



## **Workshop Agenda**

### **Planning Commission**

*John McKay - Chairman*  
*Liam Downey - Vice Chairman*  
*Joseph Mueller - Planning Commissioner*  
*Wayne Tanda - Planning Commissioner*  
*Yvonne Martinez Beltran - Planning Commissioner*  
*Mohammad Habib - Planning Commissioner*  
*Juan Miguel Munoz Morris - Planning Commissioner*

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**Tuesday, August 29, 2017 5:00 PM**

**West Conference Room  
17555 Peak Avenue, Morgan Hill, CA 95037**

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### **WORKSHOP**

A special meeting of the Planning Commission is called Tuesday, August 29, 2017 at 5:00 p.m. for the purpose of conducting a workshop.

### **CALL TO ORDER**

### **DECLARATION OF POSTING**

Pursuant to Government Code Section 54954.2

### **OPEN PUBLIC COMMENT**

Members of the public are entitled to address the Planning Commission concerning any item within the Morgan Hill Planning Commission's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the Planning Commission is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

### **ORDERS OF THE DAY**

### **WORKSHOP**

1. **ZONING CODE UPDATE WORKSHOP**

Recommendation:

Review, discuss, and provide feedback on the Public Review Draft Zoning Code.

**ANNOUNCEMENTS**

**ADJOURNMENT**

## NOTICE

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the legislative body less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the legislative body. (Pursuant to Government Code 54957.5)*

## PUBLIC COMMENT

*Members of the Public are entitled to directly address the Commission concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Commission Chambers, and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the Commission on any other item of interest to the public, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.*

*Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the Commission.*

*Persons interested in proposing an item for the Commission agenda should contact a member of the Commission who may plan an item on the agenda for a future Commission meeting. Should your comments require Commission action, your request may be placed on the next appropriate agenda. Commission discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.*

*City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to the Public Hearing on these matters.*

*The time within which judicial review must be sought of the action by the Commission, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

*For a copy of Commission Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email [michelle.wilson@morganhill.ca.gov](mailto:michelle.wilson@morganhill.ca.gov).*

## AMERICANS WITH DISABILITIES ACT (ADA)

*In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email [michelle.wilson@morganhill.ca.gov](mailto:michelle.wilson@morganhill.ca.gov). Requests must be made as early as possible and at least two-full business days before the start of the meeting.*



### *Sustainable Morgan Hill Vision*

*Morgan Hill is a socially responsible, environmentally conscious, and economically sound community that embraces inclusiveness with participation by all.*

### **CITY COUNCIL ONGOING PRIORITIES**

Enhancing Public Safety · Protecting the Environment · Maintaining Fiscal Responsibility ·  
Supporting Our Youth, Seniors, and Entire Community · Fostering a Positive Organizational Culture ·  
Preserving and Cultivating Public Trust · Preserving Our Cultural Heritage

### **2017 STRATEGIC PRIORITIES**

**High Speed Rail**

**Inclusiveness**

**Infrastructure**

**Regional Initiatives**

**Telecommunications**

## 2017 STRATEGIC PRIORITIES:



### **High Speed Rail**

The City of Morgan Hill will directly advocate for our community's needs through our communications, discussions, and decisions. We will continue to engage the community, the High Speed Rail Authority, our state and federal legislators, and other regional agencies to mitigate negative impacts and convey our position that the High Speed Rail Authority should only use the existing Highway 101 right-of-way to avoid all impacts to residents, schools, and businesses. Should the Authority decide the 101 right-of-way is not feasible, we will strongly advocate for the route with the least impact on Morgan Hill.



### **Inclusiveness**

We will celebrate the diversity, history, and culture of our community. Through City Council workshops, community meetings, and researching successes in other communities, the City will listen to and collaborate with the community to define how inclusiveness will be further woven into our community's fabric and to increase public participation. The City's communications, services, public spaces, and projects will embrace all community members as partners, advancing our vision of being a socially responsible community.



### **Infrastructure**

The City will review its streets, parks, and public facilities infrastructure needs initially by updating its 2014 infrastructure study to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for the Santa Teresa extension and road maintenance. We will continue to work closely with our community to inform them of the needs and engage them to find an affordable and sustainable solution.



### **Regional Initiatives**

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. This regional involvement will include, but not be limited to, partnering with the League of California Cities, Valley Transportation Authority, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.



### **Telecommunications**

The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Development Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure. The plan will be used to signal Morgan Hill's support for business expansion.



## PLANNING COMMISSION STAFF REPORT

### MEETING DATE: August 29, 2017

PREPARED BY: John Baty, Principal Planner/Development Services  
 APPROVED BY: Jennifer Carman, Community Development Director

## ZONING CODE UPDATE WORKSHOP

### RECOMMENDATION(S)

Review, discuss, and provide feedback on the Public Review Draft Zoning Code.

