

ORDINANCE NO. 2160, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE ZONING DESIGNATION OF A 18.2 ACRE PARCEL LOCATED EAST OF HIGHWAY 101 AND ON THE NORTH SIDE OF SAN PEDRO AVENUE BETWEEN MURPHY AVENUE AND CONDIT ROAD (ASSESSOR PARCEL NUMBERS 817-12-006 AND 817-12-009) FROM CG GENERAL COMMERCIAL TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

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

- SECTION 1. ESTABLISHING R-3 ZONING DISTRICT** for an approximately 18.2 gross-acre site located east of Highway 101 and on the north side of San Pedro Avenue between Murphy Avenue and Condit Road for Zoning Amendment application ZA-14-16: Condit-Evergreen (APN 817-12-006 and -009).
- SECTION 2. 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 being all that property situated in the City of Morgan Hill, County of Santa Clara, State of California, being a portion of Lot 50 and Lot 51, containing 19.42 acres, more or less, as shown on the map entitled "Catherine Dunne Ranch Map No. 5", filed April 5, 1897 in Book I of Maps, at Page 59, records of Santa Clara County, California.
- 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 an Environmental Impact Report (EIR) prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate potential environmental impacts associated with the project. The EIR is intended to serve as an informational document for the public agency decision makers and the public regarding the project. The EIR and the Mitigation Monitoring and Reporting Program and Statements of Overriding Consideration were adopted under separate Resolution on February 4, 2015.

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 2nd DAY OF SEPTEMBER 2015, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

STEVE TATE, Mayor

ATTEST:

IRMA TORREZ, City Clerk

DATE: _____

Effective October 3, 2015

❧ 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. 2160, New Series, adopted by the City Council of the City of Morgan Hill, California at its regular meeting held on the 2nd day of September 2015.

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

DATE: _____

IRMA TORREZ, City Clerk

