

**CALL AND NOTICE OF
SPECIAL MEETING
AT 7:00 PM
OF THE
PLANNING COMMISSION
VIA TELECONFERENCE**

FEBRUARY 24, 2021

TO THE MEMBERS OF THE VALLEJO PLANNING COMMISSION:

You are hereby notified that I do call the Vallejo Planning Commission in special session to consider only the matters stated on the agenda listed below.

NOTICE: Due to the current Shelter at Home Order and in conformance with the Governor's Executive Order N-29-30, the City of Vallejo has opted to hold a Planning Commission meeting via teleconference. Any interested members of the public desiring to communicate with the Planning Commission concerning any item listed on the agenda before or during consideration of that item must do so by either clicking on the hyperlinks contained in the meeting agenda or type the link into an internet browser. You will be taken to the internet platform where the meeting is held. There will be no public access to City Hall for any meetings until further notice.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL OF THE PLANNING COMMISSION**
- 4. STUDY SESSION**

*NOTICE: Members of the public wishing to address the Planning Commission on the Study Session item may do so via ZOOM (<https://ZoomRegular.Cityofvallejo.net>), or via phone, by dialing (669) 900-6833. Enter Meeting ID: 914 0075 0676#. Press *9 to digitally raise your hand from the phone.*

For additional instructions on how to speak during public comment, please visit, www.cityofvallejo.net/publiccomment.

¹ Due to the Coronavirus emergency, all Planning Commission meetings will be held via teleconference. Members of the public may provide public comments during the meeting via ZOOM:

<https://ZoomRegular.CityofVallejo.net>

Option to join by phone:

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A. **NEW ZONING CODE STUDY SESSION**

Recommendation: Review changes of the Draft New Zoning Code since January 6, 2021. Staff will review the Draft Code Section by Section, highlighting substantive changes since the January 6, 2021 Draft document was released.

Contact: Christina Ratcliffe, Interim Planning & Development Services Director
(707) 648-4382

Christina.Ratcliffe@cityofvallejo.net

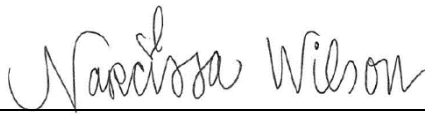
5. **ADJOURNMENT**

Dated: Friday, February 19, 2021


Christina Ratcliffe, Interim Planning and Development Services Director

I, Narcissa Wilson, Executive Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Vallejo Planning Commission, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 5:00 p.m., Friday, February 19, 2021.

Dated: Friday, February 19, 2021


Narcissa Wilson, Executive Secretary



MEMORANDUM
PLANNING DIVISION

DATE: February 24, 2021
TO: Planning Commission
FROM: Michelle Hightower, Senior Planner
Christina Ratcliffe, Interim Planning and Development Services Director
SUBJECT: New Zoning Code Project

BACKGROUND

Staff released the Draft New Zoning Code, Zoning Map and supporting environmental document (Initial Study/Mitigated Negative Declaration) for public review and comment on January 6, 2021. Related documents, including an Annotated Draft Zoning Code that provides general changes from the current Code, and proposed amendments to the General Plan Text, Land Use Map, Downtown Vallejo Specific Plan and White Slough Specific Area Plan were also recently posted on the City of Vallejo website for review. In order to provide an overview of the Project, receive and respond to comments and questions, and solicit input and feedback on outstanding policy issues, three Study Sessions have been held with the Planning Commission (January 20, 2021, February 8 and 17, 2021) and one joint Study Session with the Planning Commission and City Council (February 2, 2021).

The initial Project schedule included three Study Sessions in preparation of two public hearings. In early February, Staff revised the Project schedule by adding two additional Study Sessions and extending the public hearing dates, which are as follows:

March 15, 2021	Planning Commission - 7:00 pm
April 13, 2021	City Council Public Hearing - 7:00 pm

The most recent Study Session held on February 17, 2021 included a focused discussion regarding the draft Hillside Development Standards, site maintenance requirements for certain uses, establishing a minimum building height in four commercial zoning districts, late night alcohol permits in the downtown areas, and proposed text changes for the General Plan. The Planning Commission made the following recommendations:

- The Hillside Development Standards - Support was expressed for these standards to be included in the New Zoning Code.
- Site Maintenance - Require quick-service/fast-food restaurants, tobacco and cannabis establishments as well as convenience stores to remove trash, litter and debris on and near their premises (up to a 100-foot radius) on a daily basis, and install trash receptacles at public entrances. Enforcement of these requirements should be clarified.
- Minimum Building Height - Defer the minimum height requirement for buildings in the Neighborhood Mixed Use (NMU), Downtown Mixed Use (DMU), Central Corridor Commercial (CC) and Regional Commercial (RC) zoning districts to Phase II of the Zoning Code Project that includes completion of citywide Design Guidelines. Staff should also consider processing Administrative permits for requests to have a lower height for certain projects, establishing a minimum height in the DMU zoning district

that is consistent with the Downtown Specific Plan, and seeking opinions from developers on the appropriateness of the requirement.

- Late Night Permit In Downtown - Require a Late Night Permit (Major Use Permit) to operate after 1:00 am instead of 12 midnight in the DMX (Downtown Mixed-Use) zoning district, and require Staff to obtain statistics and data from the Police Department regarding the proposed time extension.
- General Plan Text Amendments - Support was expressed to include the text amendments as part of the Project.

The subject Study Session will focus on changes made to the Draft New Zoning Code since the release in early January based on comments from the Planning Commission, City Council, the Economic Vitality Commission, the public, and City Staff. As a Study Session, no formal action will take place; however, public comments are welcomed.

DISCUSSION

Since the January 6th release date, Staff has made several updates, corrections and revisions to the Draft Zoning Code document. A list of the key changes are provided below:

Part I

- Clarified process for addressing pending projects following the adoption and effective date of the Draft Zoning Code. (16.101.02-L)
- Added that every three years following enactment, Staff will review and update the New Zoning Code as needed. (16.101.02)
- Added the ability to improve and expand a non-conforming structure that does not meet the existing or new minimum requirements as long as such improvement does not increase or expand the non-conforming structure condition. (16.105.06)
- Will revise other sections of the Non-conforming Chapter per City Attorney recommendations.

