

ORDINANCE NO. 2197, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING A PRECISE DEVELOPMENT PLAN FOR A 37-UNIT RESIDENTIAL DEVELOPMENT AND AMENDING THE ZONING DISTRICT FROM R2-3,500 TO R2-3,500 (PD)- LOCATED AT THE NORTHWEST CORNER OF MONTEREY ROAD AND WATSONVILLE ROAD (APN 767-23-030)

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

- SECTION 1.** Establishing an R2-3,500 (PD) zoning district for a ±8.8-acre site located at the northwest corner of Monterey Road and Watsonville Road for Zoning Amendment application ZA-14-19: Monterey – Young (APN 767-23-030).
- SECTION 2.** INCORPORATING THE MAP BY REFERENCE. There hereby is attached hereto as Exhibit “A” and made a part of this ordinance, a zoning map entitled "Map Showing Rezoning Lands of Gordon K Young 2012 Trust” which gives the boundaries of the described parcels of land.
- SECTION 3.** The proposed zoning amendment is consistent with the Zoning Ordinance and the General Plan.
- SECTION 4.** The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.62.070 of the Municipal Code.
- SECTION 5.** The City Council of the City of Morgan Hill hereby finds that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council’s independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the Ordinance. The custodian of the documents or other material which constitute the record shall be the Community Development Department.
- SECTION 6.** The City Council finds that the proposed PD Overlay District is consistent with the criteria specified in Chapter 18.30 of the Morgan Hill Municipal Code.
- SECTION 7.** The City Council hereby approves a precise development plan as contained in that certain series of documents dated December 17, 2015 on file in the Community Development Department, entitled "Precise Development Plan Watsonville/Monterey Road" prepared by RJA. These documents, as amended by the Design Review approval, show the exact location and sizes of all lots in this development and the location and dimensions of all proposed buildings, vehicle and pedestrian circulation ways, recreational amenities, parking areas, landscape areas and any other purposeful uses on the project.

- SECTION 8.** Approval of the PD overlay to rezone the subject site to R2-3,500 (PD) and precise development plan shall allow exceptions to the base development standards of the R2-3,500 zoning district, including reduced front, rear, and side-yard setbacks, reduced lot areas and dimensions, and lot types, as identified on the precise development plan date stamped December 17, 2015 and as defined in Exhibit “B” attached.
- SECTION 9.** For all of the approved units, future building additions shall comply with the site development standards of the R2-3,500 zoning district.
- SECTION 10.** Notice is hereby given that, pursuant to the Mitigation Fee Act, the City of Morgan Hill charges certain fees (as such term is defined in Government Code Section 66000) in connection with approval of your development project for the purpose of defraying all or a portion of the cost of public facilities related to your development project (Mitigation Fee Act Fees). These fees do not include fees for processing applications for governmental regulatory actions or approvals, or fees collected under development agreements or as a part of your application for development allocations under the City’s Residential Development Control System. The Mitigation Fee Act Fees applying to your project are listed in the schedule of fees provide. Notice is also hereby given that you have the opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval of the approval or conditional approval of your development project and that the 90-day approval period in which you may protest has begun. This right to protest does not apply to voluntary Residential Development Control System fees.
- SECTION 11.** Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.
- SECTION 12.** Effective Date; Publication. This Ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 4TH DAY OF MAY 2016 AND WAS FINALLY ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 18TH DAY OF MAY 2016 AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rich Constantine, Marilyn Librers, Gordon Siebert, Steve Tate
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None
APPROVED:		

