Report (EIR) was prepared in accordance with CEQA and certified by the Morgan Hill City Council (Resolution No. 16-127) on July 27, 2016 (SCH#2015022074).

There are no new environmental effects peculiar to the project or subject parcel that were not analyzed as significant effects in the Morgan Hill 2035 EIR and no new information that would result in potentially significant off-site impacts, cumulative impacts, or more severe impacts than discussed in the Morgan Hill 2035 EIR.

LINKS/ATTACHMENTS:
1. Applicant's Justification Letter
2. DRAFT Resolution

City Ventures

10/20/17

John Baty
Principal Planner
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Dear John,

Please find below City Ventures' Letter of Justification for the proposed Zoning Map Amendment for 18110 Monterey Road in Morgan Hill. We appreciate your consideration of our proposal, and please let us know if there are any other questions the City of Morgan Hill would like us to resolve to help move this application forward.

Best wishes,

Jason Bernstein

1. **Cite Specific General Plan policies and action statements that support the proposed application.**

The proposed application would further several General Plan policies and action statements of the Mixed Use Flex Goal CNF-13 section of the General Plan.

Policy CNF-13.2: Density Feathering. Encourage the feathering of land use densities and intensities from high to low along Monterey Road with higher intensity land uses located adjacent to Downtown.

The proposed project will fulfill the Density Feathering called for within this policy with a mix of two-story homes on the frontage and three-story towns behind. The project preserves Morgan Hill's terrific character while increasing density toward the Downtown core. The townhome density is consistent with the immediately adjacent projects approved closer to Downtown and will help enhance a pedestrian friendly community in close proximity to downtown Morgan Hill. The proposed site is at the outer edge of the Monterey Road Infill Corridor but still provides convenient access to downtown Morgan Hill.

Policy CNF-13.3: Maximize Land Use. Encourage mixed use flex development to maximize allowed densities and intensities adjacent to Downtown.

With the irregular shape of this parcel, a townhome development would maximize the land use of the proposed property consistent with the General Plan. The flexibility allowed by townhome design enables buildings of varying sizes which allows City Ventures to fit more homes on the irregularly shaped portions of this lot. The site is not well suited for commercial development with limited access and residential adjacencies to the south and west. Low values for commercial

Attachment: Applicant's Justification Letter (1481 : ZA2017-0008: Monterey-Dobkin)

City Ventures

in this area would result in low density commercial development. Additionally, since this site is not immediately adjacent to downtown, commercial uses may detract from the goal of focusing business activities in the downtown core. A well designed residential project in this location will increase the number of pedestrians able to walk into the downtown core, approximately .6 miles away from the proposed project, which will not only maximize land use on this site but act as a catalyst for increased commercial densities in the Downtown core.

Policy CNF-13.4: Block-level Master Plans. Require mixed use flex developments to a prepare block-level master plan to ensure well-planned development.

City Ventures is part of a residential block very close to the KB Home project *Monterey Parque*, which completed a block level master plan that found that the site was suited for a residential only project and was entitled without any commercial uses. With residential development across Monterey Road at Solera Ranch and to the south at Monterey Parque, development of this site completes the leftover portion of this block.

Action CNF-13.A: Monterey Road Infrastructure. Provide infrastructure improvements, as appropriate, to stimulate development along Monterey Road.

The Monterey Parque project and the Solera Ranch Project completed a good portion of the infrastructure improvements in this northern portion of Monterey. This project will provide the supplemental infrastructure funds to finish the infrastructure on both sides of this block and help the City complete this vital gateway into downtown Morgan Hill. These include traffic signal improvements, road improvements and storm water improvements that will enhance the entryway into downtown Morgan Hill.

2. **Explain how the proposed Zoning Classification Amendment is in conformance with the General Plan.**

This rezone simply updates the zoning to reflect the current General Plan designation. City Ventures' proposal to rezone the property to R-3 brings the site into conformance with the General Plan. The current ML Light Industrial Zoning is not consistent with the Mixed Use Flex General Plan designation, as the Mixed Use Flex "allows for a mix of residential, commercial, and office uses", but not industrial. Similar findings were made for KB Home Monterey Parque development next door. The General Plan allows land with this designation to be developed as solely residential if the site is consistent with surrounding block.

This site is part of new residential neighborhood that includes Solera Ranch and Monterey Parque. Given the site will only have a single point of entry and very low visibility it is not conducive to commercial uses. Completing this block will enhance the goal of residents living close to the core verse sprawling outward. Placing residents within easy walking distance to Downtown will also further fuel commercial development in the central Downtown core and help with the City's goal of getting more businesses to locate downtown.

Attachment: Applicant's Justification Letter (1481 : ZA2017-0008: Monterey-Dobkin)

City Ventures

3. **Explain the purpose of the amendment?**

As noted above, the purpose of this Zoning Map Amendment request is to bring the site into conformance with the current General Plan designation. Additionally, infrastructure improvements from this development will complete the block and will help avoid future traffic issues, help cope with storm water inundation, and will build out of the northern Monterey corridor, welcoming people into a pedestrian friendly Downtown with higher density homes in close proximity to Downtown entertainment, dining and shopping

A new traffic signal is currently being installed on Monterey Road at Old Monterey Road. Our proposed project will be the fourth and final leg in that new intersection. While the proposed project will align with that intersection, the construction of the intersection will not be fully complete until the entire intersection can be opened. City Ventures would like to complete the construction to allow for normal traffic patterns and to prevent any further delay in completing the intersection. Additionally, Public Works has expressed a desire to move a PG&E pole that is currently blocking part of the new traffic signal. Public Works has expressed a safety concern about the PG&E pole, but the lack of a public utility easement prevents the relocation of that pole onto the proposed property. City Ventures will prioritize moving that pole and completing the intersection when developing this project.

Second, Monterey Road dips below the railroad track adjacent to the subject property. As part of our proposed RDCS commitment City Ventures' intends to contribute towards storm water improvements in the area. This possibility that this dip could fill with water, therefore blocking a major road into downtown, needs to be addressed and by developing the adjacent property this specific issue will be studied. Ensuring that this major artery through downtown stays open even in the harshest weather will be vital in maintaining a thriving downtown.

Additionally, this is a remnant site in the northern section of the Monterey Road Infill Corridor, and there is the opportunity to complete the build out of the area as a gateway into Downtown. Two sites in the immediate vicinity are currently under construction, and this project presents the opportunity to complete construction and create an attractive entrance to anyone entering downtown via Monterey. This will also allow for construction in the area to be completed in the near future, allowing the neighborhood to return to normalcy after several years of construction impacts. Turning the proposed site into a new residential development will also allow the area to complete any remaining infrastructure projects in the vicinity through City requirements to improve adjacent roadways and infrastructure with additional funds committed to the area through the RDCS process.

Finally, the General Plan won't allow industrial on the site and commercial uses would be challenging and would not maximize the density potential on this property. The primary concern for commercial uses will be the irregular shape of the site and the single point of access at the intersection due to the train tracks on the eastern side of the property. Due to the location of the new intersection, the site would have to construct an entry road, or perhaps the full parking lot, on the widest part of the site that would be best suited for new commercial construction. The

Attachment: Applicant's Justification Letter (1481 : ZA2017-0008: Monterey-Dobkin)

City Ventures

new construction would then have to be located on the northern part of the site, which tapers to a point, or would need to accommodate an entry road large enough to accept any deliveries and traffic generated by the new commercial use. Commercial construction requires greater depths to allow for front of house areas and back of house areas for storage and staff. The tapering width of the site prohibits such a building from being constructed on northern part of the site. Lastly, the surrounding residential developments have changed the nature of the area, and undoubtedly any new commercial development would see challenges from neighbors concerned about traffic, pollution and the specific activities that would be occurring onsite. Regular deliveries would have to be made through the single point of entry, and if large trucks are making those delivery, more area of the site would have to be dedicated to allow for truck turnaround areas, since all traffic will have to enter and exit the site at the location of the traffic signal.

Given the context of the block, the unique aspect of this site, and the surrounding land use, and the proposed development to complete the neighborhood, a Zoning Map Amendment to bring the site into conformance with the General Plan makes sense.

Attachment: Applicant's Justification Letter (1481 : ZA2017-0008: Monterey-Dobkin)

RESOLUTION NO. 17-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF ZONING AMENDMENT ZA2017-0008 TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 5.66 GROSS ACRE SITE LOCATED ON THE EAST SIDE OF MONTEREY ROAD OPPOSITE THE SOUTHERLY TERMINUS OF OLD MONTEREY ROAD (ASSESSOR PARCEL NUMBER 726-25-006) FROM THE ML – LIGHT INDUSTRIAL ZONING DISTRICT TO THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT.

WHEREAS, an application for rezoning of the property located at 18110 Monterey Road, APN 726-25-006 was made by the applicant, City Ventures ("Applicant"), on behalf of the of the property owner, Robert C Dobkin Trustee & et al ("Owner"), from the ML – Light Industrial Zoning District to the R-3 Medium Density Residential District to be consistent with the General Plan;

WHEREAS, the General Plan designates the above referenced parcel as Mixed Use Flex;

WHEREAS, such application was considered by the Planning Commission at their regular meeting of November 14, 2017 at which time the Planning Commission recommended approval of application ZA2017-0008: Monterey - Dobkin; and

WHEREAS, the project site was reviewed as part of Master Environmental Impact Report for the 2035 General Plan update and has been found consistent with the requirements of the California Environmental Quality Act. No new environmental effects peculiar to the property or the project and no new information has been identified, and thus additional environmental review is not required pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183; and

WHEREAS, the Zoning Amendment complies with the General Plan as required by Government Code Section 65860; and

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

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

SECTION 1. The proposed zoning amendment is in general conformance with the General Plan.

SECTION 2. The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.62.050 of the Municipal Code.

Attachment: DRAFT Resolution (1481 : ZA2017-0008: Monterey-Dobkin)

SECTION 3. Further development and any future building additions shall comply with the site development standards of the R-3 Medium Density Residential District.

SECTION 4. The Planning Commission recommends that the City Council approve the Zoning Amendment from ML – Light Industrial to the R-3 Medium Density Residential District to the site described attached hereto, as Exhibit "A", Legal Description and Exhibit "B" Zoning Plat and by this reference incorporated herein.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2017, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES:	**COMMISSIONERS:**	**MCKAY, DOWNEY, TANDA, MARTINEZ BELTRAN, MUELLER, HABIB, MIGUEL MUNOZ MORRIS**
NOES:	**COMMISSIONERS:**	**NONE**
ABSTAIN:	**COMMISSIONERS:**	**NONE**
ABSENT:	**COMMISSIONERS:**	**NONE**

ATTEST:

JENNA LUNA, Deputy City Clerk

APPROVED:

JOHN McKAY, Chair

Date: _____

F:\WP51\Zoning Amendment\2017\ZA2017-0008 Monterey - Dobkin\Resolution No. 17-XX.docx

EXHIBIT "A"

Attachment: DRAFT Resolution (1481 : ZA2017-0008: Monterey-Dobkin)

LEGAL DESCRIPTION

Real property in the City of Morgan Hill , County of Santa Clara, State of California, described as follows:

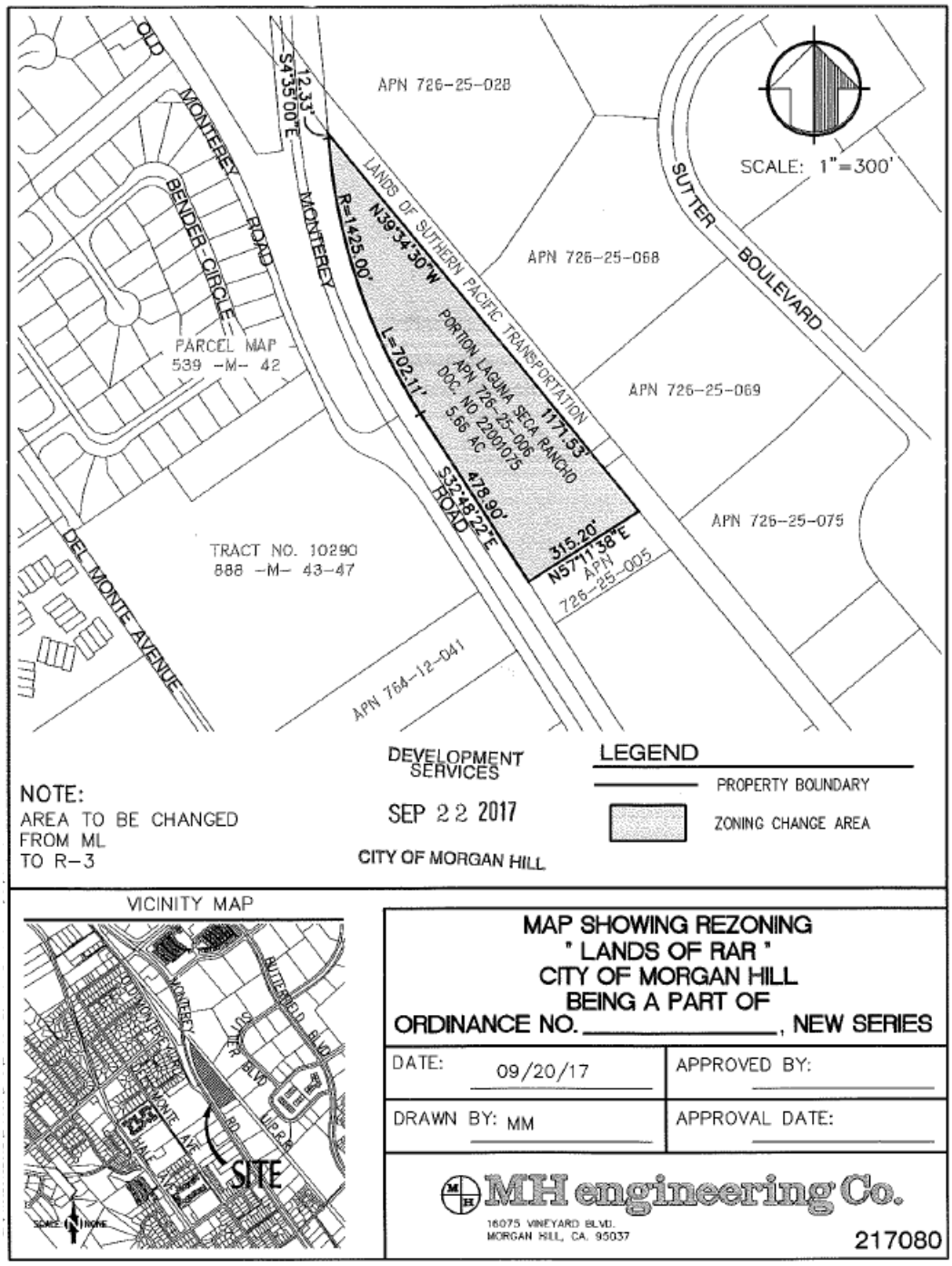
A PORTION OF THE LAGUNA SECA RANCHO LYING WEST OF THE SOUTHERN PACIFIC TRANSPORTATION COMPANY RIGHT OF WAY AND EAST OF THE MONTEREY STREET RIGHT OF WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY OF MONTEREY STREET AS ESTABLISHED BY GRANT DEED RECORDED AUGUST 31, 1938, IN BOOK 893, OFFICIAL RECORDS, PAGE 167, SANTA CLARA COUNTY RECORDS, SAID POINT BEING N. 32° 46' W. 1247.24 FEET FROM THE MOST SOUTHERLY POINT DESCRIBED IN SAID GRANT DEED FOR PARCEL III, AND BEING ALSO N. 32° 46' W. 119.15 FEET FROM THE MOST WESTERLY CORNER DESCRIBED IN THE GRANT DEED RECORDED ON AUGUST 15, 1956, IN BOOK 3579, OFFICIAL RECORDS, PAGE 15, SANTA CLARA COUNTY RECORDS; THENCE FROM SAID POINT OF BEGINNING, ALONG THE EASTERLY RIGHT OF WAY LINE OF MONTEREY STREET, N. 32° 46' W. 478.90 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1425 FEET, A CENTRAL ANGLE OF 28° 11', AND AN ARC LENGTH OF 700.95 FEET; THENCE N. 04° 35' W. 12.33 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE LANDS OF SOUTHERN PACIFIC TRANSPORTATION COMPANY; THENCE ALONG SAID RIGHT OF WAY, S. 39° 34' 30" E. 1171.04 FEET; AND THENCE S.57° 14' W. 313.59 FEET TO THE EASTERLY RIGHT OF WAY LINE OF MONTEREY STREET AT THE POINT OF BEGINNING.