Part II

- Aligned density range for Neighborhood Mixed Use (NMU), Office (O) and Medical (M) zoning districts with the General Plan (16.202.02 and 16.204.02).
- Removed the minimum height requirement in certain mixed use and commercial districts (deferred until Phase II) (16.202.02 and 16.203.02).
- Will reinstate the Residential View District Chapter.
- Referenced Section 12.40, Excavations, Grading and Filling of the Vallejo Municipal Code in the Hillside Development Standards (16.211)

Part III

- Reformatted and updated the Land Use Table (Table 16.301-B)
- Revised the setback and height requirements for Accessory Dwelling Units (ADU), and added the owner-occupancy deed restriction requirement for Junior ADUs. (16.303.02)
- Added maintenance requirements for cannabis and tobacco establishments (16.312 and 16.339)

- Removed regulations referencing a 1,000-foot distant requirement for bars (16.305.02-3)
- Extended the Late Night Permit requirement from midnight to 1:00 am for establishments in DMX zoning district (pending Police Department confirmation) (16.305.02-4)
- Added regulations for Quick-Service/Fast-food Restaurants and included maintenance requirements (Chapter TBD)

Part VI

- Retained from current Code the public notice requirement for Neighborhood Organizations/Homeowner Associations within 1,000 feet of a project site for all projects. (16.602.07)
- Added a public notice requirement to Planning Commission for Director decisions (16.02.07)
- Added an option that interested parties may request a copy of discretionary decisions. (16.602.09)
- Added option for Director to be able to transfer authority to Commission and/or Board for any application, at Director's discretion. (16.602.15)
- Removed redundant findings regarding environmental review for permit applications (16.605.03, 16.606.03, 16.608.05, 16.609.03, 16.610.03)

Part VII

- Added definition for Quick-Service/Fast-Food Restaurant (16.701.02)

Planning Commission Public Hearing March 15, 2021

Staff anticipates that a revised and clean copy of the Public Hearing Draft Zoning Code and Zoning Map that include corrections, edits, and updates will be provided for public review by March 5, 2021. In addition, a red-lined version showing changes made since the January 6, 2021 release will also be provided. Staff has also received a number of written comments from the public and Planning Commission related to the Project. An updated summary table of the Planning Commission comments/questions with staff responses is attached to this Memo. Although written responses will not be provided, public comments have also been reviewed and incorporated in the Draft Zoning Code and Zoning Map, as appropriate.

New Zoning Code Six-Month Clean-Up

A six-month review of the Zoning Code will be conducted to correct any errors and omissions. Staff has also included in the revisions a requirement for the City to review Code every three years for updates and corrections, if needed.

Phase II Projects and Housing Element Update

The New Zoning Code Project represents the first comprehensive update of Title 16 of the Vallejo Municipal Code (Zoning Code) since 1980. To address several topics that were not included in the Draft New Zoning Code that require more focused analysis and community input, Staff will implement a second Phase of the New Zoning Code Project following adoption of the 2021 Code. These topics include, but are not limited to the following:

- 1) Design Guidelines;

- 2) Possible minimum height requirements in certain commercial districts;
- 3) Short-term Rentals;
- 4) Inclusionary Housing Development Incentives; and
- 5) Parking In-Lieu and Assessment District Standards

A Phase II Project schedule will be developed in the upcoming months.

As mandated by the State, Vallejo has also partnered with Solano County and the cities of Benicia, Dixon, Rio Vista and Suisun in updating the 2015 Housing Elements for the 2023-2031 planning period. This effort is being managed by the Solano Transportation Authority (STA) and the selected consultant is expected to develop clear, concise and legally defensible Housing Elements that meet the varied needs of each community during the next year and a half. The development of Vallejo's Housing Element will require input and feedback from the Vallejo community. Amendments to the General Plan and Zoning Code may be required as a result of the Housing Element update.

RECOMMENDATION

Staff recommends the Planning Commission:

1. Receive the Staff presentation and public comments regarding Revisions to the Draft Zoning Code since the January release.
2. Provide verbal feedback to Staff on issues, as well as any follow-up questions on Staff's responses to Commission comments.

ATTACHMENTS

1. Updated Responses to Planning Commission Questions and Comments, 2/22/2021
2. Access to the Draft New Zoning Code Project documents is provided in the link below:
https://www.cityofvallejo.net/city_hall/departments_divisions/planning_and_development_services/planning_division/planning_division_document_library (New)

UPDATED STAFF RESPONSES TO DRAFT ZONING CODE QUESTIONS AND COMMENTS

February 22, 2021 (Highlight indicates new or updated information)

No.	Page, Section No.	Comment	Staff Response
1.		Document Format: Comment: - Right now, the PDF document only has bookmarks for the 7 sections. It will be much easier to navigate if there are bookmarks going down another level or two. - Defined terms, I'd suggest you capitalize them especially as some don't always have meanings that are the common language meaning. - I noted places where the order seems off in my comments or where procedures are shown in chapters other than chapter VI. - Do you have the ability to include in our approval resolution and that of the City Council that non-substantive, copy or editorial changes can be made?	Comments noted. For ordinances, it is general practice for Planning documents to include a statement in the resolution that non-substantive and editorial changes can be made following adoption.
PART I			
2.	P. 1, 16.101.02	INTRODUCTORY PROVISIONS States any Government Agency is exempt. Is the City of Vallejo exempt from these provisions for its buildings and projects?	No; City projects must comply with the Zoning Code.
3.	P. 2, 16.101.02. J.5	INTRODUCTORY PROVISIONS Local Emergency The temporary deviation from the zoning should have some connection to the local emergency. For example, we have a local emergency about police now, but that should not mean we would permit a building without a hearing.	This section is based on the existing Code and would typically have some connection to Zoning, such as the Administrative Permit process adopted by City Council for outdoor dining in response to the COVID-19 pandemic.
4.	P. 5, 16.102.H	ZONING BOUNDARY INTERPRETATIONS District regulations for Schools, parks. Does this provision allow for uses, say residential, to be in those zones if the General Plan is open space?	No; this regulation applies to public uses.
5.	P. 7, 16.103.03	RULES FOR INTERPRETATION Are these interpretations then kept as a record to be consistent in the future?	Yes; the Planning Division typically maintains a file for policy decisions such as a rule for interpretation.

