

Exhibit C

SPORTS-RECREATION-LEISURE USES FOR THE SOUTHEAST QUADRANT**PROPOSED GENERAL PLAN LAND USE DESIGNATION**

“SPORTS-RECREATION-LEISURE” The Sports-Recreation-Leisure general plan land use designation, which applies to acreage located in the “Southeast Quadrant” area of Morgan Hill, is intended to allow a wide range of private commercial, retail, and public/quasi-public sports-recreation-leisure themed uses, at a scale that creates a destination area for both regional and local users, and offers a high-quality, attractive, health-oriented, fun destination for regional and local users in a manner that supports the city’s economic development, city identity and greenbelt goals. An additional goal is to support local agriculture and sustainable economic development providing jobs for local residents and markets for locally produced goods.

PROPOSED ZONING DISTRICT**Chapter 18.27****SPORTS-RECREATION-LEISURE (SRL) THEME DISTRICT**

Sections:

18.27.010	Purpose of district.
18.27.020	Permitted uses.
18.27.030	Conditional uses.
18.27.035	Prohibited uses.
18.27.040	Design Permit Required
18.27.045	Site development--Principles and standards.
18.27.050	District establishment--Initiation.
18.27.060	District establishment--Application.
18.27.070	Development plan--Contents.
18.27.080	Performance Standards

18.27.010 Purpose of district.

The Sports-Recreation-Leisure theme district is intended to provide for and encourage the development of non-residential and non-industrial land uses directly related to the business of entertaining and supplying specialized sports, recreation and leisure goods and services, and/or specialized sports/recreation- and health-themed retail sales, restaurants and entertainment, to regional visitors as well as local residents and employees. The goal of the City in establishing the SRL theme district is to create a high-quality, attractive, health-oriented, fun destination for regional and local users, in a manner that supports the city’s economic development, city identity and greenbelt goals. An additional goal is to support local agriculture and sustainable economic development providing jobs for local residents and markets for locally produced goods.

The district contains two sub-districts, with sub-district SRL(B) located nearest to the Tennant/Highway 101 interchange allowing for a broader and more intensive set of destination-level commercial and visitor-oriented uses; and sub-district SRL(A) located further from the interchange emphasizing more land-extensive and smaller-scale private sports, recreation and leisure uses. Subdistrict SRL(B) is intended to accommodate uses that benefit from and/or require freeway visibility.

18.27.020 Permitted uses in both Sub-Districts (A) and (B).

The following uses shall be permitted in the SRL theme district, within both sub-districts (A) and (B):

- A. Single family residential dwellings on legal lots of record, based on lots that exist as of the effective date of this zoning district, or _____, 2009.
- B. Agricultural and open space uses, including but not limited to vineyards, wineries, orchards, agricultural production, processing and sales.

18.27.030 Conditional uses.

(A) The following uses may be conditionally allowed in both sub-districts (A) and (B) of the SRL theme district, subject to issuance of a conditional use permit in accordance with Chapter 18.54, and with conditions to establish performance standards and other conditions that will apply to the uses.

1. Adventure – High Tech sports and recreation facilities such as paintball, lasertag, arcades, high-tech recreation/amusements, outdoor and/or within buildings of 10,000 sq. ft or less
2. Arts and craft galleries, museums, interpretive centers and similar cultural facilities within buildings of 10,000 sq. ft. or less
3. Batting Cages
4. Bed & Breakfast Inns; Boutique Hotels
5. Bocce Ball courts
6. Cricket Grounds and supportive facilities, including buildings of 10,000 sq. ft. or less
7. Culinary Institute-Training Center
8. Cycling Velodrome; Bicycle Recreation Facilities
9. Equestrian Center
10. Event Facilities; County Fairgrounds
11. Farmers Markets
12. Flea Market/Swap Meet/Open Air Businesses
13. Golf Driving Range and/or 3-Hole Golf Facility
14. Grandstands-Bleachers and Stadiums ancillary to sports-recreation uses, providing 500 or fewer seats
15. Indoor Sports Centers (with enclosed area of 10,000 sq. ft. or less) such as gymnastics facilities, martial arts, rock climbing; but not including Health and Fitness Clubs and Indoor Recreation Centers oriented to local residents; however fitness and exercise facilities that are ancillary to a primary destination-oriented sports/recreation/leisure use may be conditionally allowed
16. Meeting rooms and party rooms, such as for hosting weddings, sports team parties, corporate team-building sessions, and similar
17. Miniature Golf Course
18. Organic Farming/Gardening Institute-Training Center