STEVE TATE, MAYOR

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: June 17, 2016

⌘ CERTIFICATE OF THE CITY CLERK ⌘

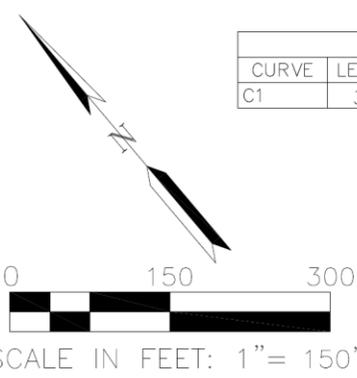
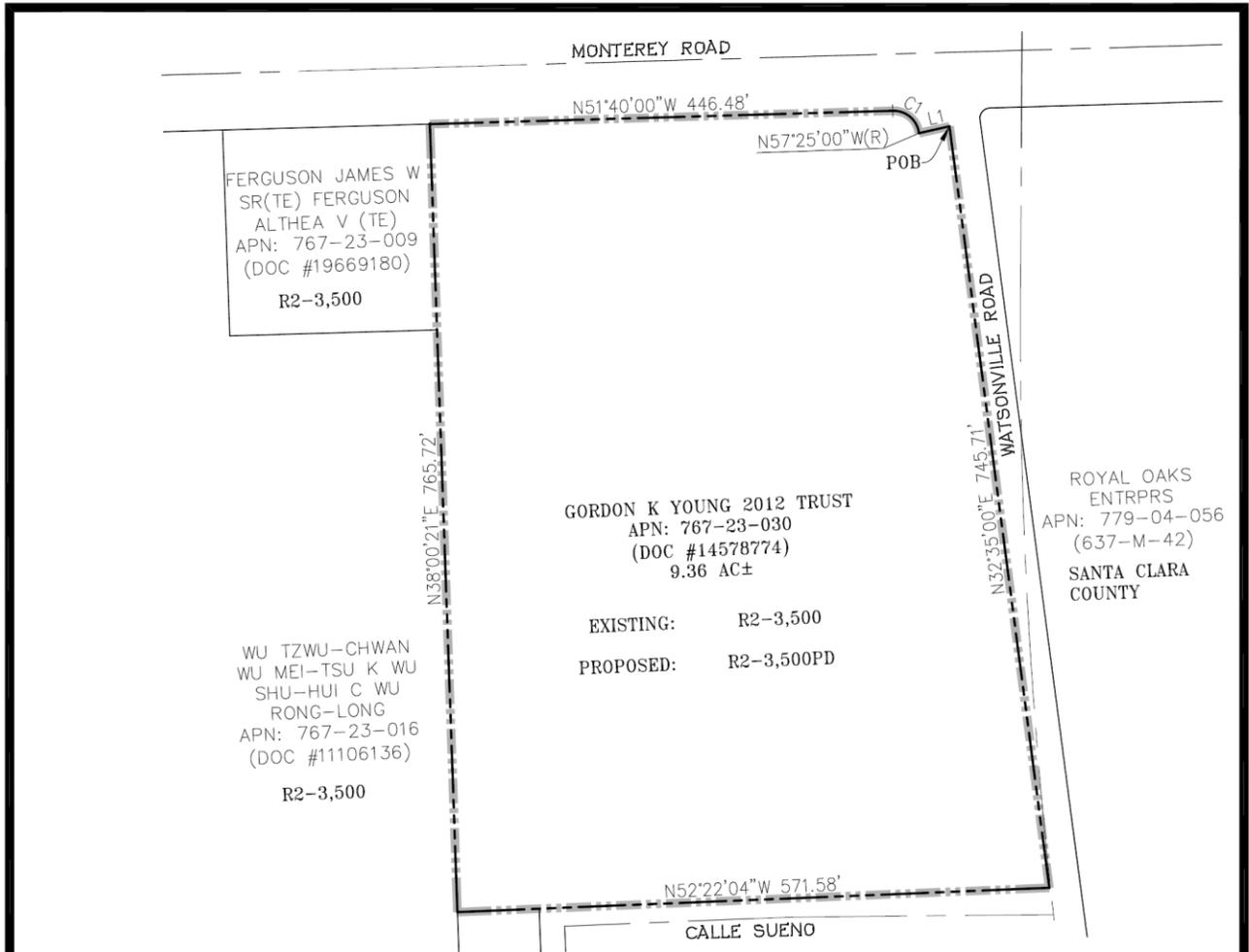
I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2197, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 18th day of May 2016.

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

DATE: _____

IRMA TORREZ, City Clerk

EXHIBIT "A"



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	36.76'	25.00'	84°15'00"

LINE TABLE		
LINE	BEARING	DIST
L1	N62°39'49\"W	30.13'