ATTACHMENT 1

6.	P. 14, 16.105	NON-CONFORMING USES Sonoma Blvd Specific plan had language that allowed a site to move toward more conforming. Especially in reuse of older buildings, we don't want to forestall upgrades if they can't get totally to conforming.	A non-conforming use and/or structure may expand as long as the physical expansion decreases or does not increase the nonconforming condition.
7.	P. 14, 16.105	NON-CONFORMING USES Developer driven understanding	Comment noted.
8.	P. 18,16.105.08	NON-CONFORMING RESIDENTIAL UNITS RESULTING FROM REDUCTIONS IN DENSITY If higher density use or residential units pre-date the establishment of the zoning code in Vallejo, are they lawful uses?	If they were created with permits, they are considered legal non-conforming uses.
9.	P. 20, 16.105.13	BURDEN OF PROOF Should this include commercial use as well as industrial and light industrial?	Yes, the text is amended to state "nonresidential uses".
PART II			
10.	P. 3, Table 201-B	RESIDENTIAL STANDARDS - RMD AND RHD DISTRICTS What is the basis for a reduction to 60% of ground floor at 3rd floor? For example, you did not require that on the Eden building?	The intent is to reduce the building's massing. The regulation would only apply to projects submitted after the New Code is effective.
11.	P. 30, 16.201.04	DEVELOPMENT STANDARDS - RMD and RHD Impacting potential developers and house flippers.	The standards are intended to provide more clear direction for developers and investors.
12.	P. 41, 50, 16.202, 16.203	DEVELOPMENT STANDARDS Minimum Building Height NMX, DMX, RC, CC Did you mean to have 40-foot minimum apply across all uses or just residential? Does this mean that we would not allow new one-story commercial in these areas? If you look at the typologies from the January 2019 analysis that went to the City Council for the resolution of intent to modify the General Plan densities, I'm not clear that they are 40-foot-high buildings. Please note the Eden Housing Sacramento Street project seems to be 45 foot, so would just barely meet this criterion. The commercial corridors now have mostly one and a few two-story buildings. This minimum height could have unintended consequences. One work around would be to allow for a lower height building subject to criteria, such as fit to neighborhood, addition of needed building types, or provisions for higher than required quality.	UPDATE: Based on PC discussion on 2/17/2021, this requirement will be removed and addressed during Phase II.

13.	Table 16.202-A	DEVELOPMENT STANDARDS Minimum heights – what’s the rationale? Is this consistent with the development proto-types in the 2019 analysis of density? Those seemed to be less than 40’. Perhaps there is language that allow shorter, for example 3 story row upgrade? Perhaps a way to get more quality or design by allowing shorter? How do these new standards impact expansions or renovations to existing one story buildings in these corridors? Is minimum height only for residential uses? Very few buildings in Vallejo are above 40 feet now. RC and CC should allow for lower heights. upgrade? Perhaps a way to get more quality or design by allowing shorter? How do these new standards impact expansions or renovations to existing one story buildings in these corridors? Is minimum height only for residential uses? Very few buildings in Vallejo are above 40 feet now. RC and CC should allow for lower heights.	See response to No. 12 above.
14.	P. 43, 16.203.03-A. A	ADDITIONAL REGULATIONS Is this much ground floor commercial warranted with so much vacant commercial in Vallejo? Medical uses should be allowed, move toward medical in commercial centers (eg. Carbon Health) Also offices with customer traffic.	Yes; the goal is to create active spaces at the pedestrian level. Medical clinics and offices would be considered.
15.	P. 53, 16.203 - E	ADDITIONAL REGULATIONS Street Preservation. Existing public right-of-way shall be preserved. Public right-of-way shall not be eliminated or abandoned, unless substantial public benefits are provided, such as a new park, a community garden or a trail on pedestrian passages. Comment: Should be re-worded in pedestrian-friendly terms and encourage the substantial public benefits. Right now, the wording encourages the automobile right-of-way. Vallejo needs to move away from this and improve its walkability score.	This reference is intended to address streets that accommodate automobiles. Requirements for pedestrian enhancements are provided in Section 16.203-C.
14.	P. 53, 16.203.03.d	ADDITIONAL REGULATIONS	This regulation is objective; it allows a 25 percent increase in density if any item listed is provided.

		Additional Residential density is not well defined and is not an objective measure. Perhaps this waits until housing element? Was this from the Housing Strategy?	
16.	P. 53,P. 16.203.03.d.1	ADDITIONAL REGULATIONS I don't understand this calculation? Seems to be population of the units to drive the size (in enrollment?) of the child/senior care? Is it intended to be for residents only?	This calculation means the number of children or seniors the facility accommodates must equal 20 percent of the units. (20 units requires a center for 4 clients)
17.	P. 53, 16.203.03.d.3	ADDITIONAL RESIDENTIAL DENSITY In-lieu fee and density bonus need a more comprehensive look.	Will evaluate further in Phase II.
18.	P. 53, 16.203.03.d4	ADDITIONAL REGULATIONS On-site public art needs some specifications? How much? How big? I'm not sure Arts Commission can evaluate if X amount of art warrants 25% more density?	Will evaluate further in Phase II.
19.	P. 53, 16.204	OFFICE AND MEDICAL DISTRICTS Are we allowing bioscience labs/ r&d in the office areas? See jobs discussion above.	Yes, uses are permitted in the O district.
20.	P. 58, 16.203-L	ADDITIONAL REGULATIONS Public Access for Shoreline Development. ...shall provide public access to and long <u>along</u> the shoreline...	Comment noted; correction has been made.
21.	P. 71, 16.204	SPECIFIC PLANS For the Downtown Plan, the use table says massage is not allowed on the Georgia corridor. Does that come from the Downtown Plan? If there is interest in encouraging nightlife in the downtown, we may want to consider something different than the 1,000 foot rule for separating uses. Clustering of late-night venues would work better than separating. Perhaps there is a limit to the number of such uses in the area? Do the downtown constituents want more nighttime uses? Do they want adult uses?	Land uses in the DMX zoning district are generally based on the Land Use Table in the Downtown Vallejo Specific Plan. The 1,000 ft. distance for massage businesses was discussed during Module 3. Limiting the number of uses will require additional staff time and monitoring. Although the CCRC has not commented formally on the New Zoning Code, experience working with the group has shown a desire for more nightlife in the downtown. The Council and EVC have also indicated a preference for more late night uses in Downtown. The preference for adult uses is unknown.
21.	P. 62, 16.205	INDUSTRIAL DISTRICTS Industrial seems thin ... are we restricting where distribution can locate? What does "distribution supporting industry in the city" mean.	Yes; these uses are only allowed in the IL and IG industrial districts. Warehouses are allowed in the IL and IG industrial districts.

