



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, JANUARY 18, 2022

MILPITAS, CA

6:00 PM (CLOSED SESSION)

7:00 PM (PUBLIC BUSINESS)

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

City Council meeting is held via teleconference /Zoom webinar only (no physical meeting space).

You may watch the Council 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

Oral public comments may be provided live during the City Council meeting by registering for the zoom meeting in advance. To register you will need to provide an email address (not disclosed) and a name. To minimize technical difficulties, please make sure that you have the latest version of the Zoom Application. Below is the link to register for this meeting only:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_clENQXIOS72UEqRAQSy5Vw

After you register a link will be sent to you to join the City Council meeting in order to give your comments. All registered meeting attendees who wish to speak must click on the "raise hand" icon when the Mayor calls for public comments. If participating by calling in on your phone, dial *9 to use the "raise hand" feature, and when you are called upon, hit *6 to unmute your phone. Your phone number will be displayed in the live meeting. The Mayor will call the speakers to begin.

All comments provided shall be limited to three minutes or less as determined by the Mayor. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items

MILPITAS CITY COUNCIL CODE OF CONDUCT

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk (6:00 PM)

ADJOURN TO CLOSED SESSION

(a) DISCUSSION WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Jeannine Seher, Human Resources Director

Employee Organization: IAFF

(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to California Government Code Section 54957

Position: City Manager

CLOSED SESSION ANNOUNCEMENT (7:00 PM)

Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present.

PLEDGE OF ALLEGIANCE

INVOCATION (Vice Mayor Montano)

PRESENTATIONS

PUBLIC FORUM (7:35 PM)

Those in the audience via Zoom are invited to address City Council on any subject not on tonight's agenda. Those interested in speaking via Zoom may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

NOTE: If a member of the public wishes to share any presentation materials for Council consideration, they must be submitted to the Clerk's Office by email to CityClerk@ci.milpitas.ca.gov by 12:00 p.m. on the day of the meeting

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (7:10 PM)

Members of the City Council or City Manager may make brief announcements at this time. Members of the City Council may also suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion but shall simply state a "yes" or "no" as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a future agenda for City Council discussion.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (7:20 PM)

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar.

- C1.** Receive City Council Calendars of Meetings for January and February 2022 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendars of Meetings for January and February 2022.

- C2.** Approve the City Council Special Meeting Minutes of January 7, 2022 and Special Meeting Minutes of January 11, 2022 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Recommendation: Approve the City Council Special Meeting Minutes of January 7, 2022 and Special Meeting Minutes of January 11, 2022.

C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Recommendation: Receive the list of anticipated agenda items for the next regular City Council meeting.

C4. Receive and Review the List of Agenda Items Requested by City Councilmembers (Contact: Mayor and City Councilmembers, 408-586-3000)

Recommendation: Review the list of items that have been requested by City Councilmembers and provide direction to staff as necessary. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until it is scheduled as a full agenda item.

C5. Adopt a Resolution Reviewing and Accepting the Annual Development Impact Fee Annual Report for the Calaveras Boulevard Widening Traffic Impact Fee, the Transit Area Specific Plan (TASP) Impact Fee, and the Storm Drain Fee for the Fiscal Year Ended June 30, 2021 (Staff Contact: Lauren Lai, Finance Director, 408-586-3111)

Recommendation: Adopt a resolution consistent with the Mitigation Fee Act to review and accept the annual development impact fee disclosure information for the Calaveras Blvd Widening Traffic Impact Fee, Transit Area Specific Plan Impact Fee and Storm Drain Fee for the Fiscal Year Ended June 30, 2021.

C6. Approve and Authorize the City Manager to execute Amendment No. 3 to the Agreement with HdL Software LLC for Business License Tracking Software Services (Staff Contact: Daniel Nam, Information Technology Director, 408-586-2712)

Recommendation: Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement with HdL Software LLC for Business License Tracking Software services for a total amount not-to-exceed amount of \$110,609.86.

C7. Award Construction Contract IFB No. 22-032 for the Installation of Card Access Control and Monitoring Systems at Fire Stations to Trofholz Technologies for the Not-To-Exceed Amount of \$104,324.42 and Authorize the City Manager to Execute the Construction Contract. (Staff Contact: Tony Ndah, Public Works Director, 408-586-2602)

Recommendation: Award construction contract IFB No. 22-032 for the installation of card access control and monitoring systems at Fire Stations to Trofholz Technologies for the not-to-exceed amount of \$104,324.42 and authorize the City Manager to execute the construction contract.

C8. Receive Monthly Report for Unhoused Services (Staff Contact: Sharon Goei, Building Safety and Housing Director, 408-586-3260)

Recommendation: Receive November 2021 report for unhoused services.

C9. Accept the Resignation of Aysha Mohsin from the Planning Commission (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Recommendation: Accept the resignation of Aysha Mohsin from the Planning Commission; and confirm the noticing of the unscheduled vacancy.

- C10.** Move to Waive the Second Reading and Adopt Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic (Staff Contact: Steve Chan, Transportation and Traffic Manager, 408-586-3324, and Jared Hernandez, Chief of Police, 408-586-2406)

Recommendation: Move to waive the second reading beyond the title and adopt Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic.

- C11.** Authorize and Approve Travel to Monterey, CA for City Manager Steve McHarris to Attend the League of California Cities City Managers Annual Conference scheduled for February 2 – 4, 2022 (Staff Contact: Ashwini Kantak, Assistant City Manager, 408-586-3053)

Recommendation: Authorize and Approve Travel to Monterey, CA for City Manager Steve McHarris to Attend the League of California Cities City Managers Conference scheduled for February 2 – 4, 2022, for an estimated not-to-exceed amount of \$2,000 budgeted under Conferences/Trainings allocation for the City Manager's Office.

PUBLIC HEARINGS (7:25 PM)

Members of the public may be allotted up to three (3) minutes or less at the Mayor's discretion, to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of ten (10) minutes for opening statements and up to a total of five (5) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

- 12.** Adopt a Resolution Approving a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to Allow Development of a 32-Unit Townhome Condominium Subdivision, Comprised of Two Multi-Family Buildings Up to 50 Feet in Height (Three to Four Stories), with Tandem Garages Accessed From a Central Drive Aisle, and Associated Site Improvements on a 1.22-Gross Acre Site Located in the Multi-Family High Density Residential (R3) Zoning District at 2001 Tarob Court, in the Transit Area Specific Plan (TASP) Planning Area (Staff Contact: Ned Thomas, Planning Director, 408-586-3273)

Recommendation: (1) Conduct a public hearing, receive public comment, and move to close the hearing (2) Consider the consistency memorandums to the Addendum to the Transit Area Specific Plan Environmental Impact Report (TASP EIR) and the exemptions in accordance with CEQA; and (3) Adopt a Resolution approving Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map No. MT21-0001, and Environmental Assessment No. EA21-0002 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the findings and Conditions of Approval.

COMMUNITY DEVELOPMENT (8:00 PM)

- 13.** Receive a Presentation on the Draft Development Review Handbook and Accessory Dwelling Unit (ADU) Toolkit (Staff Contact: Jay Lee, Principal Planner, 408-586-3077)

Recommendation: Receive a Presentation on the draft Development Review Handbook and Accessory Dwelling Unit (ADU) Toolkit

- 14.** Milpitas Affordable Housing Ordinance Update (Staff Contact: Sharon Goei, Building Safety and Housing Director, 408-586-3260)

Recommendation: Following the reading of the title by the City Attorney, move to waive the first reading beyond the title and introduce Ordinance No. 297.1 amending Milpitas Municipal Code Title XII, Chapter 1 (Affordable Housing Ordinance).

REPORTS OF MAYOR & COUNCILMEMBERS (9:30 PM)

15. **Per Councilmember Chua, Consider Rescinding the Direction Given to Staff on September 21, 2021, in Relation to the Preliminary Review of Conceptual Plans for a Proposed 206-Unit Multi-family Residential Development Project on a 6.69-Acre Site Located at 1355 California Circle (APN: 22-338-007) (Contact: Councilmember Chua, 408-586-3023) (Staff Will Provide a Brief Presentation)**

ADJOURNMENT (10:00 PM)

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
e-mail: cdiaz@ci.milpitas.ca.gov / 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.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection ~~at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website.~~ City Council agendas and related materials can be viewed online: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's Office at 408-586-3001 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to CityClerk@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda.

December 2021						
S	M	T	W	T	F	S
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February 2022						
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Milpitas City Council Calendar

January 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
2	7:00 PM -Parks, Recreation & Cultural Resources Commission (CM)	7:00 PM Closed Session 7:00 PM City Council	2:00 PM -Santa Clara VTA Monthly Briefing - Northeast Group (CM) 7:00 PM -Community Advisory Commission (EC)	5:30 PM -Santa Clara VTA Board of Directors (CM) 5:30 PM -Milpitas Chamber of Commerce Board (EC)	1:00 PM -Special City Council Meeting – Implicit Bias Training	8
9	4:30 PM -Economic Development and Trade Commission (KD) 6:00 PM -Online Community Meeting – Planning Department	4:00 PM -Milpitas HOPE Suicide Prevention Task Force 6:00 PM - Special City Council Meeting	7:00 PM -Planning Commission 7:00 PM -Silicon Valley Clean Energy Board of Directors (EC)	4:00 PM -Santa Clara VTA Policy Advisory Committee (AP) 4:00 PM -Treatment Plant Advisory Committee (CM) 5:00 PM -Homelessness Task Force 7:00 PM -Cities Assoc of SCC (CM) 7:00 PM -Youth Advisory Commission (EC)	<i>*4:30 PM-City Council Finance Subcommittee (RT/CM)</i>	15
16	 MARTIN LUTHER KING JR. BIRTHDAY CITY OFFICES CLOSED	6:00 PM -Closed Session 7:00 PM -City Council	6:00 PM -Energy and Environmental Sustainability Commission (EC)	10:00 AM -VTA Congestion Management Prog Planning (CM) 6:30 PM -Bay Area Water Supply Conserv Agency (CM) 7:00 PM -Public Safety and Emergency Preparedness Commission (KD)	9:00 AM -Special VTA Board Workshop Meeting (CM)	22
23	5:30 PM -Science, Technology, and Innovation Commission (RT) 7:00 PM -Arts Commission (RT)	5:30 PM -Special City Council Meeting – Preliminary FY2022-23 Budget Study Session	7:00 PM -Planning Commission	9:00 AM -Zoning Administrator Hearing 12:00 PM -SCC Library Joint Powers Authority Board Mtg (EC) 4:00 PM -Silicon Valley Regional Interoperability Authority (SVRIA) (KD)	4:00 PM -City/School Collaborative Subcom (RT/CM)	29
30	7:00 PM -Library and Education Advisory Commission (EC)					

**Finance Subcommittee will only meet as needed*

January 2022						
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March 2022						
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Milpitas City Council Calendar

February 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 ?:00 PM -Closed Session 7:00 PM -City Council	2 2:00 PM -Santa Clara VTA Monthly Briefing - Northeast Group (CM) 5:30 PM -Veterans Commission (RT) 7:00 PM -Community Advisory Commission (EC)	3 5:30 PM -Milpitas Chamber of Commerce Board (EC) 5:30 PM -Santa Clara VTA Board of Directors (CM)	4	5
6	7 7:00 PM -Parks, Recreation & Cultural Resources Commission (CM)	8 4:00 PM -Milpitas HOPE Suicide Prevention Task Force	9 7:00 PM -Silicon Valley Clean Energy Board of Directors (EC) 7:00 PM -Planning Commission	10 4:00 PM -Treatment Plant Advisory Committee (CM) 4:00 PM -Santa Clara VTA Policy Advisory Committee (AP) 5:00 PM -Homelessness Task Force 7:00 PM -Youth Advisory Commission (EC) 7:00 PM -Cities Assoc of SCC (CM)	11 *4:30 PM -City Council Finance Subcommittee (RT/CM)	12
13	14 4:30 PM -Economic Development and Trade Commission (KD)	15 ?:00 PM -Closed Session 7:00 PM -City Council	16 6:00 PM -Energy and Environmental Sustainability Commission (EC)	17	18	19
20	21 PRESIDENT'S DAY  CITY HALL CLOSED	22 1:30 PM -Senior Advisory Commission (EC)	23 5:30 PM -Cities Assoc. of SCC - Recycling and Waste Reduction Commission (AP) 7:00 PM -Planning Commission	24	25	26
27	28					

**Finance Subcommittee will only meet as needed*



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

**FRIDAY, JANUARY 7, 2022
MILPITAS, CA
1:00 PM**

The City Council of the City of Milpitas convened on the Special Council Meeting day of January 7, 2022, via teleconference/Zoom webinar.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

Mayor Tran called the Special City Council meeting to order at 1:00 PM. Roll Call was taken by City Clerk Wood.

PRESENT: Mayor Tran, Vice Mayor Montano, Councilmembers Chua, Dominguez, and Phan

ABSENT: None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Tran.

PUBLIC FORUM

Those in the audience via Zoom may address City Council on any subject not on the agenda. Those interested in speaking may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

There were no speakers under Public Forum.

ANNOUNCEMENTS

Mayor Tran asked the City Manager to explore finding an outside COVID testing service.

Councilmember Dominguez commented on the testing, thanked city staff for working with the County to provide testing services, and requested support to direct the City Manager to add to the Emergency Operation Center (EOC) the ability to buy and distribute masks to the community.

Councilmember Chua requested that staff share a flyer on social media to inform the community about the COVID testing in Milpitas.

Vice Mayor Montano commented on reinstating the ordinance mandating masks.