APN: 726-25-006

Attachment: DRAFT Resolution (1481 : ZA2017-0008: Monterey-Dobkin)

EXHIBIT "B"



Attachment: DRAFT Resolution (1481 : ZA2017-0008: Monterey-Dobkin)

CITY OF MORGAN HILL

PLANNING COMMISSION STAFF REPORT
MEETING DATE: November 14, 2017

PREPARED BY: Gina Paolini, Interim Principal Planner
APPROVED BY: Jennifer Carman, Community Development Director

AAE2017-0039: MONTEREY - UHC: REQUEST FOR A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM EXTENSION FOR SEVEN RESIDENTIAL BUILDING ALLOTMENTS. ASSESSOR PARCEL NUMBER(S) 817-36-032 AND 033, ARE LOCATED ON THE NORTHEAST CORNER OF MONTEREY ROAD.

RECOMMENDATION(S)

1. Adopt a Resolution granting a one-year RDCS extension for seven (7) residential allotments.

POLICY CONSIDERATIONS:

1. Is the RDCS Extension request consistent with the City's adopted Eligibility Criteria?

PROJECT SUMMARY:

1. Location: Northeast corner of Monterey Road and Bisceglia Avenue (APN's: 817-36-032 and 033)
2. Site Area: 1.62 Acres
3. General Plan: Mixed Use (MU)
4. Zoning: Central Commercial/Residential District-Planned Unit Development (CC-R/PUD)

BACKGROUND:

The City Council adopted Resolution No. 15-050 on March 4, 2015, reaffirming the award of seven, Fiscal Year 2016-2017 residential allotments to the project site. On January 12, 2016, the Planning Commission adopted Resolution No. 16-02 awarding the project an additional 32, Fiscal Year 2017-2018 residential allotments for full project buildout. The following extension has been granted to the project:

Approval Date	Document No.	Approver	Extension Granted
May 16, 2017	Certificate No. 17-013	Community Development Director	6-Months

The seven, Fiscal Year 2016-2017 residential allotments have been extended for 6 months, with a commencement of construction deadline of December 30, 2017. The 32 allotments have a commencement of construction deadline of June 30, 2018 and are eligible for one, administrative six-month extension, which the applicant has requested. The Community Development Director will consider the administrative extension following this Planning Commission action. If granted, all allotments would have a commencement of construction deadline of December 30, 2018.

PROJECT DESCRIPTION

The project applicant, Urban Housing Communities LLC (UHC) is requesting a one-year extension for seven (7) residential allotments awarded on March 4, 2015 to Application No. MC-14-17: Monterey-UHC. In the Letter of Justification (Attachment 2) dated October 16, 2017, it is stated that UHC, an affordable housing developer, has been in the process of determining a feasible funding mechanism for the project. The extension is needed to secure funding and complete the entitlement process.

ANALYSIS:

RDCS Extensions may be granted by the Planning Commission pursuant to Section 18.78.170 (Extensions) of the Morgan Hill Municipal Code. The following is required to be eligible for an extension:

1. The Planning Commission may approve an extension only when the City or other public agency is responsible for a delay (evaluated on a case-by-case basis) in the issuance of permits or granting approvals required to exercise the allotments, or due to an earthquake, flood, fire, or other severe act of nature outside of the

applicant's control. It is the applicant's responsibility to provide evidence that the request is consistent with this requirement.

2. The Planning Commission may not approve an extension for any reason other than in the above paragraph, including but not limited to difficulties obtaining financing, changes to the project not required by the City or other public agencies, applicant delays responding to requests from the City or other public agency, personal circumstances of the applicant, or changes in property ownership.

In addition to the extensions previously granted, a project may receive no more than one extension for a maximum one additional year period, if the Planning Commission can make the above findings.

Although the Planning Commission may not consider approval of an extension because a project has difficulty obtaining financing, the City believes this particular case is unique. UHC, as an affordable housing developer, needs government subsidized financing prior to initiating entitlements and construction. Obtaining the required financing is significantly more challenging for affordable housing. Initially, the City of Morgan Hill caused a delay because it was unable to commit to fund the UHC project due to prior commitments made to another affordable housing developer (EAH Housing), currently building the scattered site project within the City. Although initially unable to commit to UHC, the City continued to work to find a path forward and a comfort level for funding the project.

On June 28, 2017, the City Council conditionally approved funding for the UHC project in the amount of $750,000.00, contingent on UHC's ability to obtain the remaining gap funding in the amount of $5,750,000.00 from other entities. UHC has remained vigilant in finding additional funding sources and has worked with the City and Santa Clara County representatives, and has submitted a Notice of Funding Availability (NOFA) application with Santa Clara County for funding through the 2016 Measure A Affordable Housing Bond (Housing Bond). This funding is available for the development of new, permanent affordable housing for the community's most vulnerable populations.

The County has been reviewing NOFA applications and has provided positive feedback regarding the UHC application. The Santa Clara Board of Supervisors will be meeting on November 14, 2017, where they are expected to fund awards, which includes the UHC project. Based on support expressed by both the City of Morgan Hill and Santa Clara County, UHC has started preparing the entitlement documentation, including architectural plans and the National Environmental Policy Act (NEPA) compliance documentation. It is UHC's goal to complete the entitlement process by March 2018 to participate in the tax credit application process. Construction would begin August 2018.

The delay with completing the project and meeting the commencement of construction deadline are a direct result of the City of Morgan Hill and Santa Clara County having the inability to commit to fund the project early in the process. UHC has been working to obtain financing from the onset, and is confident in their success, and believes that a

one-year RDCS extension would allow for the project to be built as proposed.

Conclusion

Public agencies (including Morgan Hill and Santa Clara County) have contributed to the delay in processing of the project by not providing a funding source for the project until June 2017. Because only partial funding was received, UHC continued to explore other various funding opportunities to move the project forward. It is believed that the requested RDCS extension, although it does include a funding component, is unique in that affordable housing is not built without governmental subsidies, and that the delay was caused by those agencies unable to commit to the requested subsidy. For this reason, the project is eligible for a one-year RDCS extension. Believing that funding is imminent, UHC has begun to work towards NEPA compliance and entitlement processing, with the preparation of site and architectural plans.

California Environmental Quality Act (CEQA):

An Environmental Impact Report (EIR) for the Morgan Hill 2035 Project, which included the Residential Development Control System (RDCS) Update, was prepared in accordance with the California Environmental Quality Act (CEQA) and certified by the Morgan Hill City Council on July 27, 2016. (SCH #2015022074). The RDCS process has already been analyzed, and action taken to extend an allotment is not a new impact requiring additional review. Any development that occurs in the future will be subject to development standards of the zone district and will undergo an independent analysis pursuant to the requirements of CEQA.

LINKS/ATTACHMENTS:
1. Resolution
2. Letter of Justification

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL APPROVING APPLICATION NO. AAE2017-0039 FOR A ONE-YEAR EXTENSION FOR SEVEN (7) RESIDENTIAL ALLOTMENTS AWARDED TO APPLICATION NO. MC-14-17: MONTEREY-UHC (APN 817-36-032 AND 033)

WHEREAS, the City Council adopted Resolution No. 15-050 on March 4, 2015, reaffirming the awarded of seven residential allotments for Application No. MC-14-17: Monterey-UHC for Fiscal Year 2016-17; and

WHEREAS, proposed residential developments must proceed according to an approved development schedule; and

WHEREAS, allotments that are not exercised or commenced will expire the day following their exercised or commencement date; and

WHEREAS, on May 16, 2017 the Community Development Director granted a 6-month extension to the residential allotments (Certificate No. 17-013); and

WHEREAS, on October 16, 2017 an additional one-year RDCS extension was requested for 7 residential allotments; and

WHEREAS, pursuant to 18.78.170 of the Morgan Hill Municipal Code, the Planning Commission may grant an extension to the residential allotments only when the City or other public agency is responsible for a delay in the issuance of permits or granting approvals required to exercise the allotments, or due to an earthquake, flood, fire, or other severe act of nature outside of the applicant's control. It is the applicant's responsibility to provide evidence that the request is consistent with this requirement; and

WHEREAS, the Planning Commission may not approve an extension for any reason other than in the above paragraph, including but not limited to difficulties obtaining financing, changes to the project not required by the City or other public agencies, applicant delays responding to requests from the City or other public agency, personal circumstances of the applicant, or changes in property ownership; and

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

WHEREAS, such request was considered by the Planning Commission at their regular meeting of November 14, 2017, at which time the Planning Commission approved Application No. AAE2017-0039: Monterey-UHC; and

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

Attachment: Resolution (1474 : AAE2017-0039: Monterey - UHC (RDCS Extension))

SECTION 1. Pursuant to Section 18.78.170.F of the Morgan Hill Municipal Code, the Planning Commission determined that the City of Morgan Hill and other public agencies were unable to commit to fund the affordable housing project which is dependent on public funding and is responsible for the delay that the applicant has encountered. Because of this delay and uncertainty in public funding, the applicant has been unable to process the required entitlements and obtain the necessary permits and approvals required to commence construction.

SECTION 2. The Planning Commission hereby approves Application No. AAE2017-0039 for a one-year extension for 7 residential allotments awarded to Application No. MC-14-17: Monterey-UHC.

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2017, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

ATTEST:

Jenna Luna, Deputy City Clerk

APPROVED:

John McKay, Chair

Date: _____

Attachment: Resolution (1474 : AAE2017-0039: Monterey - UHC (RDCS Extension))

October 16, 2017

UHC COMMUNITIES

Ms. Gina Paolini
Interim Principal Planner
17575 Peak Avenue
Morgan Hill, CA 95037

DEVELOPMENT SERVICES
OCT 16 2017
CITY OF MORGAN HILL

Re: Application: MC-14-17: Monterey-UHC

Dear Ms. Paolini:

This letter shall serve as our official request for a one year extension of time for our 7 allotments for fiscal year 2016-2017 and a six-month extension of time for our 32 allotments for 2017-2018. Below is an outline for our request:

Allotments	Fiscal Year	Construction Start Deadline	6-Mo. Extension	1-Year Extension
7	2016-2017	Dec. 31, 2017	Prev. Granted	Dec. 31, 2018
32	2017-2018	June 30, 2018	Dec 30, 2018	

As this is an affordable housing development, finding the funding for this development can be challenging as funding sources are oversubscribed. Thus, to apply for funding, one must provide evidence, they have the local support and entitlements to move forward. Given Morgan Hill's slow growth initiative, the first step for us must be to secure an allocation of permits.

Well before applying for the first allocations listed above, we had been in discussions with Ms. Garcia, to secure City financing. Initially, this project was behind the EAH affordable housing development the City had committed to funding. Once the City had finished their commitment to the EAH development, they began to focus on this development. Unfortunately, the City's financial commitment to the EAH project increased and the City was evaluating the timing in which funds would likely be returned in relationship to project timing. Further, the City needed to evaluate its own housing administration cost and its below market rate ownership cost of administrating its program as a current and long-term priority. Having just expended $4 million plus on the EAH project, the City is being cautious before proceeding to fund the next project without an RDA steady source of affordable housing income. These issues have prevented the City from making the necessary financial commitment. Therefore, we have been slowed down while trying to figure out a feasible funding mechanism.

That said, Ms. Garcia has been having discussions with the County for over a year regarding their possible capacity to help financially support this opportunity. In November of 2016, voters of Santa Clara County approved a $950 million bond measure to provide a range of affordable housing. Since then, we have been in discussions with Ms. Garcia, and Ms. Consuelo Hernandez, Housing and Community Development Program Manager for the County of Santa Clara to discuss the expected parameters of their program and garner support for this development.

uhcllc.net
2000 E. Fourth Street, Suite #205
Santa Ana, CA 92705
tel 714.83
fax 714.83

Attachment: Letter of Justification (1474 : AAE2017-0039: Monterey - UHC (RDCS Extension))

On September 26, 2017, the County issued their NOFA and on October 13, 2017, we submitted our funding application to the County. The County is very supportive of this development, and we anticipate this project will be approved for funding in January. Based on the City and County verbal support, we have kicked off the architect, environmental reports and NEPA study. Our goal is to have entitlements done for our tax credit and bond application due in March. Should we miss the March application deadline, we will apply in May.

Finding the necessary funding has been challenging. However, based on our discussions with the County, we feel confident we will obtain the County funding necessary to close the financing and move forward to completing this very exciting housing community.

We appreciate your support in this effort to bring this affordable housing development to reality.

Regards,

John Bigley
Chief Operating Officer

Attachment: Letter of Justification (1474 : AAE2017-0039: Monterey - UHC (RDCS Extension))

CITY OF MORGAN HILL

PLANNING COMMISSION STAFF REPORT
MEETING DATE: November 14, 2017

PREPARED BY: Gina Paolini, Interim Principal Planner
APPROVED BY: Jennifer Carman, Community Development Director

RDCS 2017-0001: E. DUNNE - KRUSE: REQUEST FOR A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM EXTENSION FOR THREE RESIDENTIAL BUILDING ALLOTMENTS. ASSESSOR PARCEL NUMBER 728-01-002, IS LOCATED ON THE NORTH SIDE OF EAST DUNNE AVENUE.

RECOMMENDATION(S)

1. The application has been withdrawn. No action necessary.

CITY OF MORGAN HILL

PLANNING COMMISSION STAFF REPORT
MEETING DATE: November 14, 2017

PREPARED BY: John Baty, Principal Planner/Development Services
APPROVED BY: Jennifer Carman, Community Development Director

GENERAL PLAN AMENDMENTS, GPA2017-0001 AND -0002: CITY OF MORGAN HILL. AMENDMENTS TO THE MORGAN HILL 2035 GENERAL PLAN TO CORRECT MISCELLANEOUS LAND USE MAP AND TEXT ERRORS.

RECOMMENDATION(S)

1. Adopt Resolution Recommending City Council approval of the General Plan Amendments.

2. No further CEQA action is required.

BACKGROUND:

The Morgan Hill 2035 General Plan, a comprehensive update of the City's 2001 General Plan, was adopted by the City Council (Resolution 16-128) on July 27, 2016.

