



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

**January 11, 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 January 11 meeting here:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_H0J1U6emSj2YXkLrOVWtvA

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 Awasthi)

III. SWEARING IN OF RE-APPOINTED PLANNING COMMISSIONERS BY CITY CLERK (Commissioners Albana and Medina-Ashby)

IV. ELECTION OF CHAIR AND VICE CHAIR FOR 2023 (Michael Mutalipassi, City Attorney)

V. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for January 11, 2023.

VI. APPROVAL MEETING MINUTES

By motion, approve the meeting minutes for December 14, 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. PUBLIC HEARING

IX-1 Milpitas General Plan Housing Element (2023-2031) – Citywide: The Planning Commission will receive a presentation from staff and consultants on the City's draft update to the Housing Element of the General Plan and Addendum Environmental Impact Report (EIR) and consider making a recommendation to the City Council. The Housing Element update covers an eight-year planning period from 2023 to 2031 and: 1) analyzes the housing needs of the City across various income categories; 2) provides policy guidance for housing production and conservation in the City, and; 3) identifies sites to accommodate the City's Regional Housing Needs Allocation (RHNA) goals. The Housing Element is one of eight State-mandated General Plan elements and is the only General Plan element that requires mandatory review from a State agency – the California Department of Housing and Community Development (HCD). A City Council-approved Housing Element must be submitted to HCD for certification by January 31, 2023. The City has prepared an Addendum to the Milpitas 2040 General Plan Environmental Impact Report (EIR) to comply with the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration).

Staff: Alex Andrade, Economic Development Director, aandrade@milpitas.gov

Recommendation: Staff recommends that the Planning Commission conduct a public hearing and adopt Resolution No. 23-001 recommending that the City Council adopt an Addendum to the Milpitas 2040 General Plan Final Environmental Impact Report (FEIR) (SCH#: 2020070348) and adopt the Housing Element Update (2023-2031) of the Milpitas General Plan.

X. NEW BUSINESS

X-1 Review of the Ralph M. Brown Act – City Attorney Michael Mutalipassi

The Ralph M. Brown Act (California Government Code 54950 et seq.) is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies. The Commission will receive an overview of the Brown Act from the City Attorney and may discuss and ask questions regarding applicability to the Planning Commission.

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.