ANNOUNCEMENT OF CONFLICT OF INTEREST

City Attorney Diaz asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest.

READING OF THE CITY COUNCIL CODE OF CONDUCT

City Attorney Diaz read aloud the City Council Code of Conduct.

APPROVAL OF AGENDA

Motion: to approve the January 7, Special Meeting Agenda.

Motion/Second: Mayor Tran / Councilmember Chua

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

AGENDA ITEMS

1. Implicit Bias Training and Diversity & Inclusion Training

CPS HR Consulting Instructor Jenine Jenkins conducted the training session.

Council received the training on implicit bias and diversity & inclusion.

ADJOURNMENT

Mayor Tran adjourned the meeting at 4:28 PM.

Draft meeting minutes submitted by City Clerk, Wendy Wood



SPECIAL MEETING MINUTES OF THE MILPITAS CITY COUNCIL

**TUESDAY, JANUARY 11, 2022
MILPITAS, CA
6:00 PM (CLOSED SESSION)
7:00 PM (PUBLIC BUSINESS)**

The City Council of the City of Milpitas convened on the Special Council Meeting day of January 11, 2022, via teleconference/Zoom webinar.

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

Mayor Tran called the Special City Council meeting to order at 6:00 PM. Roll Call was taken by City Clerk Wood.

PRESENT: Mayor Tran, Vice Mayor Montano, Councilmembers Chua, Dominguez (arrived at approximately 6:08 PM, and Phan

ABSENT: None

ADJOURN TO CLOSED SESSION

(a) PUBLIC EMPLOYMENT

Pursuant to California Government Code Section 54957

Position: City Attorney (Receive an update on the City Attorney recruitment and provide direction.)

CLOSED SESSION ANNOUNCEMENT:

Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present.

City Attorney Diaz stated there was no reportable action.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Tran.

INVOCATION

The Invocation was led by Vice Mayor Montano.

PRESENTATIONS

There were no presentations.

PUBLIC FORUM

Those in the audience via Zoom are invited to address City Council on any subject not on tonight's agenda. Those interested in speaking via Zoom may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

There were no speakers under Public Forum.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Members of the City Council or City Manager may make brief announcements at this time. Members of the City Council may also suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion but shall simply state a “yes” or “no” as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a future agenda for City Council discussion.

Mayor Tran requested that staff post the Council meeting Zoom link on social media to provide more access for the community.

City Manager McHarris announced that the COVID testing is currently offered at the Milpitas Sports Center, on the first and third Friday of the month from 9:00 a.m. to 4:30 p.m.; and at the Milpitas Community Center on Mondays and Thursdays from 10:00 a.m. to 6:00 p.m. The Community Center will be adding a new testing day on Tuesdays beginning January 25.

Mayor Tran spoke about the Planet Fitness grand opening, thanked the City Council for attending the Diversity Training Friday, January 7 and commented on the rise in COVID numbers and testing.

Councilmember Phan recognized staff for their work at the testing sites and encouraged the community to utilize the testing services and get vaccinated and boosted.

Councilmember Dominguez expressed her appreciation towards City staff for all their work over the past months and encouraged individuals to work from home and get vaccinated and boosted.

Councilmember Chua thanked the City Manager and Public Information Officer for preparing a flyer to inform the community about the COVID testing in Milpitas and thanked Councilmember Dominguez for the birthday gift.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

City Attorney Diaz asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. City Attorney Diaz asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

City Attorney Diaz read aloud the City Council Code of Conduct.

APPROVAL OF AGENDA

Motion: to approve the January 11, 2022, Special Meeting Agenda.

Motion/Second: Mayor Tran / Councilmember Chua

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

CONSENT CALENDAR

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar.

Vice Mayor Montano asked to remove item C7.

Councilmember Chua requested to have the dollar amount of the fiscal impact for an item listed in the summary on the agenda.

Mayor Tran asked to remove item C4.

Motion: to approve the modified Consent Calendar, with the removal of items C4 and C7.

Motion/Second: Mayor Tran / Councilmember Phan

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

C1. Receive the City Council Calendars of Meetings for January 2022 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Received the City Council Calendars of Meetings for January 2022.

C2. Approve the City Council Special Meeting Minutes of December 14, 2021 (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Approved the City Council Special Meeting Minutes of December 14, 2021.

C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Wendy Wood, City Clerk, 408-586-3001)

Received the list of anticipated agenda items for the next regular City Council meeting.

C4. Adopt a Resolution Granting Acceptance of the Street Resurfacing 2021 Project, Project No. 4283 & 4298, Authorizing the City Engineer to file a Notice of Completion and Issue a Notice of Final Acceptance after the One-Year Warranty Period (Staff Contact: Steve Erickson, Engineering Director/City Engineer, 408-586-3301)

This item was removed from Consent.

C5. Approve and Authorize the City Manager to Execute Amendment No. 1 to the Funding Agreement between the City of Milpitas and the Santa Clara Valley Transportation Authority (VTA) for the State Route 237 Near Term Improvements Project (Staff Contact: Steve Erickson, Engineering Director/City Engineer, 408-586-3301)

Approved and authorized the City Manager to execute Amendment No. 1 to the Funding Agreement between the City of Milpitas and the Santa Clara Valley Transportation Authority (VTA) for the State Route 237 Near Term Improvements Project.

C6. Motion to Reconfirm Findings and Determinations Under Resolution No. 9105 and Assembly Bill 361 for the Continuation of Virtual Meetings (Staff Contact: Christopher J. Diaz, City Attorney, 408-586-3040)

Moved to reconfirm findings and determinations under Resolution No. 9105 and Assembly Bill 361 for the continuation of virtual meetings.

- C7. Approve proposed City Council Procedures and Protocols Handbook (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053 and Christopher Diaz, City Attorney, 408-586-3041)**

This item was removed from Consent.

- C8. Approve Amendment No. 1 to Cost Share Agreement between the Milpitas Unified School District and the City of Milpitas for the McCandless Park and Mattos Elementary School Joint Use Areas (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Approved Amendment No.1 to Cost Share Agreement between the Milpitas Unified School District and the City of Milpitas for the McCandless Park and Mattos Elementary School Joint Use Areas.

- C9. Consider Recommendations from Mayor Tran for Appointments to City Commissions (Contact: Mayor Tran, 408- 586-3029)**

Received Mayor Tran's recommendations and approve the appointments to City Commissions as follows:

Art Commission

1. Appoint Jamie Hekkelman to serve as Alternate No. 1 with a short-term to expire in October 2024.
2. Appoint Christine Lee to serve as a student non-voting member.

Community Advisory Commission

1. Reappoint Jinky Peralta to serve as a Commissioner with a term to in expire in January 2025.
2. Reappoint Jose Rosario to serve as a Commissioner with a term to in expire in January 2025.

Economic Development and Trade Commission

1. Appoint Ha Phan to serve as Alternate No. 1 with a short-term to expire in April 2024.
2. Appoint Stephan Huang to serve as a student non-voting member.

Energy and Environmental Sustainability Commission

1. Appoint Vikash Venkataramana to serve as a Commissioner with a short-term to expire in October 2024.

Parks, Recreation, and Cultural Resources Commission

1. Appoint Baljit Gill to serve as a Commissioner with a short-term to expire in June 2022.
2. Appoint Allen Roy Thomas to serve as Alternate No. 2 for a short-term to expire in June 2023.

Planning Commission

1. Appoint Sonia Medina-Ashby to serve as a Commissioner with a short-term to expire in December 2022.

Public Safety & Emergency Preparedness Commission

1. Appoint Rudaba Nazir Khan to serve as a Commissioner with a short-term to expire in June 2022.

Science, Technology & Innovation Commission

1. Reappoint Commissioner Anh Bao to serve as a Commissioner with a term to expire in January 2025.
2. Reappoint Commissioner Ratan Choudhury to serve as a Commissioner with a term to expire in January 2025.
3. Reappoint Commissioner Keven Le to serve as a Commissioner with a term to expire in January 2025.

Senior Advisory Commission

1. Reappoint Commissioner Melba Holliday to serve as a Commissioner with a term to expire in December 2024.
2. Reappoint Commissioner Nona Tolentino to serve as Alternate No. 1 with a short-term to expire in December 2023.
3. Reappoint Commissioner Barbara Jo Navarro to serve as Alternate No. 2 with a term to expire in December 2024.

Veteran Commission

1. Reappoint Commissioner William Devereux to serve as a Commissioner with a term to expire in January 2025.
2. Reappoint Commissioner Liliana Ramos to serve as a Commissioner with a term to expire in January 2025.
3. Reappoint Commissioner Bruce Choy to serve as a Commissioner with a term to expire in January 2025.
4. Reappoint Commissioner Victorino Monzon to serve as a Commissioner with a term to expire in January 2025.
5. Move Commissioner Puneet Sandhu from Alternate No. 2 to the vacant Commissioner seat with a term to expire in January 2025.

Youth Commission

1. Appoint Srinand Mudunuri to serve as Alternate No. 2 with a short-term to expire in September 2022.

Measure F Oversight Committee

Appoint Conrad Schapira to serve as a committee member with a short-term to expire in March 2023.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

10. **Introduce Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic (Staff Contacts: Steve Chan, Transportation and Traffic Manager, 408-586-3324, and Jared Hernandez, Chief of Police 408-586-2406)**

Transportation and Traffic Manager Chan presented the staff report.

City Attorney Diaz read the title of Ordinance 43.213 "An Ordinance of the City Council of the City of Milpitas Amending Various Sections of Title V, Chapter 100 ("Traffic") Of The Milpitas Municipal Code."

Motion: to move to waive the reading beyond the title and introduce Ordinance No. 43.213 amending various sections of Milpitas Municipal Code, Title V, Chapter 100 – Traffic.

Motion/Second: Vice Mayor Montano / Mayor Tran

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

LEADERSHIP AND SUPPORT SERVICES

11. Review List of Agenda Item Requests from Individual Councilmembers and Provide Direction to Staff, Through the Prioritization Process, on the Items in Group 1; and Provide Additional Clarification to Staff, If Any, on Group 2 Items (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053 and Walter C. Rossmann, Deputy City Manager, 408-586-3012)

Assistant City Manager Kantak presented the staff report.

Councilmember Chua commented on item CC 49 in group 3 “Consider rescinding direction given on 1355 California Circle project and allow the project application to move forward without being tied to a specific plan” and asked that it be put on the next agenda.

Motion: to remove item CC 49 from the list and agendize it for discussion at the next Council meeting.

Motion/Second: Councilmember Chua / Mayor Tran

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

Council discussed the items and used an electronic voting system to select ten items from Group one to move forward. Council voted a total of eight rounds, with items receiving three or more votes selected to move forward. The results of each voting round are as follows:

- Round 1: CC 2 – Building Heights Limits Near the Hillside
CC 22 – Park Champions
CC 24 – Roller Skate Summer Program
CC 29 – Donate old Obsolete, Noncompliance Items from the Fire Department to Sister City Dagupan Philippines
- Round 2: CC 20 – Murals for Pillars on Main Street
- Round 3: CC 31 – Include a Bust of Maria Lemery and a Picture of Albert Vogal Sr. on the Existing Senior Center Thriving Legacy Mural
- Round 4: CC 35 – Saturday Senior Center Opening Hours Pilot
- Round 5: CC 34 – Provide Commissioners Appreciation Gifts
- Round 6: CC 7 – Outdoor Music Ordinance
- Round 7: No items were added in this round
- Round 8: CC 4 – Increase the Number of Commission Members from Seven to Nine on the Parks, Recreations and Cultural Resources Commission

The following people spoke under public comment:

1. Voltaire Montemayor

City Clerk Wood read the list of ten items that received three or more votes.

Motion: to approve the 10 selected items by the City Council as follows: CC Items 2, 22, 24, 29, 20, 31, 35, 34, 7, and 4.

Motion/Second: Vice Mayor Montano / Councilmember Dominguez

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

12. Receive an Update on the American Rescue Plan Act, Approve the ARPA Reallocation Recommendation and Approve the Budget Appropriation Modification for Permit Automation Fund (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053 and Lauren Lai, Director of Finance, 408-586-3111)

Assistant City Manager Kantak introduced the item and Finance Director Lai presented the staff report.

The following people spoke under public comment:

1. Voltaire Montemayor

Council asked clarifying questions.

Economic Development Director Andrade and Building Safety and Housing Director Goei provided additional information.

Councilmember Chua commented on Community Services for rental and mortgage assistance to low- and moderate-income residence and requested language in the selection process stating that the applicants should have not received state or federal assistance related to rent or mortgage. She also commented on the small business grants, stating that daycare services should not be included in the raffle. She requested the following business types automatically receive grant funding if they apply: daycare business (approximately 80), fitness/yoga businesses (approximately 20), and the 42 micro-enterprise businesses that were not selected in the first round and are still eligible.

Economic Development Director Andrade clarified that fitness centers, yoga studios, and martial arts studios are all in the same category.

Finance Director Lai summarized the requests from Councilmember Chua and stated the request for small businesses is to allocate funding for approximately 80 daycare services at \$5,000 each for an estimated total of \$400,000. The remaining balance would allow the City to assist approximately 200 more businesses with \$5,000 grants. From the 200 business grants the City would allocate funding for any of the 42 micro-enterprise businesses that were not selected in the first round and for approximately 20 grants for fitness/yoga studios/martial arts businesses if they applied and were deemed eligible. After the mentioned allocations there would be an estimated total of 140 grants left for all other business types.

Motion to approve the update on the American Rescue Plan Act (ARPA) and Budget Appropriation Modification for Permit Automation Fund, including allocations stated by the Finance Director.

