



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**October 26, 2022 7:00 PM
CITY COUNCIL CHAMBERS,
455 E CALAVERAS BLVD, MILPITAS, CA
and
via TELECONFERENCE (Zoom Webinar)**

The Planning Commission meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar. You may watch the meeting without providing public comment by accessing it via links here.

Meeting shall be livestreamed - Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

PUBLIC COMMENT INSTRUCTIONS

Verbal public comments may be provided live during the Planning Commission meeting by first registering for the Zoom meeting and providing your name and an email address (not disclosed).

Register for this October 26 meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_Y-YPGdkURr6tb33o_Vrk6A

After registering online, you will receive a confirmation email with information about joining the webinar.

A Zoom link will be sent to you to join the Planning Commission meeting and make verbal comments. All registered meeting attendees who wish to speak must click on the "Raise Hand" icon when the Chair calls for public comments. If participating by phone, dial *9 to use the "Raise Hand" feature, and when you are called upon, dial *6 to unmute your phone. Your phone number will be displayed in the live meeting. Staff will call upon speakers by name when it is their turn to begin. Please listen for your name to be called.

All comments provided shall be limited to three minutes or less as determined by the Chair. All members of the public will be limited to one comment per agenda item. The online written comment form previously used is no longer available for public comment.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Vice Chair Ciardella)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for October 26, 2022.

VI. APPROVAL MEETING MINUTES

By motion, approve the meeting minutes for September 28 and October 12.

VII. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VIII. PUBLIC FORUM

Those interested are invited to address Planning Commission on any subject not on tonight's agenda, orally via Zoom webinar (instructions above). Speakers may provide their name and city of residence for the Recording Secretary's record, and comments may be limited to three minutes or less. As an item not listed on the agenda, no response is required from City staff or the Planning Commission and no action can be taken. Planning Commission may instruct the staff to place the item on a future meeting agenda.

IX. PUBLIC HEARING

- IX-1 ZONING MAP AMENDMENT – P-ZA22-0006 – 158-300 SOUTH HILLVIEW DRIVE:** A City-initiated zoning map amendment to rezone three parcels (APNs 086-38-021, -022, and -037) totaling 2.8 gross acres from the M2 Heavy Industrial Zoning District to the M1 Light Industrial Zoning District for the purpose of creating an appropriate safety and noise buffer between the existing R1 Low-density Single-family neighborhoods located south of Los Coches Street and west of Interstate 680 and the nearby M2 Heavy Industrial area located west of South Hillview Drive. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption), and as a separate and independent basis Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Project Planner: Lillian VanHua, 408-586-3073, Ivanhua@milpitas.gov

Recommendation: Staff recommends that the Planning Commission consider and adopt Resolution No. 22-021 recommending that the City Council approve Zoning Amendment ZA22-0006, amending to change the zoning designations of three parcels, located along the east side of South Hillview Drive and approximately 1200 feet southerly from Los Coches Street, from the M2 Heavy Industrial Zoning District to the M1 Light Industrial Zoning District.

- IX-2 ZONING ORDINANCE TEXT AMENDMENT - OUTDOOR DINING – CITYWIDE – P-ZA22-0005:** A City-initiated Zoning Ordinance Text Amendment to add definitions and regulations relating to outdoor dining facilities as accessory uses to restaurants within the City of Milpitas. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (common sense exemption) and as a separate and independent basis Section 15183 (Projects consistent with a community plan, general plan, or zoning). **This item was continued from the October 12 Planning Commission meeting.*

Project Planner: Michael Fossati, (408) 586-3274, mfossati@milpitas.gov

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 22-022 recommending that the City Council adopt a Zoning Amendment which will add definitions and regulations relating to outdoor dining facilities as accessory used to restaurants within the City of Milpitas.

X. NEW BUSINESS

- X-1 NO ITEMS**

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review.

For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall,
455 E. Calaveras Blvd., Milpitas, CA 95035 Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.
