

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE ZONING DESIGNATION OF A 1.94 ACRE SITE LOCATED AT THE NORTHWESTERLY CORNER OF WEST DUNNE AVENUE AND PEAK AVENUE FROM R-3(C) CONDITIONAL TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT.

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

- SECTION 1. INCORPORATING THE MAP BY REFERENCE.** There hereby is attached hereto as "Exhibit A" and made a part of this ordinance, a map showing the boundaries of the subject property.
- SECTION 2. DESCRIPTION OF LAND IN REZONING.** The boundaries of the property as shown for Parcel 2, as shown on that certain Map entitled "Parcel Map being a portion of Lots 97 & 98 Morgan Hill Ranch Map No. 3 recorded in Book G of Maps, at Pages 20 & 21, Santa Clara County Records," which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, on September 26, 1975 in Book 362 of Maps, Page 4.
- SECTION 3. FINDING OF CONSISTENCY WITH THE GENERAL PLAN.** The City Council hereby finds that the amendment established by this ordinance as herein described is compatible with the goals, objectives, policies and land use designation of the amended General Plan of the City of Morgan Hill. The Council further finds that the proposed amendment is 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 4.** The City Council of the City of Morgan Hill hereby finds, on the basis of the whole record before it, that the project site was reviewed as part of Master Environmental Impact Report for the 2001 General Plan update and has been found complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act. The Zoning Amendment complies with the General Plan as required by Government Code Section 65860. The custodian of the documents or other material which constitute the record shall be the Community Development Department.
- SECTION 5. 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 6. 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 MEETING OF THE CITY COUNCIL HELD ON THE 5th DAY OF AUGUST 2015, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE ____ DAY OF _____, 2015 AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ATTEST:

APPROVED:

IRMA TORREZ, City Clerk

STEVE TATE, Mayor

⌘ CERTIFICATION ⌘

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. _____, New Series, adopted by the City Council of the City of Morgan Hill, California at its regular meeting held on the _____ day of _____, 2015.

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

DATE: _____

IRMA TORREZ, City Clerk