Motion/Second: Vice Mayor Montano / Councilmember Dominguez

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

4. **Adopt a Resolution Granting Acceptance of the Street Resurfacing 2021 Project, Project No. 4283 & 4298, Authorizing the City Engineer to file a Notice of Completion and Issue a Notice of Final Acceptance after the One-Year Warranty Period (Staff Contact: Steve Erickson, Engineering Director/City Engineer, 408-586-3301)**

Mayor Tran asked clarifying questions.

Transportation and Traffic Manager Chan provided additional information.

Motion: to adopt **Resolution No. 9115** granting acceptance of the Street Resurfacing 2021 Project, Project No. 4283 & 4298, authorizing the City Engineer to file a Notice of Completion, and issuing a notice of final acceptance to the Contractor after the one-year warranty period.

Motion/Second: Mayor Tran / Councilmember Chua

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

7. **Approve proposed City Council Procedures and Protocols Handbook (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053 and Christopher Diaz, City Attorney, 408-586-3041)**

Vice Mayor Montano requested increasing staff hours from four to six hours for Councilmember requests, which do not require prioritization; adding a reference to the censure policy in the Council Code of Conduct section of the Handbook; and disallowing cell phones in closed sessions.

Council discussed the requested changes and was not supportive of changing the number of staff hours for Councilmember requests, which do not require prioritization.

Motion: to approve proposed City Council Procedures and Protocols Handbook with amendments to add a reference to the censure policy in the Council Code of Conduct section of the Handbook and disallow cell phones in closed sessions.

Motion/Second: Vice Mayor Montano / Councilmember Dominguez

Motion carried by the following roll call vote:

AYES: Councilmembers Chua, Dominguez, Phan, Vice Mayor Montano, Mayor Tran

NOES: None

ADJOURNMENT

Mayor Tran adjourned the meeting at 10:44 PM.

Draft meeting minutes submitted by City Clerk, Wendy Wood

MILPITAS CITY COUNCIL AGENDA PREVIEW LIST

February 1, 2022

CLOSED SESSION

INVOCATION (assigned to Councilmember Phan)

PRESENTATION

CONSENT CALENDAR

1. Receive City Council calendar for February 2022 (City Clerk)
2. Approve City Council Regular Meeting minutes of January 18, 2022 and Special Meeting minutes of January 25, 2022 (City Clerk)
3. Preview list of items for February 15, 2022 (City Clerk)
4. Councilmember Request List (City Clerk)
5. Approve and Authorize the City Manager to Execute a Funding Agreement with the Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Innovative Transit Service Models Program; Approve New Fiscal Year 2021-22 Capital Improvement Program Project No. 3493 Milpitas OnDemand; Approve a Budget Appropriation of \$1,355,916 in Measure B Innovative Transit Service Models Program Funding and Developer Contributions into Project No. 3493; and Adopt a Resolution to Approve and Authorize the City Manager to Execute a Subscription and Services Agreement with RideCo in a Not-to-Exceed Amount of \$1,355,916 for Consultant Services Related to Milpitas OnDemand and Making Sole Source Findings and Findings that the Procurement is in the Best Interest of the City (Ned Thomas)
6. Approve and Authorize the City Manager to Execute the Renewal Order for Office 365 Subscription (Daniel Nam)
7. Motion to Reconfirm Findings and Determinations Under Resolution No. 9105 and Assembly Bill 361 for the Continuation of Virtual Meetings (Chris Diaz)

PUBLIC HEARING

COMMUNITY DEVELOPMENT

8. Homelessness Task Force Report (Sharon Goei)
9. 1300 S. Main Street 100% affordable housing – proposed 12- units residential apartment buildings (Ned Thomas)

COMMUNITY SERVICES

PUBLIC SAFETY

LEADERSHIP

REPORTS

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

			NOTE: Deferred and completed items are not listed			
2022	OPEN					
Request No.	Topic	Submitted by:	A, F, CM, or CCM	Date requested or Rec'd Form	STATUS and/or DATE scheduled on City Council meeting agenda:	
1	Requested staff to look into an ordinance for the number of people allowed in a house.	Montano	A	12/7/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion	
2	Requested staff check to see if the City has an ordinance for house numbers	Chua	A	12/7/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion	
3	Requested staff to look at creating a pilot project to accommodate pickleball at Peter Gill Park and would like a feasibility study with a goal of making these courts multi-purpose	Chua	A	11/16/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion	
4	Request for the City to make the temporary third-party food deliver fee caps permanent and add additional provisions for enforcement	Phan	A	11/16/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion	
5	Staff to look into mural Art on Great Mall Parkway on the high rail pillars	Montano	A	11/16/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion	

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

6	Look at creating an ordinance for a blanket business permit that would grandfather and waive all fees for any business started separate from their original business if they are creating anything that is helping save lives during the pandemic.	Dominguez	A	11/2/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion
7	Staff to look into County reimbursimburment to the City for the extra services provided to HomeKey.	Chua	A	11/2/2021	Staff to contact the County an issue an Email/Information Memorandum
8	Host a Town Hall at City Hall in January, February, and March for the community to share comments about the issue of the unhoused.	Tran	A	11/2/2021	Scheduled for Spring Quarterly City Council Workplan Items Prioritization Discussion

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

	ACTIVE				
	Topic	Submitted by:	CM, or CCM	Date requested or Rec'd Form	STATUS and/or DATE scheduled on City Council meeting agenda:
9	Work with the school district to have a contest to create art murals for the pillars on Main Street	Montano	A	9/7/2021	Approved to move forward at the 1/11/2022 Council meeting
10	Park Champions	Chua	A	10/19/2021	Approved to move forward at the 1/11/2022 Council meeting
11	Requested staff look into donating old, obsolete, noncompliance items from the Fire Department to Sister City Dagupan	Chua	A	8/9/2021	Approved to move forward at the 1/11/2022 Council meeting
12	Look into allowing outdoor music and would like the ordinance brought back to Council.	Montano	A	8/5/2021	Approved to move forward at the 1/11/2022 Council meeting
13	Look into opening up the Senior Center on Saturdays for half a day	Chua	A	8/5/2021	Approved to move forward at the 1/11/2022 Council meeting
14	Look into bringing back a roller rink	Montano	A	8/5/2021	Approved to move forward at the 1/11/2022 Council meeting
15	Requested staff work with the Vice Mayor and Mayor to explore and discuss building height limits near the hillside by January 2022	Tran	A	9/21/2021	Approved to move forward at the 1/11/2022 Council meeting
16	Requested staff look into increasing the number of Park and Recreation commissioners from seven to nine.	Montano	A	10/5/2021	Approved to move forward at the 1/11/2022 Council meeting
17	Have a picture of Albert Bogel Sr. put up in the Senior Center	Montano	A	10/19/2021	Approved to move forward at the 1/11/2022 Council meeting

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

18	Include a bust of Maria Lemire on the Mural in front of the Senior Center	Montano	A	8/17/2021	Approved to move forward at the 1/11/2022 Council meeting
19	Requested that the City provide the Commissioners with an appreciation gifts	Chua	A	10/19/2021	Approved to move forward at the 1/11/2022 Council meeting
20	Requested an agenda item on November 2 Council meeting allowing the Council to rescind direction given to 1355 California Circle and include direction to allow the project application to move forward without being tied to a specific plan	Chua	A	10/19/2021	Scheduled for Discussion on 1/18/2022
21	Look into the selection of BMR units in the City and would like to know how the applicants get selected to be on the below-market-rate units	Chua	A	10/19/2021	Staff to issued a Memorandum on 1/11/2022
22	Requested the executive staff to look into reflective road markers as an effective way to reduce cars doing donuts in the street	Chua	A	10/19/2021	At the 11/12 Transportation Subcommittee, the Subcimmitttee directed to bring back this request to Council as part of the 2022-23 budget process
23	Look into how the City can be a resource for small businesses to help guide them on what to do in terms of ADA (Americans with Disabilities Act) requirements due to the quick changes made to facilities during the pandemic	Chua	A	8/5/2021	SVEDA/SV Joint Venture hosted the "SV Small Businesses & ADA Compliance" webinar on 11/3/21. Several Milpitas business reps, & staff from Econ. Dev. & Building participated. Staff met with reps from CA Comm. on Disability Access to discuss business education & outreach.
24	Create an "Incentive Corner," which will be a sub-page with links to different freebies, grants, and incentives from the City and the regions, including the Water District and Silicon Valley Clean Energy	Chua	A	8/17/2021	Staff will implement this item early 2022
25	City to highlight mental health resources on the website	Dominguez	A	8/17/2021	Staff will issue an Email

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

26	Partner with the Rotary Club of Silicon Andhra to promote the stem cell donor outreach with a webinar and campaign to help increase the number of donors	Chua	A	8/17/2021	Staff will include the stem cell donor information in regularly scheduled wellness event
27	Requested the City extend the outdoor dining options through March of next year	Phan	A	9/21/2021	Planning Director to provide information on current outdoor dining extension
28	Requested Staff see if there is anything that can be done to address an increase in illegal dumping	Phan	A	10/5/2021	Staff will send a memo
29	Increase the City's rebate program to match Valley Water's two dollars rebate increase and look into expanding the "Lawn Buster" program to more residents based on income	Chua	CCM	6/15/2021	Valley Water Rebate Contract Amendment scheduled for Council consideration on October 19, 2021; Contract with "Our City Forest" scheduled for Council approval in Fall 2021; On December 14, 2021, Council is scheduled to approve a contract with "Our City Forest."
30	ADU workshop in September/October	Chua	A	6/15/2015	8/09/2021 Council voted 5-0 to move this item forward in the winter 2021
31	Discussion in the next fiscal year, to have a sliding scale permitting program for seniors and low-income residence for necessary safety renovations	Tran	A	5/4/2021	8/09/2021 Council voted 5-0 to move this item forward and modify the existing Milpitas Assistance program to include seniors; Staff will bring this item for funding consideration as part of the FY 2022-23 budget process
32	Information showing that the ordinance requiring developers to provide art features is being followed and an update on the Art developer fees.	Montano	A	5/4/2021	Information Memorandum scheduled to be released in October

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

33	Discussion to reduce the City's Senior Center facilities deposit	Montano	A	5/4/2021	8/09/2021 Council voted 5-0 to refer this item as part of the development of the FY 2022-23 Master Fee Schedule
34	Discussion on human trafficking training for City staff	Dominguez	A	4/20/2021	discussed at 8/09/2021 meeting; original request was "Discussion on human trafficking training mandatory in the hospitality industry" item was modified to address training for City staff instead of hospitality industry and considered at next quarterly discussion
35	Requested that the City have mini-libraries in the low-income areas of the City.	Montano	A	4/20/2021	8/09/2021 Council voted 3-1-1 to move this item forward, staff to follow up with Vice Mayor Montano on specific vision. Staff met with the Vice Mayor. The City will continue to facilitate libraries as needed but will not take a lead role in funding or operating them
36	Staff to create a plan on how to increase the number of local businesses doing business with the City	Chua	A	4/6/2021	At 8/9/2021 Council meeting, Council voted that this item may have to come back for additional discussion because there may be some legal considerations.
37	Staff to look into creating a rose garden with a children's memorial site	Montano	A	4/6/2021	8/09/2021 Council voted 4-1 to discuss details with Vice Mayor Montano and refer this item as part of the development of the 2023-2027 CIP

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

38	Staff to look into creating "Welcome to Milpitas" signs in key areas of in the City	Montano	A	4/6/2021	8/09/2021 Council voted 5-0 to move this item forward and Council provided direction tht the signs should align with the efforts currently underway with the Metro Plan and Main Street Gateway Specific Plan process and work with private development. Staff was directed to work with Vice Mayor on additional clarification. In November, Vice Mayor Montano noted a preference for a location on South Main Street.
39	Staff to provide information to place a measure on the ballot to change the directly elected Mayor to a rotational at-large position	Tran	CCM	3/16/2021	To be agendized at a future City Council meeting, along with discussion of Mayor and Councilmember term limits
40	Staff to provide information on a landmark policy for the City of Milpitas	Tran	A	3/16/2021	Policy to be sent to Council if existing, or a new policy to be brought for Council consideration by December 2021; 8/09/2021 Council voted 5-0 to move this item forward
41	Amendment to the existing ordinance for third-party food delivery vendor services to prohibit regulatory response fees	Phan	A	2/16/2021	Agendized for discussion on 3/16/2021, deferred to 4/06/2021; CC direction for City Attorney to prepare a report;At the 11/12/2021 Transportation Subcommittee, the Subcommittee directed to bring back this request to Council as part of the FY 2022-23 budget process.

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

42	Amend ordinance to remove affordable housing in-lieu fee; status update on this item	Chua	A	1/0/1900	Agendized on 1/5/21, Received Council majority vote on 2/2/2021 and 3/16/2021; staff will bring forward in Winter 2021
43	Ordinance to ban vaping in the City	Montano	A	12/15/2020	Ordinance regarding a ban on use in certain areas adopted by Council on 6/15/2021. Policy related to access to products will be brought forward in Spring 2022
44	Review City policy on speed bumps	Tran	A	12/15/2020	Presented to Transportation Subcommittee on 02/12/2021; voted on 3/16/2021 to revisit this item
45	Require implicit bias training for City Council, Commissioners & staff	Dominguez	A	6/16/2020	approved 8/18/2020; completed on 1/07/2022
46	Consider change in term limits for Mayor + Councilmembers	Montano	A	6/16/2020	8/4/2020: Voted 3 -2 to pursue; 2/02/2021 to agendize for a future meeting; 3/16/2021 voted 3-1-1 to move forward
47	Consider Community Museum and Park on Main St.	Phan	F	8/20/2019	to Rules 8/23/2019. Moved to Specific Plan Community Conversation events.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Reviewing and Accepting the Annual Development Impact Fee Annual Report for the Calaveras Boulevard Widening Traffic Impact Fee, the Transit Area Specific Plan (TASP) Impact Fee, and the Storm Drain Fee for the Fiscal Year Ended June 30, 2021
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	1/18/2022
Staff Contact:	Lauren Lai, 408-586-3111
Recommendation:	Adopt a resolution consistent with the Mitigation Fee Act to review and accept the annual development impact fee disclosure information for the Calaveras Blvd Widening Traffic Impact Fee, Transit Area Specific Plan Impact Fee and Storm Drain Fee for the Fiscal Year Ended June 30, 2021.

