

**MITIGATION MONITORING AND REPORTING PROGRAM  
VOICES CHARTER SCHOOL  
MORGAN HILL, CALIFORNIA**

Prepared for the:



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Prepared by:

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# MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

The City of Morgan Hill, as Lead Agency under the California Environmental Quality Act (CEQA) and State CEQA Guidelines, has prepared the Final Mitigated Negative Declaration (MND) for the Voices Charter School Project (proposed project). When a lead agency makes findings on significant effects identified in an MND, it must also adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of project approval (Public Resources Code [PRC] Section 21081.6[a]; State CEQA Guidelines Sections 15091[d], 15097).

This document represents the mitigation monitoring and reporting program (MMRP) prepared by the City of Morgan Hill for the proposed project. This MMRP includes all measures required to reduce potentially significant environmental impacts to a less-than-significant level. In addition, the MMRP identifies the timing of implementation; the agency responsible for implementing the mitigation; and the agency responsible for monitoring the mitigation. The mitigation measures, timing, and responsibility are summarized in Table 1, and the full text of the mitigation measures follows. The implementation and monitoring of the mitigation measures, in conjunction with the implementation of the City's Standard Measures required for such projects, will ensure the reduction of potentially significant environmental effects to less-than-significant levels.

This MMRP has been prepared by the City of Morgan Hill, with technical assistance from Raney Planning & Management, Inc., an environmental consulting firm. Questions should be directed to Joey Dinh, Associate Planner, at the City of Morgan Hill.

### Contact Information:

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**TABLE 1. MITIGATION MONITORING AND REPORTING PROGRAM – SUMMARY OF MITIGATION MEASURES**

<b>Mitigation Measure</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility<sup>1</sup></b>	<b>Timing of Implementation</b>
<b>Prior to Construction</b>			
<b>BIO-1 (IV-1):</b> A pre-construction survey shall be conducted by a qualified Burrowing Owl biologist no more than 30 days prior to initiation of any ground disturbing (construction) activity to assure take avoidance of burrowing owls. The survey shall consist of a habitat assessment, burrow survey, owl survey, and completion of a written report. The written report shall be submitted to the City of Morgan Hill Development Services Department. If owls are not determined to be present on-site, further mitigation is not required. If owls are observed during the preconstruction survey, no impacts to the owls or their habitat will be allowed during the nesting season (February 1 to August 31), and Mitigation Measures IV-2 and IV-3 shall be implemented.	Project Applicant with Construction Contractor	City of Morgan Hill Community Development Department	No more than 30 days prior to initiation of any ground disturbing (construction) activity
<b>BIO-2 (IV-2):</b> Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones, with a 250-foot radius from occupied burrows, shall be established. All development-related activities shall occur outside of the exclusion area until the young have fledged. Establishment of the exclusion area shall be determined by a qualified biologist to the satisfaction of the City of Morgan Hill Development Services Department.	Project Applicant with Construction Contractor and City of Morgan Hill	City of Morgan Hill – Community Development Department	If burrowing owls are found on the site during the breeding season (February 1 through August 31)
<b>BIO-3 (IV-3):</b> If pre-construction surveys are conducted during the non-breeding season (September 1 through January 31) and burrowing owls are observed on the site, the project proponent shall establish a 250-foot non-disturbance buffer around occupied burrows as determined by a qualified biologist. Construction activities outside of the 250-foot buffer shall be allowed. Construction activities within the non-disturbance buffer shall be allowed if	Project Applicant with Construction Contractor	City of Morgan Hill Community Development Department	If burrowing owls are found on the site during the non-breeding season (September 1 through January 31)

