

PUBLIC REVIEW DRAFT ZONING CODE UPDATE COMMENTS

Updated January 2, 2018

ID	Page	Section	Source	Topic	Comment/Question	Staff Response/PC Direction
1	4-3	18.04.080	PC Workshop 1 Comment	Transitional Provisions, PD Zones	The applicability of previously adopted PD standards is unclear	Add language explaining how standards in previously adopted PD zones remain in effect where they apply
2	4-4	18.04.080.C	PC Workshop 1 Comment	Transitional provisions; Nonconformities	The applicability of new code to existing parcels, uses, and structures is unclear	Revise 18.04.080.C to explain what “not retroactive” means and clarify how updated code applies to legal nonconformities created from a change in code requirements.
3	8-1	18.08.030.I	PC Workshop 1 Comment	Interpretation, Role of Director	The word “is” should be listed as a mandatory term. Review code to consider instances where discretionary terms “may” and “should” are used. Be clear that except in these cases requirements are mandatory.	Add “is” to examples of mandatory terms. Staff will review appropriate use of “may,” “should” and other discretionary terms in Zoning Code as they apply to the Director’s authority to interpret and administer the Zoning Code.
4	12-3	18.12.050.A.2	PC Workshop 1 Comment	Floor Area Measurement	Attic areas with a height of more than 7 feet and open areas with a solid roof possibly should not be included in floor area calculation	PC Direction at Workshop 2: Do not include attics and open areas in floor area measurement. Clarify residential detached garages are included in floor area.
5	12-4	18.12.060.B.1	PC Workshop 1 Comment	Number Stories Measurement	Clarify when basements and cellars are included in number of stories of a building	Revise Figure 18.12-3 label to say: “If distance from finished surface of the floor above to the average level of adjoining grade is six feet or less, the basement or cellar is not included in number of stories.”
6	12-5	18.12.070.A	PC Workshop 1 Comment	Lot Area Measurement	Clarify when easements are excluded from lot area measurement	Clarify lot area calculation excludes: 1) all public easements; and 2) All private easements except for private streets in excess of 15 percent of the lot area. Add examples of public and private easements.
7	14-3	18.14.020.C	PC Workshop 1 Comment	Zoning Districts	Verify voter approved zoning for Cochrane Plaza is not overlooked	We will retain the following note on the Zoning Map: “The Planned Development zoning district on the southwest corner of Cochrane Road and Highway 101 was established by voter initiative. The location or requirements in this designation cannot be modified without voter approval.”
8	16-2	Table 18.16-1	PC Workshop 1 Comment	Mushroom Farms	Prohibit mushroom farms in the RE zone	Add note to Table 18.16-1 prohibiting mushroom farms in the RE zone
9	16-2	Table 18.16-1	PC Workshop 1 Comment	Table note	Table notes are numbered incorrectly	Staff will correct error
10	18-3	18.18.030.B	PC Workshop 1 Comment	Alternative Standards for RAL and RAM Zoning Districts	Treating these standards as optional rather than mandatory needs discussion	PC Direction at Workshop 2: Maintain language in draft Zoning Code clarifying original intent that Alternative Standards for Medium Density Residential Development (for RAL and RAM Zoning Districts) is optional and not mandatory. Request City Council direction at joint study session regarding follow-up Planning Commission work effort to review and refine Alternative Standards for Medium Density Residential
11	22-1	18.22.010.B.2	PC Workshop 1 Comment	MU-N Purpose Statement	We may not want to limit the MU-N only to areas in close proximity to Downtown, as stated in the purpose statement	Revise MU-N purpose statement to say “in close proximity to Downtown <u>and other activity centers.</u> ” Revise MU-F purpose statement to say “ <u>typically</u> along the Monterey Road Corridor”
12	22-5	18.22.030	PC Workshop 1 Comment	Residential and Mixed Use in the MU-F Zone	Concern that we are not adequately addressing mixed use on Monterey Corridor as part of the Zoning Ordinance Update	Discuss with City Council at joint study session

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13	30-2	18.30.020.B	PC Workshop 1 Comment	Ground Floor Overlay Applicability	Confirm Ground Floor Overlay Applicability language is correct	Workshop 2 Direction. Revise to be consistent with DTSP
14	30-2	Table 18.30-1	PC Workshop 1 Comment	Ground Floor Overlay Allowed Uses	Confirm Table 18.3-1 consistency with Downtown Specific Plan	Replace list of allowed uses in GF overlay zone with reference to Figure 8 in Downtown Specific Plan.