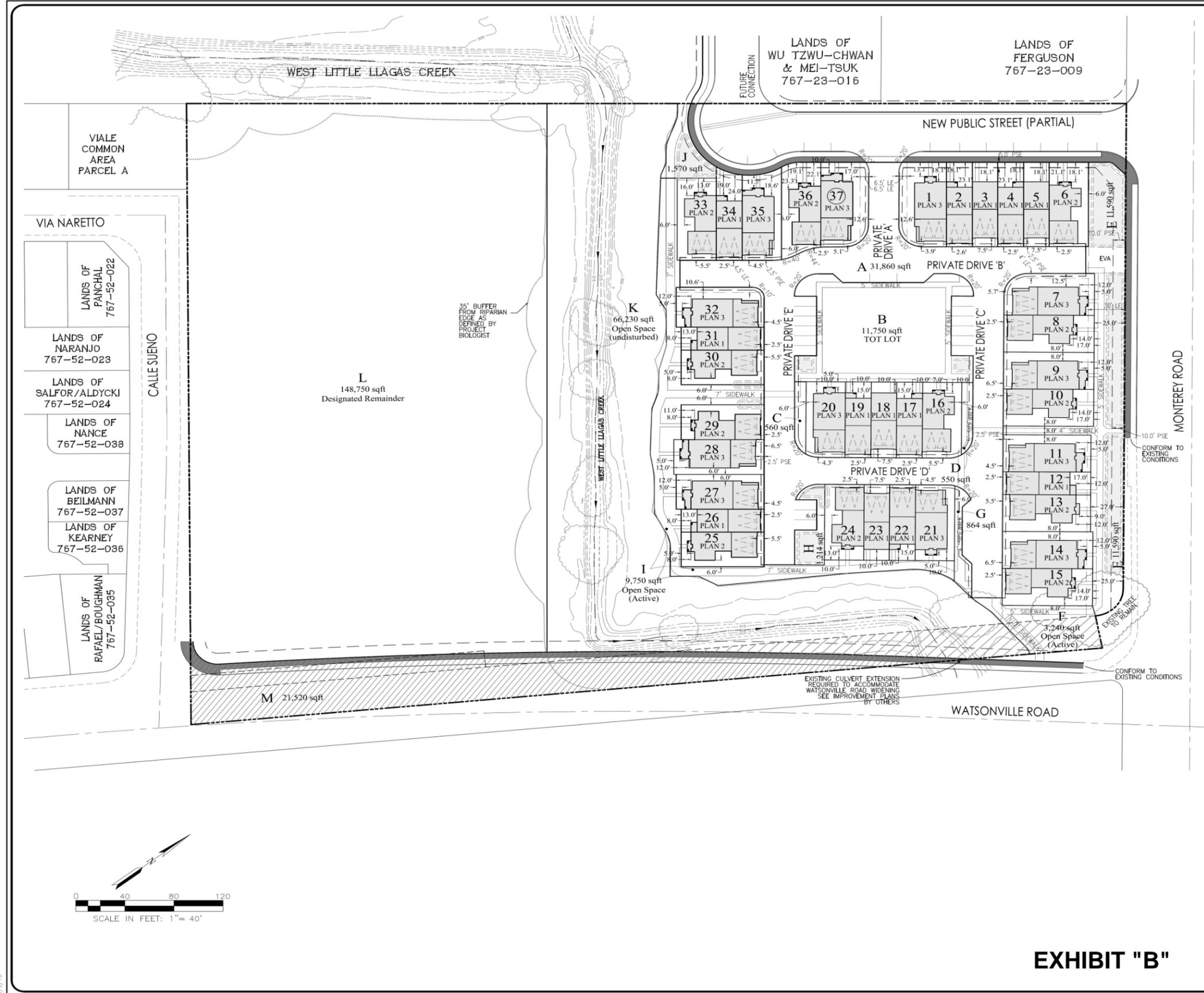
LEGEND

	BOUNDARY LINE
	CENTERLINE
	EXISTING LOT LINE
	ZONING BOUNDARY LINE
	POINT OF BEGINNING

"EXHIBIT B"
 MAP SHOWING REZONING LANDS
 OF GORDON K YOUNG 2012
 TRUST, BEING A PART OF
 ORDINANCE NO. _____, NEW
 SERIES
 MORGAN HILL, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 8055 CAMINO ARROYO GILROY, CA 95020
 PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE: 1" = 150'	DATE: 08/29/2014	JOB NO.: 112025
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Lot	Unit Type	Lot Area (sqft +/-)	Unit Plan	1st Floor Building Area (sqft)	Building Coverage	Front Setback to Living Area (ft)	Rear Yard Setback (ft)	Side Yard Setback (ft)
1	Townhouse	2,904	3	1,441	50%	18	3.5	0/12.5
2	Townhouse	1,637	1	1,132	69%	23	2.5	0/0
3	Townhouse	1,610	1	1,071	67%	18	7.5	0/0
4 (BMR)	Townhouse	1,635	1	1,132	69%	23	2.5	0/0
5	Townhouse	1,608	1	1,071	67%	18	7.5	0/0
6	Townhouse	2,486	2	1,239	50%	21	2.5	0/6
7	Duet	2,736	3	1,501	55%	12	5.5	0/12.5
8	Duet	2,506	2	1,239	49%	17	2.5	0/8
9	Duet	2,500	3	1,501	60%	12	6.5	0/8
10	Duet	2,506	2	1,239	49%	17	2.5	0/8
11	Townhouse	2,432	3	1,501	62%	12	4.5	0/8
12 (BMR)	Townhouse	1,508	1	1,132	75%	17	2.5	0/0
13	Townhouse	2,426	2	1,239	51%	12	5.5	0/8
14	Duet	2,500	3	1,501	60%	12	6.5	0/8
15	Duet	2,506	2	1,239	49%	17	2.5	0/8
16	Townhouse	2,209	2	1,239	56%	10	5	0/6
17	Townhouse	1,566	1	1,132	72%	15	2.5	0/0
18	Townhouse	1,442	1	1,071	74%	10	7.5	0/0
19	Townhouse	1,466	1	1,132	77%	15	2.5	0/0
20	Townhouse	2,214	3	1,441	65%	10	4	0/6
21	Townhouse	2,224	3	1,441	65%	10	4.5	0/6
22	Townhouse	1,466	1	1,132	77%	15	2.5	0/0
23 (BMR)	Townhouse	1,442	1	1,071	74%	10	7.5	0/0
24	Townhouse	2,231	2	1,239	56%	13	2.5	0/6
25	Townhouse	2,155	2	1,239	57%	8	5.5	0/6
26	Townhouse	1,424	1	1,132	79%	13	2.5	0/0
