

## **ORDINANCE NO. 2344, NEW SERIES**

### **AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING A ZONING MAP AMENDMENT FROM PLANNED DEVELOPMENT/GENERAL COMMERCIAL TO MIXED USE FLEX FOR A MIXED-USE DEVELOPMENT ON A 3.82-ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF COCHRANE ROAD AND MONTEREY ROAD (MONTEREY – CITY VENTURES (THE GATES)) (APNS 764-10-013 AND 764-10-015)**

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

**SECTION 1.** The proposed amendment is consistent with the General Plan and any applicable specific plan as provided by Government Code Section 65860.

The proposed project is consistent with the policies of the General Plan and also the proposed General Plan designation of Mixed-Use Flex.

**SECTION 2.** The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The project is a mixed use development that would provide housing and commercial opportunities. The proposed project is not expected to be detrimental to the public interest, health, safety, convenience, or welfare of the City. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project per the California Environmental Quality Act (CEQA). A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project which includes all measures required to reduce potentially significant environmental impacts to a less-than significant level which will be incorporated into any approval of a future development project.

**SECTION 3.** The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to ensure that the permitted land uses and development will comply with the zoning code and general plan and contribute to the health, safety, and welfare of the property, surrounding properties, and the community at large.

The amendment would allow for development of a mixed-use project. Based upon analysis of the conceptual plan, the project would comply with all the required development standards outlined in the MU-F zone district. The project site is large enough to fit the proposed project and be complementary to the other residential mixed-use projects located along Monterey Road. The zone change would provide an appropriate transition from the lower density single-family detached

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neighborhoods to the north and west of the project site to the higher density single-family attached neighborhoods and commercial areas along Monterey Road.

**SECTION 4.** The request was considered by the Planning Commission at its regular meeting of December 13, 2022, at which time the Planning Commission recommended approval of Zoning Amendment application, ZA2021-0006: Monterey – City Ventures (The Gates).

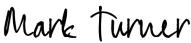
**SECTION 4. Effective Date; Posting.**

This Ordinance shall take effect on the 31<sup>st</sup> day after adoption. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

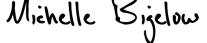
**THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 15<sup>TH</sup> DAY OF FEBRUARY 2023, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 5<sup>th</sup> DAY OF APRIL 2023, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:**

**AYES:** COUNCIL MEMBERS: Gino Borgioli, Mark Turner, Marilyn Librers  
**NOES:** COUNCIL MEMBERS: Rene Spring, Yvonne Martinez Beltran  
**ABSTAIN:** COUNCIL MEMBERS: None  
**ABSENT:** COUNCIL MEMBERS: None

**APPROVED:**

DocuSigned by:  
  
9581D1D2BBAE481  
MARK TURNER, Mayor

**ATTEST:**

DocuSigned by:  
  
C0FCB7EABA7C4C8  
MICHELLE BIGELOW, City Clerk

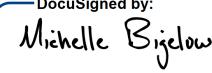
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☒ **CERTIFICATE OF THE CITY CLERK** ☒

**I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA**, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2344, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 5th day of April 2023.

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

DATE: 4/11/2023

DocuSigned by:  
  
C0F-CB7-EABA/C4C8...  
**MICHELLE BIGELOW, City Clerk**