



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**June 8, 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 June 8 Meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_9eWkKGDGQCybgRyBFnHYMQ

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 (Chair Chuan)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for June 8, 2022.

VI. APPROVAL OF MINUTES

By motion, approve the meeting minutes of May 25, 2022.

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. NEW BUSINESS

- IX-1 SBC LIQUORS – 148 W. CALAVERAS BLVD. – COMPLIANCE REVIEW OF P-UA15-0007:** A City-initiated review of a previously approved Conditional Use Permit Amendment (P-UA15-0007) to verify compliance with conditions of approval and consider modifications to the use permit to address concerns related to public health, safety, and welfare. This action is exempt from environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15321 (Enforcement Action). Project Planner: Michael Fossati, (408) 586-3274, mfossati@milpitas.gov

Recommendation: Receive the presentation and provide feedback and direction to Planning Department staff.

X. PUBLIC HEARINGS

- X-1 Zoning Text Amendment – Building Heights – P-ZA22-0002:** A City-initiated Zoning Ordinance Text Amendment to modify maximum building height regulations within certain commercial zoning districts in the City of Milpitas. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15183 (Project Consistent with General Plan, Community Plan, or Zoning), and as a separate and independent basis, Section 15061(b)(3) (Common Sense Exemption). Project Planner: Lillian VanHua, (408) 586-3073, lvanhua@milpitas.gov

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 22-00x recommending that the City Council approve Zoning Text Amendment P-ZA22-0002.

- X-2 Zoning Text Amendment – Outdoor Music – P-ZA22-0003:** A City-initiated Zoning Ordinance Text Amendment to modify outdoor music regulations within the City of Milpitas. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15183 (Project Consistent with General Plan, Community Plan, or Zoning), and as a separate and independent basis, Section 15061(b)(3) (Common Sense Exemption). Project Planner: Lillian Vanhua, (408) 586-3073, lvanhua@milpitas.gov

Recommendation: Staff recommends to move the item to a date certain being June 22, 2022.

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.