15	72-2	Table 18.72-2	PC Workshop 1 Comment	Required On-Site Parking	Ensure minimum on-site parking is sufficient to accommodate parking demand	Input at Workshop 2: Ensure number of required on-site spaces for residential uses has not been reduced.
16	72-8	18.72.050	PC Workshop 1 Comment	On-Site Parking Alternatives	Ensure reductions in on-site parking are desirable and will not impact neighboring properties	Delete 18.72.050.J (Transit Credit). Maintain all other parking alternatives for non-residential uses. Option: Allow shared parking and low demand reductions only for non-residential uses.
17	72-12	18.72.060.G	PC Workshop 1 Comment	Parking Lighting	Consider lighting requirement for structured parking	California Building Code Section 1008.2 requires Illumination of 1 foot - candle in all buildings when occupied this would also include parking structures. Add new provisions to 18.72.060.G: "Parking structures shall provide indoor lighting as required by the California Building Code."
18	88-6	18.88.050	PC Workshop 1 Comment	Temporary Political Signs	Identify political signs in the ROW as a prohibit sign.	Add reference the City's rules that apply to temporary political signs
19	88-6	18.88.050.B.6	PC Workshop 1 Comment	Signs projecting over private roadway	City does not issue encroachment permits for encroachments into private roadways	Delete reference to "private vehicular roadways" in 18.88.050.B.6
20	92-13	18.92.100	PC Workshop 1 Comment	Marijuana	City's marijuana regulations may change due to legalization	Amend 18.92.090 if needed after Council updates Municipal Code Chapter 9.16 (Marijuana)
21	100-1	Table 18.100-1	PC Workshop 1 Comment	Review Authority	Add chapter reference to table	Staff will make change
22	104-10	18.104.210	PC Workshop 1 Comment	Permit Expiration	Concern with permits expiring if use is discontinued for one year or longer	Discuss at Workshop 3
23	108-8	18.108.040.J.7	PC Workshop 1 Comment	Design Permit Findings	Remove reference to non-existent Residential Design Criteria	Revise Finding 7 to state: "For new residential development, the project complies with commitments made through the Residential Development Control System (RDCS)"
24	112-1	18.112.030.A	PC Workshop 1 Comment	Appeals, Eligibility to File	Clarify if Planning Commissioners, staff, and Council members can appeal decisions	Add reference to Municipal Code Chapter 1.20, clarify that PC, CC, and staff may appeal decisions as affected residents, add section on Commission and Council calling up decisions for review.
25	14-3	18.14.020.C.2	Staff	Conditional Zoning	Identify conditional zoning as a legacy zone	Add conditional zoning to list of legacy zones.
26	16-3	18.16.030.B	Staff	Residential Design Criteria	Chapter 18.36 (Residential Design Criteria) doesn't exist	Remove reference to Chapter 18.36 wherever it appears
27	22-3	Table 18.22-1	Staff	Allowed uses in MU-D	Allowed uses in MU-D do not precisely align with uses allowed by Downtown Specific Plan.	Direction at Workshop 2: Replace list of allowed uses for MU-D zone with reference to Figure 8 in Downtown Specific Plan. The list of allowed uses in DTSP are unique and it is difficult to align them with new land uses in Zoning Code
28	4-2	18.04.060.C	Commissioner Downey	Applicability, Public Projects	Says "The Zoning Code does not apply to public projects of the City of Morgan Hill" What control do we have over public projects relative to our Zoning and constructions requirements?	The Zoning Code applies to all governmental agencies other than the City itself to the extent allowed by State law. For City projects (e.g., new community center) the City may choose to following the Zoning Code or not.

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29	4-4	18.04.080.C	Commissioner Downey	Transitional provisions; Nonconformities	We discussed this at our first meeting, but would be good to ensure this is understood by the reader in the Zoning code. How is this practically applied. If a property is Zone X in the old, and Y in the new, which applies, both, they can choose? What about the zoning regulations detail, like set backs, etc.?	Revise 18.04.080.C to explain what “not retroactive” means and clarify how updated code applies to legal nonconformities created from a change in code requirements.
30	4-4	18.04.090	Commissioner Downey	Severability	Don't understand this statement..."The City council hereby declares..."	If any portion of the Zoning Code is found by a court to be invalid, this doesn't affect the validity of the remainder of the code. This is a legal statement with a particular meaning that should remain as written.