Background:

California Government Code Section 66000 et seq. ("Mitigation Fee Act") requires local agencies to provide an accounting of fees charged for development projects. The City has two basic accounting and reporting responsibilities under the Government Code. Section 66001(d) requires that, five years after collecting a development fee subject to this Code section and every five years thereafter, the local agency shall make findings with respect to any portion of the fee remaining unexpended, whether committed or uncommitted. If the required findings are not made, the unexpended funds shall be refunded to the current property owners.

Five-year findings must:

1. Identify the purpose of the fee;
2. Demonstrate a reasonable relationship between the fee and the purpose for which it was charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements; and
4. Designate the approximate dates on which these funding sources can be expected to be deposited into the appropriate account or fund.

When sufficient funds have been collected to complete financing on incomplete public improvements, the local agency has 180 days to identify an approximate date by which the construction of the public improvement will begin or else is required to refund the unexpended fees, including accrued interest, to the current owner of lots or units of the development project.

For Fiscal Year ending on June 30, 2019, the City reported its last Five-Year findings for the remaining unexpended fee proceeds for the Calaveras Blvd Widening Traffic Impact Fee, and Transit Area Specific Plan Impact Fee. The City will need to report the next Five-Year findings report for Fiscal Year ending on June 30, 2024.

The second requirement set forth under Government Code Section 66006(b)(1)* provides that each local agency is required on an annual basis, within 180 days after fiscal year end, for each separate account, to make available to the public the following information:

1. Brief description of the type of fee in the account;
2. The amount of the fee;
3. The account's beginning and ending balance;
4. The amount of fees collected and the interest earned;
5. A description of the improvements on which the funds were expended and the amount expended on each improvement including the percentage of the improvement funded with development fees;
6. An approximate date by which the construction of a public improvement will begin if the local agency determines that sufficient funds have been collected to complete financing on the incomplete improvement;
7. A description of each inter-fund transfer or loan made from the account; and
8. The amount of any refunds or allocations made pursuant to Code Section 66001.

The City deposits impact fees subject to the above disclosure in the Calaveras Boulevard Widening Traffic Impact Fee Fund, Transit Area Specific Plan (TASP) Impact Fee Fund, and Storm Drain Development Fund to track these development related fees. Interest income is allocated to these funds based on their respective monthly cash balances. Expenditures from these funds were in the form of capital improvement projects to either renovate existing facilities or maintain the existing level of service, consistent with the General Plan and approved Capital Improvement Plan, due to increased demand related to the development projects.

Analysis:

Annual reports (included in the agenda packet) summarize the Fiscal Year 2020-2021 fund activity for Calaveras Boulevard Widening Traffic Impact Fee (Exhibit 1); Transit Area Specific Plan (TASP) Impact Fee (Exhibit 2); and Storm Drain Development Fee (Exhibit 3). The reports show the amount of fees collected in fiscal year 2020-2021, interest income, a brief description of the projects funded, the percentage of the projects funded by the development fees, and the beginning and ending balance of the funds. The table below shows the beginning fund balance, revenues received, expenditures and ending fund balance for each impact fee for Fiscal Year 2020-2021. The plan to expend the funds available in ending fund balances for the various fees is outlined in the attached reports. For the TASP Impact Fee, for example, the unexpended fee proceeds will be used to fund necessary infrastructure (e.g.: A community center/recreation facility, a park, Montague Expressway widening) as identified in the Transit Area Development Impact Fee Report, dated February 2014, and the City's Capital Improvement Program 2020-2025 Final Report.

FY 2020-21	Calaveras Blvd Widening Traffic Impact Fee	TASP Impact	Storm Drain Development*
Beginning Fund Balance	\$1,532,187	\$48,945,658**	\$1,677,976
Revenues	\$139,773	13,900,396	862,307
Expenditures	\$0	(15,893,407)	(2,020,000)
Ending Fund Balance	\$1,671,960	\$46,952,647	\$520,283

*Annual reporting for the Storm Drain Fee is subject to Government Code Section 66013, however those reporting requirements are substantially similar to the annual reporting requirements under Government code section 66006 and are referred to collectively here for convenience.

**Restated beginning fund balance due to loan to the Piper Montague Infrastructure Plan (PMIP) Fund.

Note that as of Fiscal Year 2019-2020 the Milpitas Business Park Traffic Impact Fee has been fully expended and is no longer being collected.

Policy Alternative:

Not applicable.

Fiscal Impact:

Not applicable.

California Environmental Quality Act:

The action being considered has no potential for causing a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3).

Recommendation:

Adopt a resolution consistent with the Mitigation Fee Act to review and accept the annual development impact fee disclosure information for the Calaveras Blvd Widening Traffic Impact Fee, Transit Area Specific Plan Impact Fee and Storm Drain Fee for the Fiscal Year Ended June 30, 2021.

Attachment:

1. Resolution including Annual Reports as Exhibits

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS REVIEWING AND ACCEPTING ANNUAL DEVELOPMENT IMPACT FEE DISCLOSURE INFORMATION FOR THE CALAVERAS BOULEVARD WIDENING TRAFFIC IMPACT FEE, THE TRANSIT AREA SPECIFIC PLAN IMPACT FEE AND THE STORM DRAIN FEE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 66006 and 66013

WHEREAS, the Mitigation Fee Act, Government Code Section 66000 *et seq.*, authorizes the City of Milpitas (“City”) to impose, collect, and expend mitigation fees to offset the impacts of development within the City; and

WHEREAS, pursuant to its authority under the Mitigation Fee Act (Government Code §§ 66000 *et seq.*) the City Council established, adopted, and imposed a Calaveras Boulevard Traffic Impact Fee, a Transit Area Specific Plan (“TASP”) Impact Fee and a Storm Drain Fee (collectively, the “Fees”); and

WHEREAS, the City has deposited all Fees in separate non-commingled funds (“Funds”) established for such a purpose; and

WHEREAS, the City has made available to the public within one hundred eighty (180) days following the last day of the fiscal year the annual accounting information (“Annual Report”) required by the Mitigation Fee Act related to each of the Fees; and

WHEREAS, the City has mailed notice at least fifteen (15) days prior to this meeting to all interested parties who have requested notice of any meeting relative to the City’s imposition of the Fees and has held a duly noticed, regularly scheduled public meeting at which oral and written testimony was received regarding the Annual Reports at least fifteen (15) days after the City made this information publicly available.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. In accordance with Government Code Section 66006(b) and Section 66013, the City Council has reviewed and approves the Annual Reports for each of the Fees, which are attached to this Resolution as **Exhibits 1-3**, and are also placed on file with the City Clerk. The Council, based upon the information contained in the Annual Report and the remaining need for the unexpended funds, finds as follows:
 - a. That each of the Annual Reports describe the types of Fees contained in each of the Funds, including the amount of the fees, the beginning and ending balance of the Funds, as well as the amount of fees collected, and the interest earned thereon.
 - b. That each of the Annual Reports identifies each public improvement on which the Fees were expended, the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with the Fees.
 - c. That there were interfund transfers or loans made from the Funds, as noted.
 - d. That sufficient funds have not been collected to complete the financing of any incomplete public improvement, and that there were no refunds or allocations made of the Fees.

3. Pursuant to these findings, and at this time, there shall not be a refund of any unexpended Fees.

PASSED AND ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Wendy Wood, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

City of Milpitas

Annual Report of Development Fees and Expenditures for the Fiscal Year ended June 30, 2021

Exhibit 1

Calaveras Boulevard Widening Traffic Impact Fee

Description:

In order to implement the goals and objectives of the City of Milpitas General Plan and to mitigate the traffic impacts caused by new development in the City of Milpitas, certain roadways such as Calaveras Boulevard must be widened.

Fee:

The amount of the fee as of June 30, 2021 was as follows:

Area Covered	Type of Dwelling	Amount
Citywide except TASP to widen Calaveras Boulevard	Residential 5 or more units	\$257 per dwelling unit
	Retail Development of 1,000 or more square feet	\$1,096 per thousand square feet
	Office Development of 1,000 or more square feet	\$544 per thousand square feet
	Other Uses	A focused nexus study will be required

Exhibit 1- continued

Calaveras Widening Impact Fee Fund
Statement of Revenues, Expenditures, and Changes in Fund Balances for

Fiscal Year 2020-2021

Fees collected and interest earned:

Revenues

Traffic Fees	\$ 120,460
Interest	<u>19,313</u>
Total Revenues	<u>139,773</u>

Fees expended on public improvement:

Expenditures	<u>0</u>
Total Expenditures	<u>0</u>

Excess/(deficiency) of revenues over/ (under) expenditures	139,773
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Beginning and ending balance:

Fund Balance, beginning of year (restated)	<u>1,532,187</u>
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Fund Balance, end of year	<u><u>\$1,671,960</u></u>
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Inter-fund transfer or loan made description:

None

Refunds made from surplus fees and amount of any allocations made:

None

Exhibit 2

Annual Report for the Transit Area Specific Plan (TASP) Impact Fee

Fiscal Year ended June 30, 2021

Description:

Based on Resolution No. 8344 Exhibit A Transit Area Development Impact Fee Update Report prepared by Economic & Planning Systems, Inc., dated February 2014, the purpose of the Transit Area Specific Plan Impact fee is to fund the planning and development (as described in the Report) of an approximately 437-acre area in the southern portion of the City near the Great Mall shopping center to support more residents and workers with appropriately scaled utilities, parks, community facilities, and roadways.

Fee:

The amount of the fee as of June 30, 2021 was as follows:

Type of Dwelling	Amount
Residential	\$42,657 per unit
Retail	\$27.91 per square foot
Office	\$47.96 per square foot

Exhibit 2- Continued

Transit Area Specific Plan (TASP) Impact Fee Fund Statement of Revenues, Expenditures, and Changes in Fund Balances for

Fiscal Year 2020-2021

Fees collected and interest earned:

Revenues:

TASP Impact Fees	\$ 13,065,471
Interest	<u>834,925</u>
Total Revenues	<u>13,900,396</u>

Fees expended on public improvement (See table for % of cost funded with fees):

Expenditures:

1. CP 2006 - Transit Area Specific Plan Update (DB44)	676,250
2. CP 2008 - Montague Ped. Overcrossing at Piper Dr. (DB7)	750,000
3. CP 2016 - S. Milpitas Blvd. Veh. Bridge at Penitencia	1,375,000
4. CP 2017 - TASP On-Street Parking Program	(192,319)*
5. CP 2019 - (Rmb) TASP Recycled Water Distribution	(599,609)*
6. CP 2023 - Trade Zone/Montague Park - Central	600,000
7. CP 4281 - TASP Underground Utility District (DB10)	(366,806)*
8. Tarob Land Purchase	11,094,141
9. Senior Lifestyles	702,251
10. TASP Plan Administration Expense	4,129
11. Interest on Inter fund Loan for Sewer System (DB15)	37,041
12. Loan to the Piper Montague Infrastructure Plan (PMIP) Fund	<u>1,813,329</u>
Total Expenditures	<u>15,893,407</u>

Excess (deficiency) of revenues over (under) expenditures	(1,993,011)
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Beginning and ending balance:

Fund Balance, beginning of year	<u>48,945,658**</u>
Fund Balance, end of year	<u>\$46,952,647</u>

*Capital Improvement Project returned funds back to the TASP fund.