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<p>the following criteria are met in order to prevent owls from abandoning important overwintering sites:</p> <ul style="list-style-type: none"> <li data-bbox="249 415 781 532">• A qualified biologist monitors the owls for at least three days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).</li> <li data-bbox="249 540 781 657">• The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.</li> <li data-bbox="249 665 781 782">• If any change in owl foraging behavior occurs as a result of construction activities, such activities shall cease within the 250-foot buffer.</li> <li data-bbox="249 790 781 1084">• If the owls are gone for at least one week, the project proponent may request approval from the Habitat Agency that a qualified biologist excavate usable burrows to prevent owls from reoccupying the site. After all usable burrows are excavated, the buffer zone shall be removed and construction may continue. Monitoring shall continue as described above for the non-breeding season as long as the burrow remains active.</li> </ul> <p>Passive relocation of owls shall not be permitted unless the positive growth trend described in Section 5.4.6 of the SCVHP is achieved and all passive relocation measures identified in the SCVHP are implemented. The project applicant may choose to obtain an exception that would allow for passive relocation, in which case an application shall be submitted to the Habitat Agency along with a passive relocation plan in accordance with Section 6.6.1, Condition 15,</p>			

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<p>Exceptions to Passive Relocation Prohibition, of the SCVHP. The Habitat Agency shall have the final authority to grant or deny the requested exception.</p>			
<p><b>BIO-4 (IV-4):</b> If construction is proposed during breeding season (February 1 to August 31), a pre-construction nesting survey for raptors and other protected migratory birds shall be conducted by a qualified biologist and submitted to the City of Morgan Hill Development Services Department for review no more than 14 days prior to the start of construction. Pre-construction surveys during the non-breeding season (September 1 to January 31) are not necessary for birds, including roosting raptors, as they are expected to abandon their roosts during construction. If these species are deemed absent from the area, construction may occur within 14 days following the survey during the early nesting season (February to May) and within 30 days following the survey during the late nesting season (June to August).</p> <p>If nesting raptors are detected on or adjacent to the site during the survey, a suitable construction-free buffer shall be established around all active nests. The precise dimension of the buffer (250-foot minimum for certain raptors) shall be determined by the qualified biologist at that time and may vary depending on location, topography, type of construction activity, and species. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.</p>	<p>Project Applicant with Construction Contractor and Qualified Biologist</p>	<p>City of Morgan Hill Community Development Department</p>	<p>If construction is proposed during breeding season (February 1 to August 31). No more than 14 days prior to the start of construction.</p>

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Mitigation Measure	Implementation Responsibility	Monitoring Responsibility <sup>1</sup>	Timing of Implementation
<p><b>BIO-5 (IV-5):</b> The project applicant shall mitigate for the removal of the Ordinance Sized Tree located at the eastern portion of the site along Monterey Road, as identified in the tree survey prepared for the proposed project, by providing an on-site replacement planting at a 1:1 ratio with a 15-gallon minimum size tree.</p>	<p>Project Applicant with Construction Contractor and Certified Arborist</p>	<p>City of Morgan Hill Community Development Department</p>	<p>Prior to and during construction</p>

For the Ordinance Sized Trees within the southwestern corner of the site, which are to be preserved as part of the project, the project applicant shall retain a certified arborist to prepare a tree protection plan, subject to review and approval by the Development Services Department. The plan shall demonstrate how any retained trees are to be protected during and after construction. The tree protection plan may include, but not be limited to, the following:

- Locate structures, grade changes, etc. as far as feasible from the ‘dripline’ area of the tree.
- Avoid root damage through grading, trenching, compaction, etc., at least within an area 1.5 times the ‘dripline’ area of trees. Where root damage cannot be avoided, roots encountered (over one inch in diameter) should be exposed approximately 12 inches beyond the area to be disturbed (towards tree stem), by hand excavation, or with specialized hydraulic or pneumatic equipment, cut cleanly with hand pruners or power saw, and immediately back-filled with soil. Tearing, or otherwise disturbing the portion of the root(s) to remain, shall be avoided.
- A temporary fence shall be constructed as far from the tree stem (trunk) as possible, completely surrounding the tree, and six to