31	8-1	18.08.030.B	Commissioner Downey	Minimum Requirements	Says "When the Zoning Code provides for discretion on the part of a City official or body, that discretion may be exercised to impose more stringent requirements as necessary.." Does that imply that the council can not decide to apply less stringent requirements that what the code requires?	Correct. The Council cannot apply less stringent requirements. The Code allows for deviation from standards through the Variance and Minor Exception process. No change needed.
32	8-3	18.08.040.B.3	Commissioner Downey	Unlisted Uses	Does the Community Development Director have full discretion here? Any consultation or notification required? Just curious	Yes, the Director has full discretion. Decisions of the Director may be appealed. The Director may choose to bring important interpretations to the Planning Commission for input. No change needed.
33	12-3	18.12.050.A.2.d	Commissioner Downey	Floor Area Measurement	Suggest removing or changing the criteria for attics. Many home styles have high attics but are not designed or built to be used.	Direction at Workshop 2: Do not include attics in floor area measurement
34	12-3	18.12.050A.3.b	Commissioner Downey	Floor Area Measurement	Suggest we discuss whether a basement should be included. We included undeveloped attic space but not basements. Does not seem correct	Direction at Workshop 2: Do not include basements in floor area measurement
35	14-1	Table 18.14-1	Commissioner Downey	Zoning Districts, RDH-4,500	RDH 4500 - is this Zoning District new. And does this district address the planned or suggested smaller home, smaller lot initiative that Comm McKay has been leading?	RDH 4500 is an existing zoning district (name changed). Small lot home standards from Comm McKay's initiative are options that apply in the RAL and RAM zones. These alternative standards were discussed at Workshop 2 and 3.
36	14-2	Table 18.14-1	Commissioner Downey	Residential Attached High (RAH) Zone	RAH should not be applicable to Downtown only, should be available to apply in any section of the City	RAH is most directly related to the Residential Downtown General Plan Land Use designation, so no change to 18.14-1 needed. 18.18.010.B.3 modify to read, “The purpose of the RAH zoning district is to provide locations for high density attached housing types <u>typically</u> within and adjacent to Downtown Morgan Hill.”
37	14-2	Table 18.14-1	Commissioner Downey	Agricultural Zone	Last section does not address Agricultural, should it?	Although the General Plan includes an “Agriculture” Land Use designation, this designation has not been applied to any properties. Any application of the Agriculture General Plan designation to properties in the future would likely be reserved for sites that are intended to remain unincorporated County and subject to the County's Zoning Ordinance. Therefore, a City Agriculture Zoning District would not be required.
38	14-3	18.14.020.C	Commissioner Downey	Legacy Zones	Similar to page 4-4 above, suggest this needs better explaining how it will be applied for older properties with older zoning.	Elaborate what is meant by “remains the zoning in effect for the property.”
39	16-1	18.16.010	Commissioner Downey	Residential Detached Zoning District, District Names	Was the term "single family" removed intentionally and for a specific reason? When you read the description in "A-general" it refers to single family specifically, yet the term was removed from the title	Zoning district name “Residential Detached” was used to match terminology in the General Plan. No change needed.

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40	16-2	Table 18.16-1	Commissioner Downey	Residential care small	Suggest changing Residential Care facility small to a C (Conditional) and not P. They may not be appropriate for all residential areas. Should be reviewed. Are Residential Care facilities not a commercial business?	State law requires the City to regulate small residential care facilities the same as a single-family home. The City has no discretion on this. No change needed.
41	16-2	Table 18.16-1	Commissioner Downey	Cultural Institutions, Definitions	What are all the possible "cultural institutions", assume churches, what are other examples?	Page 12-4 defines cultural institutions as "Public or nonprofit institutions that engages in cultural, scientific, and/or educational enrichment. Includes libraries, museums, performing art centers, aquariums, environmental education centers, non-profit art centers and galleries, botanical gardens, and other similar uses: Churches fall under the "community assembly" use. No change needed.
42	16-3	18.16.020.C	Commissioner Downey	RDCS reference	Section says that all development must comply with the RDCS, but certain uses in the table above are not covered by the RDCS. Like a Residential care facility. Should we edit this section?	The statement that "all residential development must comply with the RDCS" is correct. Listing in detail in the Zoning Code the RDCS applicability and exceptions is not necessary. No change needed.
