



# City of Morgan Hill

## Legislation Text

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## **CITY COUNCIL STAFF REPORT**

### **MEETING DATE: JUNE 1, 2016**

PREPARED BY: Angie Garcia, Council Services Assistant/Administrative Services  
APPROVED BY: City Manager

**ADOPT ORDINANCE 2203, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING 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**

### **RECOMMENDATION(S)**

Waive the reading, Adopt Ordinance No. 2203, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

### **COUNCIL PRIORITIES, GOALS & STRATEGIES:**

#### **Ongoing Priorities**

Protecting the environment

#### **2016 Focus Areas**

Planning Our Community

## **REPORT NARRATIVE:**

On May 18, 2016, the City Council Introduced Ordinance No. 2203 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Siebert, Tate; NOES: Librers; ABSTAIN: None; ABSENT: None.

The City has four distinct definitions within the Municipal Code relating to residential care facilities, which include *"Congregate Care for the elderly/assisted living facility"*, *"Residential Care Facility, Large"*, *Residential Care Facility, Small"* and *"Senior citizen housing, independent/active"*. The ordinance amendment will align the City's definitions with the State and require licensing where applicable.

## **COMMUNITY ENGAGEMENT:      Involve**

Public hearings were held with the Planning Commission on April 12 and April 26, 2016. The public was invited to attend and discuss the proposed changes to the Municipal Code.

## **ALTERNATIVE ACTIONS:**

None

## **PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

This project was originally heard at the April 12, 2016 Planning Commission meeting. The Planning Commission requested additional information to be provided and the hearing was continued to the April 26, 2016 meeting. At the April 26, 2016 Planning Commission meeting, the Commission voted 4 -1-0-2 (Orosco opposed, Toombs/Spring absent) to recommend approval of the proposed Ordinance amendment.

## **FISCAL AND RESOURCE IMPACT:**

There would be no fiscal impact with the proposed Ordinance amendment.

## **CEQA (California Environmental Quality Act):**

Statutory Exemption

This Ordinance is exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) of the State CEQA Guidelines. Text amendments to the Morgan Hill Municipal Code are covered by the general rule that CEQA applies only 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. Adoption of these amendments will not create changes in the physical environment and are therefore exempt

## **LINKS/ATTACHMENTS:**

Ordinance 2203