		Are 'last mile' warehouse allowed? What about bioscience? See jobs discussion above	
22.	P. 69, 16.208	PLANNED DEVELOPMENT DISTRICT Developer driven understanding	Comment requires additional information for a Staff response.
23.	P. 69, 16.208.G	PLANNED DEVELOPMENT DISTRICT Will this include Fairview? Was it a PD?	Yes; part of the Fairview project was approved as a PD; #3 in the list applies to Fairview.
24.	P. 71, 16.209	SPECIFIC PLAN AREAS Now you are repealing Northgate and White Slough Specific Plans. For Northgate, I scanned it over and it had designs standards specific for that area. Are the new standards reduction or increase? Have all the public streets in the development standards been built? You are allowing a wider range of uses, and I assume removing the limit on the amount of drive- thrus. While allowing housing is good, it is also appropriate to consider how much of the site can be housing. The plan already developed at a lower density than expected. Also, if there are development agreements for this area tied to this plan, please be sure that all obligations under those have been performed. I know that there was a special fee for Northgate that may also be tied to this plan. A similar review of White Slough.	After further review of the Specific Plans, Staff determined that the Northgate area is generally built-out, with the exception of the parcels owned by Solano Community College, and per the General Plan, the entire ordinance will be repealed. Although the standards in the Plan are specific to that area, compatibility with existing buildings will be required for any new development. The market should determine if additional housing can be adequately accommodated in the area. The intent is to encourage mixed-use development that includes both commercial and residential use. The Landscape Maintenance District for the area has been established and should not be affected by the repeal of the Specific Plan. Regarding White Slough, Staff has determined that an amendment to Appendix A to repeal the land use table is needed to align with the General Plan and allow the Central Corridor Commercial (CC) zoning district to regulate land uses throughout the entire Sonoma Boulevard Corridor. For Hiddenbrooke, the General Plan calls for that Specific Plan to remain in effect. The Downtown Vallejo Specific Plan Land Use Tables and most development standards will be repealed to allow the Downtown Mixed Use (DMX) zoning district to regulate development in the area.
25.	P. 72, 16.211	HILLSIDE DEVELOPMENT STANDARDS Do the height limits and other restrictions of the LDR district apply as well as the hillside standards? Does this allow more height than the base district? Can you show us how much of the City is subject to this standard?	Yes, projects are also subject to the requirements in their base district. When buildings are constructed on a slope, they appear taller than when constructed on level ground. Staff has produced a map illustrating the topography of the City. It is viewable on the City's website.

26.	P. 72, 16.211	HILLSIDE DEVELOPMENT STANDARDS Tied to the view district concerns shared publicly	Staff has reinstated the Residential View District in the New Zoning Code. The Hillside Standards apply citywide and the View District currently only applies to Vallejo Heights.
27.	P. 74, 16.212.04- B	AFFORDABLE HOUSING INCENTIVES Density Bonus for Land Donation, Childcare Facility, or Condominium Conversion. A housing development that contains a childcare facility as defined in California Government Code Section 65915 (h) may be eligible for an additional density bonus, concession, or incentive pursuant to the requirement set forth in California Government Code Section 65926 (h). Comment: Highlight and encourage this. Very important for parents, especially low-income. Also see 16.212.05 Calculation of Density Bonus, A.An applicant may propose and the Planning Commission, at its own discretion, may grant an additional density bonus as an incentive to a project eligible for such a benefit...	Comment noted.
28.	P. 75, 16.212.06.F	STATE MANDATED CONCESSIONS AND INCENTIVES Part of your implementing documents for this should include specifications of rigor of a pro-forma and how the PC can make these findings.	Comment noted.. Staff will confirm requirements with State law.
29.	P. 76, 16.212.06.F	STATE MANDATED CONCESSIONS AND INCENTIVES Is that fine the difference between the rents they collected and what the subsidized rents should have been? It should have some penalty above that amount. Perhaps this language should be that the agreement will provide for a fine equal to the overcharging AND extend the obligation for creation of subsidized units for the whole project on a day for day basis based on non compliance. As it reads now it seems like the city council would set a fine for all categories of noncompliance.	Staff will confirm requirements with State law.
30.	P.77, 16.212.09	STATE MANDATED CONCESSIONS AND INCENTIVES Would we allow density bonus for ownership affordable housing or just rental? Ownership would be higher income levels.	Phase II will explore additional incentives to encourage ownership housing.

31.	P. 79, 16.212.12	FINDINGS FOR APPROVAL OF STATE-MANDATED DENSITY BONUS, CONCESSIONS, AND INCENTIVES A. The housing development is eligible for a density bonus and any concessions, incentives, waivers, or parking reductions requested. Comment: Highlight the Mills Act Economic Incentives for qualified historic properties.	Mills Act refers to historic properties which are unlikely to be developed as an affordable housing project.
32.	P. 81, 16.212.14	STREAMLINED INFILL PROJECTS Do we need to write into our code state mandated programs? Why are we mandating Low Income housing tax credits for the financing? Or are you saying that LIHTC triggers prevailing wage (which it does). My memory is Solano may not need prevailing wage under SB35 b/c smaller county. We should not go above the State law on prevailing wage.	Similar to the State law regarding ADUs, affordable housing incentives are state mandated. The goal is to provide a comprehensive set of regulations for development in the Zoning Code. This chapter is intended to be consistent with State law.
33.	P. 82, 16.213	TRANSIT ORIENTED DEVELOPMENT TOD increase in density – does that also increase heights?	Yes; it allows an increase in FAR which may increase height.
34.	P. 82, 16.213.01	TRANSIT ORIENTED DEVELOPMENT Should Mare Island Ferry Terminal be included? Also transit center planned for Solano 360 project?	No; the Mare Island Specific Plan regulates land use on Mare Island, including density. Likewise, Solano 360 has its own Specific Plan.
35.	P. 82, 16.213.02.C.1.c	DEVELOPMENT STANDARDS Why only limited service restaurant? Why not any restaurant? Why 5,000 square feet?	The intent is to encourage cafes, coffee shops, smaller-scaled restaurants in a pedestrian oriented area. Size requirements have been removed to allow flexibility.
36.	P. 82, 16.213.03	DEVELOPMENT STANDARDS Having no minimum parking should not mean that developer cannot build the parking needed to meet his market.	Comment noted; a developer can construct parking to meet his market.
37.	P. 82, 16.213.01	TRANSIT-ORIENTED DEVELOPMENT G. encourage uses that allow round-the-clock activity around transit stations Comment: Use examples such as gyms, galleries, live music, and restaurants.	Comment noted; additional language has been included.
PART III			