### PURPOSE:

This is the first of three workshops with the Planning Commission to review and discuss the Public Review Draft Zoning Code (weblink), which is the first comprehensive update of the City's Zoning Code since 1981.

The first workshop will include:

- Overview of the Zoning Code Update process
- Review of the organization of the Zoning Code
- Highlight of key substantive changes to the Zoning Code
- Identification of key policy considerations the Planning Commission would like to discuss at the second workshop to be held on September 19, 2017

### BACKGROUND:

The Zoning Code Update portion of the Morgan Hill 2035 project began with a series of stakeholder, staff, Planning Commission, and City Council meetings in late 2015 to assess the strengths and weaknesses of the City's existing Zoning Code and in 2016 and 2017 to discuss the general approach for the Update process.

#### Feedback on Existing Zoning Code (weblink)

1. Problems with organization, consistency, and flow;
2. Difficult for readers to find what they're looking for and understand what they find;
3. Related content is not kept together or clearly cross-referenced;
4. Does not address all important land use and development issues;
5. Some regulations outdated, unnecessary, or inconsistent with current needs/practices; and,
6. Internal and external consistency issues.

#### Goals for Zoning Code Update

The Planning Commission and City Council supported an efficient process with sufficient opportunity to provide input on important aspects of the Zoning Code while avoiding a line-by-line review. The Commission and Council also identified the following goals for the updated Zoning Code.

- A. Implement and achieve consistency with the Morgan Hill 2035 General Plan;
- B. Create a user-friendly code for applicants, staff, and City officials;
- C. Modernize terminology and requirements to reflect current practices; and,
- D. Improve regulations to effectively address land use and development issues.

### **ANALYSIS:**

Although the Zoning Code Update has resulted in significant changes to the City's existing Zoning Code, the majority of these changes are organizational and stylistic to address Goal B with the Zoning Code reorganized so that readers can more easily find content and be aware of applicable requirements. Where possible, standards are presented in tables, graphics are used to illustrate important concepts and requirements, and the Zoning Code is written in plain English with short and simple sentences.

Substantive changes to the Zoning Code to implement the recently adopted Morgan Hill 2035 General Plan and to address recent changes to state and federal law, addressing Goals A, C, and D, are identified in the Public Review Draft with notes written in *italicized text*. A summary of key substantive changes is listed in the Zoning Code User's Guide portion of the Public Review Draft (starting on PDF pg. 17 or pg. Guide-3).

### Planning Commission Review of Draft Zoning Code

In addition to evaluating how well the Draft Zoning Code achieves the four stated goals for the Zoning Code Update, the Planning Commission should review specific chapters and sections of the Zoning Code that are particularly relevant to the Commission's designated responsibilities, including the following:

- Section 18.30.050 – Planned Development Combining District (new requirements and findings)
- Chapter 18.60 – Historic Resources
- Section 18.72.050 – On-Site Parking Alternatives (mostly new)
- Section 18.88.070 – Adjustments to Sign Standards
- Section 18.92.040 – Drive-Through Facilities
- Section 18.92.070 – Interim Uses in the MU-D and MU-F Zoning Districts (requires PC approval)
- Section 18.92.120 – Outdoor Sales and Displays
- Chapter 18.96 – Wireless Communication Facilities (new)
- Chapter 18.100 – Administrative Responsibility
- Chapter 18.104 – Common Permit Requirements
  - Section 18.104.140A – Decision and Notice/Date of Action (new)
  - Section 18.104.210 – Time Limits and Extensions (some procedural changes)
- Chapter 18.108 – Specific Permit Requirements
  - Section 18.108.030 – Conditional Use Permits
  - Section 18.108.040 – Design Permit
  - Section 18.108.070 – Minor Exceptions
  - Section 18.108.100 – Variances
- Chapter 18.112 – Appeals

- Chapter 18.114 – Zoning Code Amendments
- Chapter 18.116 – Development Agreements

Unless specifically identified, most of the above listed chapters/sections are substantively the same as the respective chapters/sections in the existing Zoning Code.

The Planning Commission should review and identify specific aspects of these chapters/sections (or others) that would benefit from a follow-up discussion at the September 19, 2017 workshop.

**CEQA (California Environmental Quality Act):**

An Environmental Impact Report (EIR) for the Morgan Hill 2035 Project, which includes the Zoning Code Update, was prepared in accordance with the California Environmental Quality Act (CEQA) and certified by the Morgan Hill City Council on July 27, 2016. (SCH#2015022074).

**LINKS/ATTACHMENTS:**

1. Public Review Draft Zoning Code (weblink)
2. Existing Title 18 Zoning (weblink)