The purpose of the proposed City initiated General Plan Amendments is to correct several mapping and text errors that have been identified during the first 15 months of implementing the General Plan. The proposed amendments include corrections to maps/figures and/or text within Chapter 3 – City and Neighborhood Form and a text clarification within Chapter 8 – Natural Resources and Environment.

California Government Code Section 65358(b) and Morgan Hill City Council Policy CP-07-05 state that no mandatory element of the General Plan may be amended more frequently than four times per year with the clarification that each amendment may include more than one change. Chapter 3 – City and Neighborhood Form and Chapter 8 – Natural Resources and Environment of the Morgan Hill 2035 General Plan correspond to the mandatory General Plan elements Land Use and Conservation, respectively.

If approved, the proposed amendments would be the first and only amendments to the General Plan in 2017.

ANALYSIS:

Exhibit A to the attached draft Planning Commission Resolution includes maps and other information regarding the proposed map, figure, and text corrections described below.

GPA2017-0001: Land Use Map – Correct Various Types of Mapping Errors

The mapping errors and the proposed Land Use Map corrections are grouped into one of the following four categories labeled A through D:

A. **Land Use Designations inadvertently changed**

1. The General Plan Land Use Map designation for this site located on the west side of Monterey Road northerly of Watsonville Road was inadvertently changed to all Open Space. The site should be changed back to a combination of Open Space (parcel owned by Water District), Residential Attached Medium (residential part under construction), and Commercial (undeveloped portion along Monterey Road that is zoned CG – General Commercial).

2. The Land Use designation for this undeveloped site on the east side of Condit Road northerly of East Dunne Avenue, located within the unincorporated County and outside of the City's Urban Service Area was inadvertently changed to Open Space. This site should be changed back to Residential Detached Medium to match the adjacent parcels between Condit Road and Murphy Avenue, south of Diana Avenue.

3 to 6. The Open Space Land Use designation was inadvertently removed from portions of parcels that generally define the boundary of Tennant Creek in the Southeast Quadrant part of the City. These areas are all located within the unincorporated County and outside of the City's Urban Service Area and should be changed back to Open Space.

B. **Land Use Designation does not reflect direction from General Plan Adoption hearing(s)**

1. The Land Use designation(s) for this area at the northeast corner of West Dunne Avenue and Del Monte Avenue, located within the Downtown Specific Plan (DTSP), was the subject of discussions before the Planning Commission and City Council. The map as published for the City Council adoption hearings showed the area with the Residential Detached High designation as recommended by Planning Commission. The City Council ultimately decided to change the designation (back to) Residential Attached Low to better match existing development, a proposed development project along West Dunne Avenue, and the designation that existed for the area prior to adoption of the DTSP.

2. During the General Plan Update process, while reviewing the Draft Land Use Map, several participants including members of the Planning Commission and City Council remarked that the map under-represented the amount of open space land that exists throughout the City, including private open space lands. Near the conclusion of the General Plan Update process, staff identified several areas that could be identified on the Land

Use Map as Open Space. This neighborhood located at the southwest corner of East Dunne Avenue and Hill Road was one of those areas. Only the larger open space (park) areas were identified during the General Plan Update process, but there are several other smaller areas that could also be shown as Open Space.

3. This site located on the west side of Old Monterey Road near the new intersection with Monterey Road was, along with the adjacent City Ventures site, designated Mixed Use Flex on the published Draft Land Use Map during the General Plan adoption hearings in 2016. The City Council changed the City Ventures site back to the Residential Attached Low designation to match the approved/under construction project and changed the highlighted site to Residential Detached Medium to more closely relate to the single-family detached homes of the City Ventures project and to the existing single-family detached neighborhood to the north.

C. **Land Use Designation changed during the General Plan Update process, but does not reflect existing zoning and/or approved/under construction/built project. General Plan Land Use Designation should be changed back to:**

1. Open Space to match the Open Space zoning.

2. Residential Attached Low to match the R-2 3,500 (PD) zoning and existing duet development.

3. Residential Detached High to match the R-1 4,500 (PD) zoning.

4. Residential Downtown to match the R-4 zoning and approved/under construction multi-family project.

5. Residential Detached Low consistent with the existing County subdivision of built single-family detached homes.

6. Residential Attached Low to match the R-2 3,500 (RPD) zoning and approved/under construction project.

D. **Land Use Designation does not, and did not under previous General Plan, match existing zoning and/or approved/built project**

1. These two parcels located along the west side of Butterfield Boulevard north of Barrett Avenue are remnant parcels after the Butterfield extension. The Land Use designation for both should be changed to Commercial to reflect the commercial zoning, CS(PD) – Service Commercial (PD) for the northwesterly parcel and CN – Neighborhood Commercial for the southeasterly parcel.

2. This site has a commercial zoning and is developed with medical office. The Land Use designation should be changed from Residential Attached Low to Commercial to match the zoning and use.

3. These parcels located on the west side of John Telfer Drive north of West Main Avenue are zoned RE 40,000 and mostly developed with single-family detached homes. The Land Use designation should be changed from Open Space to Residential Estate.

4. This parcel located on the north side of Jackson Oaks Drive south of East Dunne Avenue is zoned Open Space. The Land Use Designation should be changed from Residential Detached Low to Open Space to match the zoning and use.

5. This is the site of the City of Morgan Hill Police Station on Vineyard Boulevard. The Land Use designation should be changed to Public Facilities to match the use.

GPA2017-0002: Text and Figure Corrections/Clarifications

The text corrections/clarifications are proposed within Chapter 3 – City and Neighborhood Form (E.) and Chapter 8 – Natural Resources and Environment (F.).

E. **Chapter 3 – City and Neighborhood Form**

1. Page CNF-2 Figure CNF-1 City Boundaries. Update map to show 2014 approval of Monterey Road No. 6 Annexation and Monterey-South of Watsonville Urban Service Area Amendment for area at the southwest corner of Monterey Road and Watsonville Road.

2. Page CNF-5 Growth Management Section and CNF-6 Figure CNF-2 Downtown. Delete references to RDCS Measures F and A.

3.a Page CNF-10 Table CNF-2 Summary of Land Use Designations. Update table to match Land Use designation descriptions.

3.b Page CNF-11 Residential Designations. Change “Secondary” to “Accessory” dwelling units pursuant to recent change in state law. Consistently use “unit(s) per net acre”.

3.c Page CNF-13 and 14 Mixed Use and Non-Residential Designations. Following City Council direction from Resolution No. 15-219 adopted September 2015 to remove height maximums from General Plan, remove height references from Land Use designation descriptions. In Mixed Use Flex description change the word “process” to “proceed”.

F. **Chapter 8 – Natural Resources and Environment**

1. Add reference to Santa Clara Valley Habitat Plan in Stream Channel Protection Policy NRE-5.6.

Conclusion
The proposed map, figure, and text corrections are consistent with direction provided by City Council during the General Plan Update process and/or with prior City Council land use and policy decisions.

As the Morgan Hill 2035 General Plan continues to be used by the community in the review of all types of City projects, staff will continue to track any identified errors or clarifications that could be corrected in a future amendment.

Community Engagement
The proposed General Plan Amendments were publicly noticed (newspaper legal noticing) for the minimum 10-day period.

Because the proposed map, figure, and text corrections do not represent a substantial amendment of the General Plan, the amendments were not referred to other entities (e.g., Santa Clara Valley Water District, Morgan Hill Unified School District, etc.) for review or comment.

CEQA (California Environmental Quality Act):
The project was reviewed and found to be consistent with California Environmental Quality Act (CEQA) Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) in that the proposed General Plan Amendments to correct miscellaneous Land Use Map and text errors are consistent with the Morgan Hill 2035 General Plan for which an Environmental Impact Report (EIR) was prepared in accordance with CEQA and certified by the Morgan Hill City Council (Resolution No. 16-127) on July 27, 2016 (SCH#2015022074).

There are no new environmental effects peculiar to the project that were not analyzed as significant effects in the Morgan Hill 2035 EIR and no new information that would result in potentially significant off-site impacts, cumulative impacts, or more severe impacts than discussed in the Morgan Hill 2035 EIR.

LINKS/ATTACHMENTS:
1. Resolution No. 17-XX
2. Resolution Exhibit A

RESOLUTION NO. 17-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENTS GPA2017-0001 AND GPA2017-0002 TO CORRECT MISCELLANEOUS LAND USE MAP, FIGURE AND TEXT ERRORS IN CHAPTER 3 – CITY AND NEIGHBORHOOD FORM AND ADD A TEXT CLARIFICATION IN CHAPTER 8 – NATURAL RESOURCES AND ENVIRONMENT IN THE MORGAN HILL 2035 GENERAL PLAN.

WHEREAS, such application was considered by the Planning Commission at their regular meeting of November 14, 2017 at which time the Planning Commission recommended approval of General Plan Amendment applications, GPA2017-0001 and GPA2017-0002: City of Morgan Hill; and

WHEREAS, the project was reviewed and found to be consistent with California Environmental Quality Act (CEQA) Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) in that the proposed General Plan Amendments to correct miscellaneous Land Use Map, figure, and text errors are consistent with the Morgan Hill 2035 General Plan for which an Environmental Impact Report (EIR) was prepared in accordance with CEQA and certified by the Morgan Hill City Council (Resolution No. 16-127) on July 27, 2016 (SCH#2015022074) and there are no new environmental effects peculiar to the project that were not analyzed as significant effects in the Morgan Hill 2035 EIR and no new information that would result in potentially significant off-site impacts, cumulative impacts, or more severe impacts than discussed in the Morgan Hill 2035 EIR; 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 proposed General Plan Amendments are found to be consistent with the policies and provisions of the Morgan Hill 2035 General Plan for which an Environmental Impact Report was prepared in accordance with the California Environmental Quality Act and certified by the Morgan Hill City Council on July 27, 2016.

SECTION 2. The Planning Commission recommends that the City Council approve the General Plan Amendments as described in the attached Exhibit "A", and by this reference incorporated herein.

Attachment: Resolution No. 17-XX [Revision 1] (1494 : General Plan Clean-up)

PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER 2017, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ATTEST: **APPROVED:**

JENNA LUNA, Deputy City Clerk **JOHN McKAY, Chair**

Date: _____

F:\WP51\GPA\2017\GPA2017-0001_and_-0002\Resolution No. 17-XX.docx

Attachment: Resolution No. 17-XX [Revision 1] (1494 : General Plan Clean-up)

EXHIBIT "A"

Morgan Hill 2035 General Plan

GPA2017-0001: Land Use Map Amendment

GPA2017-0002: Text Amendment

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

GPA2017-0001: Land Use Map

Correct Various Types of Mapping Errors:

A. Designation inadvertently changed

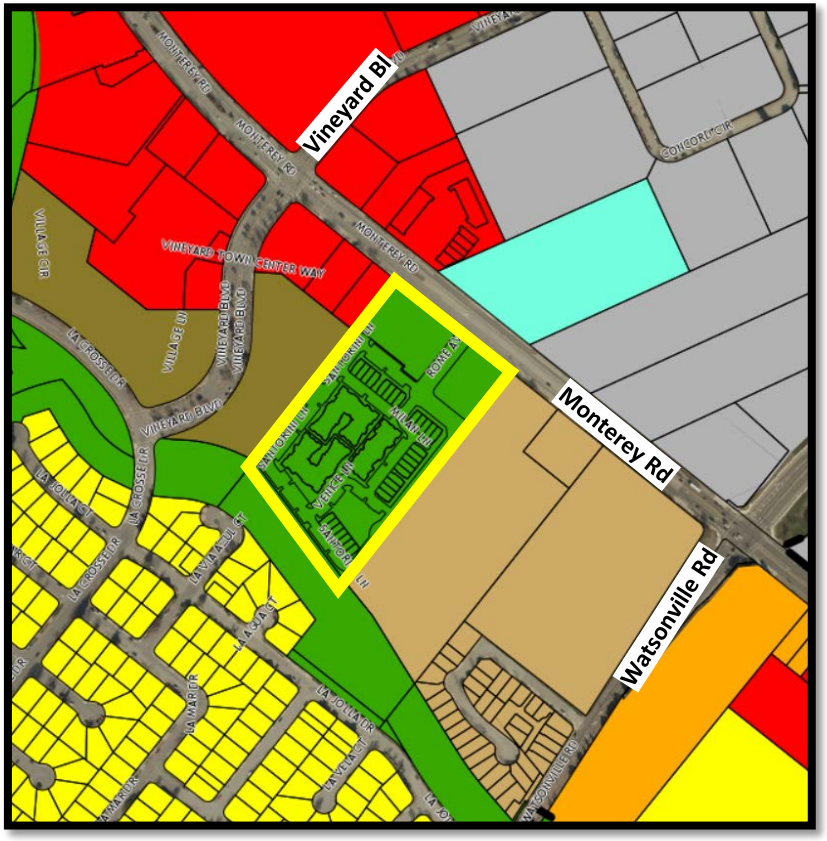
B. Designation does not reflect recommendation from General Plan adoption hearings

C. Designation changed during General Plan Update process, but does not reflect existing zoning and/or approved/under construction/built project.