19. Outdoor Theater
20. Outdoor Sports Fields: Baseball, Softball, Soccer, Football, Lacrosse, Cricket, Archery, Rugby & similar
21. Parking Facilities which serve area sports-recreation-leisure uses
22. Picnic Grounds
23. Polo Grounds-Fields
24. Private Clubs and Related Private Recreational Facilities, such as a tennis/racquet club
25. Public-Quasi Public Parks with active and/or passive recreation uses e.g. playgrounds, dog park, community gardens, picnic areas
26. Retail commercial shops with enclosed area of 10,000 sq. ft. or less which are Sports-Themed and/or Sports/Recreation-serving or which support and are consistent with the purposes of this district.
27. Ropes-Obstacles Challenge Course
28. Souvenir shops, small-scale and ancillary to a sport-recreation-leisure-entertainment use
29. Wineries; wine tasting and sales
30. Any other use which the planning commission finds will be similar in nature to the permitted or conditional uses specified in this chapter for the SRL (A) theme sub-district.

(B) The following uses are additional uses that may be conditionally allowed in only sub-district (B), which is located closer to the Tennant/Highway 101 interchange:

1. Gasoline Station with or without mini market – One only within Sub-District (B); and not including service of vehicles or sales of vehicular parts or accessories
2. Grandstands and Stadiums ancillary to sports-recreation uses, providing more than 500 seats
3. Health and Fitness Clubs, and Indoor Recreation Centers with fitness and exercise facilities, that are ancillary to a primary destination-oriented sports/recreation/leisure use
4. Ice Skating and/or Roller Skating Rinks
5. Indoor Sports Centers (with enclosed area of over 10,000 sq. ft.) which accommodate indoor soccer, arena football, basketball, volleyball, ice skating, roller or ice hockey, rock climbing & similar
6. Motels and Hotels
7. Restaurants (no drive-through)
8. Retail Commercial Uses which are Sports-Themed and/or Sports/Recreation-serving or which support and are consistent with the purposes of this district.
9. Sports-Medicine and other Medical Offices
10. Urgent Care/Emergency Medical Facilities
11. Off-site pole or pylon freeway-oriented signs pursuant to Section 18.76.270.C.4. and Section 18.76.075
12. Any other use which the planning commission finds will be similar in nature to the conditional uses specified in this chapter for the SRL(B) theme sub-district.

18.27.035 Prohibited uses.

The following uses are prohibited within the SRL theme district, as they either do not fit the desired quality, destination character of the district, or the city has determined that such uses would be better located in other areas of the city and/or in other zoning districts.

1. Bowling Alleys
2. Pool and Billiards Hall

3. Campgrounds
4. Card clubs, casinos and gambling facilities
5. Cinemas and Movie Theaters
6. Day Spas, Barbershops and Hair Salons, unless ancillary to hotel/motel/lodging
7. Drive-in Establishments
8. Fast Food Restaurants
9. Golf Courses in excess of 3 holes
10. Health and Fitness Clubs and Indoor Recreation Centers oriented to local residents; however fitness and exercise facilities that are ancillary to a primary destination-oriented sports/recreation/leisure use may be conditionally allowed
11. Indoor and Outdoor Swimming Pools, unless associated with private residence or hotel/motel/lodging use
12. Outdoor Race Tracks for cars, go-karts and similar
13. Recreational Vehicle Park

18.27.040 Design Permit Required.

A Design Permit approved by the Architectural and Site Review Board shall be required of all uses in the SRL theme district, as defined in Chapter 18.74 of this title.