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<p>eight feet in height. ‘No parking or storage’ signs shall be posted outside/on the fencing. Postings shall not be attached to the main stem of the tree.</p> <ul style="list-style-type: none"> <li>• Vehicles, equipment, pedestrian traffic, building materials, debris storage, and/or disposal of toxic or other materials shall not be permitted inside of the fenced off area.</li> <li>• The project applicant shall avoid pruning immediately before, during, or immediately after construction impact. Perform only that pruning which is unavoidable due to conflicts with proposed development. Aesthetic pruning should not be performed for at least one to two years following completion of construction.</li> <li>• Trees that will be impacted by construction may benefit from fertilization, ideally performed in the fall, and preferably prior to any construction activities, with not more than six pounds of actual nitrogen per 1,000 square feet of accessible ‘drip line’ area or beyond.</li> <li>• The ‘rooting’ area shall be mulched with an acidic, organic compost or mulch.</li> <li>• The project applicant shall arrange for periodic (Biannual/Quarterly) inspection of tree's condition, and treatment of damaging conditions (insects, diseases, nutrient deficiencies, etc.) as such conditions occur, or as appropriate.</li> <li>• Subject to the discretion of the Development Services Department, individual trees likely to suffer significant impacts may require specific, more extensive efforts and/or a more</li> </ul>			

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detailed specification than those contained within the above general guidelines.			
<b>BIO-6 (IV-6):</b> No later than submittal of the first construction or grading permit for the proposed project the owner or designee shall pay the Santa Clara Valley Habitat Plan per-acre fee in effect for the appropriate fee zone of the project site, as determined by the Santa Clara Valley Habitat Agency, in compliance with Section 18.132.050 of the Morgan Hill Municipal Code.	Project Applicant	Santa Clara Valley Habitat Agency	No later than submittal of the first construction or grading permit
<b>BIO-7 (IV-7):</b> Implement Mitigation Measures IV-1 through IV-5.	See Mitigation Measures IV-1 through IV-5	See Mitigation Measures IV-1 through IV-5	See Mitigation Measures IV-1 through IV-5
<b>HYD-1 (X-1):</b> Prior to submittal to the RWQCB, the Storm Water Pollution Prevention Plan (SWPPP) prepared for the proposed project shall include, to the satisfaction of the City Engineer, Best Management Practices (BMPs) designed to limit the discharge of sediment or other pollutants to West Little Llagas Creek. Such BMPs shall include, but not necessarily be limited to, the installation of silt fencing at the limit of the proposed grading activities.	Project Applicant	City of Morgan Hill – Community Development Department  City Engineer	Prior to submittal of the SWPPP to the RWQCB
<b>TRA-1 (XVII-1):</b> Prior to submittal of the improvement plans for the project, the project plans shall show the construction of a raised median along Monterey Road at San Pedro Avenue, restricting left-turns out of San Pedro Avenue to southbound Monterey Road. With the left-turn restriction, only right-turns in and out at both San Pedro Avenue (east leg of the intersection) and the existing driveway (west leg of the intersection), as well as southbound left-turns, shall be allowed. The design of the median shall be to the satisfaction of the Engineering and Utilities Division.	Project Applicant	City of Morgan Hill – Community Development Department  City of Morgan Hill – Engineering and Utilities Division	Prior to submittal of improvement plans