43	16-3	18.16.030.C	Commissioner Downey	Garage setbacks	Garages and Carport setbacks. Is this a new addition to the code?	This is carried forward from existing code (Hidden in 18.50.240). No change needed.
44	22-1	18.22.010.A	Commissioner Downey	Mixed Use Zone Purpose Statement	Statement says, "In the mixed use zoning districts development supports a welcoming, pedestrian friendly public realm with inviting residences and storefronts facing the sidewalk." The residences and storefronts must face the sidewalk, or just storefronts? And why, does it matter, some designs may be more appropriate with side or interior residences or stores.	Revise sentence to say, "In the mixed use zoning district the design of development supports a welcoming, pedestrian-friendly public realm."
45	22-1	18.22.010.B.2	Commissioner Downey	Mixed Use Neighborhood Applicability	Don't agree that neighborhood mixed use should be limited to downtown. There are other areas along Monterey, Dunne, Cochrane and other locations that may be appropriate and benefit from MU-N	Revise MU-N purpose statement to say "in close proximity to Downtown <u>and other activity centers.</u> "
46	22-1	18.22.010.B.3	Commissioner Downey	Mixed Use Flex Applicability	Don't agree that Mixed Use Flex (MU-F) mixed use should be limited to downtown and Monterey corridor. There are other areas along Dunne, Cochrane and other locations that may be appropriate and benefit from MU-F	Revise MU-F purpose statement to say " <u>typically</u> along the Monterey Road Corridor"
47	22-2	18.22.020 - NOTE	Commissioner Downey	Bars, Mixed Use Zones	Why eliminate a bar from a CUP for existing restaurants. Suggest all bars and alcohol related uses should be a CUP. Allow for notification and public input. Any bar would have potential noise and parking and late night activity concerns	PC Input at Workshop 2: Discuss at joint City Council/Planning Commission study session CUP requirement for bars in restaurants
48	22-2	18.22.020 - NOTE	Commissioner Downey	Wine tasting, Mixed Use Zones	Section says allow wine tasting with a CUP, limited to tasting only, not sales?	No change needed. Definition of Tasting Rooms includes on-site and off-site retail sales directly to the public.
49	22-5	18.22.030	Commissioner Downey	Residential Uses in MU-F Zone	Should have clear operating procedures for Monterey corridor until the full Monterey plan is in place. We should allow for development if the momentum and investment is there. Suggest everything be a CUP for now	Discuss at Joint City Council Study Session.
50	24-2	18.24.020	Commissioner Downey	Allowed Uses, CN Zone	CN Zoning District - Suggest Vehicle washing be moved or restricted to a non residential commercial zone. Causes noise and traffic challenges.	No change needed. Does require a CUP and is subject to meeting performance standards, including noise. Noise and traffic analyses are typical requirements for these types of uses.
51	24-2	18.24.020	Commissioner Downey	Allowed Uses, CH Zone	CH Zoning District - This seems very light. Should we not allow car sales, vehicle service, and other typical freeway fronting	No change needed. Vehicle sales and leasing is a permitted use in CH.

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					businesses in this zone? We allow vehicle rentals, but not sales, strange?	
52	24-2	18.24.020	Commissioner Downey	Allowed Uses, CS Zone	CS Zoning District - Add vehicle sales and service to this category	Discuss at Workshop 2. Vehicle sales and leasing and minor vehicle repair and maintenance are permitted uses in CS.
53	24-3	Table 18.24-1	Commissioner Downey	Allowed Uses, CH and CS Zone	Suggest adding C to Cultural Institutions and Community Assembly for CH and CS	See response to note 51. Cultural institutions are not an appropriate use in the CS zone. No change needed.
54	24-3	Table 18.24-1	Commissioner Downey	Allowed Uses, CH Zone	Suggest adding C to Medical Offices and Clinics Schools had Public and Private Schools in CH	See response to note 51. No change needed.
55	24-4	Table 18.24-1	Commissioner Downey	Allowed Uses, CH and CS Zone	Suggest adding C to Warehousing and Distribution, Large and Small to CH and CS	See response to note 51. Warehousing already allowed in CS. No change needed.
56	24-4	Table 18.24-1	Commissioner Downey	Allowed Uses, CH and CS Zone	Suggest adding C to Light Fleet-Based Services to CH and CS	See response to note 51. Light fleet-based services already allowed in CS. No change needed.
