

CITY OF MORGAN HILL CITY COUNCIL POLICIES AND PROCEDURES

CP 07-01

**SUBJECT: POLICY FOR ESTABLISHING PROCEDURES FOR SCORING AND
AWARDING THE 100 ALLOTMENTS MADE AVAILABLE NOVEMBER
2006. (COMPETITION)**

EFFECTIVE DATE: APRIL 18, 2007

REVISION DATE: AUGUST 22, 2007

ORIGINATING DEPT: PLANNING

Procedures for Scoring and Awarding 100 Measure F Allotments for the Micro, Non Micro and Currently Allocated Project Competition within the Downtown.

It shall be the policy of the City of Morgan Hill to utilize the following procedures for awarding the 100 allocations made available through the passage of Measure F in November 2006.

Eligible Micro & Non-Micro Projects.

Micro and Non-Micro projects must meet the following criteria:

1. Must be located within the downtown core (defined as from south of Main, north of Dunne, east of Del Monte, and west of railroad tracks).
2. Mixed use or residential development consisting of a maximum of twenty five dwelling units.
3. Project must be no less than 75% of the maximum density allowed pursuant to the General Plan.
4. Must not be a currently allocated RDCS project applying for the same or fewer, number of allocations which would "substitute" for allocations previously awarded.

Currently allocated downtown projects must meet the following criteria:

1. Must meet eligibility requirements 1 above AND
2. Must currently have allocations which were granted in the 2005 RDCS Downtown Competition.

Distribution of Allotments

Two competitions shall be held for the 100 Measure F allotments. A beginning filing date shall be established by the City Council for each competition. The allocations for the competitions shall be divided into the following competition categories:

First competition: 50 large project allocations*, **

Second competition: 18 micro allocations, 32 large project allocations*

* Measure F allocations awarded to currently allocated 2005 Downtown projects shall be subtracted from the large project allocation set a side.

**Any unused allocations from the first competition shall be moved to the second competition.

A final determination of the distribution of allotments between micro, currently allocated and non micro projects in the second competition will be determined by the City Council in May/June 2008.

Micro, Non Micro and Currently Allocated Development Allotment Application.

All applications for development allotments shall be consistent with Section 18.78.410 of the Municipal Code.

Filing periods.

The filing date for the first competition shall be December 3, 2007. The filing date for the second competition is September, 2008, or later if so directed by the City Council. The filing period for each competition shall be two business days. All applications received within the two day filing period shall be reviewed by the Planning officers in accordance with this policy.

Planning Officers' Review of Micro, Non Micro and Currently Allocated applications.

The planning officer shall review each application to determine whether or not the proposed development conforms to the city's General Plan, Downtown Plan and Title 18 of the Municipal Code. The planning officer shall notify the applicant of his/her decision within 15 days of the close of the filing period. If the planning officer determines that a proposed development does not conform to the General Plan Downtown Plan and Title18 the application shall be rejected. If the application is rejected, an applicant may appeal the planning officer's determination in the manner prescribed in Section 18.78.100(B) of the Municipal Code.

Applications are not available for public review until applications submitted during the filing period have been found by the planning officer to be complete for processing.

Evaluation--Standards and Criteria for Currently Allocated Downtown projects seeking to increase project density with Measure F allocations.

A. Previously allocated downtown projects which have been revised to increase the number of units shall be evaluated by the planning officer according to the standards and criteria contained in Sections 18.78.200 through 18.78.330 of the Municipal Code at the time of the project's initial award of allocation.

B. In order to be eligible for Measure F building allotments, a revised project must maintain or exceed the score achieved at the time of the project’s initial RDCS evaluation.

C. Any loss in points resulting from the increase in density shall be made up by increasing project commitments within any scoring category.

D. The planning commission shall review the planning officer's evaluation and make the final award of allocations based on maintenance of initial evaluation score and date and time of application submittal.

Evaluation—Standards and criteria for Micro Projects of 6 or less dwelling units.

A. Projects will be evaluated according to the standards and criteria contained in Sections 18.78.200 through 18.78.330 of the Municipal Code.

B. In order to be eligible for building allotments, a project must receive at least **seven and one half points** in Part 1 and **one hundred fifty points** in Part 2 of the allotment evaluation. Those that fail to receive a minimum passing score will have the opportunity to improve their designs and reapply during the next competition.