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<p><b>TRA-2 (XVII-2):</b> Final project improvement plans prepared for the proposed project shall include, to the satisfaction of the City Engineer, installation of a crosswalk at the northern leg of the Monterey Road/Cosmo Avenue intersection and protected phasing on all approaches of the intersection, including modifying the traffic signal to include protected left-turn phasing on the northbound and southbound approaches and split phasing on the eastbound and westbound approaches.</p>	Project Applicant	<p>City of Morgan Hill – Community Development Department</p> <p>City of Morgan Hill – Engineering and Utilities Division</p>	Prior to submittal of improvement plans
<p><b>TRA-3 (XVII-3):</b> Final project improvement plans prepared for the proposed project shall include, to the satisfaction of the City Engineer, installation of post-mounted rectangular rapid flashing LED beacons on the bike/pedestrian crossing warning signs at the Little Llagas Creek Trail access on Cosmo Avenue.</p>	Project Applicant	<p>City of Morgan Hill – Community Development Department</p> <p>City of Morgan Hill – Engineering and Utilities Division</p>	Prior to submittal of improvement plans
<p><b>TRA-4 (XVII-4):</b> The following conditions shall be noted on project construction drawings, to the satisfaction of the City Engineer, prior to issuance of a building permit or approval of improvement plan:</p> <ul style="list-style-type: none"> <li>• During morning drop-off times at the proposed project, school staff or parent volunteers shall be stationed along the drop-off area to assist students in and out of vehicles and improve drop-off procedures efficiency. Additionally, in order to speed up student pick-up, parents picking up students shall place a name card on the passenger side visor showing the last name and grade level of the child being picked-up so that school staff, positioned at the project driveway, can radio ahead to staff at the drop-off area the name of the student being picked up to ensure</li> </ul>	Project Applicant	<p>City of Morgan Hill – Community Development Department</p> <p>City Engineer</p>	Prior to issuance of a building permit or approval of improvement plans

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<p>the student is ready for pick-up by the time the parent reaches the drop-off area.</p> <ul style="list-style-type: none"> <li>Measures shall be taken to ensure efficient utilization of the available queue storage space within the project site and the efficient and safe loading/unloading of the students. The drop-off/pick-up area shall be well-defined with implementation of appropriate signage and pavement markings clearly showing the student loading zone and each vehicle position. The loading lane shall be designed to provide the maximum loading area possible. During drop-off times, school staff shall be positioned along the drive aisle to ensure that students do not unload outside of the designated loading zone.</li> <li>On-street parking along the southern project site frontage on Cosmo Avenue shall be prohibited. The on-street parking restriction may be permanent (red curb) or time-restricted to the school peak hours only.</li> <li>The proposed charter school shall implement 30-minute staggered start times; specifically, a start time of 8:00 AM for upper grade levels (sixth through eighth grades) and 8:30 AM for lower grade levels (kindergarten through fifth grades).</li> </ul>	Project Applicant	<p>City of Morgan Hill – Community Development Department</p> <p>City Engineer</p>	Prior to approval of improvement plans
<p><b>TRA-5 (XVII-5):</b> Final project improvement plans prepared for the proposed project shall demonstrate that double solid striping shall be installed on Cosmo Avenue, along the project frontage to the intersection of Monterey Road/Cosmo Avenue, to prohibit left-turn movements from eastbound and westbound Cosmo Avenue into and out of the project site driveway. The</p>			

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plans shall be reviewed and approved by the City Engineer.			
<b>During Construction</b>			
See BIO-2 (IV-2), BIO-3 (IV-3), and BIO-4 (IV-4)			
<b>NOI-1 (XIII-1):</b> Noise-generating construction activities associated with the proposed project shall not occur within the hours identified in Municipal Code Section 8.28.040(D). The above language shall be included on final project improvement plans prior to approval by the City of Morgan Hill Development Services Department.	Project Applicant with Construction Contractor	City of Morgan Hill Community Development Department	Included on grading plans and during construction activities
<b>NOI-2 (XIII-2):</b> To the maximum extent practical, the following measures should be implemented during project construction:	Project Applicant with Construction Contractor	City of Morgan Hill Community Development Department	Included on grading plans and during construction activities
<ul style="list-style-type: none"> <li>• All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition;</li> <li>• All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction;</li> <li>• Electrically powered equipment shall be used instead of pneumatic or internal-combustion-powered equipment, where feasible;</li> <li>• Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors;</li> </ul>			

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<ul style="list-style-type: none"> <li>Project area and site access road speed limits shall be established and enforced during the construction period; and</li> <li>Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.</li> </ul>			
<p>The above requirements shall be included via notation on project grading plans, subject to review and approval by the Development Services Department.</p>			
<p><sup>1</sup> The City of Morgan Hill may hire a qualified contractor to conduct mitigation monitoring.</p>			

## BIOLOGICAL RESOURCES

The project's construction-related activities, including site preparation and grading, could have potentially significant effects on burrowing owls, raptors, and other protected migratory birds. Furthermore, the project includes the removal of one on-site tree that is protected by the City's Municipal Code, and would be subject to payment of fees consistent with the Santa Clara Valley Habitat Plan. Implementation of the following measures would reduce such potentially significant effects to less-than-significant levels.