D. Designation does not, and did not under previous General Plan, match existing zoning and/or approved/built project.

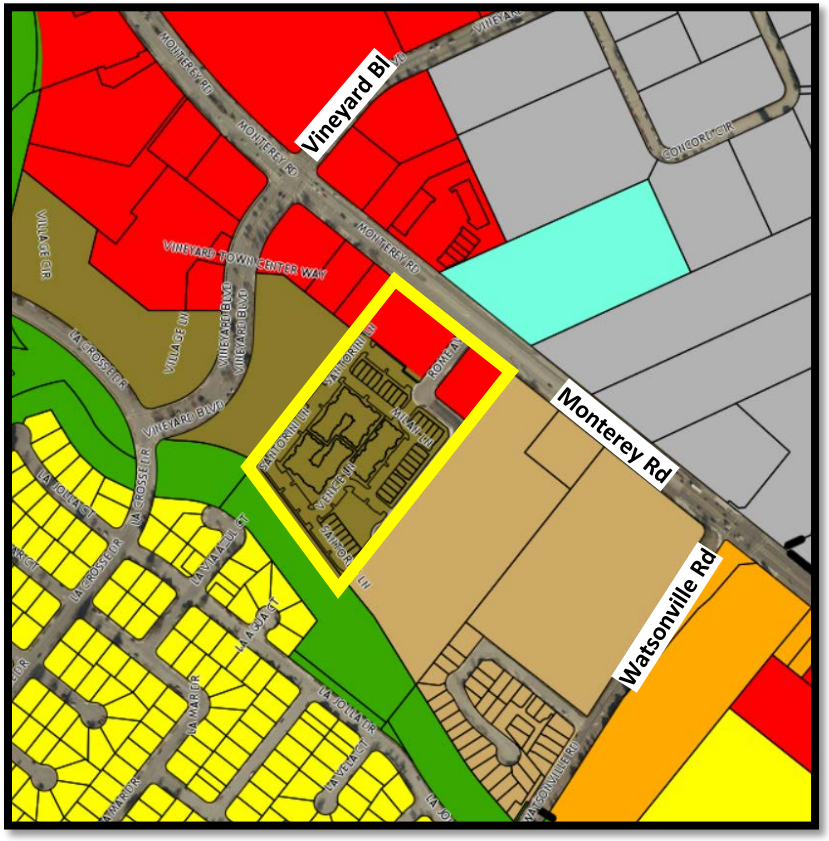
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Open Space

General Plan Land Use Map
with Proposed Correction

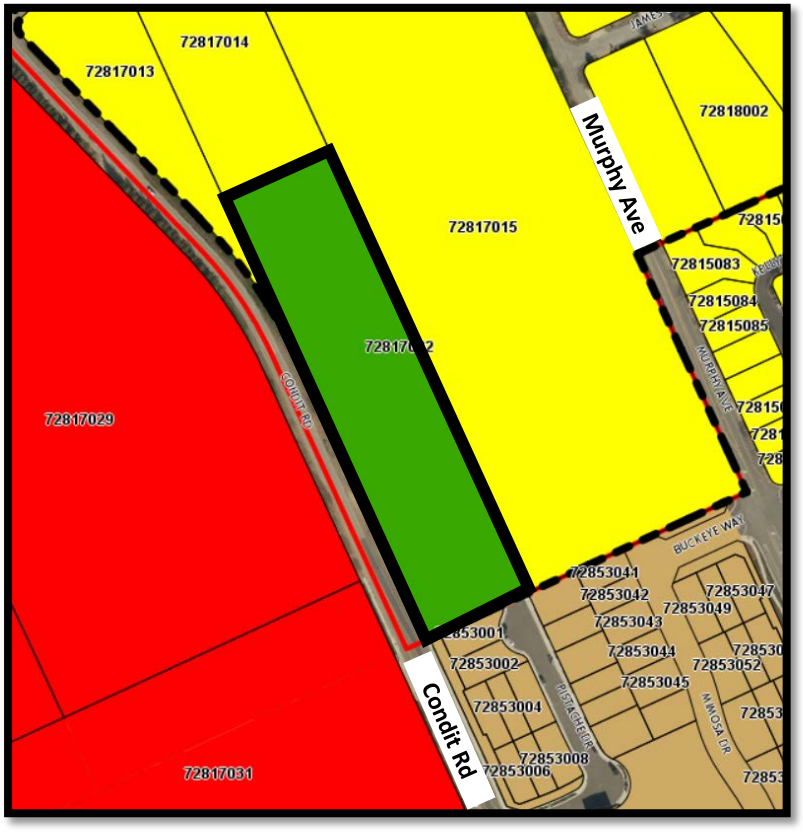


Open Space, Residential Attached Medium, Commercial

767-23-028 Open Space (owned by SCVWD). 767-54-010 and -011 Commercial; remaining 767-54 Residential Attached Medium (under construction).

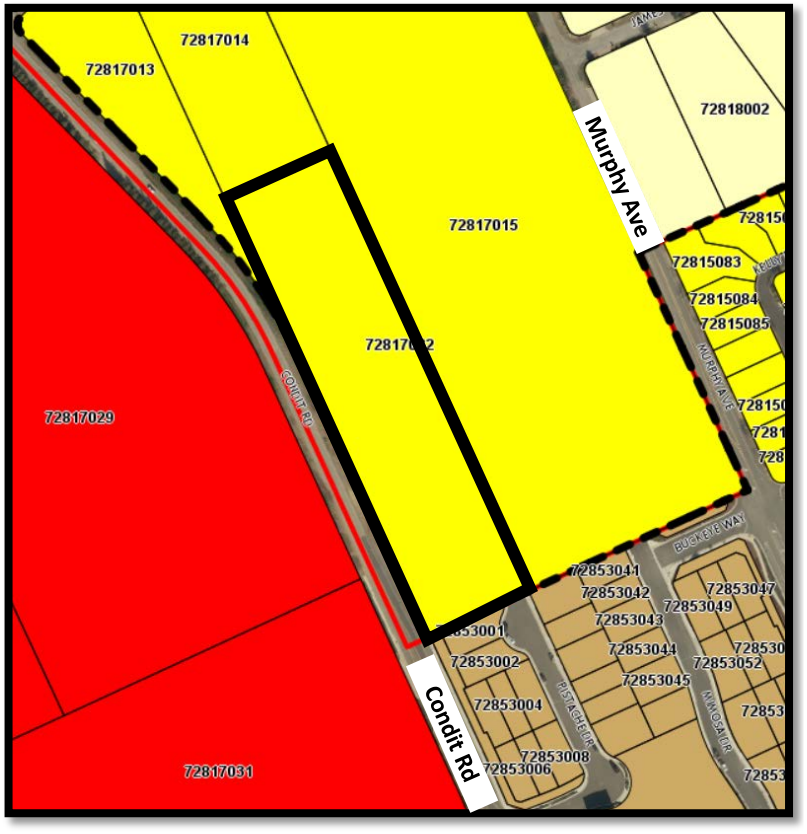
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Open Space

General Plan Land Use Map
with Proposed Correction



Residential Detached Medium

APN 728-17-032. Unincorporated County, outside Urban Service Area.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016

Residential Detached Medium

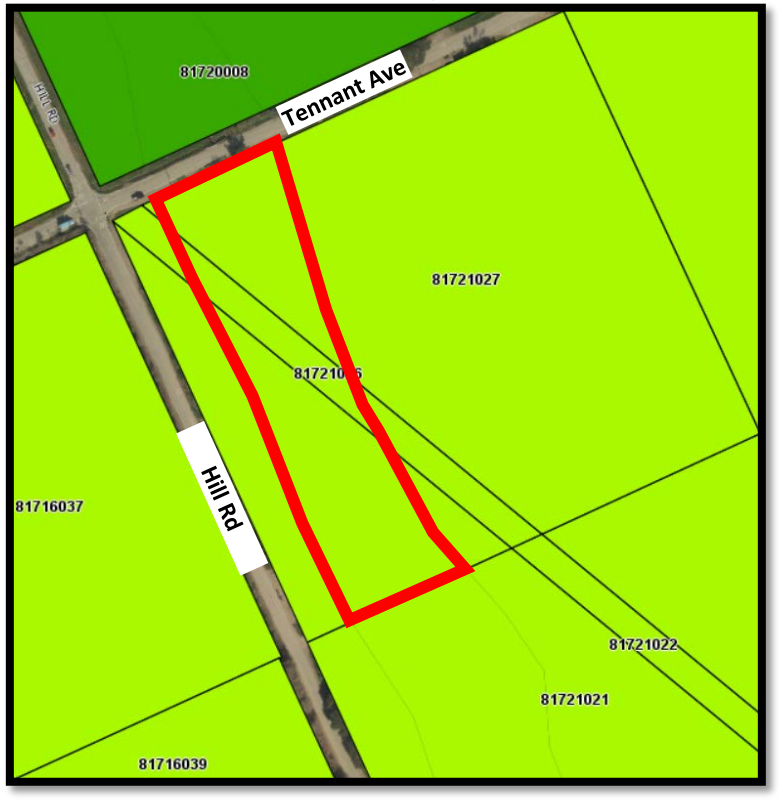
General Plan Land Use Map
with Proposed Correction

Open Space
(follows Tennant Creek)

APNs: 817-20-040 ptn. and -041 ptn. Unincorporated County, outside Urban Service Area. Follows Tennant Creek.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Rural County

General Plan Land Use Map
with Proposed Correction

Open Space
(follows Tennant Creek)

APNs: 817-21-026 ptn. and -027 ptn. Unincorporated County, outside Urban Service Area. Follows Tennant Creek.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016

Rural County

General Plan Land Use Map
with Proposed Correction

Open Space
(follows Tennant Creek)

APN 817-21-021 ptn. Unincorporated County, outside Urban Service Area. Follows Tennant Creek.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016

Rural County

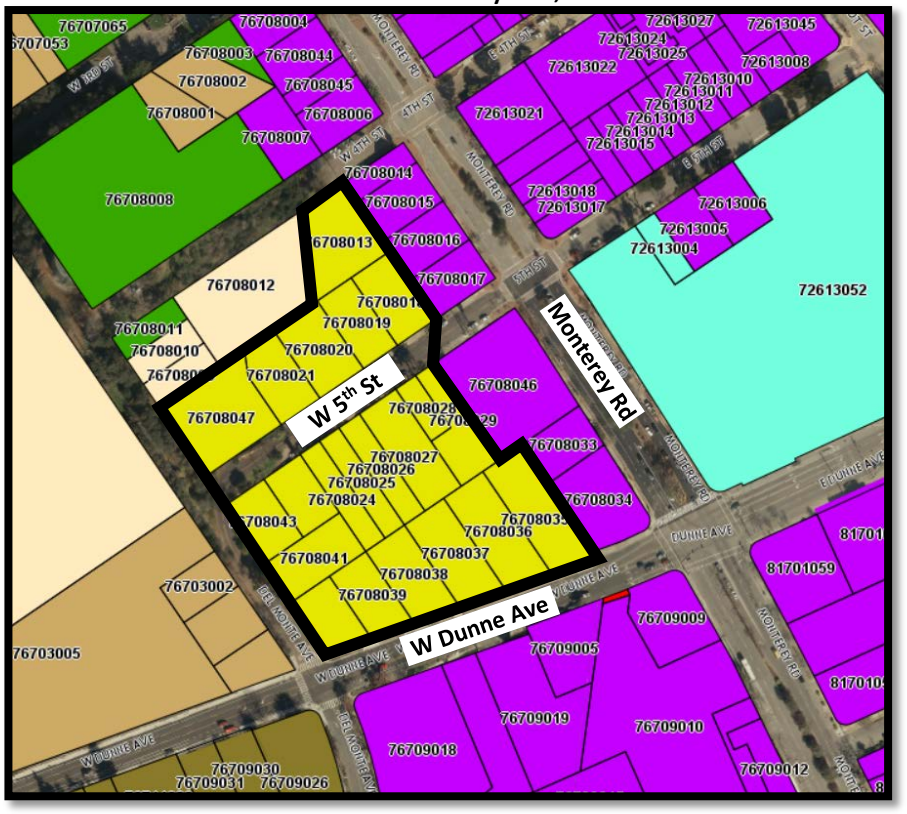
General Plan Land Use Map
with Proposed Correction

Open Space
follows Tennant Creek

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

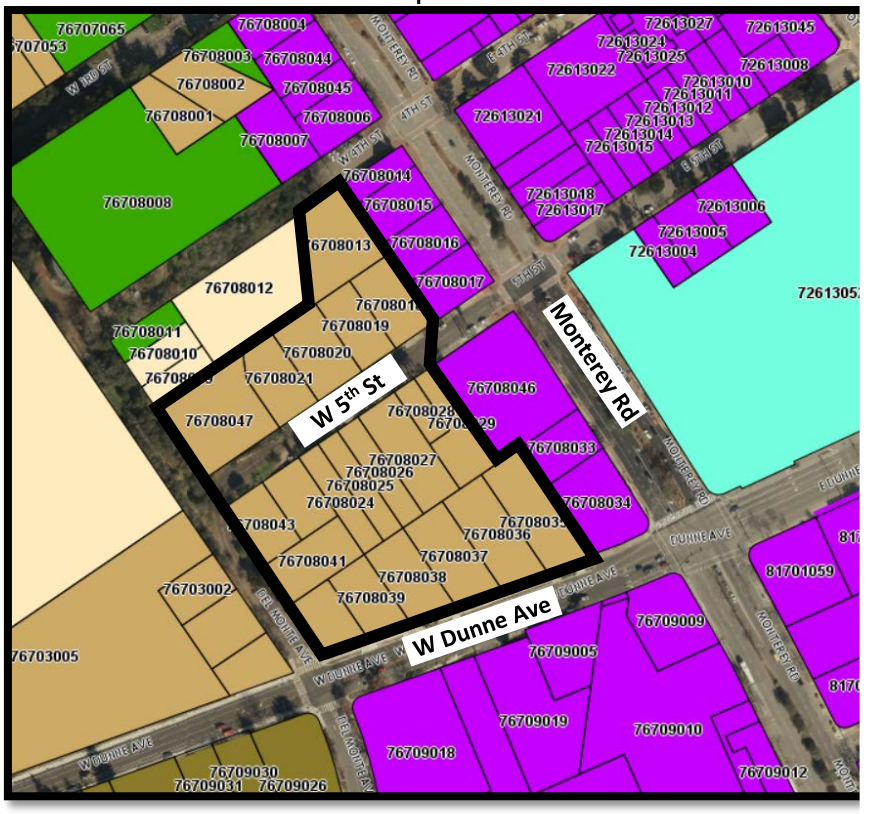
APNs 817-21-001 ptn. and 817-15-014 ptn. and 817-15-011 ptn. Unincorporated County, outside Urban Service Area. Follows Tennant Creek.

General Plan Land Use Map
as Published July 26, 2016



Residential Detached High

General Plan Land Use Map
with Proposed Correction

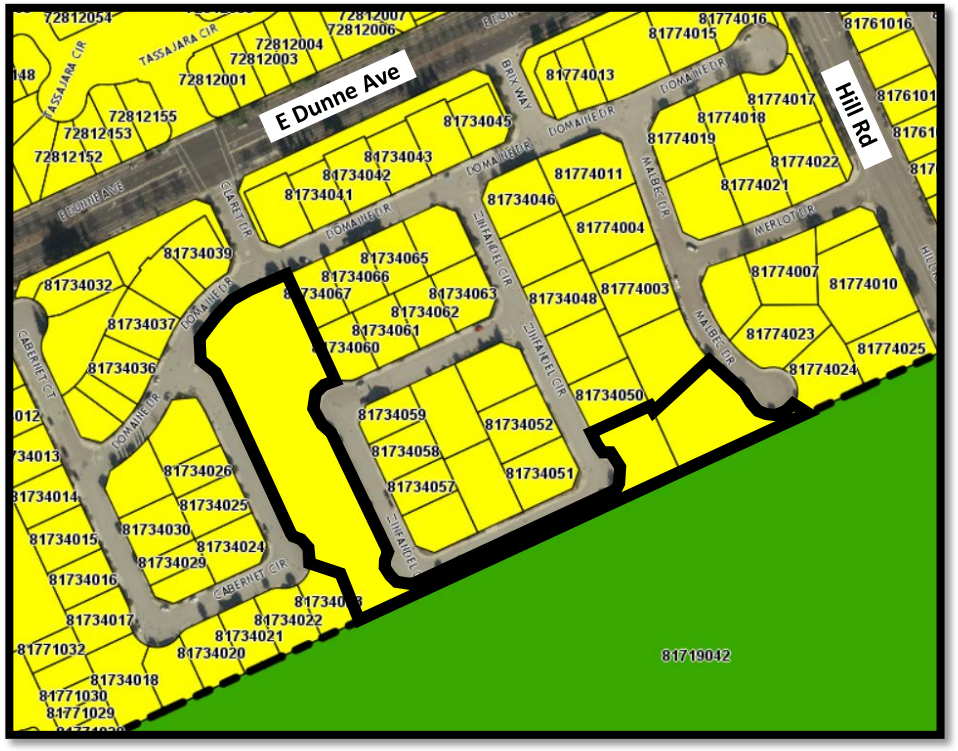


Residential Attached Low
(changed at July 2016 adoption hearing)

