

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MORGAN HILL RECOMMENDING
CITY COUNCIL APPROVAL OF DEVELOPMENT
AGREEMENT APPLICATION DA-2016-0006: PRICE-
CONN FOR APPLICATION MMC-15-08: PRICE-CONN
(APN 773-08-081)**

WHEREAS, the City Council of the City of Morgan Hill has adopted Resolution No. 4028, establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System (RDSCS), Title 18, Chapter 18.78 of the Morgan Hill Municipal Code; and

WHEREAS, Sections 65864 through 65869.5 of the California Government Code authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property; and

WHEREAS, the Planning Commission, pursuant to Chapter 18.78.125 of the Morgan Hill Municipal Code, awarded one building allotment (Fiscal Year 2017-2018) for application MMC-15-08: Price-Conn.

WHEREAS, said Development Agreement request was considered by the Planning Commission at its regular meeting of August 23, 2016 at which time the Planning Commission recommended City Council approval of Development Agreement application, DA2016-0006: Price-Conn; 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 PLANNING COMMISSION DOES
RESOLVE AS FOLLOWS:**

SECTION 1. The proposed project is consistent with the Zoning Ordinance and the General Plan.

SECTION 2. Projects approved pursuant hereto are exempt from the California Environmental Quality Act (CEQA) under Section 15303(a) of Guidelines for CEQA and Section 21083 of the Public Resources Code because the project includes the construction and location of limited number of new small facilities (up to three single family residences within an urbanized area).

SECTION 3. **ADOPTION OF DEVELOPMENT AGREEMENT.** The Planning Commission hereby recommends to the City Council adoption of the Development Agreement DA2016-0006: Price-Conn. The Planning Commission recommends approval of the development agreement as contained in the attached Exhibit "A."

PASSED AND ADOPTED THIS 23rd DAY OF AUGUST 2016, AT A REGULAR MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

JENA LUNA, Deputy City Clerk

WAYNE TANDA, Chair

Date: _____