**BIO-1:** A pre-construction survey shall be conducted by a qualified Burrowing Owl biologist no more than 30 days prior to initiation of any ground disturbing (construction) activity to assure take avoidance of burrowing owls. The survey shall consist of a habitat assessment, burrow survey, owl survey, and completion of a written report. The written report shall be submitted to the City of Morgan Hill Development Services Department. If owls are not determined to be present on-site, further mitigation is not required. If owls are observed during the preconstruction survey, no impacts to the owls or their habitat will be allowed during the nesting season (February 1 to August 31), and Mitigation Measures IV-2 and IV-3 shall be implemented.

**BIO-2:** Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones, with a 250-foot radius from occupied burrows, shall be established. All development-related activities shall occur outside of the exclusion area until the young have fledged. Establishment of the exclusion area shall be determined by a qualified biologist to the satisfaction of the City of Morgan Hill Development Services Department.

**BIO-3:** If pre-construction surveys are conducted during the non-breeding season (September 1 through January 31) and burrowing owls are observed on the site, the project proponent shall establish a 250-foot non-disturbance buffer around occupied burrows as determined by a qualified biologist. Construction activities outside of the 250-foot buffer shall be allowed. Construction activities within the non-disturbance buffer shall be allowed if the following criteria are met in order to prevent owls from abandoning important overwintering sites:

- A qualified biologist monitors the owls for at least three days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If any change in owl foraging behavior occurs as a result of construction activities, such activities shall cease within the 250-foot buffer.
- If the owls are gone for at least one week, the project proponent may request approval from the Habitat Agency that a qualified biologist excavate usable burrows to prevent owls from reoccupying the site. After all usable burrows are excavated, the buffer zone shall be removed and construction may continue. Monitoring shall continue as described above for the non-breeding season as long as the burrow remains active.

Passive relocation of owls shall not be permitted unless the positive growth trend described in Section 5.4.6 of the SCVHP is achieved and all passive relocation measures identified in the SCVHP are implemented. The project applicant may choose to obtain an exception that would allow for passive relocation, in which case an application shall be submitted to the Habitat Agency along with a passive relocation plan in accordance with Section 6.6.1, Condition 15, Exceptions to Passive Relocation Prohibition, of the SCVHP. The Habitat Agency shall have the final authority to grant or deny the requested exception.

**BIO-4:** If construction is proposed during breeding season (February 1 to August 31), a pre-construction nesting survey for raptors and other protected migratory birds shall be conducted by a qualified biologist and submitted to the City of Morgan Hill Development Services Department for review no more than 14 days prior to the start of construction. Pre-construction surveys during the non-breeding season (September 1 to January 31) are not necessary for birds, including roosting raptors, as they are expected to abandon their roosts during construction. If these species are deemed absent from the area, construction may occur within 14 days following the survey during the early nesting season (February to May) and within 30 days following the survey during the late nesting season (June to August).

If nesting raptors are detected on or adjacent to the site during the survey, a suitable construction-free buffer shall be established around all active nests. The precise dimension of the buffer (250-foot minimum for certain raptors) shall be determined by the qualified biologist at that time and may vary depending on location, topography, type of construction activity, and species. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.

**BIO-5:** The project applicant shall mitigate for the removal of the Ordinance Sized Tree located at the eastern portion of the site along Monterey Road, as identified in the tree survey prepared for the proposed project, by providing an on-site replacement planting at a 1:1 ratio with a 15-gallon minimum size tree.