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

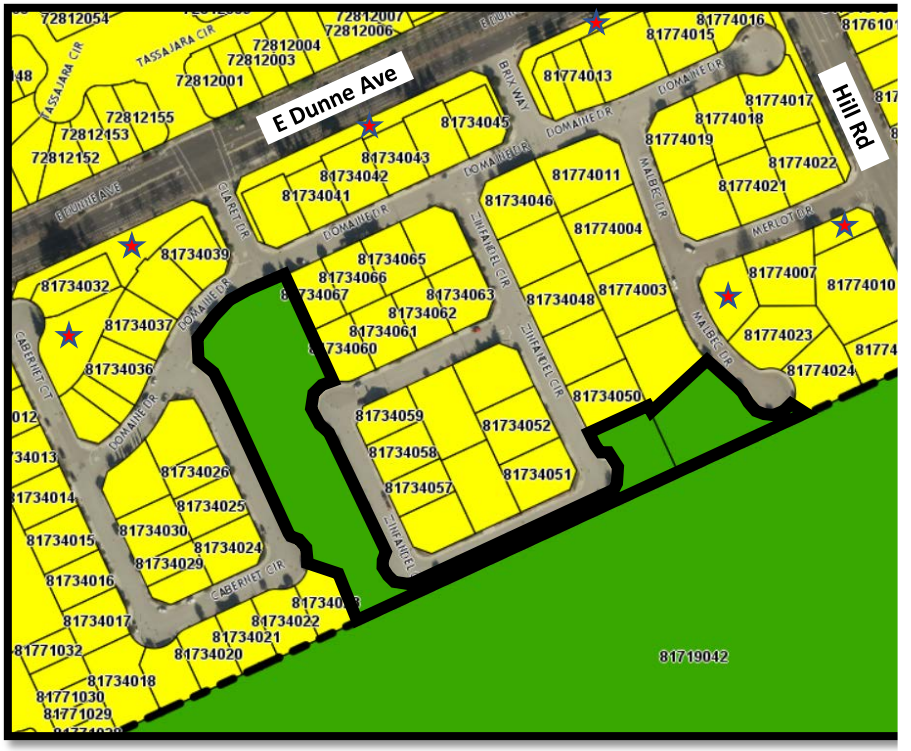
Residential Detached High was an option discussed with Planning Commission and City Council. Ultimately decision was to change (back to) Residential Attached Low, a designation that better matches existing and proposed development and was designation prior to DTSP changed area to Residential Attached Medium.
APNs: 767-08-013, -018 through -021, -047, -024 through -029, -035 through -043.

General Plan Land Use Map
as Published July 26, 2016



Residential Detached Medium

General Plan Land Use Map
with Proposed Correction



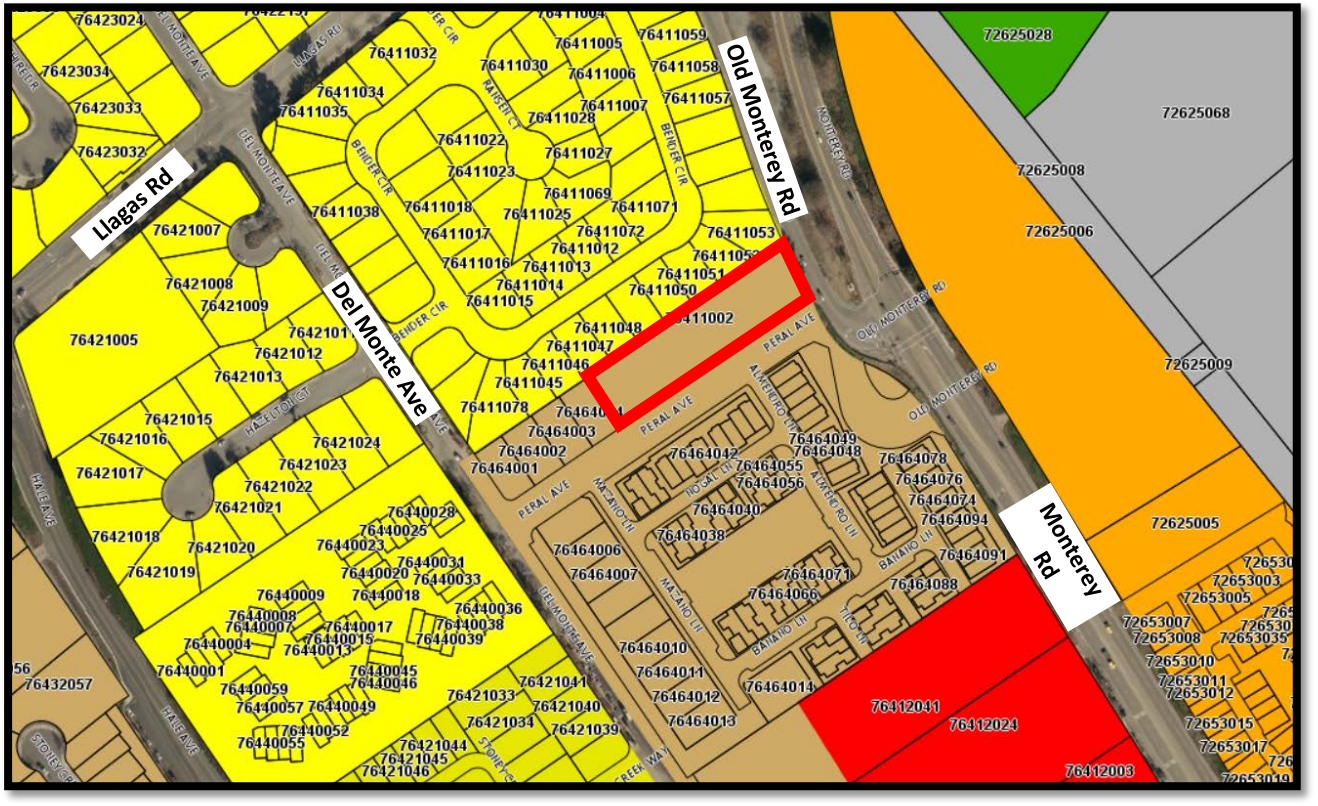
Open Space
(★ additional open space areas)

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

No APNs associated with parcels zoned/dedicated to open space. Stars indicate additional smaller open space areas that were not identified during General Plan Update process. Now or during a future clean-up these and other similar open space areas in other neighborhoods could be more appropriately shown as Open Space.

General Plan Land Use Map

as Published July 26, 2016

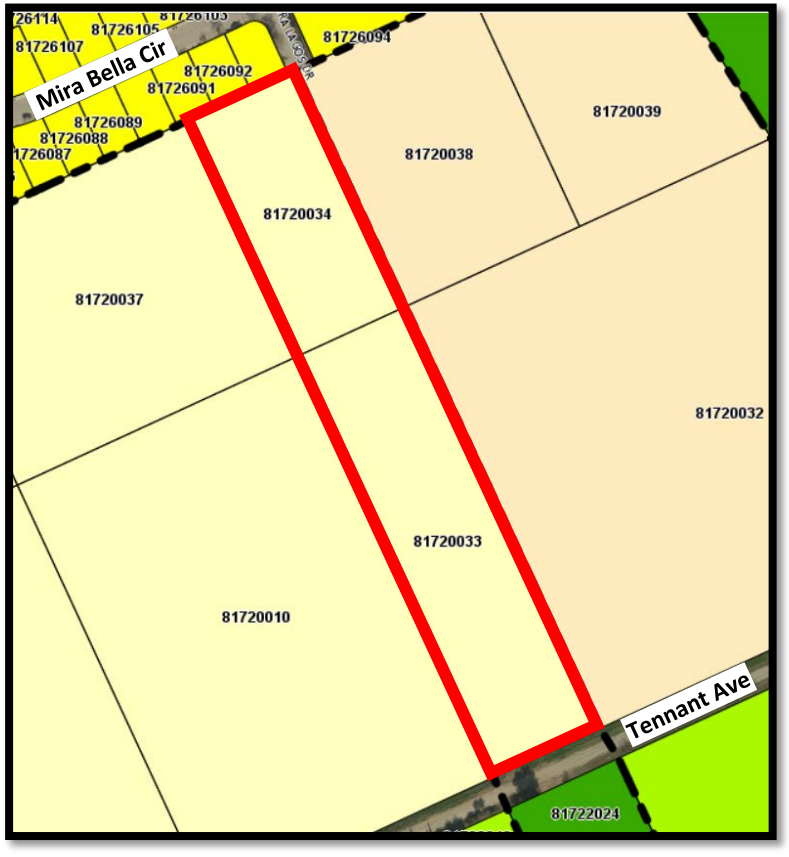


Residential Attached Low to Residential Detached Medium
(changed at July 2016 adoption hearing)

The City Council during the July adoption hearings changed the adjacent City Ventures site from Mixed Use Flex back to Residential Attached Low to match the approved/under construction project and changed the highlighted parcel to Residential Detached Medium to more closely relate to the adjacent single-family detached homes of the City Ventures project and the existing single-family detached neighborhood to the north.

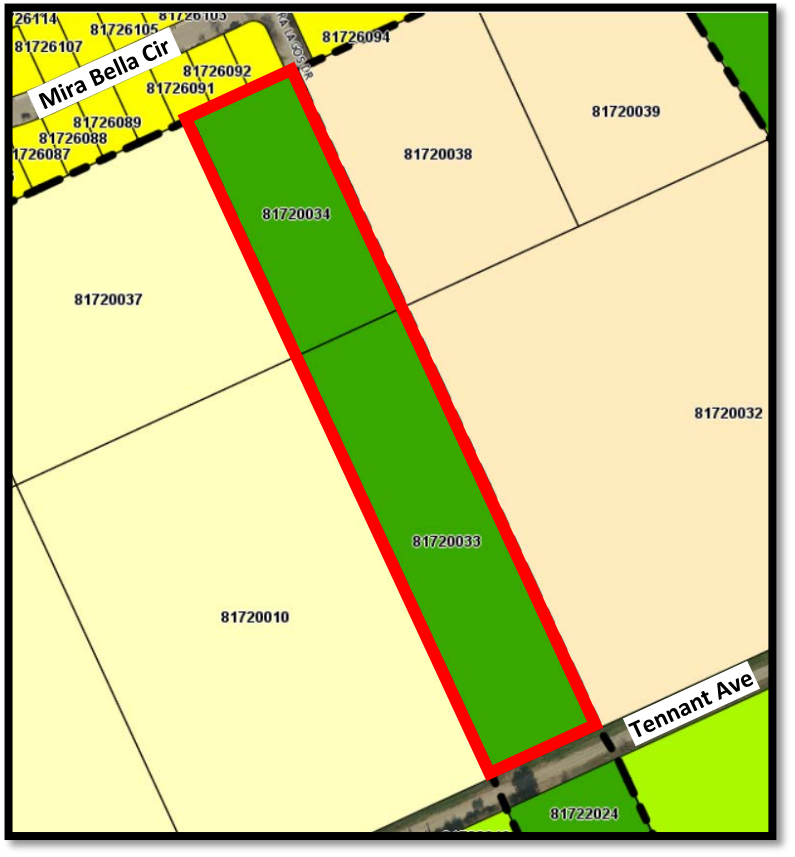
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Residential Detached Low

General Plan Land Use Map
with Proposed Correction

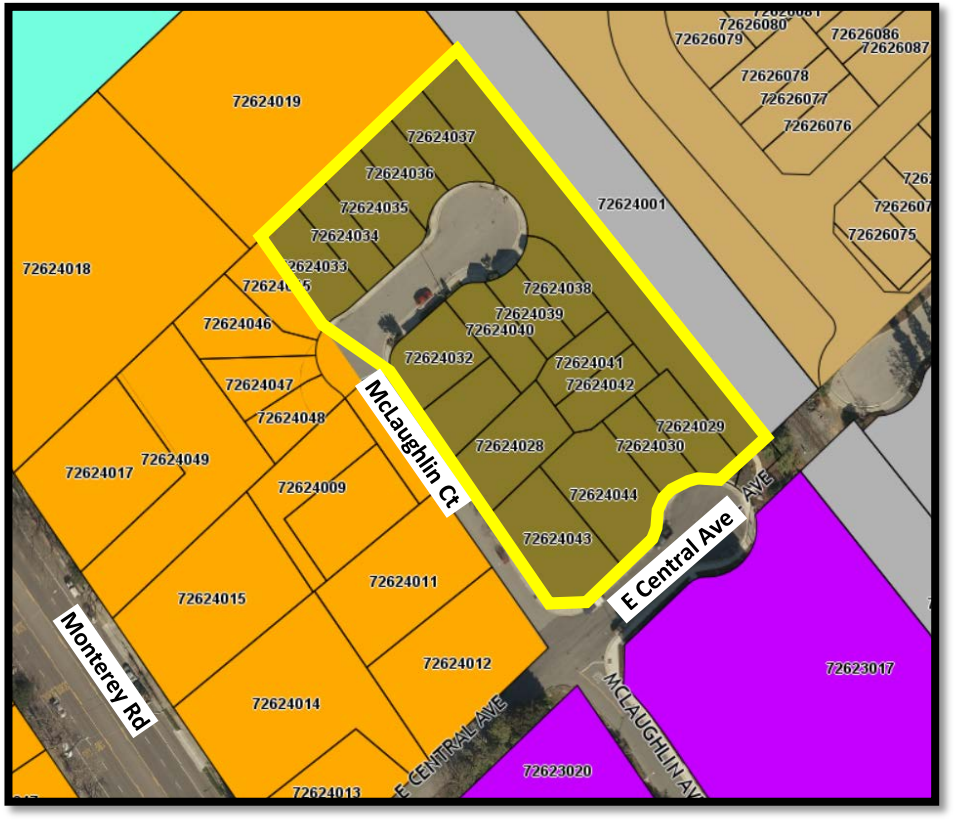


Open Space

APNs 817-20-033 and -034 zoned Open Space.