27	Townhouse	2,289	3	1,501	66%	12	4.5	0/6
28	Duet	2,353	3	1,501	64%	12	6.5	0/6
29	Duet	2,167	2	1,239	57%	11	2.5	0/6
30	Townhouse	2,155	2	1,239	57%	8	5.5	0/6
31	Townhouse	1,424	1	1,132	79%	13	2.5	0/0
32	Townhouse	2,598	3	1,501	58%	12	4.5	0/10.5
33	Townhouse	2,408	2	1,239	51%	16	5.5	0/6
34	Townhouse	1,716	1	1,132	66%	24	2.5	0/0
35	Townhouse	2,564	3	1,501	59%	18	4.5	0/6
36	Duet	2,651	2	1,239	47%	22	2.5	0/6
37	Duet	2,929	3	1,501	51%	17	5	0/12.5

- NOTES:
- SETBACKS IN THE TABLE ABOVE ADDRESS MINIMUM DISTANCES AND ARE MEASURED FROM FIRST FLOOR LIVING SPACE TO PROPERTY LINES AND/OR RIGHT-OF-WAYS.
 - ARCHITECTURAL PROJECTIONS ARE ALLOWED TO ENCR OACH INTO SETBACKS, PER MUNICIPAL CODE SECTION 18.57.030.
 - SIDE YARD SETBACKS LISTED IN THE TABLE ABOVE INCLUDE THE EXCESS RDCS COMMITMENT DESCRIBED IN LOT LAYOUT AND ORIENTATION B.1.2.

Plan No.	Living Space (SqFt)	Total	Type
Plan 1	1,404	13	Townhouse
Plan 2	1,652	12	Duet/Townhouse
Plan 3	2,105	12	Duet/Townhouse

LEGEND

	PROPOSED		EXISTING
	PSE		BOUNDARY
	LE		LOT LINE
			FACE OF CURB
			RIGHT-OF-WAY
			CENTERLINE
			PUE
			SIDEWALK
			35' SETBACK FROM RIPARIAN EDGE
			PUBLIC SERVICE EASEMENT
			LANDSCAPE EASEMENT
			LAND TO BE DEDICATED FOR PUBLIC RIGHT OF WAY
			LAND TO REMAIN AS RIGHT OF WAY EASEMENT

RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 8055 CAMINO ARROYO GLENVIEW, CA 95020
 PHONE: (408) 846-0300 FAX: (408) 846-0302

MANA Investments
 5927 Balfour Court, Suite 208
 Carlsbad, CA 92008

PRECISE DEVELOPMENT PLAN
SITE UTILIZATION PLAN
 WATSONVILLE / MONTEREY
 MORGAN HILL, CALIFORNIA

DATE: MK
 2.7.15 JAM
 9/9/15 TRK

SCALE: AS SHOWN

DATE: SEP 9, 2015

SHEET
PDP-4
 OF 32 SHEETS
 JOB NO.
 112025-1001

WA:\JBS 11\112025-1001\DRAWINGS\PRELIM\APPLICATIONS\PPP 2015 SEP\PPP-4 SITE UTILIZATION PLAN.DWG
 9/9/15

EXHIBIT "B"