18.27.045 Site development--Principles and standards.

The following site development principles and standards shall apply in the Sports-Recreation-Leisure theme district in lieu of traditional commercial setback and building coverage limitations:

A. Architectural and site review shall establish appropriate setbacks of structures from the site boundary property lines, based on characteristics of neighboring development and uses, and the nature of the proposed development and use(s), except for the minimum setbacks identified in (B), (C) and (D) below in this section.

B. A minimum twenty-five foot setback is required for structures from property lines adjacent to the South Valley Freeway and/or the Madrone Channel.

C. A minimum fifteen-foot setback is required for structures from property lines adjacent to public or private streets.

D. Where any lot in the SRL abuts residentially zoned property, a twenty-five-foot minimum setback shall apply.

E. Minimum lot area: 2 acres

F. Maximum lot coverage: 40 percent

G. Maximum height: 3 stories or 40 feet in Subdistrict (A). There shall be no maximum height within Subdistrict (B); maximum height shall be established through architectural and site review and Design Permit findings shall include consistency with the purpose and objectives of this SRL Theme District.

18.27.050 District establishment--Initiation.

SRL districts may be established upon the application of a property owner or upon the initiative of the city council or the planning commission, in accordance with the procedures set forth in Chapter 18.62 of this title. A development plan shall not be required for city-initiated district designations.

18.27.060 District establishment--Application.

Application for a SRL theme district shall be accompanied by ten copies of a development plan showing basic conceptual land-use pattern, lot sizes, structure location(s), parking area(s), and a description of the nature and intensity of proposed sports-recreation-leisure use(s). Conceptual architectural elevations and landscape plans are not required at the time of application but submittal of information sufficient to convey a sense of the scale, mass, and proposed general appearance of the uses is required.

18.27.070 Development plan--Contents.

A development plan for a SRL shall contain the following elements:

- A. A map showing any street system and lot design proposed within the district. Compliance with these requirements shall not be construed to relieve the applicant from compliance with the Subdivision Ordinance (Title 17 of this code), or any other applicable ordinance of the city;
- B. A plot plan for each building site or sites in the proposed SRL district, or any portion thereof, as required by Division I of this title. The required plot plan shall show the approximate location of all proposed buildings and property, or building site lines;
- C. Any or all of the following plans and diagrams may also be required by the Community Development Director, or similar information may be required to be included on the plot plan or appended thereto:
 1. Off-street parking and loading plan. Such a plan may be presented in terms of a ratio between off-street parking and loading spaces and the building floor area, if accompanied by an "example" plan demonstrating the feasibility of the proposed ratio;
 2. A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the SRL district, and the interface to and from adjacent public thoroughfares. Any special engineering features and traffic-regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown;
- D. Information sufficient to convey a sense of the scale, mass, and proposed general appearance of the buildings/uses is required. Such information need not reflect final architectural decisions and need not be in detail. The purpose of such information and drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the structures.
- E. An application for a SRL district shall be accompanied by the development schedule indicating to the best of the applicant's knowledge the approximate date on which construction of the project can be expected to begin, the anticipated rate of development, and the completion date.

18.27.080 Performance Standards.

Uses shall comply with performance standards contained within Chapter 18.48 of the Morgan Hill Municipal Code, however due to the specialized nature of certain sports-recreation-leisure uses, the Planning Commission may grant exceptions or modifications to certain of those standards in conjunction with review and approval of a Conditional Use Permit. The Planning Commission shall establish alternate and/or additional performance standards and conditions of approval to ensure that uses are conducted in such a manner so as to avoid nuisances, hazards and/or commonly recognized offensive conditions or characteristics adverse to the public health, safety and general welfare.