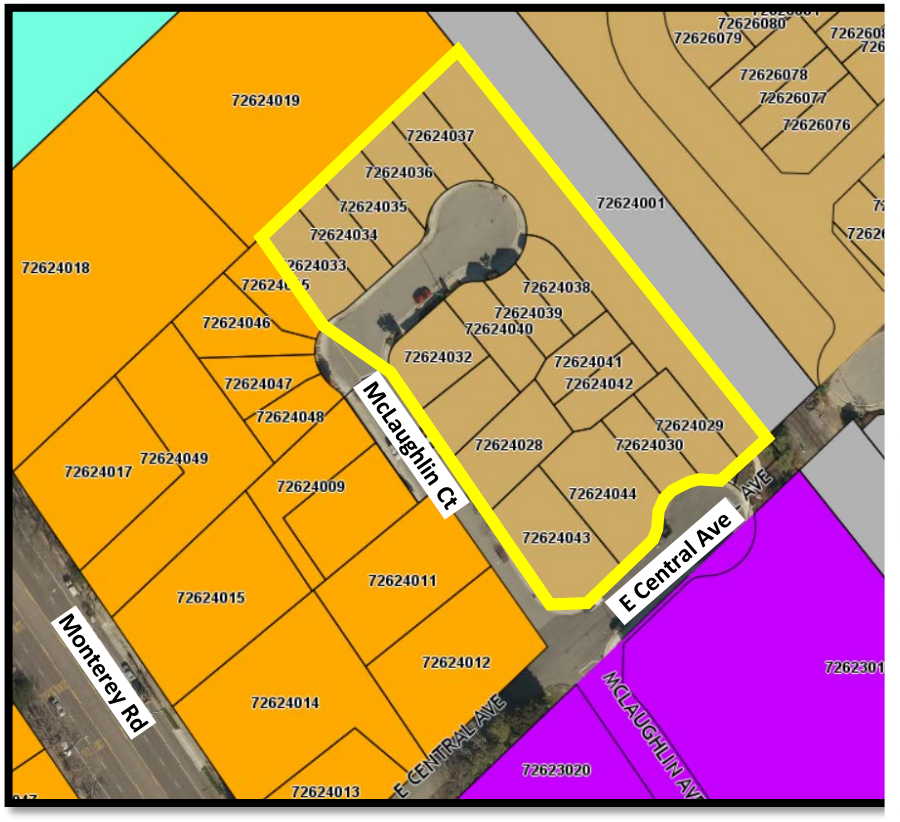
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Residential Attached Medium

General Plan Land Use Map
with Proposed Correction

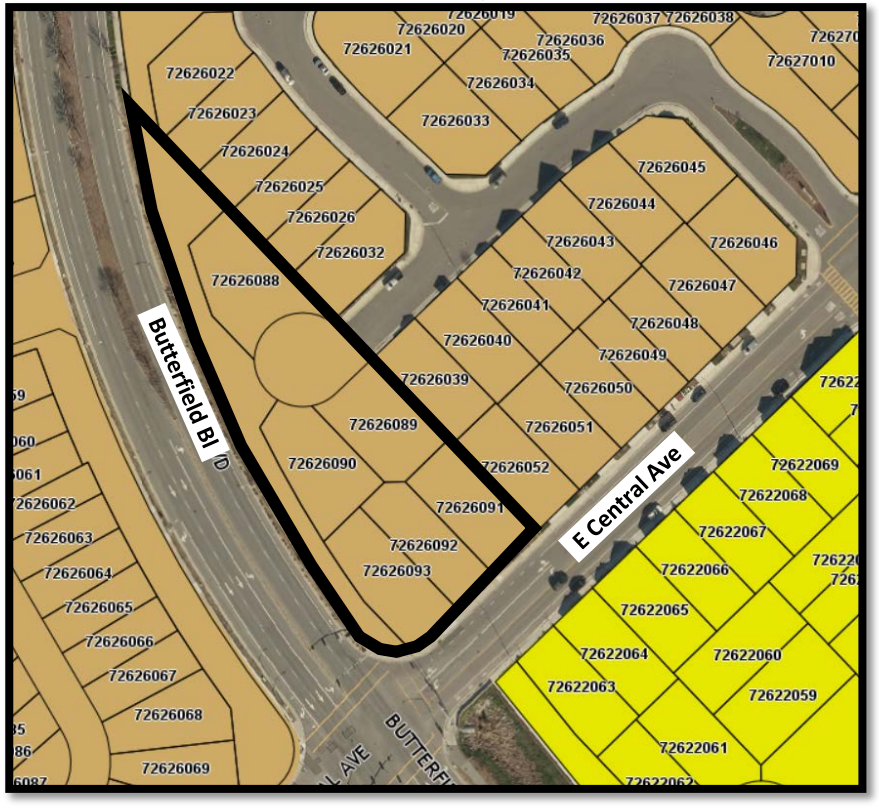


Residential Attached Low

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

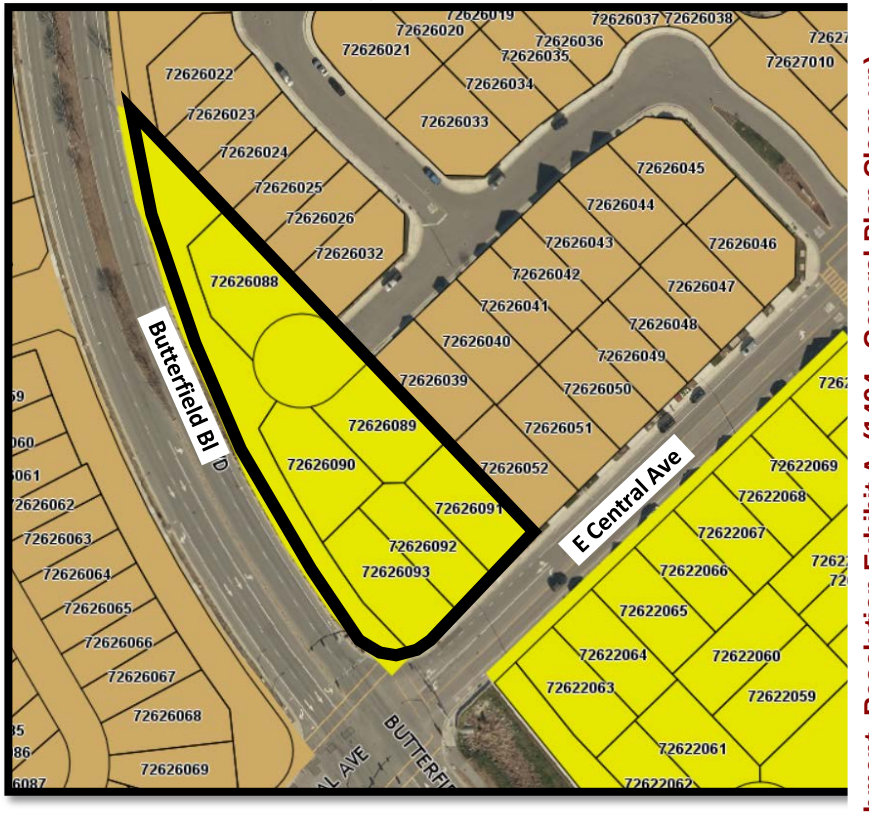
Zoned R-2 3,500 (PD) and developed with duets. APNs: 726-24-028 through -044.

General Plan Land Use Map
as Published July 26, 2016



Residential Attached Low

General Plan Land Use Map
with Proposed Correction

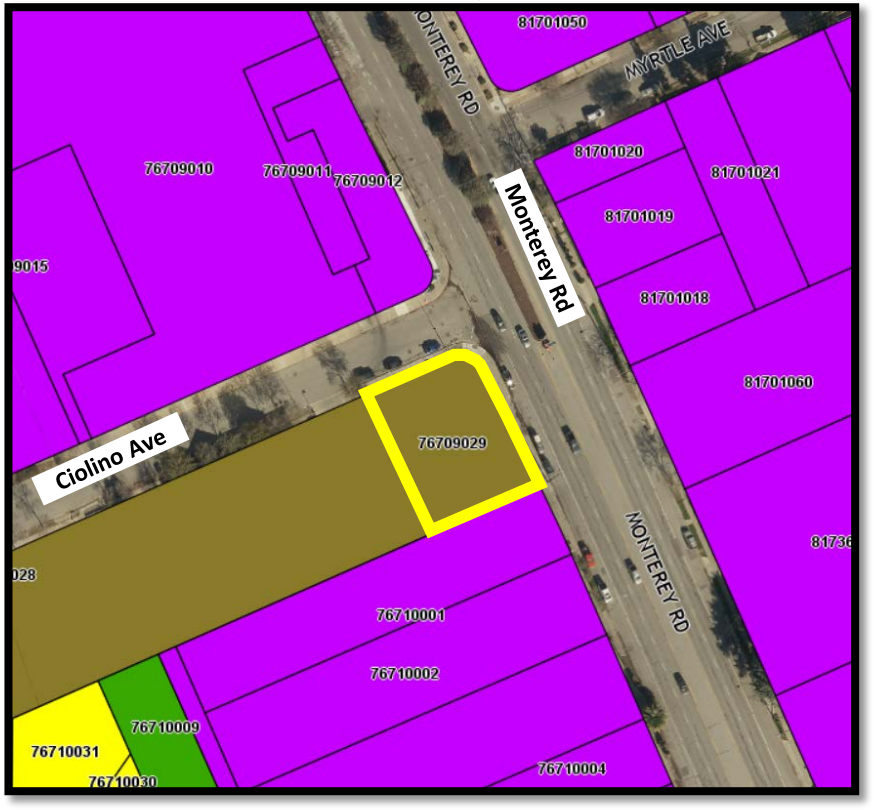


Residential Detached High

Zoned R-1 4,500 (PD). APNs: 726-26-088 through -093.

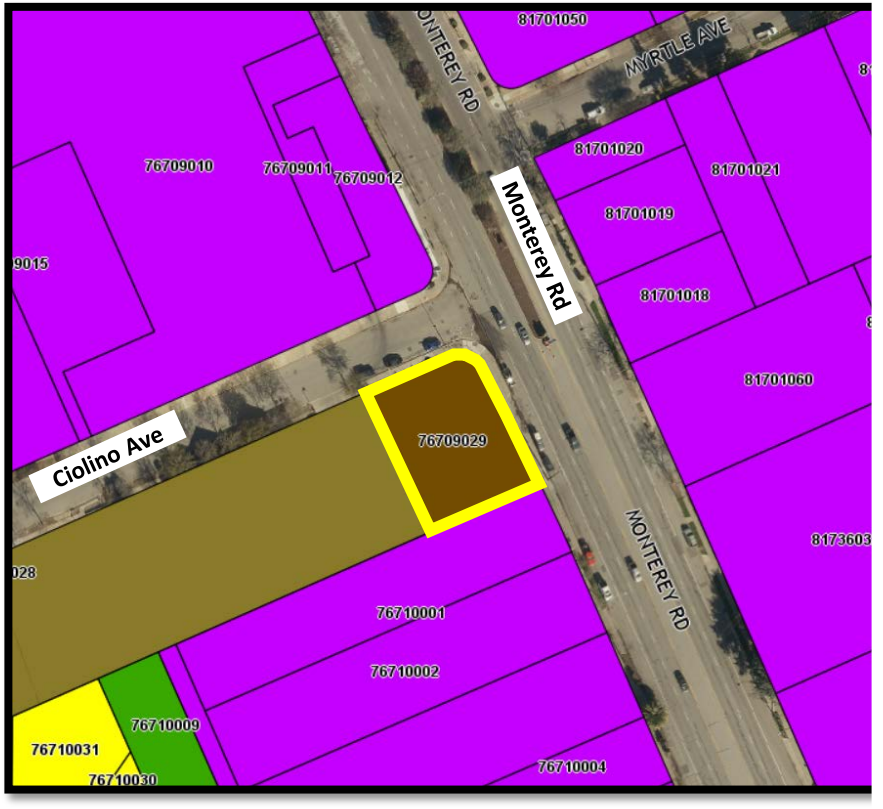
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Residential Attached Medium

General Plan Land Use Map
with Proposed Correction

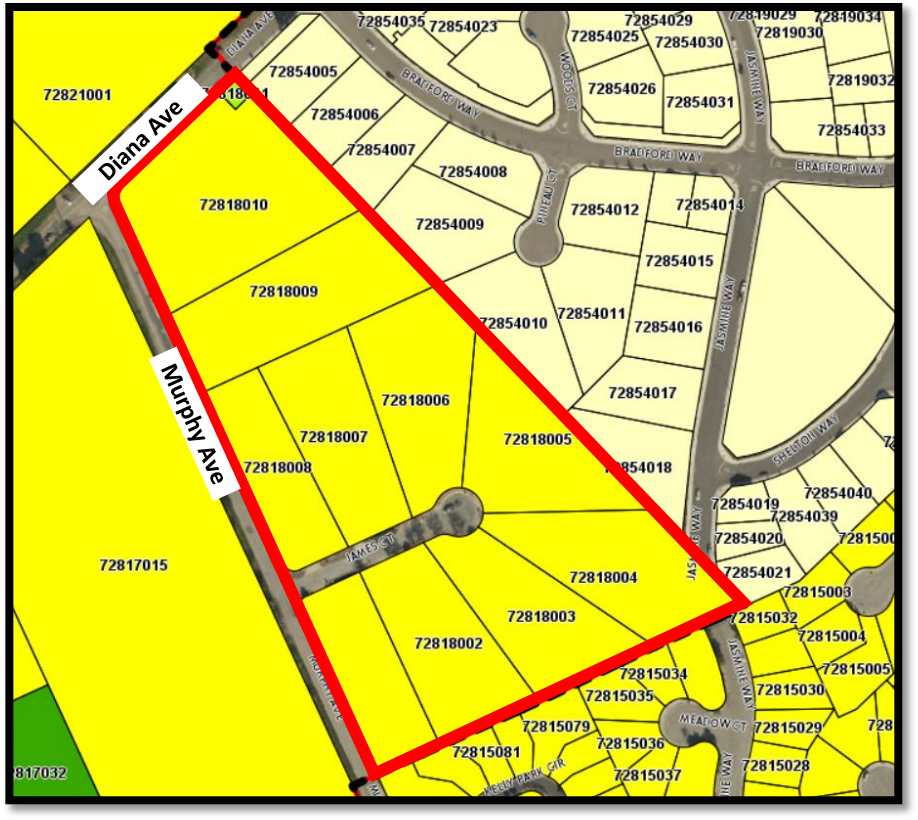


Residential Downtown
(GPA approved 10/1/14)

Zoned R-4, multi-family project approved and under construction. APN: 767-09-029.

