

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL RECOMMENDING APPROVAL OF AN AMENDMENT (ZA-16-03: RESIDENTIAL CARE FACILITIES) TO TITLE 18, DIVISION I, ZONING CODE TO AMEND CHAPTER 18.04 "DEFINITIONS", AMEND CHAPTER 18.14 - R-2 MEDIUM-DENSITY RESIDENTIAL DISTRICT, SECTION 18.14.040-CONDITIONAL USES, AMEND CHAPTER 18.16 - R-3 MEDIUM-DENSITY RESIDENTIAL DISTRICT, SECTION 18.16.040-CONDITIONAL USES, AMEND CHAPTER 18.17 - R-4 HIGH-DENSITY RESIDENTIAL DISTRICT, SECTION 18.17.040-CONDITIONAL USES, AMEND CHAPTER 18.19- PUBLIC FACILITIES DISTRICT, SECTION 18.19.030-CONDITIONAL USES, AMEND CHAPTER 18.20-CN NEIGHBORHOOD COMMERCIAL DISTRICT, SECTION 18.20.030-CONDITIONAL USES, AMEND CHAPTER 18.22-CG GENERAL COMMERCIAL DISTRICT, SECTION 18.22.030-CONDITIONAL USES, AMEND CHAPTER 18.24 CC-R CENTRAL COMMERCIAL/RESIDENTIAL DISTRICT, SECTION 18.24.070-CONDITIONAL USES, AMEND CHAPTER 18.25 - CL-R LIGHT COMMERCIAL/RESIDENTIAL DISTRICT, SECTION 18.25.030-CONDITIONAL USES, OF THE MORGAN HILL MUNICIPAL CODE.

WHEREAS, this proposed Ordinance (Zoning Amendment ZA-16-03) was considered by the Planning Commission of the City of Morgan Hill at its regular meeting of April 12, 2016, at which time the Planning Commission recommended approval of ZA-16-03: Definition for Residential Care Facilities and associated amendments to other various sections of the Title 18; and

WHEREAS, the Planning Commission has reviewed recommendations contained in the April 12, 2016 staff report on this item, and has determined that the proposed amendments are consistent with the General Plan; and

WHEREAS, testimony received at a duly-noticed public hearing on the proposed Ordinance (Zoning Amendment ZA-16-03), along with exhibits and other materials submitted as a part of the public hearing, have been considered in the review process; and

WHEREAS, adoption of this proposed Zoning Amendment ZA-16-03 does not constitute a project under the provisions of the California Environmental Quality Act of 1970 as described below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MORGAN HILL THAT:

SECTION 1. The Planning Commission hereby finds that the amendments established by this ordinance herein described are compatible with the goals, objectives, and policies of the General Plan of the City of Morgan Hill. The Planning Commission further finds that the proposed amendments are required in order to serve the public health, convenience and general welfare as provided by Section 18.62.070 of the Morgan Hill Municipal Code.

SECTION 2. Projects approved pursuant hereto are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of Guidelines for CEQA. The proposed text amendments to the Morgan Hill Municipal Code are covered by the general rule that CEQA applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments are changes only to definitions of certain uses. Adoption of this amendment does not create changes in the physical environment and are therefore exempt pursuant to the exemption described above.

SECTION 3. The Planning Commission recommends the City Council amend Title 18, Division I, Zoning Code to amend Chapter 18.04 "Definitions", amend Chapter 18.14 - R-2 Medium-Density Residential District, Section 18.14.040-Conditional Uses, amend Chapter 18.16 - R-3 Medium-Density Residential District, Section 18.16.040-Conditional Uses, amend Chapter 18.17 - R-4 High-Density Residential District, Section 18.17.040-Conditional Uses, amend Chapter 18.19- Public Facilities District, Section 18.19.030-Conditional Uses, amend Chapter 18.20-CN Neighborhood Commercial District, Section 18.20.030-Conditional Uses, amend Chapter 18.22-CG General Commercial District, Section 18.22.030-Conditional Uses, amend Chapter 18.24 CC-R Central Commercial/Residential District, Section 18.24.070-Conditional Uses, amend Chapter 18.25 - CL-R Light Commercial/Residential District, Section 18.25.030-Conditional Uses, of the Morgan Hill Municipal Code, as outlined in the attached Exhibit "A".

PASSED AND ADOPTED THIS 12th DAY OF APRIL, 2016, 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

Joe Mueller, Chair

Date: _____