**Restated beginning fund balance due to loan to the Piper Montague Infrastructure Plan (PMIP) Fund.

CIP/Item Number and Title	Project Description	% of the project funded with development fees	Construction Commencement Date
CP 2006 - Transit Area Specific Plan Update (DB44)	The Transit Area Specific Plan (TASP) was approved in 2008. There have been minor amendments to TASP focused primarily on individual properties, but no comprehensive evaluation of the plan and the effectiveness of its implementation has been made. Approximately 95% of the housing planned and cleared under CEQA for the area have been entitled or constructed. Approximately 50% of retail uses and none of the office have been developed. An evaluation of development projects proposed, entitled, or constructed; processes and regulations for development; changes to the land use diagram; and remaining development capacity should be undertaken. This project will include an update to the TASP EIR to provide environmental clearance for additional residential development.	100%	2012
CP 2008 - Montague Ped. Overcrossing at Piper Dr. (DB7)	This project provides for the construction of a pedestrian overcrossing (POC) over Montague Expressway at Piper Drive. The pedestrian overcrossing is part of the Transit Area Specific Plan (TASP) circulation infrastructure improvement that provides safe and convenient pedestrian circulation between the Milpitas BART station, Great Mall and surrounding residential developments.	100%	2016
CP 2016 - S. Milpitas Blvd. Veh. Bridge at Penitencia	This project provides for design and construction of a vehicular bridge over Penitencia Creek at the end of the new S. Milpitas Blvd. Extension. The vehicular bridge is part of the Transit Area Specific Plan (TASP) circulation infrastructure improvement to provide vehicular, bicycle and pedestrian connectivity between TASP developments, Milpitas BART station, Great Mall and surrounding residential developments.	100%	Design only. Construction has not yet started.
CP 2017 - TASP On-Street Parking Program	This project provides for a Transit Area Specific Plan (TASP) area on-street parking program including installation of time limited parking signage within 0.5 mile of Milpitas BART station. The goal of the project is to encourage on-street parking supply turnover around Milpitas BART station so that nearby residents and the public have parking opportunities to access nearby parks and retail destinations, and discourage BART commuters from occupying on-street parking for prolong periods of the day.	100%	2019
CP 2019 - (Rmb) TASP Recycled Water Distribution	The project provides reimbursement to developers for the construction of recycled water system extension in the Transit Area Specific Plan (TASP) area. This project is the City's effort to diversify the water supply system and offset the use of potable water with recycled water mainly for irrigation purposes. New mains will be installed along Great Mall Parkway, East Capitol Avenue, Montague Expressway, South Milpitas Boulevard, McCandless Drive, Sango Court, Tarob Court, and the Piper/Montague subdistrict.	100%	2019
CP 2023 – Trade Zone/Montague Park - Central	This project provides for the design and construction of a new 5-acre City park within the Trade Zone/Montague Subdistrict of the Transit Area Specific Plan area. The park will be adjacent to Expedition Lane, Sango Court, and Tarob Court. Park may include pedestrian paths, benches, trees,	100%	N/A

	sports fields, community center, and other passive recreation facilities.		
CP 4281 - TASP Underground Utility District (DB10)	This project provides for the creation of new Underground Utility District (UUD) #7 within the City's Transit Area Specific Plan redevelopment area. The purpose of the district is to allow Pacific Gas & Electric Company (PG&E) to underground existing overhead electric, PG&E, Cable TV, and communication utilities. The new district would be administered by the City with the undergrounding design and construction to be completed by PG&E using the City's Rule 20A funds. The City has approximately \$5.2M in available PG&E Rule 20A funds for use with this project.	100%	2020
8	Tarob property purchase	100%	N/A
9	Senior Lifestyles	100%	N/A
10	TASP Plan Administration Expense	100%	N/A
11	Interest on interfund loans advanced for the Sewer System (DB15) from General fund.	100%	2015

Inter-fund transfer or loan made description:

In FY'21, the TASP fund paid back the General Fund for \$5,000,000. In addition, there is a \$1,813,329 loan to the Piper Montague Infrastructure Plan (PMIP) Fund.

Refunds made from surplus fees and amount of any allocations made:

None

Exhibit 3

Annual Report Storm Drain Fee

Fiscal Year ended June 30, 2021

Description:

Prior to connection or discharge to any storm drain facility from a new development project, developers shall pay City a fee for connection/discharge to the City's storm drain system (Municipal Code XI-16-16). The purpose of the storm drain fee is to fund facilities necessary to provide storm drain services, and revenues derived from the fee imposed by the City shall be used solely for that purpose.

Fee:

The amount of the fee as of June 30, 2021 was as follows:

Type of Dwelling	Parcel Size	Per Parcel Fee
Connection Fees		
Single-family medium density	Equal or smaller than 8,710 square feet	\$1,100
Single-family low density	Between 8,711 and 43,560 square feet	\$1,916
Single-family	Between 1 acre and 4 acres	\$3,594
Single-family	Between 4 acre and 9 acres	\$4,792
Single-family	Greater than 9 acres	\$6,469
Multiple-family		\$16,771 per acre
Commercial, industrial, institutional, or mixed use sites		\$21,562 per acre
Schools with athletic fields		\$7,187 per acre
Parks		\$4,792 per park

Exhibit 3- continued

Storm Drain Development Fund
Statement of Revenues, Expenditures, and Changes in Fund Balances for

Fiscal Year 2020-2021

Fees collected and interest earned:

Revenues:

Connection Fees	\$664,673
Funding returned from closed project CP 3712	63,087
Storm drain funding returned from project CP 3714	75,000
Interest	<u>59,547</u>

Total Revenues	<u>862,307</u>
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Fees expended on public improvement (See table for % of cost funded with fees):

Expenditures:

CP 3715 – Storm Drain System Rehab 17-19	1,025,000
CP 3718 – Storm Supervisory Control & Data Acquisition	850,000
CP 3719 – On-Call Storm Maintenance & Repair Services	<u>145,000</u>

Total Expenditures	<u>2,020,000</u>
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Excess (deficiency) of revenues over (under) expenditures	(1,157,693)
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Beginning and ending balance:

Fund Balance, beginning of year	<u>1,677,976</u>
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Fund Balance, end of year	<u>\$ 520,283</u>
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CIP Number	Project Description	% of the project funded with development fees	Construction commencement Date	Status Of Project
CP 3712 – Minor Storm Drain Projects 2016	The Minor Storm Drain Project 2016 involves the ongoing analysis and implementation of various minor modifications and improvements to the existing storm drain systems.	100%	2016	Closed
CP 3714 - Flap Gate Replacement	This project provides assessment and replaces and/or installs check valve assemblies at creek outfalls.	100%	2017	In Process
CP 3715 - Storm Drain System Rehab 17-19	This project provides for the maintenance of the City's storm drain systems due to insufficient capacity and aging infrastructure. Work will include maintenance to pumps, electrical and mechanical systems at pump stations, and maintenance of City owned creeks and drainage ditches. Work will be programmed based on the	100%	2018	In Process

	new Storm Drain Master Plan and urban runoff program requirements.			
CP3718 – Storm Supervisory	This project provides a real-time data, such as wet well level and pump operational status to utility systems operators.	100%	2020	In Process
CP3719 – On-Call Storm Maintenance & Repair	This project provides for on-call repair and maintenance services at all City storm infrastructure, assets, and appurtenances. Work may include, but is not limited to, repair and replacement of electrical and mechanical systems (VFD & generators), motors and pumps, pipelines, aboveground/underground storage tanks, and other related improvements. All work will be performed on a priority and funding availability basis.	100%	Repair and maintenance services	In Process

Inter-fund transfer or loan made description:

None

Refunds made from surplus fees and amount of any allocations made:

None



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve and Authorize the City Manager to execute Amendment No. 3 to the Agreement with HdL Software LLC for Business License Tracking Software Services
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	1/18/2022
Staff Contact:	Daniel Nam, Information Technology Director, 408-586-2712 and Chris Schroeder, Purchasing Agent, 408-586-3161
Recommendation:	Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement with HdL Software LLC for Business License Tracking Software services for a total amount not-to-exceed amount of \$110,609.86

Background:

Title 1- Chapter 3 Section 1.02 of the City of Milpitas Municipal Code establishes the City's Business License Tax Collector who "...shall have the power to establish rules and regulations consistent with the provisions of the Chapter for the purpose of the administration and enforcement of the provisions of this Chapter." This function has historically been part of the duties of the Department of Finance's Accounts Receivable Unit. To assist the City in the tracking and renewal of business licenses, HdL Software LLC has been retained since July 1, 2017.

In 2017, the City modernized its business license software to upgrade to HdL Prime to offer the following enhanced services: online applications, online business registry with a searchable listing of licensed businesses in the City, online customer profiles which allows an owner with multiple businesses, or an individual responsible for reporting for multiple businesses, to keep track of the license status of all businesses from a central profile, and submit renewals for those businesses through a single process and payment transaction, centralized inspection database for scheduling and tracking inspection results), and improved department approval process utilizing a new department central and automated email notifications.

The City's business licenses track many data points, many of which also are used in the City's Geographic Information System (GIS) database for a variety of uses by multiple departments. This information has been provided in a rudimentary fashion and the City is now able to upgrade that process.

Analysis:

On August 23, 2017, the City of Milpitas entered into an agreement with HdL Software LLC to provide upgraded business license software and services for the City of Milpitas. At the time, HdL was the current provider for business licenses software and changes to PCI requirements made upgrading the HdL's Prime software a requirement. The agreement's first amendment was entered into on January 16, 2018 to approve funding for two additional licenses and provide training for City staff. The second amendment was entered into on June 7, 2019 to make administrative changes to the compensation exhibit to clarify annual payments.

Moving forward this amendment will fund two needed service enhancements, as well as incorporate the annual Consumer Price Index (CPI) adjustment. The first enhancement is an upgrade that creates a nightly data file sent to the City's information Technology Department for GIS location purposes. This process allows a visual assessment of active Business locations allowing citizens and city staff to make better real time decisions such as; Business Site Suitability, Environmental Inspections, Emergency Contacts and general map and overlay analysis requests. The second enhancement includes software configuration and report development necessary to incorporate the City's Police Alarm Permit process.

Policy Alternatives:**Alternative 1: Do Not approve Amendment No. 3 to the Agreement with HdL Software LLC**

Pros: Potential cost savings by not authorizing the specified enhancements.

Cons: Staff would lose the benefit of the desired enhancements.

Reason not recommended: Authorizing this amendment will allow for visual assessment of active business locations for staff and residents, and streamline the City's Police Alarm Permit process.

Fiscal Impact:

There are sufficient funds available in the FY 2021-2022 operating budget of the IT Department to cover the cost of the amendment. Funding for the remaining years of this contract will be subject to annual appropriations.

2017-2021 Initial Contract and Annual Renewal	\$88,096.24
2021/2022 Amendment No 3	\$22,513.62
Total	\$110,609.86

California Environmental Quality Act:

By the definition provided in the CEQA Guidelines Section 15378, this action does not qualify as a "project" for the purpose of CEQA as this action has no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Recommendation:

Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement with HdL Software LLC for Business License Tracking Software services for a total amount not-to-exceed amount of \$110,609.86

Attachments:

1. Amendment No. 3 to the Agreement with HdL Software LLC

AGREEMENT FOR BUSINESS LICENSE SOFTWARE AND SERVICES

This Agreement is made and entered into as of the 23 day of August 2017 (the "Agreement Date"), by and between the **CITY OF MILPITAS**, a municipal corporation hereinafter referred to as CITY, and **HDL SOFTWARE LLC**, a California limited liability company, hereinafter referred to as HDL

WHEREAS, CITY desires to enforce its business license ordinance to ensure that all persons and organizations doing business within the City are licensed; and

WHEREAS, HDL has the programs, equipment and personnel required to deliver the services referenced herein,

THEREFORE, it is agreed by CITY and HDL as follows

1. SCOPE OF SERVICES; STANDARD OF CARE; COMPLIANCE WITH LAWS

Specific services to be performed by HDL are as described in **Exhibit A**. Includes scope, schedule, support, and system requirements

HDL's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions

HDL shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including applicable laws protecting the privacy of personal information

HDL warrants that the services and the software will materially conform to the specifications and documentation

2. COMPENSATION

City agrees to compensate HDL for services under this Agreement as described in **Exhibit B**

3. TERM OF AGREEMENT

The term of this Agreement shall commence on the Agreement Date and shall continue for five years unless earlier termination is requested. The process for termination can be found in **Exhibit C**

4. GENERAL TERMS AND CONDITIONS

The General Terms and Conditions for this Agreement are as described in **Exhibit C**

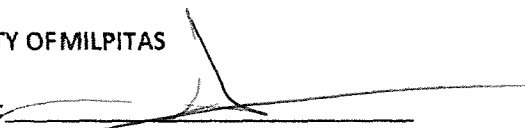
5. NOTICE

All notices required by this Agreement shall be given to the City and to HDL in writing, by personal delivery or first class mail postage prepaid, addressed as follows:

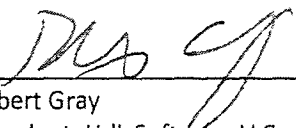
City	<u>City of Milpitas</u> <u>Attn: Director of Financial Services</u> <u>455 E Calaveras Blvd</u> <u>Milpitas, CA 95035</u>
HDL	HdL SOFTWARE, LLC 160 Via Verde Drive, Suite 150 San Dimas, California 91773

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first above written by their respective officers duly authorized in that behalf

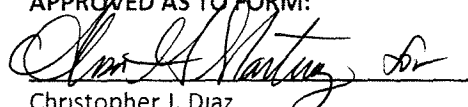
CITY OF MILPITAS

By: 
Steve J. Pangelinan
Acting City Manager, City of Milpitas

HDL

By: 
Robert Gray
President, HdL Software LLC

APPROVED AS TO FORM:


Christopher J. Diaz
City Attorney

ATTEST: *City Manager's signature*

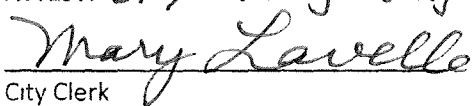

City Clerk

EXHIBIT A - SCOPE OF SERVICE

HdL Prime Business License Software System – General overview

HdL's Prime Business License software 4th generation licensing platform demonstrates our commitment to advancing California business licensing, combining the latest technological advancements with best practices gleaned from years of serving in and providing services to California local government

HdL Prime is built using the latest technologies HTML5, JAVA, ASP NET, NET 4, WPF, WCF, C#, SQL Server, IIS Based on a fresh technology base, HdL Prime is ready to keep pace with the blistering speed of technology improvements In addition to the hundreds of enhancements included in our initial release of HdL Prime, a small sample of recent enhancements include online applications, online business registry (searchable listing of licensed businesses in the City), online customer profiles (allows an owner with multiple businesses, or an individual responsible for reporting for multiple businesses, to keep track of the license status of all businesses from a central profile, and submit renewals for those businesses through a single process and payment transaction), inspection central (for scheduling and tracking inspection results), and improved department approval process using the new department central and automated email notifications