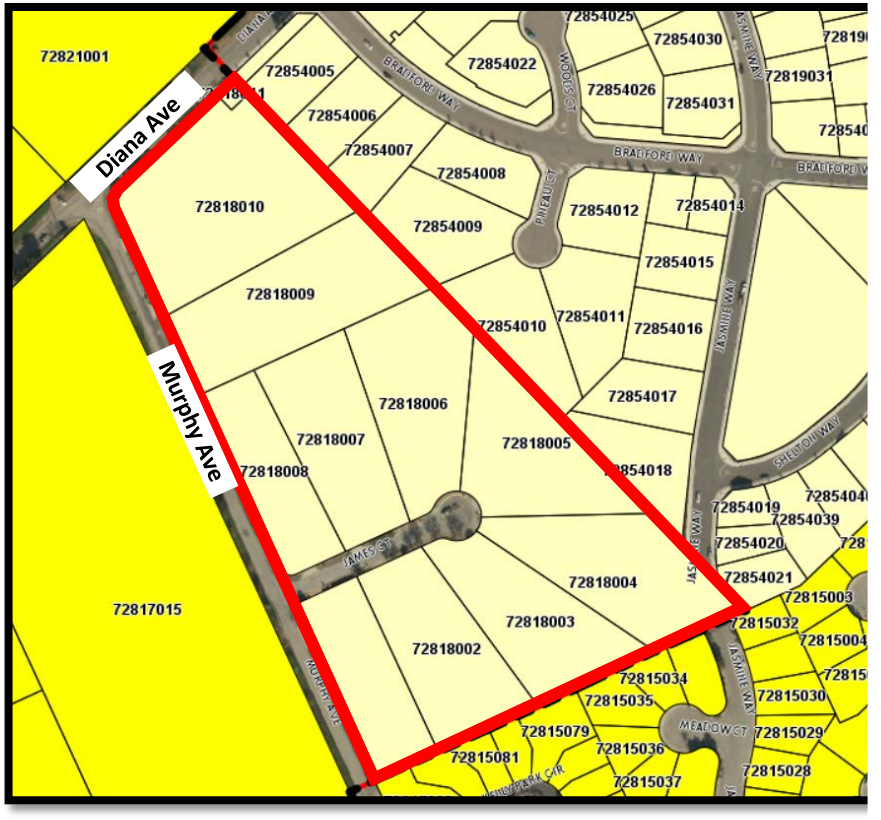
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Residential Detached Medium

General Plan Land Use Map
with Proposed Correction



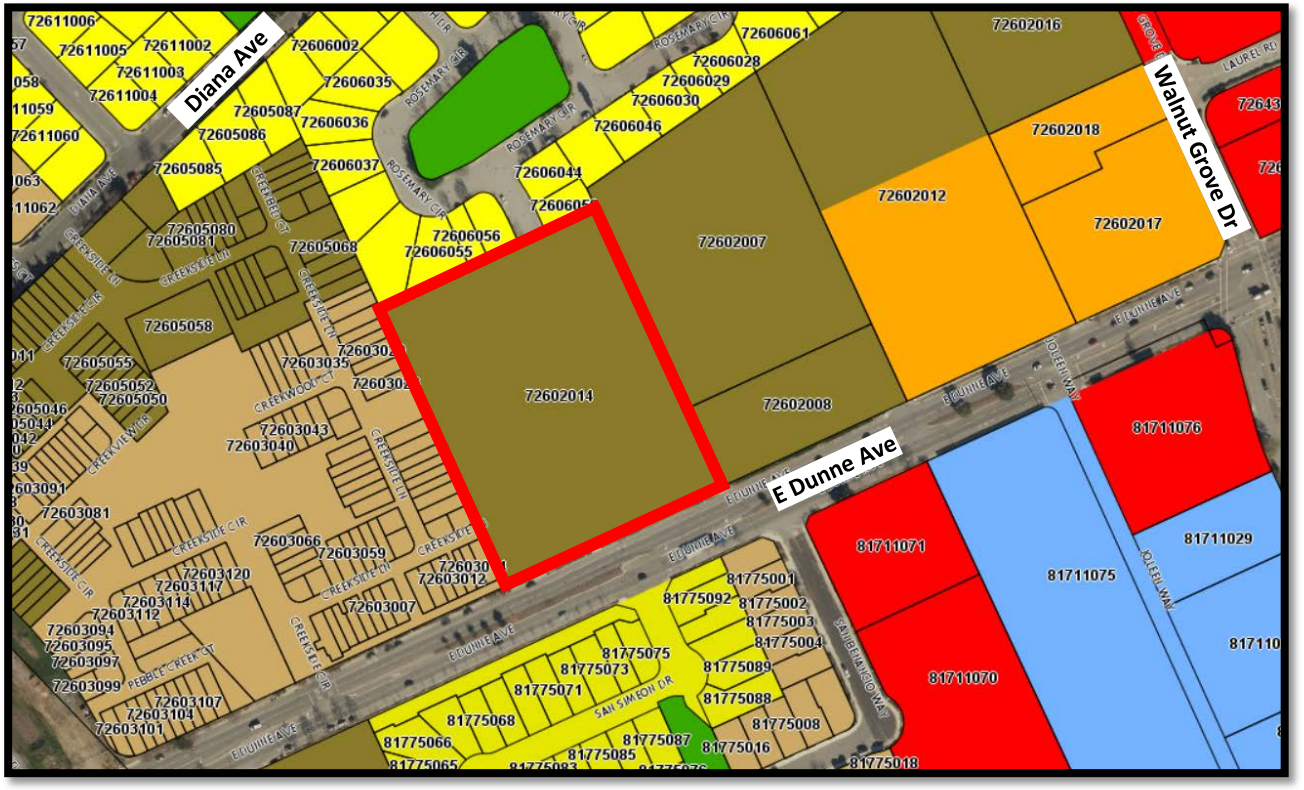
Residential Detached Low
(existing County subdivision)

APNs: 728-18-001 through -010. Already fully developed. In Unincorporated County, outside Urban Service Area.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map

as Published July 26, 2016

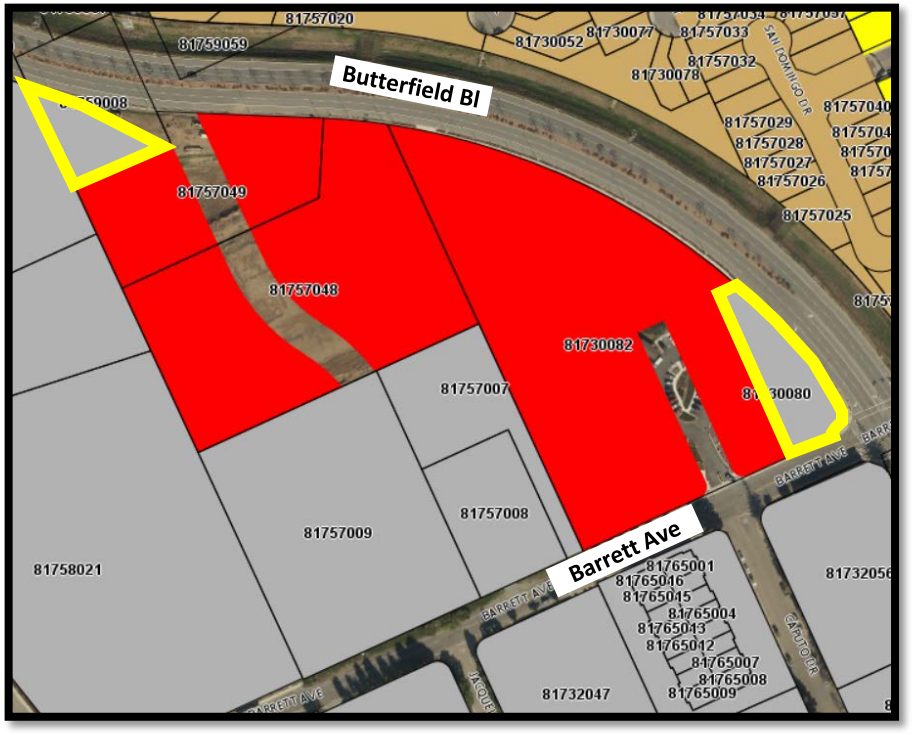


Residential Attached Medium back to Residential Attached Low
(matches approved project)

APN 726-02-014 Zoned R-2 3,500 (RPD). Under construction.

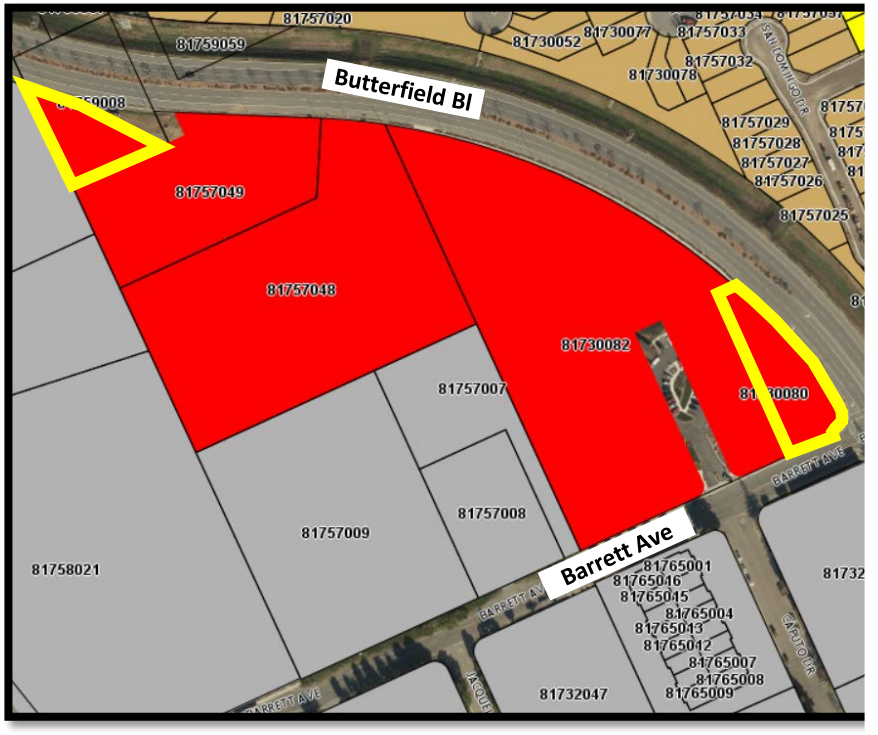
Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map
as Published July 26, 2016



Industrial

General Plan Land Use Map
with Proposed Correction



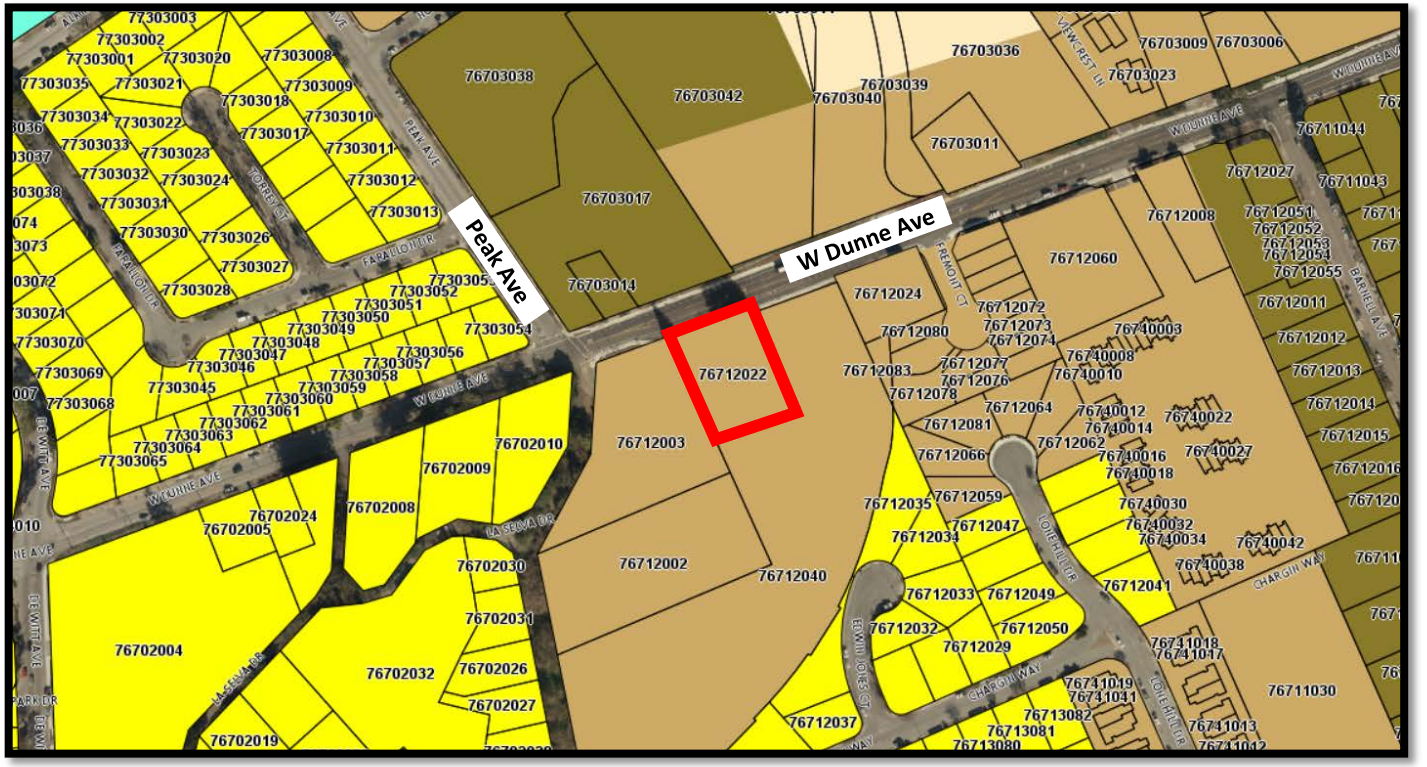
Commercial

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

Remnant parcels after Butterfield Blvd. extension. APN 817-59-008 (ptn.) Zoned CS (PD) under construction as Senior Congregate Care Facility. APN 817-30-080 Zoned CN Commercial Neighborhood.

General Plan Land Use Map

as Published July 26, 2016



Residential Attached Low to Commercial

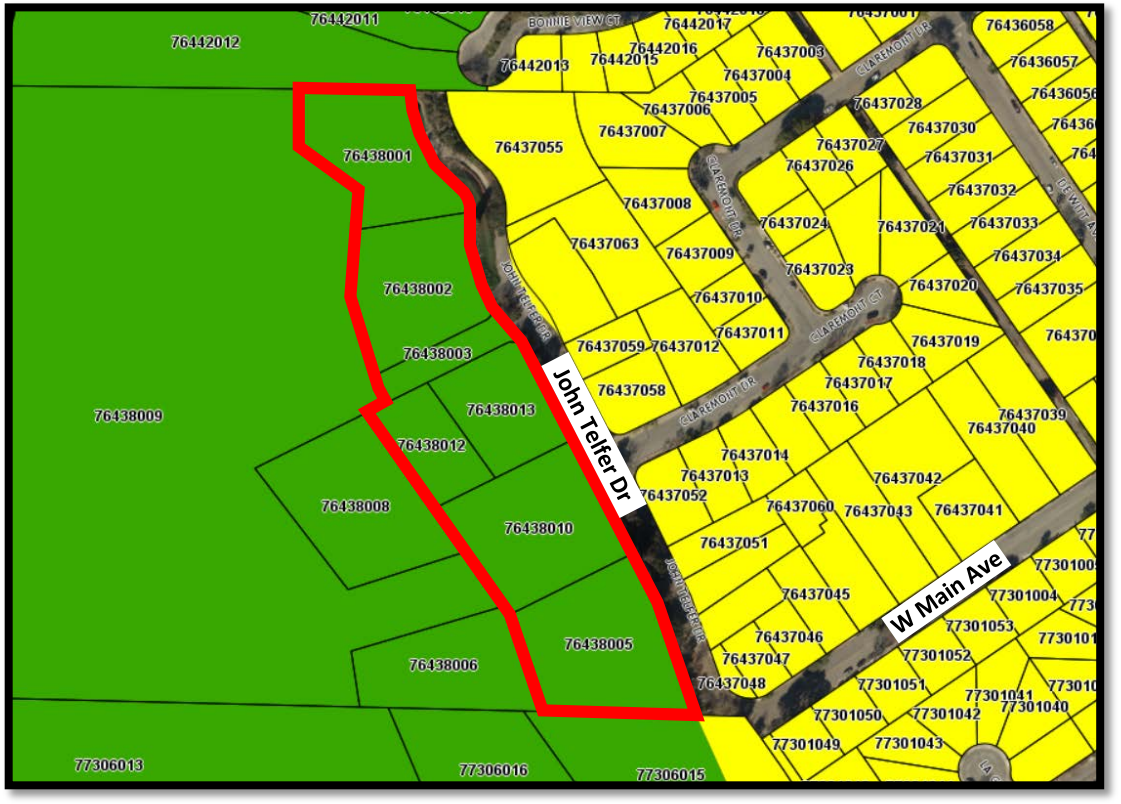
(currently zoned Commercial Office; existing use Medical Office)