38.	P. 87, Table 16.301-B	LAND USE REGULATIONS If “x” is prohibited, what does “-” mean? Should all the “-”s be x’s? Table could be clearer with foot notes on the page the apply to. That said this is a huge improvement from current. Some of the footnotes are a little hard to understand. 15 is that only relevant to the White Slough part of CC and none of the rest of CC? or only the 1A part of the CC part of White Slough. And does White Slough plan exist any more?	The “-” also means prohibited; and to make the table clearer, “xs” will be removed and replaced with “-s”. Because the footnotes vary, it was decided to place them on the last page. Regarding White Slough, Note 15 states the use is only allowed in the White Slough, Zone 1A area, not other parts of the CC district. Per State law, the White Slough Area Plan will remain in effect; however, staff is proposing to amend the Plan to refer to the Zoning Code for land use and development regulations.
39.	P. 87, Table 16.301-B	COMMERCIAL. Adult Business Adult Nightclubs and Adult Bookstores are allowed in the Downtown Mixed-Use area with a major use permit. This is also near the Vallejo Transit Station at Santa Clara and York streets. Is this meant to be part of the round-the-clock activity near transit stations? This transit station is the only one near an area that allows these activities.	No; there is no direct correlation between this use and the transit station. Hours of operation may be imposed/allowed by the Planning Commission through the Use Permit process.
40.	P. 98, 16.302	ACCESSORY USES Impacting potential developers and home improvement/house flippers.	The chapter provides requirements for accessory uses and should not negatively impact developers and investors.
41.	P. 99, 16.303	ADU's Ongoing acceptance and implementation of ADU's at a local level from updated state laws	The New Zoning Code maintains State requirements and includes additional regulations based on a prior ordinance adopted by City Council
42.	P. 101, 16.304.g	ADULT USE REGULATIONS See my email on adult use. Most of this seems to just be the existing code. Was this compared to other cities? Background check from applicant. That is with application? Can we do for the Massage and other required background checks too?	Yes; however, other cities also require a regulatory permit. The draft regulations are based on the existing Code. Staff will update this section based on other nearby city ordinances. Requesting background checks for massage establishments is required in order for a practitioner to receive a license and the license is part of the Zoning Compliance Review or Use permit application requirement. However, a background check for business owners will be added to the regulations.
43.	P. 103, 16.304.04.M	ADULT USE REGULATIONS We should include the findings like in alcohol about neighborhood impacts.	There are no additional findings for alcohol establishments; however, there are standards for deemed approved uses. Adding these additional standards is a policy decision that can be discussed with the Planning Commission.

ATTACHMENT 1

44.	P. 109, 16.304.05./06	ADULT USE REGULATIONS Appeal/revocation – are these different for these uses? Is this the same as in Section VI?	No; the basis for revoking a Use Permit for adult uses are different for other use types.
45.	P. 109, 16.305	ALCOHOLIC BEVERAGE SALES Identifying how this may benefit the public, while addressing any concerns to the business owners	Comment noted
46.	P.120, 16.311	BED AND BREAKFAST LODGING Potentially tied to Air BNB concerns	Air BNB will be addressed during Phase II
47.	P. 109, 16.305.06	DEEMED APPROVED E. Performance Standards for Deemed Approved Alcoholic Beverage Sales Uses. 3. It does not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passerby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests. Comment: How will this be enforced? What is a reasonable timeframe to receive support from peace officers when these circumstances arise?	This is enforced through coordinated efforts between Code Enforcement, Police, Planning and the City Attorney's office. Planning Staff cannot determine a reasonable timeframe to receive support.
48.	P. 109, 16.305.06	DEEMED APPROVED ALCOHOLIC BEVERAGE SALES ESTABLISHMENTS Deemed approved. Can you explain what this means and the import of it?	This policy allows businesses that are already legally operating at the time a new ordinance regulating the use is adopted. In this case, a Major Use Permit was not required when the business was originally established and a new ordinance requires a Major Use Permit for the same type of business. It is important to include regulations in the Zoning Code for these establishments to ensure their operations do not negatively impact the surrounding areas.
49.	P. 111, 16.307, 308	AUTOMOBILE SERVICE ESTABLISHMENTS With so many automobile service stations, help those business understand these changes which hopefully minimizes any servicing and financial impacts to how they currently operate.	Regulations will not affect existing establishments unless they propose substantial renovations.

50.	P. 121, 16.312.02	CANNABIS PROCESSING, CULTIVATION, DISTRIBUTION, TESTING AND RETAIL REQUIREMENTS Should also include the similar requirements as alcohol sales described on p. 105, 16.305.02 B5 and B7. 5. The site shall be maintained free of litter and graffiti at all times. The owner or operator is responsible for daily removal of trash, litter, and debris from premises and on all abutting sidewalks with 20 feet of the premises. One permanent, non-flammable trash receptacle shall be installed near all public entrances and exits to the establishment. 7. Employees of the establishment shall walk a 100-foot radius from the facility at some point prior to 30 minutes after closing and shall pick up and dispose of any discarded beverage containers and other trash.	This is a policy recommendation that can be discussed with the Planning Commission. Based on discussion with the PC, these requirements will be added.
51.	P. 128, 16.317.02	EMERGENCY SHELTERS REQUIREMENTS C. The length of stay of an individual client shall not exceed 6 months within a 12-month period. <i>Comment:</i> Where do they go afterward? Length of stay should be determined by condition, not length of time. This is especially important for battered parents and children.	The length of stay is based on the California Health and Safety Code 50801 definition for emergency shelters. This definition was approved by City Council as part of the Emergency Shelters Ordinance adopted in 2015. The location of occupants after leaving the shelter is beyond the scope of the Zoning Code.
52.	P. 129, 16.318.02	PURPOSE AND APPLICABILITY Also include verbiage describing the walkability of Farmer's Markets, similar to what we have seen downtown on Saturday mornings. REQUIREMENTS D. Management Plan. 6. Traffic plan Pedestrian plan approved by the traffic engineer, and review by the Police Department for implementation.	Comment noted; the underlined text will be added to 5. Instead of 6. as suggested.: Parking <u>and pedestrian access</u> plan.
53.	P. 129, 16.319.02	GROUP RESIDENTIAL REQUIREMENTS D. Common Facilities. ...exclusive use of the residents including...Library...	The list provides a range of uses one facility may include. Encouraging businesses to partner with Solano County Library is beyond the scope of the Zoning Code.