1. Prime Software System

1.1 **City Management Support** - HdL will assist the City in evaluating current policies and procedures in order to enhance operational efficiency This may include suggestions to redesign forms/reports, implement new processes, or adopt new strategies for improving communication with the business community and other City departments

1.2 **Data Conversion** - HdL will convert the City's existing data If City is migrating from HdL "Classic" Business License, City will provide a current backup of the existing Microsoft Access or Microsoft SQL Server HdL database If City is converting from another vendor's software, the City agrees to provide its current data in ASCII delimited file format, SQL Server backup, or another format agreed upon between HdL and the City, along with a file layout detailing the content of the file This data will be required a minimum of two times during the conversion process The City understands that the second (and any subsequent) data set must be provided in the same format and layout as the first data set Any inconsistencies between the first and second data sets will result in a delayed installation date and additional charges for conversion

1.3 Implementation

1.3.1 HdL's responsibilities

1.3.1.1 **Project manager** - HdL will provide a project manager (PM) to guide the software implementation process The primary responsibility for the HdL PM is to ensure successful and timely completion of each step of the software implementation schedule The HdL PM will work closely with the City's designated project manager to define the software implementation schedule, identify City needs and configure the software accordingly, validate the data conversion, provide user training, and generally shepherd the City through the software implementation process

1.3.1.2 **IT support** - HdL will provide a dedicated IT staff member to provide IT support during the software implementation process This individual will provide the necessary instruction and assistance in order to install the software in the City's computing environment, and will provide any needed technical support

1.3.1.3 **Training** - HdL will provide software training as defined in the agreed upon software implementation schedule This generally consists of two separate training sessions The size and participants of each training session will be determined by the HdL PM and the City's designated project manager

1.3.1.4 **User manual** - HdL will provide access to a digital copy of the software user manual The City may use the manual as needed for internal use by City staff The user manual contains proprietary and confidential information, and as such is bound by the confidentiality portion of this agreement The user manual may not in any circumstances be distributed to any ^{third}

party or any individual that is not a current City staff member responsible for using or maintaining the software

1 3 2 City's responsibilities

1 3 2 1 Project manager - The City will designate a staff member to serve as the City's project manager (PM) This individual must be intimately involved in the daily business processes which the software will automate, and be empowered to make, or quickly secure from management, decisions required for the implementation of the software The primary responsibility for the City PM is to ensure that all City responsibilities during the software implementation are met according to the agreed upon software implementation schedule The City PM will be instrumental in the successful implementation of the software, working closely with the HdL PM to verify data conversion, review and approve reports, establish business rules, and configure all aspects of the software

1 3 2 2 IT support - The City will designate an IT staff member to work with HdL staff throughout the software implementation process This individual must be knowledgeable about the City's computing environment and be authorized to manage the SQL Server database and install and configure software on the network server and workstations The primary responsibility of the City's IT designee is to provide data to HdL for conversion (if required), install the SQL Server database, and install the software in the City's computing environment

1 3 3 Schedule – The default timeline for complete implementation (including “Go Live”) of the software is approximately sixty (60) days from the start of implementation When the Agreement is signed by all parties, HdL will immediately work with the City to establish a specific implementation schedule

1 4 Payment Gateway - For online payment functionality HdL's solutions include built in payment gateway services supporting both credit card and eCheck transactions If a different payment gateway is required, there will be a \$5,000 00 development cost to establish the custom payment gateway integration HdL is responsible for maintaining PCI DSS compliance of the Payment Gateway HdL shall manage all payment card (PCI) data securely and in compliance with current PCI DSS, the Agreement and all applicable laws

1 5 Maintenance and Support

1 5 1 Customer Support - HdL will provide customer support by telephone, email, and the web during the term of this Agreement In the United States, no charge support is available as follows For customer support between the hours of 8 00 a m and 5 00 p m Pacific time, Monday through Friday, email support@hdlcompanies com or call the HdL offices at (909) 861-4335 and ask for software support For technical support before 8 00 a m or after 5 00 p m Pacific time, Monday through Friday (or anytime Saturday), email 911@hdlcompanies com and an HdL staff member will be paged Please only include your name, agency and contact information in emails to 911@hdlcompanies com You will be contacted as soon as possible

1 5 2 Support Policy Regarding Reports - HdL will assist with modifications to reports as needed during the term of this agreement Typical report modifications require seven (7) to ten (10) business days to complete Very complex reports or reports required in a very short time frame may incur development costs, in which case an estimate will be provided for written approval by the City before the work is begun

1 5 3 Software Upgrades - Except to the extent that upgrades of the software include new modules or features not previously offered as part of the software as of the date hereof, City is entitled to upgrades of the software within the terms of this Agreement Though rare, additional costs may apply depending on the extent of the upgrade Potential additional costs include training, consulting, configuration, or other requested services

1 5 4 Outside Connections to HdL Database - HdL programs rely on the integrity of the database to operate properly As such, it is critical that any outside connection to the database be implemented with HdL's full knowledge and participation Only “read only” connections will be established to the HdL database No modifications will be made to the HdL database, including database/table design and data content Any repair work necessary due to violations of the above items will not be covered by the Software Use Fee, and as such will be billable to the client on a time and material basis The City shall contact HdL for instructions if any added functionality is required, including reading additional data or writing to the HdL database

- 1.6 **System Requirements** – These system requirements are only applicable if the HdL system will be deployed directly on the City's equipment. If the City opts to utilize HdL's hosting services, see the hosting services section for system requirements.
 - 1.6.1 **On site deployment** – The software and database will be installed on the City's network on hardware supplied by the City. Any specifications provided below indicate minimum requirements. It is the City's responsibility to ensure that any hardware used to host the software/database or run the client application meets the specifications dictated by the operating system and any software/services hosted by the hardware. For example, minimum operating system specifications will not be sufficient if the file server is also hosting the City's email system.
 - 1.6.1.1 **Application Server Specifications** - The application server will host the HdL Prime web service, which serves as the HdL Prime business layer. The HdL Prime web service uses the Microsoft Windows Server with IIS platform. The following versions are supported: MS Windows Server 2008 or later, with IIS v7.0 or later. The application server should have at least 200 megabytes of space available.
 - 1.6.1.2 **Database Server Specifications** - The database server will host all application data. The database server should be dedicated to server-related functions. Using a client's PC as the database server in a multi-user environment is not supported. HdL Software systems use the Microsoft SQL Server database platform. The following versions are supported: MS SQL Server 2008 R2 or later (SQL Express variants also supported). Any server operating system supported by the selected version of SQL Server is supported as a database server, provided it meets the hardware specifications indicated by both the operating system and the version of SQL Server. The database server should have at least 50 gigabytes of space available to allow for the initial database and growth.
 - 1.6.1.3 **Workstation Specifications** - The software will be run on the client workstation. HdL Prime is deployed to the workstation via a click-once installer. The Crystal Reports and .NET 4.x runtimes will also need to be installed on the workstation. The following hardware recommendations are based on user feedback regarding performance levels: Intel Core i3 or equivalent CPU, 4+GB Memory, 1280x1024 screen resolution, MS Windows 7/8/10 operating system.
 - 1.6.1.4 **Network Specifications** - The software communicates via web services, and is designed to operate efficiently over the network. High-speed local area network connections are always helpful, but Prime will also run without difficulty over slower WAN connections such as T1 or mobile broadband.
 - 1.6.1.5 **Printer Specifications** - The software is designed to work with laser printers. A PCL compliant laser printer is recommended. Each make and model of printer has different drivers and therefore has slightly different results when printing. We design forms/reports using HP LaserJet printers.
2. **Hosting Services** – HdL's hosting services offload the majority of IT concerns to HdL's hosting team, including system upgrades, hardware and software maintenance, database management, and disaster recovery. The City will be responsible for maintaining its workstations and a reliable internet connection. HdL will handle the rest. Website functionality will be hosted using a City-specific sub-domain on HdL's special-purpose hdlgov.com domain.
 - 2.1 **System Requirements**
 - 2.1.1 **Workstation Specifications** – Workstations will access the software through a remote application session with HdL's hosting service. All workstations require 4+GB Memory, 1280x1024 screen resolution, and Microsoft Windows 7/8/10 operating system.
 - 2.1.2 **Network Specifications** – HdL's hosted service requires reliable, high-speed internet connectivity. High-speed local area network connections are always helpful, but Prime will also run without difficulty over slower WAN connections such as T1 or mobile broadband.
 - 2.1.3 **Printer Specifications** - The software is designed to work with laser printers. A PCL compliant laser printer is recommended. Each make and model of printer has different drivers and therefore has slightly different results when printing. We design forms/reports using HP LaserJet printers.
 - 2.2 **Agency Data**
 - 2.2.1 **Data Security** – HdL will maintain safety and security procedures with respect to its access and maintenance of Agency Data, which provide reasonably appropriate technical and organizational

safeguards against accidental or unlawful destruction, loss, alteration or unauthorized disclosure of or access to Agency Data. All Agency Data will be stored in a physically and logically secure environment that protects it from unauthorized access, modification, theft, misuse, and destruction. If a breach of security or confidentiality occurs, and it requires notification to the City's users/customers under any privacy law, then the City shall have sole control over the timing, content, and method of such notification. If HdL or its subcontractor/vendor is responsible for the breach, then HdL shall reimburse the City for its reasonable costs in providing the notification.

2.2.2 Disaster Recovery

2.2.2.1 Agency Data Backups – HdL shall perform regular backups of Agency Data according to HdL's most recently published hosted environment backup policy. As of the date of this Agreement, the backup policy is as follows:

2.2.2.1.1 Cloud System Backup – Hourly incremental backups, with a full backup nightly.

2.2.2.1.2 Offsite Backup – Nightly full backups are copied each day from the cloud environment to HdL's offsite backup.

2.2.2.1.3 Retention Policy – Cloud system backups are retained for 30 days. Offsite backups are retained for 1 year.

2.2.3 Data Access – Agency data is at all times owned by the City, and can be accessed by the City through HdL's built-in data export capabilities.

3. Payment Processing Services

3.1 Payment Processing - HdL shall provide its Services to support payments remitted to City. HdL shall transmit transactions for authorization and settlement through HdL's certified payment processor. Funds for transactions processed by HdL hereunder shall be submitted to City's designated bank account as follows: (i) no more than two (2) business banking days after all Transactions (other than electronic Check Transactions) that are successfully processed prior to 5:00 p.m. Eastern time on each business banking day (e.g., a Transaction authorized at 2:00 p.m. Eastern time on Monday will be submitted on Wednesday, a Transaction successfully processed at 8:00 p.m. Eastern time on Monday will be submitted on Thursday), and (ii) no more than five (5) business banking days for all electronic Check Transactions that are successfully processed prior to 5:00 p.m. Eastern time on each business banking day. HdL makes no representation or warranty as to when funds will be made available by Client's bank.

3.2 Support - HdL shall provide City with payment processing related customer service as needed. City shall timely report any problems encountered with the service. HdL shall promptly respond to each report problem based on its severity, the impact on City's operations and the effect on the service. HdL shall either resolve the problem or provide City with the information needed to enable the City to resolve it.

3.3 Transaction Errors - HdL's sole responsibility for any Transaction error or reversed Transaction is to determine whether the result indicates a problem with HdL's service and, if necessary, reprocess and resubmit the Transaction without additional charge. In the event that a Transaction is reversed or refunded to any Customer of City, for any reason, HdL may offset such amount against funds remitted to City, or invoice City for such amount, at HdL's discretion. City shall pay any such invoice within 30 days of receipt.

3.4 Electronic Check Authorization - If City elects to accept electronic Checks as a form of payment, the following subsections apply. For the purpose of this section, "checks" means checks drawn on accounts held in the U.S. ("Check(s)")

3.4.1 As part of the implementation plan, City shall select risk management controls governing Check acceptance and assumes sole responsibility for the choice of controls.

3.4.2 HdL shall provide confirmation on a submitted ABA number as part of the Service to assist Client with the decision whether to accept a Check and shall route accepted Checks.

3.4.3 City hereby authorizes HdL to debit the City's financial institution account in the amount of any returned item that is received by HdL.