APN 767-12-022 Zoned CO Commercial Office, developed with medical office

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map

as Published July 26, 2016



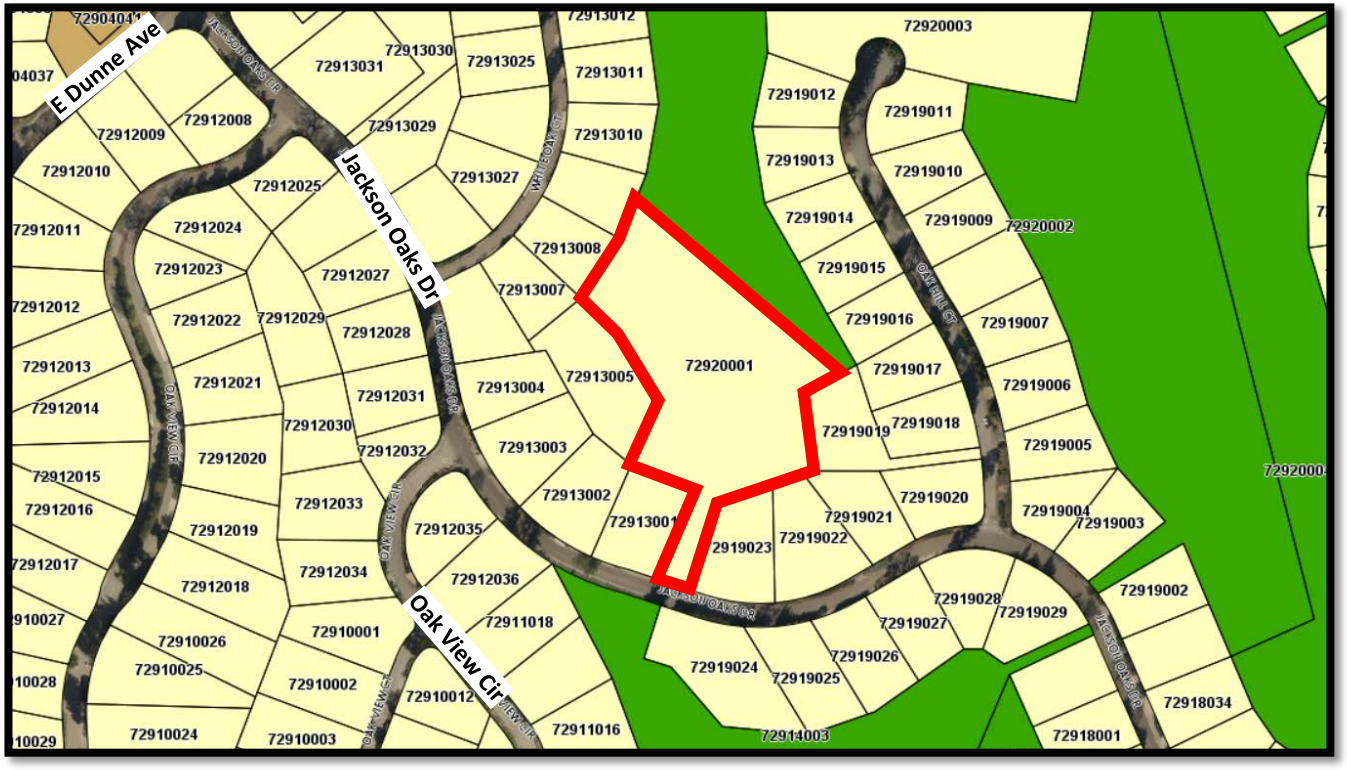
Open Space to Residential Estate
(currently zoned RE 40,000)

APNs 764-38-001, -002, -003, -005, -010, -012, -013, Zoned RE 40,000.
Several parcels developed with single-family homes.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map

as Published July 26, 2016



Residential Detached Low to Open Space
(currently zoned Open Space)

APN 729-20-001, Zoned Open Space, owned by City.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Land Use Map

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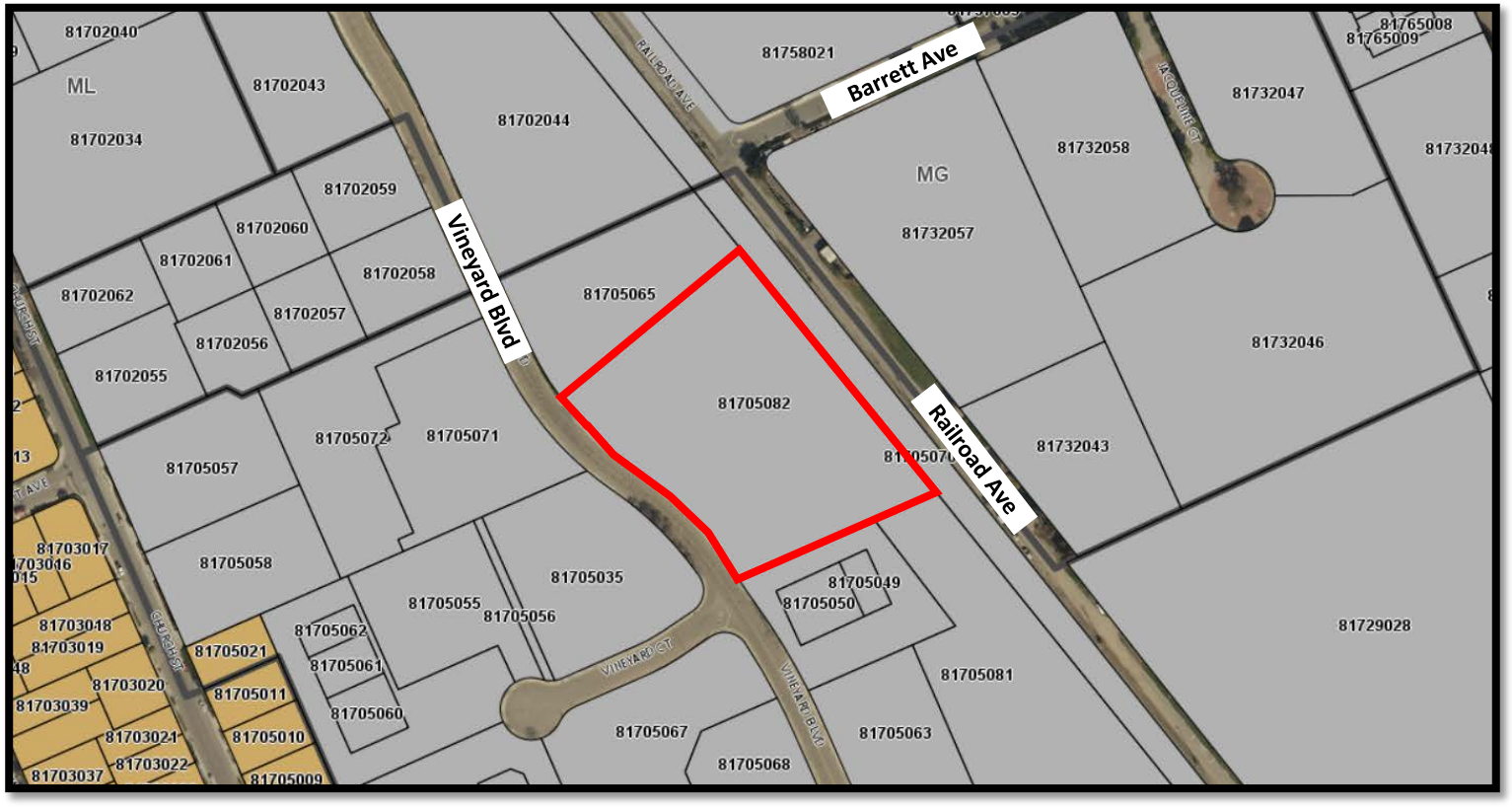


Industrial to Public Facilities

APN 817-05-082, City of Morgan Hill Police Station.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

GPA2017-0002: Text

Text and Figure Corrections/Clarifications

E. Chapter 3 – City and Neighborhood Form
   1) City Boundaries
   2) Delete references to RDCS Measure F and A
   3) Land Use Designations

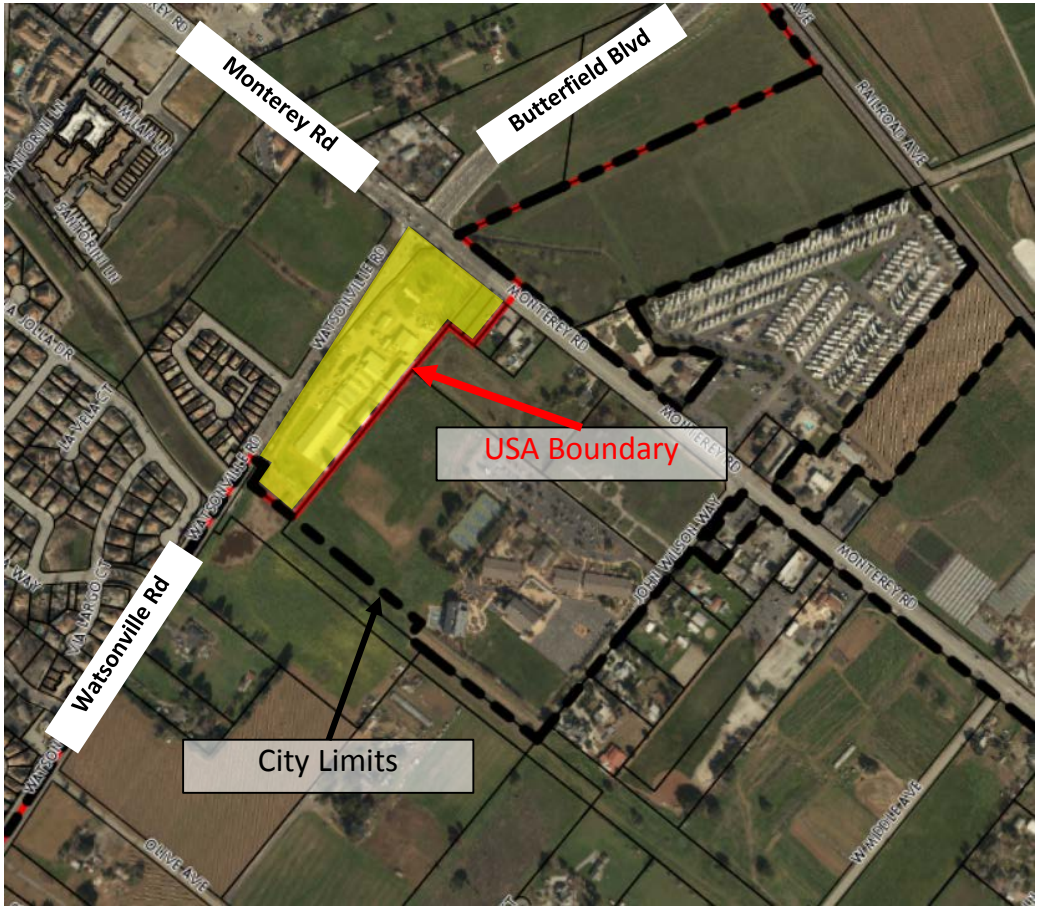
F. Chapter 8 – Natural Resources and Environment
   1) Stream Channel Protection

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page CNF-2: Figure CNF-1 City Boundaries

- *Update map to show 2014 approval of Monterey Road No. 6 Annexation / Monterey-South of Watsonville Urban Service Area Amendment (sw/c Monterey Road and Watsonville Road).*



Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page CNF-5: Growth Management Section

- *Delete reference to RDCS Measure F and Measure A; replaced by RDCS Measure S.*

Individual single-family homes, replacement of existing homes, secondary dwelling units, assisted living/nursing homes, and the conversion of an existing single-family home into a duplex are all exempt from the RDCS process. ~~In addition, there are two voter-approved exemptions to the RDCS; both are in the Downtown area. Measure F, approved by voters in November 2006, allows 100 residential unit allotments for projects up to 25 units within the Downtown. Measure A, passed in May 2009, allows up to 500 allotments for the 20-block area, as shown on Figure CNF-2.~~

Page CNF-6: Figure CNF-2 Downtown

- *Update map to remove references to Measure F Area and Measure A Area.*

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page CNF-10: Table CNF-2 Summary of Land Use Designations

- *Update table to match land use designation descriptions.*

TABLE CNF-2 SUMMARY OF LAND USE DESIGNATIONS

Designation	Primary Uses	Net Density Range
Commercial	Retail, office, services	0.~~5~~6 FAR
~~Commercial~~ General Commercial	Retail, office, services	~~Comm.~~ 0.5 FAR ~~Ind. 0.6 FAR~~
Commercial/Industrial	Retail, office, services or warehouses, offices, manufacturing	Comm. 0.5 FAR Ind. 0.6 FAR
Industrial	Warehouse, offices, manufacturing	0.~~2~~6 FAR

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page CNF-11: Residential Designations

- *Change "Secondary dwelling units" to "Accessory dwelling units" per recent change in state law.*
- *Consistently use "unit(s) per net acre".*

Residential Estate. …the Residential Estate designation allows single-family homes, ~~secondary~~ 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. ~~Secondary~~ Accessory dwelling units are allowed under this designation…

Residential Detached Medium. Residential Detached Medium areas allow detached homes on smaller lots, including courtyard homes, manufactured homes, and small-lot single-family homes. ~~Secondary~~ Accessory dwelling units are allowed under this designation…

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 ~~dwelling~~ units per net acre…

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page CNF-13 and 14: Mixed Use Designations and Non-Residential Designations

- *Remove height from General Plan land use designation descriptions. City Council adopted Resolution No. 15-219 September 2, 2015 removing height references from General Plan; Zoning Code includes maximum heights.*
- *Last sentence of Mixed Use Flex, change "process" to "proceed".*

Mixed Use Flex. The Mixed Use Flex designation… allows 7 to 24 units per acre and a maximum FAR of 0.5 ~~and a maximum commercial height of 35 feet~~...Commercial development may ~~process~~ proceed without preparation of a block level master plan consistent with the Commercial designation.

Commercial. The Commercial designation… allows a maximum FAR of 0.~~5~~6 ~~and a maximum building height of 30 feet~~.

General Commercial. This designation…allows a maximum FAR of 0.5 ~~and a maximum building height of 35 feet~~.

Commercial/Industrial. …This designation allows a maximum FAR of 0.5 ~~and a maximum building height of 30 feet~~ for commercial uses and a maximum FAR of 0.6 ~~and a maximum building height of 50 feet~~ for industrial uses.

Industrial. The Industrial designation…allows a maximum FAR of 0.6 ~~and a maximum building height of 50 feet~~.

Public Facilities. …This designation allows a maximum FAR of 0.5 ~~and a maximum building height of 35 feet~~.

Sports Recreation Leisure. The Sports-Recreation Leisure designation…allows a maximum FAR of 0.4 ~~and a maximum building height of 40 feet~~.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)

General Plan Text

Page NRE-32: Biological Resources

- *Add reference to Santa Clara Valley Habitat Plan in Stream Channel Protection Policy.*

Policy NRE-5.6 **Stream Channel Protection.** Protect existing stream channels and riparian vegetation by requiring buffering or landscaped setbacks and storm runoff interception as specified in Table NRE-1 and consistent with the Santa Clara Valley Habitat Plan.

Attachment: Resolution Exhibit A (1494 : General Plan Clean-up)