



**COMMITTEE FOR
GREEN FOOTHILLS**

Wednesday, July 27, 2016

Mayor Steve Tate and City Council Members
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037-4128

Re: Agenda Item 13 – Morgan Hill 2035 Project

Dear Mayor Tate and Council Members,

Thank you for this opportunity to comment on the above noted project. Committee for Green Foothills (CGF) very much appreciates the time and effort that the community, City staff, Planning Commission, and City Council have invested in this endeavor.

After reviewing the draft General Plan¹ and Residential Development Control System (RDCS) documents, Final Environmental Impact Report (FEIR) and recent letters pertaining to the FEIR, we offer the following comments.

Address outstanding concerns with FEIR before certification. The City should adequately address the outstanding concerns the Local Agency Formation Commission (LAFCO) and Santa Clara Valley Water District have with regards to the FEIR before certifying it. These concerns include, but are not limited to, the appropriate assessment of the demands and impacts on groundwater water supply; an insufficient water supply assessment to support the conclusion that future water demands can be met; and, segmentation and deferral of environmental review.

¹ In reviewing the draft General Plan, we noted some minor typographical errors:

- p. 1-5, last sentence, 1st paragraph: delete one of the two periods at the end of the sentence
- p. 1-5, 5th sentence, 3rd paragraph: delete the word “were”
- p. CFN-6, 1st sentence, 4th paragraph: 2066 should be 2006 (this is an error in the current General Plan as well)
- p. CNF-25, 1st sentence, 2nd paragraph: space required (and perhaps period) between Form and Morgan Hill

Rescind adopted SEQ Land Use Plan and remove reference to it from the draft 2035 General Plan text and land use map. While the City maintains that planning for the Southeast Quadrant (SEQ) was a fulfillment of the current General Plan, Actions 3.4 and 3.6 of that General Plan did not require the development of a land use plan for the SEQ before this General Plan update. The 2035 General Plan update process was the best, most logical avenue to have a truly significant community discussion about the future of the SEQ, yet the City chose to bar that discussion within this most appropriate process. The latter action is inconsistent with the purpose of a comprehensive review of the major policy document that guide's the City's decisions with regards to growth and conservation; one that is supposed to be a highly participatory process and should reflect the community's values and goals.

As such, the community has not had a meaningful process by which to provide input on this substantial amendment to city boundaries; except through the significant opposition demonstrated via the March 11, 2016 LAFCO hearing on the City's Urban Service Area (USA) amendment request. The level of opposition expressed by residents of this community should have been sufficient to direct City Council to put aside this ill-advised plan and engage the community in a much more inclusive visioning and planning process for this area.

Furthermore, the City's insistence on retaining, and further adding the potential of, urban development in the SEQ is incongruous with draft General Plan policies², the input it has received from regional agencies, and the work currently underway on the Santa Clara Valley Climate and Agricultural Preservation Program (CAPP).

Remove designation of potential school sites within the SEQ. We urge the City to remove from the General Plan Land Use Map the designation of potential school sites in the SEQ. The designation of two potential additional school sites within the SEQ³ does little to enhance the City's supposed commitment to significant agricultural preservation in this area or conscientious engagement in, and respect for, the CAPP process.

In addition, there are environmental and health concerns with siting schools in this area. Environmentally, they will contribute to/increase the loss of agricultural land, as one of the sites is apparently on rural county land and not within the the Urban Growth Boundary (UGB).

² e.g Policy CNF-7.5 and Policy NRE-4.13

³ Despite repeated claims from SEQ landowners to LAFCO and others that they were not interested in negotiating with the Morgan Hill Unified School District to sell their parcels in the SEQ for school sites.

This would require another amendment to the UGB in this area and, consequently, the development would create further land use conflicts with adjacent agricultural lands, threatening their agricultural viability.

These sitings could also lead to an increase in greenhouse gas emissions because of the automobile trips required to take the students to these schools versus potential sites situated within future neighborhoods. Included in VTA's General Plan DEIR comments was a recommendation that the City consider one or more potential east-west crossings of US 101 including one at Maple Avenue and/or Fisher Avenue to improve connectivity given the growth the City plans in this area. The more the City insists on placing urban development in the SEQ, the more costly the infrastructure to support such development will become; not to mention the more incompatible this development will be with agricultural operations in the area and any pretense to have that area remain rural.

Agricultural Preservation Set-Aside allotment needs justification. While CGF appreciates the intent of this set-aside, we have not received a satisfactory answer as to the basis for the number (300) of allotments for this set-aside. The DEIR refers to a proposed (but not yet drafted) Transfer of Development Rights (TDR) system that would potentially be applied to the Chiala property within the SEQ. Purportedly, the currently unincorporated site for this residential development could have the capacity for 170 units. With no other sending or receiving sites identified within city limits for this set-aside or a TDR program in place, the City should clarify what was used to calculate the number of allotments for this set-aside.

Conclusion

For the reasons stated above, we cannot - at this time - support the certification of the FEIR, the adoption of the draft Morgan Hill 2035 General Plan, or the RDCS Ordinance update.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julie Hutcheson".

Julie Hutcheson
Legislative Advocate