C. Each micro project application shall be evaluated by the planning officer. The Part 1 criteria shall be applied in the manner consistent with the provisions contained in Section 18.78.200 of the Municipal Code. However, under Part 2 of the evaluation, each micro project shall be assigned the following minimum scores:

<u>Category</u>	<u>Minimum Score</u>
Schools	16
Open space	12
Orderly and contiguous	2
Public facilities	5
Parks and paths	5
Housing needs	8
Housing types	12
Quality of construction	8
Lot layout and orientation	9
Circulation efficiency	8
Safety and security	5
Landscaping	7
Natural and environmental	7
Livable Communities	5
Total	109

D. The planning officer shall examine each proposed development and shall rate each development by the assignment of no more than ~~the~~ the maximum number of points allowable on each

of the following categories (highlighted above): schools, open space, orderly and contiguous, public facilities, parks and paths, housing needs, quality of construction, safety and security and livable communities. The difference between the minimum score provided above, and the maximum score

assigned in each of the aforementioned categories, shall determine a project's rating and eligibility for building allotments. In the event that two or more projects receive an equal number of points, the planning officer shall evaluate each project according to the remaining categories.

E. The planning commission shall review and confirm the scores assigned as part of the planning officer's evaluation. The planning commission shall make the final award of allocations.

Evaluation--Standards and criteria for Non-Micro Projects containing 7 to 25 dwelling units.

A. Projects will be evaluated according to the standards and criteria contained in Sections 18.78.200 through 18.78.330 of the Municipal Code.

B. In order to be eligible for building allotments, a project must receive at least **seven and one half points** in Part 1 and **one hundred sixty points** in Part 2 of the allotment evaluation. Those that fail to receive a minimum passing score will have the opportunity to improve their designs and reapply during the next competition.

C. Each downtown core project application shall be evaluated by the planning officer. The Part 1 criteria shall be applied in the manner consistent with the provisions contained in Section 18.78.200 of the Municipal Code.

D. The planning officer shall examine each proposed development and shall rate each development by the assignment of no more than the maximum number of points allowable on each of the categories.

The planning commission shall review and confirm the scores assigned as part of the planning officer's evaluation. The planning commission shall make the final award of allocations.

Award of allotments.

A. Currently Allocated Downtown projects which maintain their original score may be awarded allotments to a maximum of 25 allocations.

B. Proposed **Micro developments** which have received a minimum of **one hundred fifty points** under Section 18.78.120 and **Non micro projects** which received a minimum of **one hundred sixty points** under Section 18.78.120. The available allotments shall be awarded by the planning commission on the basis of the number of points received in Section 18.78.120 starting with the proposed developments receiving the most evaluation points and proceeding in order down the list until the numerical limit established by the council has been reached. Where allotments are made on the basis of a comparative standing on the list, any applicant who has received the required minimum number of points, but who is not high enough on the list to receive a development allotment, may appeal the final project score to the city council.

Unused Allocations for Micro and Non Micro projects.

After the conclusion of the second competition, micro or non micro applications may be filed for any unused allocations. The beginning date for acceptance of after-competition applications shall be established by the Council. Applications filed on or after that date, which receive a score at least equal to the lowest successful score in the prior respective competition shall be assigned unused allocations on a first-come first-serve basis.

Allocations which are not used due to default shall be returned to the respective competition category (micro/non-micro). Micro and Non-Micro project applications may be filed for the unused allocations. The beginning date for acceptance of applications shall be established by the Council. Applications filed on or after that date which receive a score at least equal to the lowest successful score in the prior respective competition shall be assigned the un-used allocations on a first come first serve basis.

Appeal procedure.

Appeals of the planning officer' or planning commission evaluation shall follow the procedures set forth in Section 18.78.400 of the Municipal Code.

Development Agreement required for Micro, Non-Micro and supplemental allocations awarded to 2005 Downtown projects.

All projects receiving allocations shall be required to enter into a Development Agreement with the City of Morgan Hill. The development agreement will require timely use of the building allotments including a performance schedule with a commencement of construction deadline.

This policy shall remain in effect until the 100 allocations are assigned and utilized by qualifying projects within the downtown core boundary or as modified by the City Council.

APPROVED:



STEVE TATE, MAYOR