



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**February 8, 2023 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 February 8 meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_IHMY_EO7RHW6YzE2mQ8ZzA

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 (Commissioner Medina-Ashby)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for February 8, 2023.

VI. ANNOUNCEMENTS

1. Planning Commissioners
2. Planning Director

VII. 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.

VIII. PUBLIC HEARING

VIII-1 FENCE VARIANCE – 250 PIEDMONT ROAD: A request for approval of Zoning Variance Permit No. VA22-0002 and Minor Site Development Permit No. MS22-0247 to allow a wooden fence, up to six feet (6') in height, within the front-yard setback of an existing single-family residence on a 0.25-acre site in the R-1-10 Single-Family Zoning District located at 250 Piedmont Drive.

Project Planner: Avery Stark, (408) 586-3288, astark@milpitas.gov

Recommendation: Staff recommends that the Planning Commission open and close the public hearing and adopt Resolution No. 22-031, approving Variance Permit No. VA22-0002 and Minor Site Development Permit No. MS-22-0247 to allow a six-foot (6') fence within the front yard setback of an existing single-family residence on a 0.25-acre site located in the R-1-10 Single-Family Residential Zoning District at 250 Piedmont Dr, subject to the required findings and Conditions of Approval.

IX. NEW BUSINESS

IX-1 CONSIDER COMMISSIONER MERCEDES ALBANA'S REQUEST FOR ELECTRONIC APPEARANCE: Consider Commissioner Mercedes Albana's request for electronic appearance at the March 8, 2023 Planning Commission meeting pursuant to AB 2449.

Staff: Michael Mutalipassi, City Attorney, mmutalipassi@milpitas.gov

Recommendation: Staff recommends that the Planning Commission Consider and Approve Commissioner Mercedes Albana's request for electronic appearance at the March 8, 2023 Planning Commission meeting based on family medical emergency circumstances that will require her to take care of her family member in Manila, Philippines pursuant to AB 2449.

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.

X. 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.