For the Ordinance Sized Trees within the southwestern corner of the site, which are to be preserved as part of the project, the project applicant shall retain a certified arborist to prepare a tree protection plan, subject to review and approval by the Development Services Department. The plan shall demonstrate how any retained trees are to be protected during and after construction. The tree protection plan may include, but not be limited to, the following:

- Locate structures, grade changes, etc. as far as feasible from the ‘dripline’ area of the tree.
- Avoid root damage through grading, trenching, compaction, etc., at least within an area 1.5 times the ‘dripline’ area of trees. Where root damage cannot be avoided, roots encountered (over one inch in diameter) should be exposed approximately 12 inches beyond the area to be disturbed (towards tree stem), by hand excavation, or with specialized hydraulic or

pneumatic equipment, cut cleanly with hand pruners or power saw, and immediately back-filled with soil. Tearing, or otherwise disturbing the portion of the root(s) to remain, shall be avoided.

- A temporary fence shall be constructed as far from the tree stem (trunk) as possible, completely surrounding the tree, and six to eight feet in height. 'No parking or storage' signs shall be posted outside/on the fencing. Postings shall not be attached to the main stem of the tree.
- Vehicles, equipment, pedestrian traffic, building materials, debris storage, and/or disposal of toxic or other materials shall not be permitted inside of the fenced off area.
- The project applicant shall avoid pruning immediately before, during, or immediately after construction impact. Perform only that pruning which is unavoidable due to conflicts with proposed development. Aesthetic pruning should not be performed for at least one to two years following completion of construction.
- Trees that will be impacted by construction may benefit from fertilization, ideally performed in the fall, and preferably prior to any construction activities, with not more than six pounds of actual nitrogen per 1,000 square feet of accessible 'drip line' area or beyond.
- The 'rooting' area shall be mulched with an acidic, organic compost or mulch.
- The project applicant shall arrange for periodic (Biannual/Quarterly) inspection of tree's condition, and treatment of damaging conditions (insects, diseases, nutrient deficiencies, etc.) as such conditions occur, or as appropriate.

Subject to the discretion of the Development Services Department, individual trees likely to suffer significant impacts may require specific, more extensive efforts and/or a more detailed specification than those contained within the above general guidelines.

**BIO-6:** No later than submittal of the first construction or grading permit for the proposed project the owner or designee shall pay the Santa Clara Valley Habitat Plan per-acre fee in effect for the appropriate fee zone of the project site, as determined by the Santa Clara Valley Habitat Agency, in compliance with Section 18.132.050 of the Morgan Hill Municipal Code.

**BIO-7:** Implement Mitigation Measures IV-1 through IV-5.

## HYDROLOGY AND WATER QUALITY

Inclusion of project-specific Best Management Practices (BMPs) in the Stormwater Pollution Prevention Plan (SWPPP) prepared for the proposed project would be necessary to ensure that discharge of pollutants to West Little Llagas Creek does not occur during construction activities. Implementation of the following measure would reduce such potentially significant impacts to a less-than-significant level.

**HYD-1:** Prior to submittal to the RWQCB, the Storm Water Pollution Prevention Plan (SWPPP) prepared for the proposed project shall include, to the satisfaction of the City Engineer, Best Management Practices (BMPs) designed to limit the discharge

of sediment or other pollutants to West Little Llagas Creek. Such BMPs shall include, but not necessarily be limited to, the installation of silt fencing at the limit of the proposed grading activities.

## NOISE

The proposed project would result in a temporary or periodic increase in ambient noise levels in the project vicinity during construction. Implementation of the following measures would reduce such potentially significant impacts to less-than-significant levels.

**NOI-1:** Noise-generating construction activities associated with the proposed project shall not occur within the hours identified in Municipal Code Section 8.28.040(D). The above language shall be included on final project improvement plans prior to approval by the City of Morgan Hill Development Services Department.