57	24-4	Table 18.24-1	Commissioner Downey	Allowed Uses, CH and CS Zone	Suggest adding C to Transportation Terminals Services to CH and CS	See response to note 51. No change needed.
58	26-2	18.26.020	Commissioner Downey	Vehicle Repair, Permit Required	Would suggest that vehicle repair always be a CUP unless the facility was originally built and zoned for vehicle repair services.	Minor vehicle repair is the type of use envisioned in the CS, IL and IG zones. CUP not needed. No change needed.
59	26-5	18.26.020.D.2	Commissioner Downey		By Tasting rooms, does this imply retail sales also, suggest it should	Definition of Tasting Rooms on page 124-7 includes retail sales. No change needed.
60	28-1	18.28.020	Commissioner Downey	Small home day care, OS Zone	Why would we allow day care in an Open Space zone? Please explain this logic?	Small home day care is day care for 8 or fewer children operated as an accessory use from someone's home. State law requires the City to regulate small home day care the same as a single-family home. If a single-family home is allowed by-right in the OS zone, small family home day care must be allowed by right as well. No change needed.
61	28-2	Table 18.28-1	Commissioner Downey	Residential Uses, OS Zone	Suggest we change SF Detached dwelling to a C and not a P. And explain why we allow residential development in Open space zoning?	One home per parcel is allowed by General Plan. Single-family homes on lots 5 acres or more are allowed by current zoning. No change needed.
62	28-2	Table 18.28-1	Commissioner Downey	Allowed Uses, PF Zone	A day care facility is a commercial business, why allow this in a PF zone?	Discuss at Workshop 2. Day Care Centers could be associated with other Public Quasi-Public uses (churches, schools). No change needed.
63	28-2	Table 18.28-1	Commissioner Downey	Allowed Uses, PF and OS Zones	Why allow Home Day Care, Small in an OS or PF zone, suggest these be restricted	See note above about State law. Discuss at Workshop 2.
64	28-2	Table 18.28-1	Commissioner Downey	Allowed Uses, PF and OS Zones	Why allow Instructional services (a commercial business) in an OS or PF zone, suggest these be restricted	Allow as quasi-public uses. No change needed.
65	28-3	Table 18.28-2	Commissioner Downey	Allowed Uses, SRL Zones	Explain why any of these would be allowed in a Sport and Rec zone? Suggest they not be allowed Drive-through establishments Gas and service stations Hotel and motels Restaurants Day spas, barbershops, and hair salons Crop cultivation Farmer's market Sales of agricultural products grown on site Wineries	No change needed. This is what City Council approved in August 2015. The SRL zoning districts are currently not applied to any properties in the City. Several sites in the SEQ were pre-zoned SRL A or B in anticipation of annexation.
66	16-2	Table 18.16-1	PC Workshop 2	Allowed Uses, Residential Zones	Clarify whether community gardens and urban agriculture are allowed uses in residential zones	Add three categories of urban agriculture: home gardens, community gardens, and urban farms. Define in glossary. IN residential zones allow

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						home gardens by right, community gardens with administrative use permit, and urban farms with a conditional use permit.
67	-	Part 2	PC Workshop 2	Emergency Shelters	Allow emergency shelters (homeless shelters) in zoning districts other than Public Facilities	Discuss at joint City Council/Planning Commission study session
68	24-4	Table 18.24-1	PC Workshop 2	Vehicle rentals	Consider allowing vehicle rentals in the CN and CG zones.	Allow vehicle rentals with limited and/or screened outdoor storage of vehicles with Conditional Use Permit in in CN and CG zoning districts;
69	28-1	18.28.010	PC Workshop 2	Public Facilities zone purpose	Why are privately-owned facilities allowed in this zone	Revise 18.28.010.B purpose statement to read: "...and other public <u>and quasi-public facilities</u> to serve the community."
69	28-2	Table 18.28-1	PC Workshop 2	Hospitals in PF zone	Allow hospitals in PF zone	Revise Table 18.28-1 to allow hospitals in PF zone
70	28-5	18.28.030	PC Workshop 2	Ridgelines	Confirm existing ridgeline protections haven't been lost	Ridgeline protections are carried forward. Section 18.92.100 requires 80-ft setback from ridgelines in all zones; ridgelines are a "sensitive site for Design Permit requirements (18.108.040.E)
71	72-6	18.72.040.A	PC Workshop 2	Availability of Parking Spaces	Will City require residents to use garages as parking?	Clarify that 18.72.040.A applies only to non-residential uses multi-family dwellings.