		Encourage partnering with Solano County Libraries to keep collections fresh and relevant.	
54.	P. 134, 16.321	HOME-BASED BUSINESS How this could benefit current pandemic working situations and tied to 16.324 Live/Work Units	Additional regulations included to address pandemic such as allowing employees with a use permit and increasing the number of clients on the premises at one time from 4 to 6.
55.	P.134, 16.321.05	HOME-BASED BUSINESS EXCLUSIONS E. On-site vehicle-related uses such as, but not limited to, storing of either operational or non-operational vehicles, cleaning, dismantling, embellishing, installing, manufacturing, repairing or servicing, selling, leasing or renting, and towing, driving schools, dispatching of vehicles, boat towing, scrap yards, parts sales or any storage of autos... <i>Comment:</i> Who regulates these activities?	The Planning Division and Building Code Enforcement responds to complaints regarding home-based businesses, as time allows. These are generally reported by neighboring residents.
56.	P. 135, 16.322	LARGE FORMAT RETAIL Why is this carrying forward? Do other cities require this? Could it impair the reuse of the empty big box stores we have now? Industry has moved away from big boxes.	This is a major policy decision and Staff has not received direction from City Council to remove this chapter. The regulations would not impair reuse of an empty building if the use is not a large format retail store (use versus building).
57.	P. 139, 16.324	LIVE/WORK UNITS The differences and/or similarities to 16.321 Home-Based Business.	Live/Work is a commercial business that has a residential element. The business is not considered a Home-based business, but a commercial, industrial, retail, etc. business and may operate as a commercial establishment.
58.	P. 139, 16.324	LIVE/WORK UNITS This needs significant discussion. My recommendation would be to leave industrial areas as not having housing. We can have allow housing as an accessory use in industrial/commercial buildings. New construction live/work would require significant work on the code and we would not want to create substandard housing.	The Zoning Code must be consistent with the General Plan and areas zoned as Limited Industrial are generally designated Business/Limited Residential in the General Plan, which allows residential use. Live/work would allow residential as an accessory to the work activity. Live/work does not necessarily mean the housing would be substandard, as a building permit would be required to ensure compliance with the Building Code.
59.	P. 142, 16.326.04	MASSAGE ESTABLISHMENTS FACILITY LOCATION AND OPERATING REQUIREMENTS C. Transparency required. Every massage establishment shall have windows facing the public right-of-way that are transparent to allow a clear view into the establishment and shall not be obscured with blinds, shades, drapes, or blocked by furniture.	The regulations apply to new businesses established after the effective date of the Zoning Code. Planning Division staff investigate complaints received from various sources and if needed will contact violators or mail letters regarding the complaint.

		Comment: What about current establishments? Who will enforce?	
60.	P. 148, 16.330.02	OUTDOOR DINING AND SEATING REQUIREMENTS B. Other permits. Outdoor dining located on public sidewalks or within a parklet on a City street requires approval of an Encroachment Permit... The Encroachment Permit does not require a fee, is that correct? What is a reasonable timeframe to have the permit approved? We need to encourage outdoor dining in general, not just as a pandemic coping mechanism.	All fees for outdoor dining areas have been waived during the pandemic. Following the pandemic, an Encroachment Permit and fee will be required by the Public Works Department.
61.	P. 148, 16.330.02	OUTDOOR DINING AND SEATING REQUIREMENTS C. Development Standards. 4. c. Awnings. Retractable awnings and umbrellas may shall be used in an outdoor dining area, at a minimum clearance of 8 feet on public sidewalks, and there shall be no permanent roof or shelter.	The Zoning Code cannot require the use of retractable awnings and umbrellas, but if used, the 8-foot clearance would be required.
62.	P. 152, 16.332	RECYCLING FACILITIES These are very similar to El Cerrito, which has an excellent recycling facility. Bravo!	Comment noted.
63.	P. 160, 16.337	SOLAR AND WIND ENERGY With the new Biden Administration's goal of green and sustainable energy and climate change, I anticipate this may put more focus on our local additional regulations.	Staff will address any new federal and/or state requirements as needed.
64.	P. 173, 16.340.04	WIRELESS TELECOMMUNICATIONS Location of Wireless Telecommunication Facilities 2. Historic Buildings, Landmarks, and Districts. Wireless telecommunication facilities are very strongly discouraged from locating within a site containing a historic building or landmark, or within a historic district... This makes sense for a residential property. However, building 115 on Mare Island was the Mare Island Naval Radio Station and the electrical school. Its location was strategic for sending and receiving telecommunications.	The regulation states "very strongly discourages", which implies that under some circumstances, historic buildings could accommodate a wireless telecommunication facility. Also, treatment of properties on Mare Island is subject to the Mare Island Specific Plan.

		This is within the Mare Island Naval Shipyard Historic District. Of course, the Secretary of Interior's Standards for Rehabilitation must be followed when reusing a historical building and it is appropriate to emphasize this here.	
65.	P. 159, 16.335	SRO – are we wanting to encourage housing without in unit bathrooms? Its one thing to allow existing, but new?	SRO is an affordable housing alternative.
66.	P. 168, 16.339	TOBACCO PRODUCT SALES Tobacco, similar question on deemed approved, what is the basis?	See Response to No. 59 above.
PART V USE STANDARDS			
67.	P. 185, 16.501.02	ACCESSORY BUILDING AND STRUCTURE Impacting potential developers and home improvement/ house flippers	These regulations clearly define accessory structures and where they are allowed, and should not negatively impact developers or investors.
68.	P. 198, 16.502.10	NOISE Have you considered Six Flags operations specifically in the standards? We don't want to impair their success and expansion.	Six Flags has specific noise level requirements in their Use conditions of approval that include noise mitigations.
69.	P. 204, 16.504.03	LANDSCAPING, LANDSCAPE STANDARDS A. Landscape Principles 2. Landscaping shall be designed to provide a safe and attractive pedestrian environment in high activity areas in the Downtown, along neighborhood and community Corridors and in the waterfront areas. 3. Artwork and other streetscape elements shall be incorporated into the landscape design to improve the appearance and appeal of the community. Comment: Yes, these are both essential for a pedestrian-friendly experience. Regarding "artwork and other streetscape elements" include performance art and musical performance space for small ensembles (1-5 people).	The requirements address physical improvements to a property.
70.	P. 210, 16.504.08	MAINTENANCE REQUIREMENTS A. Maintenance Required. All landscaping shall be permanently maintained in a healthy and thriving condition at all times, in compliance with the approved landscape plan.	Due to limited staffing resources, active enforcement of landscaping requirements has not been undertaken. However, landscaping and general site conditions are assessed when a building permit for tenant or site improvements is requested by a property owner.