**NOI-2:** To the maximum extent practical, the following measures should be implemented during project construction:

- All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition;
- All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project construction;
- Electrically powered equipment shall be used instead of pneumatic or internal-combustion-powered equipment, where feasible;
- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors;
- Project area and site access road speed limits shall be established and enforced during the construction period; and
- Nearby residences shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

The above requirements shall be included via notation on project grading plans, subject to review and approval by the Development Services Department.

## TRANSPORTATION

Under both Existing Plus Project and Cumulative Plus Project conditions, the proposed project would conflict with applicable City Level of Service (LOS) standards at the Monterey Road/San Pedro Avenue intersection. The existing signal at the Monterey Road/Cosmo Avenue intersection does not include pedestrian phasing necessary to allow for connectivity between the project site and the surrounding area. Furthermore, the project could result in a potentially significant impact related to substantially increasing hazards due to design features or introduction of incompatible uses. Implementation of the following measures would reduce such potentially significant impacts to less-than-significant levels.



- TRA-1:** Prior to submittal of the improvement plans for the project, the project plans shall show the construction of a raised median along Monterey Road at San Pedro Avenue, restricting left-turns out of San Pedro Avenue to southbound Monterey Road. With the left-turn restriction, only right-turns in and out at both San Pedro Avenue (east leg of the intersection) and the existing driveway (west leg of the intersection), as well as southbound left-turns, shall be allowed. The design of the median shall be to the satisfaction of the Engineering and Utilities Division.
- TRA-2:** Final project improvement plans prepared for the proposed project shall include, to the satisfaction of the City Engineer, installation of a crosswalk at the northern leg of the Monterey Road/Cosmo Avenue intersection and protected phasing on all approaches of the intersection, including modifying the traffic signal to include protected left-turn phasing on the northbound and southbound approaches and split phasing on the eastbound and westbound approaches.
- TRA-3:** Final project improvement plans prepared for the proposed project shall include, to the satisfaction of the City Engineer, installation of post-mounted rectangular rapid flashing LED beacons on the bike/pedestrian crossing warning signs at the Little Llagas Creek Trail access on Cosmo Avenue.
- TRA-4:** The following conditions shall be noted on project construction drawings, to the satisfaction of the City Engineer, prior to issuance of a building permit or approval of improvement plan:
- During morning drop-off times at the proposed project, school staff or parent volunteers shall be stationed along the drop-off area to assist students in and out of vehicles and improve drop-off procedures efficiency. Additionally, in order to speed up student pick-up, parents picking up students shall place a name card on the passenger side visor showing the last name and grade level of the child being picked-up so that school staff, positioned at the project driveway, can radio ahead to staff at the drop-off area the name of the student being picked up to ensure the student is ready for pick-up by the time the parent reaches the drop-off area.
  - Measures shall be taken to ensure efficient utilization of the available queue storage space within the project site and the efficient and safe loading/unloading of the students. The drop-off/pick-up area shall be well-defined with implementation of appropriate signage and pavement markings clearly showing the student loading zone and each vehicle position. The loading lane shall be designed to provide the maximum loading area possible. During drop-off times, school staff shall be positioned along the drive aisle to ensure that students do not unload outside of the designated loading zone.
  - On-street parking along the southern project site frontage on Cosmo Avenue shall be prohibited. The on-street parking restriction may be permanent (red curb) or time-restricted to the school peak hours only.
  - The proposed charter school shall implement 30-minute staggered start times; specifically, a start time of 8:00 AM for upper grade levels (sixth

through eighth grades) and 8:30 AM for lower grade levels (kindergarten through fifth grades).

**TRA-5:** Final project improvement plans prepared for the proposed project shall demonstrate that double solid striping shall be installed on Cosmo Avenue, along the project frontage to the intersection of Monterey Road/Cosmo Avenue, to prohibit left-turn movements from eastbound and westbound Cosmo Avenue into and out of the project site driveway. The plans shall be reviewed and approved by the City Engineer.

## **FINDING**

The City of Morgan Hill Development Services Director hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the MND are included in the project.

Jennifer Carman  
Development Services Director

Date: \_\_\_\_\_