72	14-1	Table 18.14-1 and 18.16-2; Throughout Code	PC Workshop 3	RE Zoning District	Why is RE-100,000 shown in sq. feet and other RE zones shown in acres?	Change RE 100,000 to RE 2.5 throughout code; change minimum lot area to 2.5 acres
73						
74	16-7	Table 18.16-4	PC Workshop 3	RDH Development Standards	Discussion of changes to existing RDH street side setback	Change RDH-4,500 street side setback back to 9 ft.
75	18-4	Table 18.18-2	PC Workshop 3	RAL Development Standards	Discussion of changes to existing RDL lot width	Under Lot Width, Minimum, revise to say "Other uses <u>allowed in Table 18.18-1</u> "
76	18-4	Table 18.18-2	PC Workshop 3	RAL Development Standards	Clarify RAL minimum rear setbacks	For rear setbacks, revise to say "15 ft. <u>or</u> 20 ft. for two-story located adjacent to a single-family district
77	18-5	Table 18.18-3	PC Workshop 3	RAM Development Standards	Why is RAM height standard different from RAH?	Change RAM height standard to match RAH (3 stories or 40 ft and min 10 ft for roof on 3 story structure)
78	22-6	18.22.040	PC Workshop 3	Notes	Correct note to say MU-F is formerly CL-R Light Commercial/Residential and MU-N is formerly CC-R Central Commercial/Residential	Staff will make correction
79	22-6	Table 18.22-2	PC Workshop 3	MU Development Standards	Is there minimum density in MU zones?	Add minimum residential density and clarify which standards which are maximums; change maximum density in MU-F to 24 du/acre
80	22-6	Table 18.22-2	PC Workshop 3	MU Development Standards	Why is MU-N height less than RAM height?	Change maximum MU-N height to 40 feet for vertical mixed use and 35 feet for other uses
81	24-5	Table 18.24-2	PC Workshop 3 (Commissioner Mueller)	CN Development Standards	CN development standards may conflict with vision for CN areas	Staff reviewed CN standards w/ Commissioner Mueller
82	24-5	Table 18.24-2	PC Workshop 3	Commercial Development Standards	Inconsistent approach to street side setbacks	Change CH and CS street side setbacks to 15 ft.

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83	Part 2	Development Standard Tables	PC Workshop 3	Height	Inconsistent height standard language	In Table 18.24-2 and all other development standard tables, state height as “2 ½ stories <u>or 30 ft., whichever is less</u> ”
84	26-2	18.26.020	PC Workshop 3	Notes	Change order of zoning districts in note to match order in tables	Staff will make this change
85	26-6	Table 18.26-2	PC Workshop 3	Industrial district height	Is 50 feet maximum height sufficient for IC, IL, and IG zones?	Staff reviewed IC, IL, and IG heights with ED staff
86	40-3	Table 18.40-2	PC Workshop 3 (Dick Oliver)	Alternative Standards for Medium Density residential Projects	30 feet won’t allow for a well-designed townhome project	For townhomes, allow 30 ft. to plate height with additional height for roof element
87	96-3	18.96	PC Workshop 3	Wireless Facilities	How does wireless ordinance apply to WISP installations?	Clarify that the wireless ordinance applies to all facilities that meet the definition of a “wireless communications facility” unless specifically exempted, including WISP installations and small cells
88	96-5	18.96.050B.6	PC Workshop 3	Wireless Facilities	Add note that explains that under the Federal Telecommunications Act of 1996, local governments cannot deny an application for a wireless telecommunications site because of perceived health risks if the proposed site complies with Federal RF emissions standards.	Staff will add note.
89	14-1	18.14.020	Staff	Overlay Zones	Add note that the Commercial Use (CU) overlay, which only applied to the western 1/2 of the Morgan Hill Plaza shopping center, is going away	Staff will add note
90	28-6	Table 18.28-1	PC Workshop 3	Street Side Setback	Correct SRL-B street side setback from 200 ft. to 20 ft.	Staff will correct
91	128-3	8.128.020.C	Staff	Glossary	Cessation of use definition conflicts with other code provisions	Revise cessation of use definition as follows: “The discontinuation of a use, either temporarily or permanently, for a period of six consecutive months, for twelve months of any consecutive period of twenty for months, whether with the intent to abandon such use or not. ”
92	104-10; 104-12	18.104.210A.2; 18.104.24.D.4	Staff	Permit Expiration and Revocation	Inconsistent use of terms “cease, abandoned, discontinued”	Revise 18.104.210.A.2 as follows: “A permit shall expire and become void if the permitted land use is abandoned or discontinued <u>ceases</u> for one year or longer.” Revise 18.104.240.D.4 as follows: The use or structure for which the permit was granted no longer exists or has been discontinued <u>ceases</u> for a continuous period of at least twelve months.
