RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING OF THE INCLUSION OF 11 PARCELS TOTALING APPROXIMATELY 48 ACRES LOCATED ON THE WEST SIDE OF MONTEREY ROAD, SOUTH OF WATSONVILLE ROAD, INTO THE CITY'S URBAN SERVICE AREA (APNs 779-04-005; -030, -072, -074, -032, -033, -073, -010, -015, -016, -061)

WHEREAS, such request was considered by the City Council at its regular meeting of September 2, 2015, at which time the City Council approved Urban Service Area Amendment application USA-15-01: Monterey-City of Morgan Hill; and

WHEREAS, the subject site was part of a larger project called the, "Monterey-South of Watsonville Project" that included 17 parcels totaling approximately 67.4 acres and that was comprised of three sets of General Plan Amendment, Zoning Amendment, and Urban Service Area Amendment applications as follows:

- GPA-07-02/ZA-08-09/USA-06-01: Watsonville-Royal Oaks Enterprises (6 parcels)
- GPA-08-08/ZA-08-08/USA-08-08: Monterey-Morgan Hill Bible Church (2 parcels)
- GPA-08-09/ZA-08-10/USA-08-09: Monterey-City of Morgan Hill (9 parcels); and

WHEREAS, the three General Plan Amendment and Urban Service Area Amendment applications were approved by City Council resolutions on December 7, 2011 (Resolution Nos. 6501 and 6502, respectively) and the three Zoning Amendments were approved with the City Council adoption of Ordinance No. 2028 N.S. on January 18, 2012; and

WHEREAS, following City Council approval of the Monterey-South of Watsonville Project applications, the City submitted an Urban Service Area boundary amendment application to Santa Clara County LAFCO and in October 2013, LAFCO approved an Urban Service Area amendment that only included a portion of the Watsonville-Royal Oaks Enterprises project site consisting of four (4) out of the six (6) parcels located closest to the intersection of Watsonville and Monterey Roads; and

WHEREAS, the remaining two (2) parcels from the Watsonville-Royal Oaks Enterprises project and all 11 parcels from the Monterey-Morgan Hill Bible Church and Monterey-City of Morgan Hill projects remain outside of the Urban Service Area; and

WHEREAS, the Urban Service Area Amendment application (USA-15-01) combines the former Monterey-Morgan Hill Bible Church (USA-08-08) and former Monterey-City of Morgan Hill (USA-08-09) applications; and

WHEREAS, the Planning Commission on August 11, 2015 recommended that the City Council approve the Urban Service Area Amendment application (USA-15-01) and consider including parcels 779-04-011; -012, -013, and -058 within the Urban Service Area to further the

goal of "regularizing" the City's boundaries; 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 CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that the proposed inclusion of territory into the Urban Service Areas, shown in "Exhibit A", is consistent with the General Plan in that the proposed Urban Service Area Amendment is consistent with General Plan Community Development Policy 3b, which states that the City should, "Allow Urban Service Area expansions only within the long-term Urban Growth Boundary and for lands with urban designations; the timing and extent of Urban Service Area expansion shall remain consistent with established Urban Service Area expansion policies and ordinances." The subject site is located entirely within the City's Urban Growth Boundary (UGB) and each of the parcels has urban land use designations (Non-Retail Commercial, Single Family Medium, and Public Facilities).

SECTION 2. The City Council previously determined with the Monterey-South of Watsonville Project and finds that the proposed project is consistent with the, "Desirable Infill" standards from the Zoning Ordinance (Section 18.78.070.B) and with City Council Policy CP 94-02: Criteria for Adjustment of the Urban Service Boundary.

SECTION 3. The City Council finds that amending the Urban Service Area boundary to include the 11 parcels would be a benefit to the community resulting in a more orderly and logical boundary in that:

1. All 11 of the parcels are located within the City's Urban Growth Boundary
2. All 11 of the parcels have urban General Plan Land Use designations (Non-Retail Commercial (8 parcels), Public Facilities (2 parcels), and Single Family Medium)
3. Seven (7) of the 11 parcels (779-04-005; -030, -072, -074, -032, -033, and -073) are located within the existing City Limits;
4. Nine (9) of the 11 parcels are developed with urban land uses;
5. The project site is adjacent to existing City Limits to the north and east along and across Monterey Road.

SECTION 4. The City Council finds that the proposed expansion of the Urban Service Area boundary will not be granted to an applicant, development, or land previously included within the Urban Service Area under the terms of Council Policy CP 94-02.

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.

PASSED AND ADOPTED THIS 2nd DAY OF SEPTEMBER, 2015, AT A REGULAR MEETING OF THE CITY COUNCIL BY THE FOLLOWING VOTE:

AYES: **COUNCILMEMBERS:**

NOES: **COUNCILMEMBERS:**

ABSTAIN: **COUNCILMEMBERS:**

ABSENT: **COUNCILMEMBERS:**

ATTEST:

_____
IRMA TORREZ, City Clerk

A F F I D A V I T

I, _____, **applicant**, hereby agree to accept and abide by the terms and conditions specified in this resolution.

_____
(Type Name), **Applicant Signature**

_____
Date