3.5 City Responsibilities

3.5.1 As a condition to its receipt of the Service, City shall execute and deliver any and all applications, agreements, certifications or other documents required by Networks or other third parties whose consent or approval is necessary for the processing of Transactions. "Network" is an entity or association that operates, under a common service mark, a system which permits participants to

- authorize, route, and settle Transactions among themselves, including, for example, networks operated by VISA USA and Mastercard, Inc , NYCE Corporation, American Express, and Discover
- 3 5 2 City and HdL each represents, warrants, and agrees that it does and will comply with applicable Laws and regulations and Network rules, regulations or operating guidelines Each party shall notify the other in writing as soon as possible in the event a claim is either threatened or filed against City by any governmental organization having jurisdiction over City or a Customer related to the Service Each party shall also notify the other party in writing as soon as possible in the event a claim is either threatened or filed against City or HdL in connection with this Agreement relating to Transactions or the Services or a fine or other penalty is assessed or threatened relating to Transactions or the Services
- 3 5 3 City and HdL each represents, warrants and agrees that it is and will continue to be in full compliance with all applicable requirements of the Client Information Security Program of VISA, the Site Data Protection Program of MasterCard, and similar programs of other Networks, and any modifications to such programs that may occur from time to time Each party shall upon request provide the other party with documentation reasonably satisfactory to the requesting party verifying compliance with this Section
- 3 5 4 City hereby grants HdL the full right, power and authority to request, receive and review any Data or records reflected in a Transaction report City represents and warrants that it has the full right and authority to grant these rights
- 3 6 **Fees**
- 3 6 1 If a convenience fee will be charged, the City authorizes HdL to collect each convenience fee
- 3 6 2 The fees set forth in Exhibit B Payment Schedule do not include expenses, late fees or charges, or taxes, all of which shall be the responsibility of City In addition to the charges specified in Exhibit B Payment Schedule, City shall be responsible for (a) all interchange and network provider fees, (b) all dues, fees, fines and assessments established and owed by City to Visa and/or Mastercard, (c) for all costs and fees associated with changes to ATM protocol caused by City's conversion to the Services, and (d) any increase in postage charges, provided that any increase in charges resulting from (a) through (d) shall not exceed the actual increase incurred by HdL Except HdL shall pay any fines, fees, assessments, penalties or other charges imposed on the City caused by HdL's failure (or its vendor/subcontractor's failure) to comply with PCI DSS, applicable laws and/or Network rules
- 3 6 3 HdL reserves the right to review and adjust all City and convenience fee pricing on an annual basis in June This adjustment may be consistent with the then most recent ECI adjustment or three percent (3%) whichever is greater Items that will be considered in the review of fees may include, but are not limited to regulatory changes, card association rate adjustments, card association category changes, bank/processor dues and assessments, average consumer payment amounts, and card type utilization
- 3 6 4 City agrees to maintain a depository account with a financial institution reasonably acceptable to HdL for the payment of amounts payable hereunder, and hereby authorizes HdL to initiate debit entries to such account for the payment of amounts payable hereunder City agrees to provide HdL with any and all information necessary for HdL to initiate such debit entries via the Automated Clearing House (ACH) system For any amount that is not paid within thirty (30) days after its due date, City shall pay a late fee equal to the lesser of one and one-half percent (1 ½%) per month of the unpaid amount or the maximum interest rate allowed by law

EXHIBIT B - COMPENSATION

1. Prime Software System

One Time Project Costs

Item	Price	Comments
Prime Business License - Software License Fee	\$10,000	3 named users
Prime Web Module	Included	Must use HdL supported gateway, FIS Global (no charge) Non-supported gateways require a customizing charge of \$5,000 00
Finance System Integration	\$3,000 00	Basic Finance File Transfer - Statement of Work required
HdL hosted FIS payment website	\$500 00	
Transient Occupancy Tax Tracking	\$3,000 00	Configuration, Implementation, 1 Report
Stored Procedure Function	\$3,000 00	Pending Specification Discussion
Implementation	Included	Project management, installation, configuration, report design, training, etc
Data Conversion	Included	Up to 30 hours of data conversion work
Travel Expenses	At Cost	At Cost
Training 1 Day	Included	Included Additional days available at \$2,000 00/day
TOTAL	\$19,500 00	Total one-time costs

Recurring Costs

Item	Price	Comments
Annual Software Use Fee	\$13,159 98	Due at "Go Live" of core Prime System Renewed annually + CPI

- 1 1 **Software License Fee** - The license fee includes the use of the software by the specified number of users, software user manual in digital format, and all standard forms and reports. Additional user licenses are available for \$2,000 license fee plus \$600 annual software use fee.
- 1 2 **Annual Software Use Fee** - The software use fee is billed annually, and provides for ongoing customer support and updates to the software. The software use fee shall be adjusted at the beginning of each calendar year by the change in the Consumer Price Index – West Urban (CPI-WU) as reported by the Bureau of Labor Statistics. Each CPI adjustment will not be less than two percent (2%) or greater than Ten percent (10%).
- 1 3 **Implementation** - The implementation fee covers all efforts involved for installation and configuration of the software. This includes one session of pre-installation and process evaluation, one session of "go live" training, installation support, design and programming of standard forms and reports, and configuration of the software.
- 1 4 **Data Conversion** – Data will be converted from the City provided source files. Includes one (1) conversion when migrating from an HdL system, and two (2) conversions when migrating from another vendor's system. Additional conversions of the same source data can be performed, upon request, at a

cost of \$500 per conversion. The source files must be provided in the same format for all conversions, otherwise custom programming costs will apply in order to accommodate the varying data formats. Data conversion includes up to thirty (30) hours of developer time. Any work above thirty (30) hours will be charged at the current developer hourly rate.

- 1.5 **Travel Expenses** - Travel and lodging expenses are billed at cost and apply to all meetings, including process, pre-installation, installation, training, and support. HdL is dedicated to conserving public funds, and ensures any travel costs are indeed required and reasonable.
- 1.6 **Parcel Data** - HdL Prime includes comprehensive land management functionality. There are three ways to acquire the parcel data:
 - 1.6.1 If the City is a client for HdL property tax services, the parcel data will be provided at no cost.
 - 1.6.2 If the City is not a client for HdL property tax services, the parcel data may be purchased from HdL.
 - 1.6.3 If the City wishes to use any other source of parcel data, HdL can work with the City to create a re-useable import utility. The development of this utility will be billed on a time and material basis. Once the source data has been reviewed, a statement of work will be provided including a cost estimate.
- 1.7 **Customizing Services** - The software is a table-driven system and has been developed to meet almost all of the needs of a City. However, should the need occur, HdL is available to provide custom enhancements to the software on a pre-determined time and material basis. No work shall be performed without prior written approval of the City project manager.
- 1.8 **Payment Schedule** - Compensation for the contract amount shall be as follows:
 - 1.8.1 One time project costs and the first year Software Use Fee. Sixty percent (60%) shall be due and payable within thirty (30) days of the effective date of the Agreement. Thirty percent (30%) within sixty (60) days of the effective date of the Agreement. Ten percent (10%) within thirty (30) days of full system delivery or first production use of the system, whichever comes first.
 - 1.8.2 Travel Expenses. Travel and lodging expenses are billed at cost as they are incurred. Travel expenses shall be due and payable within thirty (30) days of the billing date.
 - 1.8.3 Annual Software Use Fee. The software use fee will be invoiced each year on the anniversary of sixty (60) days after the effective date of the Agreement, and shall be due and payable within thirty (30) days of the invoice date. The software use fee billing cycle can be prorated as needed should the City desire an alternative billing cycle.

2. **Hosting Services** - hosting services are billed quarterly in advance. Includes software and data hosting and disaster recovery services. Hosting fee may be revised with three (3) months advance notice to account for changes in market costs related to hosting, such as internet bandwidth, power, and related equipment or service costs. The base fee provides for three (3) named user connections to the system.

Service	Compensation
Monthly Hosting (includes 3 named user connections)	\$250.00/month
Additional Named User Connections	\$15.00/month/user

3. **Payment Processing Services** - HdL will provide City with eCheck, credit and debit card payment processing (merchant) services under an Agency Funded Interchange Pass-through pricing model. HdL reserves the right to not accept any payment type in situations where doing so may be in violation of the rules and regulations governing that payment type.

Service (Agency Funded Model)	Compensation
Credit and Debit Cards processing	2.9% + \$0.30 per transaction
ACH/eCheck processing	\$0.50 per transaction
Monthly Reporting and Statement Fee	Waived
Monthly Hosting and Maintenance	\$30.00 per month
ACH and eCheck Returns	\$10.00 per event
Chargebacks	\$25.00 per event

4. Payment

HdL will provide detailed invoices for all work completed. City will submit payment to HdL within thirty (30) days of receiving the invoice. Provided City continues to timely make all undisputed payments, HdL warrants that during the Term of this Agreement it will not withhold services provided hereunder, for any reason, including but not limited to a dispute between the parties arising under this Agreement, except as may be specifically authorized herein.

EXHIBIT C
GENERAL TERMS AND CONDITIONS

1 OWNERSHIP OF MATERIALS, AGENCY DATA; CONFIDENTIALITY.

1.1 Software License HdL hereby provides a license to the City to use HdL's software while the associated service is in effect through this Agreement. The software shall only be used by the City. The City shall not sublet, duplicate, modify, decompile, reverse engineer, disassemble, or attempt to derive the source code of said software. The license granted hereunder shall not imply ownership by City of said software, rights of the City to sell said software, or rights to use said software for the benefits of others. This license is not transferable. City shall not create any derivative work or product based on or derived from the Software or documentation, or modify the Software or documentation without the prior written consent of HdL. In the event of a breach of this provision (And without limiting HdL's remedies), said modification, derivative work or product based on the Software or documentation is hereby deemed assigned to HdL. Upon termination, the software license shall expire, all copies of the software shall be removed from the City's computers and network and all digital copies deleted or otherwise destroyed.

1.2. Agency Data HdL acknowledges that the data provided by the City ("Agency Data") during the course of this Agreement is the property of the City. City authorizes HdL to access, import, process and generate reports from the Agency Data with its various proprietary systems. No confidential or otherwise sensitive information will be released. At the termination of this Agreement the Agency Data shall be made available or returned to the City in a format acceptable to both the City and HdL. HdL shall maintain the confidentiality of the Agency Data and shall not use Agency Data except to perform the services under this Agreement. HdL shall collect, process, store, and transfer Personally-Identifiable Information ("PII") only in a manner that is consistent with applicable federal, state and local laws including, but not limited to, privacy laws applicable to PII. Any right of HdL to use the Agency Data as provided herein shall terminate upon termination of this Agreement and HdL shall destroy all copies of Agency Data. HdL's obligation to hold Agency Data confidential shall survive termination of this Agreement.

No Agency Data shall be exported to foreign countries, and the data center (including the hosted software, infrastructure and data) will be located and the services shall be performed in the United States, and no Agency Data shall be made available to those located outside the United States.

1.3 Subcontractors If HdL utilizes a third-party subcontractor or other vendor to provide the services under this Agreement, HdL shall ensure that such subcontractor(s) or vendor(s) complies with the terms of this Agreement, and shall be jointly and severally liable with the subcontractor/vendor for any breach by the subcontractor/vendor.

1.4 HdL Proprietary Information As used herein, the term "proprietary information" means any information which relates to HdL's software systems, audit processes or related services, techniques, or general business processes. City shall hold in confidence and shall not disclose to any other party any HdL proprietary information in connection with this Agreement, or otherwise learned or obtained from the HdL in connection with this Agreement. The obligations imposed by this Paragraph shall survive any expiration or termination of this Agreement. The terms of this section shall not apply to any information that is public information. In addition, HdL expressly understands that City is a public agency subject to the California Public Records Act (Cal. Government Code § 6250 et seq.). In the event that City receives a public records request seeking the disclosure of information that HdL has designated as its "proprietary information", City shall notify HdL, and HdL shall be allowed to take any reasonable action to preserve the confidentiality of such information. City's obligation pursuant to this section shall only extend to notifying HdL of the request, and City shall have no obligation to preserve the confidentiality unless doing so is in full compliance with the law.

2 **OPTIONAL SERVICES.** Optional services beyond the scope of this Agreement are available at HdL's hourly rates in effect at the time service is requested. HdL will provide City a Statement of Work specifying the scope, timeline, and cost for the requested service. Depending on the personnel assigned to perform the work, HdL's standard hourly rates range between \$75.00 and \$275.00 per hour. No optional services shall be performed or compensated unless authorized in writing by City in advance.

3 **MISCELLANEOUS EXPENSES.** HdL will notify the City of any miscellaneous expenses and request authorization to proceed. HdL will not be reimbursed for any miscellaneous expenses unless authorized by the City. Miscellaneous expenses may include travel, lodging and meal expenses, and other expenses which are above and beyond the ordinary expenses associated with performance of this Agreement.

4 **PRICING ADJUSTMENTS.** All pricing listed in this Agreement will be honored during initial implementation of the services. Any additional/optional services needed after services are active will be provided using the pricing currently established at the time the service is requested.

5 **LICENSE, PERMITS, FEES AND ASSESSMENTS.** HdL shall obtain such licenses, permits, and approvals (collectively the "Permits") as may be required by law for the performance of the services required by this Agreement. City shall provide

