



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

May 13, 2020 7:00 PM
via TELECONFERENCE (Virtual Meeting)

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>

If you wish to provide input during the meeting, please visit <http://www.ci.milpitas.ca.gov/planningcomment> to submit your comments. Those comments received during the meeting will be read aloud to the public and the Planning Commission.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Commissioner Belong)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for May 13, 2020.

VI. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VII. PUBLIC FORUM

Those interested may address the Planning Commission in writing on any subject not on tonight's agenda. Commenters may type their name and city of residence for the record, and remarks read aloud will be limited to three minutes, or less. Comments submitted via online form will be read aloud by the Secretary. 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 staff to place the item on a future meeting agenda.

Virtual public comments may be submitted on a form from the City website:
<http://www.ci.milpitas.ca.gov/planningcomment>

VIII. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of February 26 and March 11.

IX. PUBLIC HEARING

1. **NEW PRE-SCHOOL AND DAYCARE – 210 SOUTH MAIN STREET – UP19-0013, MS20-0052:** A request for a Conditional Use Permit and Minor Site Development Permit to allow a new Montessori school providing pre-school and daycare services to children aged 18 months through 6 years and to make exterior modifications to an existing 19,733-square foot building including the demolition of 3,125 square feet to accommodate a new playground. This project is categorically exempt from further environmental review

under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and; as a separate and independent basis, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Planner: Adrienne Smith, (408) 586-3287, asmith@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission consider the exemption in accordance with CEQA and adopt Resolution No. 20-008, approving Conditional Use Permit No. UP19-0013 and Minor Site Development Permit No. MS20-0052 subject to the attached Conditions of Approval.

2. **ZONING TEXT AMENDMENT – ACCESSORY DWELLING UNITS – P-ZA20-0002:** A City-initiated Zoning Ordinance Text Amendment to regulate accessory dwelling units (ADUs) within the City of Milpitas. The proposed amendments would modify regulations related to ADUs to comply with Government Code Sections 65852.2 and 65852.22. The proposed amendment is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15282(h) (ordinance regarding second units in a single-family or multifamily residential zone)). Project Planner: Rozalynne Thompson, (408) 586-3278, rthompson@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission consider the exemption in accordance with CEQA and adopt Resolution 20-010 recommending that the City Council adopt an Ordinance amending sections of Chapter 10 of Title XI of the Milpitas Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units.

3. **CAPITAL IMPROVEMENT PROGRAM (CIP) GENERAL PLAN CONFORMITY FINDING:** A City-initiated request to consider a finding of General Plan conformity for the proposed 2020-2025 CIP Annual Report in accordance with California Government Code Section 65401. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (Not a Project). Director of Engineering, Steve Erickson, 408-586-3301, serickson@ci.milpitas.ca.gov.

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 20-009 finding that the 2020-2025 Capital Improvement Program is in conformance with the Milpitas General Plan.

X. NEW BUSINESS

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, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the
City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the
agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall,
455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of
the ordinance, 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.