93	88-7	18.88.050.C.8	Staff	Abandoned Signs	City should prohibit all abandoned signs, not just abandoned signs that constitute a public nuisance	Add abandoned signs as a prohibited sign type under 18.88.050.A (Prohibited Sign Type) and remove the reference to abandonment from C.8.
94			Staff	Dry Cleaning	Definitions and permit requirements for dry cleaners is unclear	
95	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Hotels and Motels	Economic Blueprint Implementation	Permits for hotels/motels: AUP in MU-D, CG, CS zones; CUP in MU-N, MU-F, CN (Commission split); by-right in CI
96	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	small-scale food production	Economic Blueprint Implementation	Create new land use type: “Small-Scale Food and Beverage Production (under 5,000 sq. ft.) Permits for small-scale food and beverage production: by-right in MU-D, MU-N and MU-F; AUP in CN, CG, CH, CS, CI, IO and IC (staff recommendation on IO and IC)

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97	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Medium-scale food and beverage production	Economic Blueprint Implementation	Create new land use type: "Medium-Scale Food and Beverage Production (5,000-10,000 sq. ft.) Permits for medium-scale food and beverage production: AUP in CN, CG, CS; CUP in CH, MU-D, MU-N, MU-F
98	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Large-scale food and beverage production	Economic Blueprint Implementation	Create new land use type: "Large-Scale Food and Beverage Production (Greater than 10,000 sq. ft.) Permits for large-scale food and beverage production: AUP in IL, IG; CUP in IO, IC, CG, CS.
99	22-4; 24-3; 26-3	Allowed Land Use Tables	Staff	Food and beverage production	Sales associated with food and beverage production uses	Add note requiring wholesale or retail sales with any small or medium scale food and beverage production use
100	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Wine, Beer, and Alcohol Tastings	Economic Blueprint Implementation	Permits required: by-right in MU-D, MU-N, MU-F; AUP in CG, CI; CUP in CS, CN (Commission split on CN; staff recommendation)
101	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Commercial Recreation, Indoor	Economic Blueprint Implementation	Change size threshold to 15,000 sq. ft. or less. Allow 15,000 sq. ft. or less by-right in MU-D, MU-N, MU-F, CN, CG, CS, CH, CI; CUP in IO, IC, IL, IG
102	24-3	Table 18.24-1	PC ED Workshop	Professional Office; Co-Working	Economic Blueprint Implementation	Allow professional office by-right in the CH and CS zones.
103	24-3; 26-3	Table 18.24-1 and 18.26-1	PC ED Workshop	Medical offices	Economic Blueprint Implementation	Allow medical offices with an AUP in CH and CI
104	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Cinemas/Theatres	Economic Blueprint Implementation	Permits required for Cinemas/Theatres: AUP in MU-D, MU-N, MU-F, CN, CG, CS, CH, CI
105	22-3	Table 18.22-1	PC ED Workshop	Convenience markets	Economic Blueprint Implementation	Allow Convenience Markets with an AUP in MU-D, MU-N, MU-F
106	22-3; 24-3	Table 18.22-1 and 18.24-1	PC ED Workshop	Cultural Institutions	Economic Blueprint Implementation	Permits required for Cultural Institutions: AUP in MU-D, MU-N, MU-F; CUP in CS
107	22-3	Table 18.22-1	PC ED Workshop	Government offices	Economic Blueprint Implementation	Allow government offices with an AUP in MU-D, MU-N, MU-F
108	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Instructional Services	Economic Blueprint Implementation	Permits required for instructional services: By-right in MU-D, MU-N, MU-F; AUP in CN, CG, CS, CH, CI, (PC split decision on IO; staff recommends prohibiting). In ground floor overlay, Instructional services permitted by right only on the second-floor spaces (or non-ground floor spaces).
109	22-4; 24-3; 26-3	Allowed Land Use Tables	PC ED Workshop	Veterinary Services	Economic Blueprint Implementation	Allow Veterinary Services with an AUP in the CN, CG, CH, CI, IO, IC.