		Comment: How is this enforced?	
71.	P. 206, 16.504	LANDSCAPING Landscaping is 20% of site appropriate for industrial? Also in older commercial areas, can 20% be achieved? Can we give the Director the ability to accept a lower standard if it is appropriate, say an older odd lot, or all perimeter landscaped, but interior not?	The standards are based on best practices. Section 16.504.01 - 5 indicates the Review Authority may allow modifications to the standards.
72.	P. 223, 16.505.02	FENCES, WALLS, AND SCREENING, GENERAL REGULATIONS A. Maintenance. ...Graffiti shall be removed within 48 hours. Who enforces this? Who removes this? Or does the city send a bill? What happens when a particular property has been targeted?	Same as above. The City also has an anti-graffiti program that is run by volunteers.
73.	P. 243, Table 16.508-B	OFF-STREET PARKING AND LOADING STANDARDS TBD is an awkward term as it sounds like is coming. Perhaps put see Section 16.508.03.	Comment noted; will consider recommendation
74.	P. 243, Table 16.508	OFF-STREET PARKING AND LOADING STANDARDS How this may impacts certain residential or businesses.	This will reduce the number of on-street parking spaces available in certain areas but is intended to encourage walking, bicycling, carpooling, etc.
75.	P. 247, 16.508.07	OFF-STREET PARKING AND LOADING STANDARDS FOR OFF-STREET PARKING AREAS D. Surface Parking Lots. 1. Large Parking Lots. If on-site parking for more than 75 spaces is needed, such parking facilities shall be designed to have landscaping or design features...or shall be otherwise covered by a structure that serves a non-parking function, such as solar panels, recreational facilities, roof deck, or green roof. Comment: Wondering why Vallejo would need any more parking lots larger than 75 spaces! Recommend that all decision makers review <u>Happy City</u>, Charles Montgomery,	Hospitals, large-scale entertainment centers, and major industrial and office businesses may generate a demand for more than 75 spaces.

		Chapter 12, "Retrofitting Sprawl." Actually, read the whole book!	
76.	P. 251, 16.508.11	RECREATIONAL VEHICLE PARKING A. Recreational Vehicle Parking in Residential Zoning Districts. 1. No recreational vehicle, boat or trailer that exceeds 2.5 tons in dry weight, 36 feet in length or 14 feet in height, not including rooftop equipment, shall be parked, stored or loaded in a Residential Zoning Districts. Comment: Who enforces this? Will a citation be issued? And by whom?	Due to limited staffing resources, active enforcement of this standard has not been undertaken. Code Enforcement responds to complaints.
77.	P. 258, 16.509	SIGNS, PURPOSE AND APPLICABILITY How current and new businesses would need to adapt to these sign changes.	These regulations would apply to new signs.
78.	P. 258, 16.509.01	SIGNS, PURPOSE AND APPLICABILITY ...The regulations are intended to implement General Plan policies to preserve and enhance the community's aesthetic quality by protecting it from excessive and inappropriate signage that creates visual clutter and has an adverse impact on overall visual appearance of a City affecting economic value. .07 PROHIBITED SIGNS D. Freeway Oriented Signs. Signs primarily oriented toward freeways and highways are prohibited unless approved through a Sign Program. Signs shall be oriented toward local streets and businesses entrances. Comment: Billboards are located at Tennessee and Eldorado, on Tennessee and Sonoma behind Nation's Burger, on Sonoma and Tennessee by Marathon Gas (2-sided billboard), Sonoma and Capital near Casa De Vallejo, Sonoma and Georgia south-east corner (very large), Sonoma and Jeffrey Alley. This does create visual clutter and has an adverse impact (translated...ugly...and why so	Billboards are privately owned signs and the Zoning Code prohibits construction of any new billboards in the City, with the exception that a new billboard may be approved if at least four existing are removed.

		many in such a small space?). Once the code is adopted, is there anything prohibiting their removal?	
79.	P. 258, 16.509	SIGNS We didn't discuss this at all. Can you give us some context? Also if a project is coming for DRB or PC then the sign that is part of it should be with that approval, not a later approval. Its part of the whole project. 40 feet may be too low at I80 with the grades, is there a way to allow for a higher height if an applicant makes a case that they need it for commercial reasons?	Initially, Staff was advised to have a separate sign ordinance from the Zoning Code that would be developed as part of Phase II; however, it was later decided to include this chapter in Phase I. Because a sign permit is a ministerial action, the actual design may be presented conceptually with a development project; however, the Planning Commission does not approve ministerial permits. The Zoning Code allows an Exception permit, including for sign height, if the request meets the required findings.
PART VI PROCEDURES AND PERMITS			
80.	P.280, 16.602	COMMON PROCEDURES C. Application Fees. 1. Schedule of Fees. The City Council shall approve by resolution a Master Fee Schedule... Comment: When will the Fee Schedule be completed? As of today, the link for that is dead.	The 2020-2021 Fee Schedule has been completed. Below is the functioning link for the document. https://www.cityofvallejo.net/common/pages/DisplayFile.aspx?itemId=80108
81.	P. 281, 16.602.03	PRELIMINARY REVIEW Is there a written preliminary review letter?	Yes; the applicant receives a letter that includes staff's analysis and recommendations for the project.
82.	P. 287, 16.602	EXPIRATION AND EXTENSION C. Extensions. Comment: 1. First Time Extension. The The... (Un-bold the T.)	Comment noted; text has been corrected.
83.	P. 283, 16.602.05.E	ENVIRONMENTAL REVIEW Is this a standard requirement that prior to full EIR there be an agreement to change project? Should this letter also include proposed mitigation requirements? This seems to suggest that determining impact before the analysis and that City is not open to projects requiring overriding conditions.	Yes, the purpose of the Initial Study is to conduct the analysis and assess impacts. Based on the outcome, changes may be made to the project to reduce or remove impacts. Such decisions are typically discussed with the applicant. The Draft Initial Study circulated for public review will incorporate any such changes. Overriding conditions imply that an EIR has been prepared and there are significant impacts that cannot be mitigated to a less than significant level.
84.	P. 284, 16.602.05.J	ENVIRONMENTAL REVIEW How would anyone other than the applicant know that the determination has been made and can be appealed?	Appeal language is provided in the public notice. Any person may contact the Planning Division request the status of an application. Staff has added a provision that any member of the public can request a copy of a discretionary decision.

