

## MEASURE S

### CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE S

Placed on the ballot by the City Council, amends residential development control system ("RDSCS"), as adopted by Measure C in 2004 and extends development control to January 1, 2035. If approved, Measure S will take effect on March 1, 2017. If not approved, Measure C continues until its expiration at the end of the 2019/20 fiscal year.

RDSCS requires allotments for residential units awarded through a competitive process. Measure S revises the number of allotments based on a the City's 2035 General Plan population ceiling of 58,200 as of January 1, 2035, and sets a maximum number of allotments available of 215 per year.

Unless canceled, competition for allotments will be conducted annually. The City Council may reduce the number of annual allotments on a finding that: reduction is necessary to prevent a spike in construction; public infrastructure/services are inadequate to accommodate the new development; reduction is required to meet the goals of the RDSCS; or there is insufficient demand. The City Council may cancel a competition on a finding that awarding allotments would significantly impact public health, safety and welfare.

Measure S exempts the following from RDSCS: one single-family home on an existing lot; secondary dwelling units; conversion of a single-family home to duplex; assisted living/nursing homes; and the annexation of existing housing outside of the current City limits. Any annexation will not increase the General Plan population ceiling.

Measure S requires that at least 500 units be set aside within the Downtown Specific Plan boundaries through January 1, 2035. Downtown set-aside units are not required to compete for allocations. Downtown projects that are consistent with the Downtown Specific Plan, General Plan and Zoning Code, and receive a qualifying RDSCS score, receive allotments on a first-come first-served basis.

Measure S requires that at least 300 agricultural preservation units be set aside for housing that may be applied anywhere in the City through January 1, 2035. These units are set-aside for projects that establish permanent agricultural conservation easements within the City or within the City's Priority Agriculture Conservation Area. Agricultural set-aside projects must receive a qualifying RDSCS score to be eligible for allocations. Allocations awarded in an annual competition will be reduced when set-aside allocations are used.

Measure S modifies evaluation criteria for allotment applications. It awards points to projects using criteria that relate to: schools; location; affordable housing; housing diversity; parks and open space; environmental protection; transportation; infrastructure/services; and project quality. City Council divides allotments among categories of development and may consider phasing.

## CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE S-Continued

**The above statement is an impartial analysis of the Ordinance of The City of Morgan Hill Updating and Extending the City's Residential Development Control System until the year 2035 by amending the General Plan and Chapter 18.78 of the Municipal Code. If you desire a copy of the measure, please visit <http://www.morgan-hill.ca.gov/> or call the City Clerk at (408)779-7271 and a copy will be mailed or e-mailed at no cost to you.**

/s/ Donald A. Larkin  
City Attorney

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## ARGUMENT IN FAVOR OF MEASURE S

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Residential growth control has worked very well for Morgan Hill since 1977 and provides well planned, orderly development. The original Residential Development Control System (RDSCS) was approved in response to concerns over the amount and pace of residential growth and the impacts on city services and infrastructure.

Morgan Hill voters overwhelmingly endorsed growth control and extended the measure twice, defining our community fabric today. Our residents have strongly embraced growth control as a major contributor to our high quality of life.

Measure S will extend residential growth control which would otherwise expire in 2020. Extending it guarantees growth control remains, simplifies and streamlines the complex RDSCS process, and enables improvements that reflect our current and future circumstances.

Measure S extends growth control to 2035 with a focus on annual allotments, rather than forcing attainment of a population cap. The 215 maximum annual allotments cannot be exceeded, only reduced if needed, such as to avoid another building "boom." It establishes a population ceiling of 58,200, a slower rate of growth than currently exists, and improves policies to maintain neighborhood character, encourage more efficient land use, conserve water, and preserve open space.

The recommended changes in Measure S were developed after careful study and public input by a committee representing all facets of our community and extensive community engagement. This broad-based collaboration means that Measure S will continue to define our local goals and values.

Measure S gives your elected City Council more flexibility to adjust to new or unexpected conditions, smooth growth, and limit it if necessary. Growth control is integral to Morgan Hill's identity and essential to the high quality of life we enjoy. A YES vote on Measure S will preserve the quality of life that distinguishes Morgan Hill.

/s/ Steve Tate  
Mayor

/s/ Larry Carr  
Council Member

/s/ Rich Constantine  
Mayor Pro Tem

/s/ Marilyn Libbers  
Council Member

/s/ Gordon Siebert  
Council Member

**NO ARGUMENT AGAINST MEASURE S WAS SUBMITTED**