85.	P. 284, 16.602.07	NOTICIING Staff needs to more generally notice any proposed projects. I would suggest that the City include on its website a posting of all planning notices. This would allow the community, property owners, and prospective developers to see what is working through the process.	Comment noted.
86.	P. 284, 16.602.07	NOTICIING Noticing should also include neighborhood, groups and HOAs.	Comment noted; text has been changed to add Neighborhood Organizations within 1,000 feet from the property.
87.	P. 284, 16.602.07	NOTICING B. I understand that staff did not intend change the current regulation that requires the Planning Commission to be noticed when any project is noticed, even if it is a staff level decision. That is an important noticing that allows the Planning Commissioners to be aware of projects coming through.	Comment noted; text has been changed to add Planning Commission to the notification list for Director decisions.
88.	P. 284, 16.602.07-A	NOTICING This indicates all of all of these get a mailed notice. Groups e,f,g, and neighborhood groups should be an emailed notice.	In addition to the mailed notices, Staff may also send emailed notices, but they will not be required.
89.	P. 284, 16.602.07	NOTICING Existing code required notice for some items at the time that the application was deemed complete. Why was that changed? How did you determine 14 days for notice period?	That process is currently not being implemented. State law requires 10-days; however, Staff has provided a 14-day notice by practice that includes weekends.
90.	P. 285, 16.602.08-E	PUBLIC HEARINGS Time limits – is this ok? Does it over ride PC rules of procedure? How can officer require only a spokesperson?	Yes; this does not conflict with PC Rules and Procedures. A presiding officer may ask for one spokesperson at their discretion.
91.	P. 286, 16.602.10.-B P. 286, 16.60210-C	SCOPE OF APPROVAL Can conditions of approval be verbal? Seems like they should be written. This seems very general.	This is referring to what may be verbally indicated during a public hearing. The project must be constructed as approved or the approval becomes null and void and a Certificate of Occupancy may not be granted.
92.	P. 16.602.14 B	APPEALS Is there a definition of “adversely affected” to have standing to appeal? Can appeal be because of disagreeing	The text will be revised to indicate "aggrieved or affected". No; Planning Staff do not meet the appeal criteria of being affected by the PC's decision.

		with interpretation of code? Does the City Staff have the right to appeal a Planning Commission decision?	
93.	P.289, 16.602.14	APPEALS Is this deliberate to be a majority of the body rather than of the quorum at the meeting? It is a higher standard than other commission actions?	The text will be revised to indicate "a member of City Council may call for Review of a decision"
94.	P. 290, 16.604.01	DESIGN REVIEW, PURPOSE AND APPLICABILITY D. Ensure that future development should: 4. Avoid nostalgic misrepresentations that may confuse the relationships among structures over time. Comment: This cannot be emphasized enough. No pseudo-Victorian structures, please.	Comment noted.
95.	P. 291, 16.604.01.J	DESIGN REVIEW PURPOSE AND APPLICABILITY Is this new non-residential construction of 5,000 feet or development of 5000 square feet? How did you determine 5,000 square feet? Would it also include substantial renovation? Review the definition of 'development' and it doesn't fit for this use and it would seem to be a measure of land.	Non-residential development. Projects of this size are generally substantial. The first part of the definition is applicable to this chapter.
96.	P. 292, 16.604.03.B.4	DESIGN REVIEW FINDINGS REQUIRED These do not seem like objective standards; do they only apply in non-housing?	These standards are not intended to be objective. They apply to all project types that require Design Review.
97.	P. 295, 16.605.03	DESIGN REVIEW FINDINGS REQUIRED Again some of these are subjective.	See above response.
98.	P. 299, 16.608	EXCEPTIONS This exceptions section would be where criteria for buildings less than 40 feet could be added.	The 40-foot minimum requirement will be removed and discussed during Phase II.
99.	P. 302, 16.609	SPECIFIC PLANS AND AMENDMENTS Impact on certain aspects and features of particular SP's.	The amendment process is the same as provided in the current Code.
100.	P. 303, 16.610	PLANNED DEVELOPMENT PERMITS Impact on certain aspects and features of particular PD's	PDs are adopted by ordinance and remain effective unless repealed or replaced.
101.	P. 303, 16.610.07.B	PLANNED DEVELOPMENT PERMITS Should a PD amendment go to the PC before City Council?	Yes, a PD amendment is adopted by ordinance and should be recommended for adoption by the PC, which is the current process. The Glen Cove Marina is an example of a PD Amendment considered first by the PC and forwarded to City Council for adoption.

102.	P. 310, 16.613	CONDOMINIUM CONVERSIONS Impacting potential developers and house flippers	Will not affect new development; only units being converted to individual ownership; investors converting units will need to comply with the new regulations
103.	P. 322, 16.615.06	GROUNDS FOR REVOCATION Current Code allowed to be revoked if there was fraud in the application. Why would we remove that? 16.82.110 - Grounds for revocation or suspension. The planning commission shall have the power to revoke or suspend a use permit in any case where the permit was obtained by fraud.	Will discuss with City Attorney.
104.	P. 322, 16.615.07	NOTICES TO PROPERTY OWNERS Notices, should this be with the other provisions regarding notice.	An abatement notice is intended for a different purpose and is mailed directly to a property owner who may be in violation of the Zoning Code. The noticing section in the Common Procedures chapter addresses the noticing process for common planning applications.
PART VII GENERAL TERMS			
105.	P. 333, 16.701	LAND USE TERMS AND DEFINITIONS There as a canopy definition that applied to marijuana cultivation. Probably should avoid using same term in different ways.	There is no distinct use for the term canopy for cannabis. The cannabis regulations provide the maximum size of the canopy for cultivation purposes.
106.	P. 335, 16.701	LAND USE TERMS AND DEFINITIONS Commercial Kitchen is entered twice. Which one is correct?	Comment noted; second definition has been deleted.
107.	P. 338	LAND USE TERMS AND DEFINITIONS Development - This definition is very public work focused, grading, etc. Places in the code use “development” to mean construction. I’d suggest a search and a review of if the terms align.	The definition of development is intended to be comprehensive.