- reasonable assistance to HdL in obtaining such Permits required by the City. If City requires payment for such Permits, the associated costs will be included with the next invoice.
- 6 **INSURANCE REQUIREMENTS.** HdL shall maintain the policies set out below, and in amounts of coverage not less than those indicated herein and as further specified in Exhibit D, attached hereto and incorporated herein by this reference. Additionally, where required by City, HdL shall name the City as an additional insured and provide a Certificate of Insurance.
- 6.1 Worker's Compensation and Employer's Liability - In accordance with applicable law.
- 6.2 Comprehensive General Liability - Bodily injury liability in the amount of \$1,000,000 for each person in any one accident, and \$1,000,000 for injuries sustained by two or more persons in any one accident. Property damage liability in the amount of \$1,000,000 for each accident, and \$2,000,000 aggregate for each year of the policy period.
- 6.3 Comprehensive Automobile Liability - Bodily injury liability coverage of \$1,000,000 for each accident.
- 6.4 Errors and Omissions - In addition to any other insurance required by this Agreement, HdL shall provide and maintain, during the term of this Agreement, professional liability insurance in the amount of \$1,000,000 as evidenced by a Certificate of Insurance.
- 7 **TERMINATION.** This Agreement, or individual services provided by this Agreement, may be terminated as follows:
- 7.1 Software - Software services may be terminated by either party upon written notice at least ninety (90) days prior to the end of the established annual billing cycle. Software services are provided on an annual basis. No credit will be provided for any unused portion of the annual term, except in the case of a termination by City for breach by HdL. Upon termination, the software license shall expire and (a) City will immediately remove the software from computers, servers and network, and destroy or erase all copies of the software and any Proprietary Information and confirm destruction of same by signing and returning to HdL an "Affidavit of Destruction" acceptable to HdL, and (b) upon City's request, HdL will assist, at no cost to the City, in extracting the City data in a format acceptable to both the City and HdL. HdL shall not withhold or refuse the return of City data for any reason.
- 7.2 Services - City may discontinue a service by sending a letter of intent to HdL at least ninety (90) days prior to desired last date of service.
- 7.3 City Termination for Breach - City may immediately terminate the Software and/or the services, and shall receive a credit for any unused portion of the annual term of the Software, if the foregoing do not conform to the terms of this Agreement or in the case of breach by HdL, which breach is not cured in a reasonable time not to exceed thirty (30) days following written notice from City.
- 7.4 Non-Appropriation - City's funding of this Agreement shall be on a fiscal year basis (July 1 to June 30) and is subject to annual appropriations. HdL acknowledges that the City is a municipal corporation and is precluded by the California Constitution and other laws from entering into obligations that financially bind future governing bodies. Nothing in this Agreement shall constitute an obligation of future governing bodies to appropriate funds for the purposes of this Agreement. The parties agree that the Term is contingent upon the appropriation of funds by the City. This Agreement will terminate immediately if funds necessary to continue the Agreement are not appropriated. City shall pay HdL for any services performed in accordance with this Agreement up to the date of termination.
- 8 **INDEPENDENT CONTRACTOR.** HdL shall perform the services hereunder as an independent contractor. No agent, representative or employee of HdL shall be considered an employee of the City.
- 9 **NON-ASSIGNMENT.** This Agreement is not assignable either in whole or in part by HdL or the City without the written consent of the other party.
- 10 **GOVERNING LAW.** The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall also govern the interpretation of this Agreement. Venue shall be in Santa Clara County, California.
- 11 **INDEMNIFICATION.** HdL shall indemnify and hold harmless City and its officers, officials and employees ("Indemnified Parties") from any liability for damage or claims for personal injury, including death, as well as from claims for breach of confidentiality or property damage, including attorney fees, which may arise out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of HdL, its officers, agents and employees under this Agreement.
- 12 **NON-INFRINGEMENT WARRANTY; INFRINGEMENT INDEMNIFICATION.** HdL warrants that the software licensed hereunder does not infringe on any existing property rights of any third party. If a third party claims that the software does so infringe, HdL shall secure for the City the right to continue use of the software, or modify the software so that it is non-infringing. Without limiting the generality of Section 11, HdL shall indemnify, defend and hold harmless the Indemnified Parties against any and all claims and damages (including costs) arising out of any legal action alleging that the normal operation, possession or use of the software by the City infringes the patent, copyright, registered design, trademark rights or moral rights of said third party.
- 13 **PCI DSS WARRANTY AND INDEMNIFICATION.** HdL warrants that the Software and/or Payment Processing Services meet PA-DSS (Payment Application Data Security Standard) requirements, and that HdL will deploy and maintain the Software and Payment Processing Services according to PCI DSS (Payment Card Industry Data Security Standard) requirements. Without limiting the generality of Section 11, HdL agrees to indemnify, defend and hold the Indemnified Parties harmless from any claims, damages, causes of action, costs and expenses arising out of or related to any breach of the warranty set

forth in this paragraph In the event that security vulnerabilities are identified on HdL's software or system, HdL will immediately notify City and will promptly provide instructions and take all actions necessary to mitigate the risk of that vulnerability being exploited, including providing a security update or patch release



EXHIBIT D - INSURANCE REQUIREMENTS - GENERAL

Definition:

For purposes of this contract, the following definition applies: City of Milpitas includes the duly elected or appointed officers, agents, employees and volunteers of the City of Milpitas, individually or collectively.

Insurance Required:

No work shall be done under this Contract unless there is in effect insurance required by the Contract and under this section, and such insurance has been approved by the City, nor shall the Contractor allow any subcontractor to commence work on their subcontract until all insurance required of the subcontractor has been so obtained and approved. The Contractor shall maintain or cause to be maintained adequate workers' compensation insurance as required under the laws of the State of California, for all labor employed by the Contractor or by any subcontractor under the Contractor who may come within the protection of such worker's compensation laws of the State of California and shall provide or cause to be provided employer's liability insurance for the benefit of the Contractor's employees.

Minimum Scope of Insurance: (Check Mark Indicates Required)

Coverage must be *at least as broad as*

☒ Insurance Services Office Commercial General Liability coverage (occurrence Form CG0001).

☐ Insurance Services Office Form Number CA 0001 covering Automobile Liability, Code 1 (any auto).

☒ Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

☒ Professional Liability or Errors & Omissions Liability insurance appropriate to the contractor's profession.

☐ Architects' and Engineers' coverage is to be endorsed to include contractual liability.

Minimum Limits of Insurance:

Contractor must maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability insurance with a general aggregate limit is used, either the general aggregate limit must apply separately to this project/location or the general aggregate limit must be twice the required occurrence limit.
(Including operations, products and completed operations, as applicable.)
2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.

3. Workers' Compensation Statutory
Employer's Liability: \$1,000,000 each accident
\$1,000,000 disease-policy limit
\$1,000,000 disease-each employee
4. Professional Liability or \$1,000,000 each occurrence
Errors & Omissions \$1,000,000 policy aggregate
Liability:

Deductibles and Self-Insured Retentions:

Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require the Contractor to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Other Insurance Provisions:

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City of Milpitas, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the contractor; and with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85), or as a separate owner's policy. General Liability endorsements for "Scheduled Person or Organization" and "Complete Operations" are required
2. For any claims related to this project, the Contractor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
3. The Insurance Company agrees to waive all rights of subrogation against the City, its elected or appointed officers, officials, agents and employees for losses paid under the terms of any policy which arise from work performed by the Named Insured for the City. This provision also applies to the Contractor's Workers' Compensation policy.
4. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice (10 days for non-payment) by certified mail, return receipt requested, has been given to the City. If Contractor's insurer refuses to provide this endorsement, Contractor shall be responsible for providing written notice to the City that coverage will be canceled thirty (30) days after the date of the notice or ten (10) days for non-payment.

Acceptability of Insurers:

Insurance is to be placed with licensed insurers admitted to transact business in the State of California with a current A.M. Best's rating of no less than A-VII. If insurance is placed with a surplus lines insurer, insurer must be listed on the State of California List of Eligible Surplus Lines Insurers (LESLI) with a current A.M. Best's rating of no less than A-X. Exception may be made for the State Compensation Fund when not specifically rated.

Verification of Coverage:

Contractor shall furnish the City with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on insurance industry forms, provided those endorsements or policies conform to the contract requirements. All certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require, at any time, complete, certified copies of all required insurance policies, including endorsements evidencing the coverage required by these specifications.

The Certificate with endorsements and notices shall be mailed to:

**City of Milpitas
Attention: Purchasing Division
455 E. Calaveras Boulevard
Milpitas, California 95035-5411**

Subcontractors:

Contractors must include all sub-contractors as insureds under its policies or furnish separate certificates and endorsements for each sub-contractor. All coverage for sub-contractors are subject to all of the requirements included in these specifications.

Absence of Insurance:

If the Contractor allows the insurance to lapse, be cancelled, or be reduced below the limits specified in this article, the Contractor shall cause all work in the Project to cease and any delays or expenses caused due to stopping of work and change of insurance shall be considered Contractor's delay and shall not be considered to increase cost to the City or increase time in which the Project shall be completed.

Contractor agrees that if it does not keep the aforesaid insurance in full force and effect, City may immediately terminate this Agreement

6/29/17



CITY OF MILPITAS SOLE SOURCE/BRAND REQUEST

THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO ANY PROCUREMENT

When a request is made for a non-competitive procurement and the specification limits the bidding to one source and/or one brand or trade name, the requesting department must complete the following. Please answer in the space provided, or in an attachment address by specific reference, each question listed below (1-5) in your justification. ***Be sure to answer each part of each question. Failure to respond fully to any of the questions could result in delay or rejection of your request due to inadequate justification.***

1. Using appropriate detail, including brand name and model number, briefly describe the product you wish to procure. In the case of a service use enough detail to clearly describe to someone not familiar with the process what you are procuring.

HdL currently provides the City of Milpitas with its HdL Classic software for business license processing and payments. Due to current PCI requirements for online payments, migration to the HdL Prime system is required.

2. Please check one:

Cost: \$21,441 51

- a) ☒ **SOLE SOURCE:** Item is available from one source only.

If it is your assertion that the manufacturer or distributor is the only authorized source in the Bay Area, Northern California; or whatever the claim is, please substantiate that with a letter from the manufacturer or distributor. The letter must be on their stationary, but can be sent via email. Attach a copy to this form.

- b) ☐ **SOLE BRAND:** Various sources can supply the specified model and brand; competitive bids will be solicited for the requested brand only. Meets form, fit and function - nothing else will do.
- c) ☐ **STANDARDIZATION REQUEST:** The Department requires the item to standardize parts, design, quality etc. (This requires further discussion with the Purchasing Agent.)

3. What are the unique performance features of the product/brand requested that are not available in any other product/brand? (For services: What unique qualifications, rights, degrees, certifications, licenses and/or experience does this vendor possess?)

HdL currently provides our HdL Classic business licensing software. If we do not migrate to HdL Prime by September 1, we will not be able to take online payments for business licensing anymore. There are other business license software manufacturers in the field,

how long? April 2007

but HdL is a leader in that field and we have been very satisfied with their services. In addition, conversion to another vendor would be a very time intensive and costly process. Given the September 1 deadline to convert, we do not have sufficient time to use another vendor or undergo an RFP process.

4. What other products/services have been examined and rejected, and why? *(Please provide a specific meaningful explanation, one vendor and one feature at a time. For products be sure to clearly identify the product by name and model number and include the name, address, and telephone number of the company representative who's product you tested.)*

There are again other vendors in this field such as MuniServices, full fledged ERP solutions, etc, but none could be installed in the tight timeframe needed.

5. If justification is based on matching and/or intermixing with existing equipment (refer to 2.c.), list the quantity, manufacturer, brand, and model of the existing equipment, and why the matching is required not simply preferred.

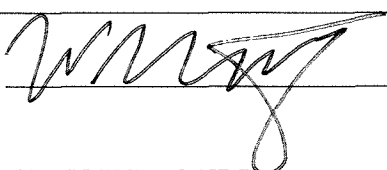
N/A

I HEREBY CERTIFY THAT:

- 1. I am an approved department representative, and am aware of the City's requirements for competitive bidding, as well as the criteria for justification for sole source/brand procurements.
- 2. I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment/service.
- 3. There is validity as to the information contained herein justifying my request for sole source/brand procurement and meeting the City's criteria.
- 4. A sole source/brand procurement in this case would withstand a possible audit or a vendor's protest.

REQUESTOR _____

DATE: ____/____/____

DEPT./DIV. HEAD:  _____

DATE: 6/29/17

PURCHASING DIVISION USE ONLY:

APPROVED:  _____
NOT APPROVED: _____

PURCHASING AGENT: 
DATE: 6/29/17

COMMENTS:



Delivering Revenue,
Insight and Efficiency
To Local Government

1340 Valley Vista Drive
Suite 200
Diamond Bar, CA 91765

Fax 909.861.7726
888.861.0220
www.hdlcompanies.com

July 13, 2017

Mr Christopher Schroeder C P.M , A P P.
City of Milpitas
Purchasing Agent
455 E Calaveras Blvd
Milpitas, CA 95035-5411

Re HdL Prime Business License Software System with Web Module

Dear Christopher,

This letter serves as a sole source document for products developed by HdL Software, LLC HdL Prime Business License Software with Web Module was developed by HdL Software, LLC and are distributed solely by HdL Software, LLC No other vendor develops and distributes the HdL Prime Business License Software System with Web Module

Please call or email if I be be of further assisance.

Best regards,

A handwritten signature in black ink, appearing to read 'George Bonnin', written over a horizontal line.

George Bonnin
Sales and Marketing Manager
gbonnin@hdlcompanies.com



AMENDMENT NO. 1 TO THE AGREEMENT
WITH
HDL SOFTWARE, LLC
FOR
BUSINESS LICENSE SOFTWARE

This Amendment No. 1 is entered into this 16th day of January, 2018, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City") and HdL Software, LLC, a California limited liability company (hereafter referred to as "HdL"). City and HdL are jointly referred to hereinafter as the "Parties".

RECITALS:

WHEREAS, on August 23, 2017, the City Manager approved an agreement between the Parties for Prime Business License software (4th generation) licensing platform (hereinafter the "Master Agreement") to process business license fees for the City on an annual basis; and

WHEREAS, the Parties now desire to amend the Master Agreement in order to update the compensation set forth in Exhibit B – COMPENSATION of the Master Agreement to reflect additional costs.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Agreement as follows:

1. Increase funding by Six Hundred Sixteen Dollars and Sixty-Three Cents (\$616.63) for travel expenses relating to training session held on October, 4, 2017.
2. Increase funding by Eleven Thousand Eight Hundred Dollars and Zero Cents (\$11,800) for two (2) additional user licenses, software use fees and hosting services.
3. To delete in its entirety EXHIBIT B – COMPENSATION attached to the Master Agreement and to replace it with EXHIBIT B – 1 COMPENSATION (Updated January 2018) attached to this Amendment No. 1 and incorporated herein by reference.
4. Except as amended by this Amendment No. 1, all provisions of the Master Agreement, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE TO
AMENDMENT NO. 1 TO THE
AGREEMENT WITH HDL SOFTWARE, LLC FOR
BUSINESS LICENSE SOFTWARE**

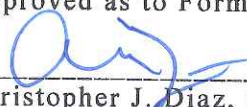
Approved by:

City of Milpitas
A municipal corporation



Steve J. Pangelinan, Interim City Manager
DIANNE THOMPSON,

Approved as to Form:



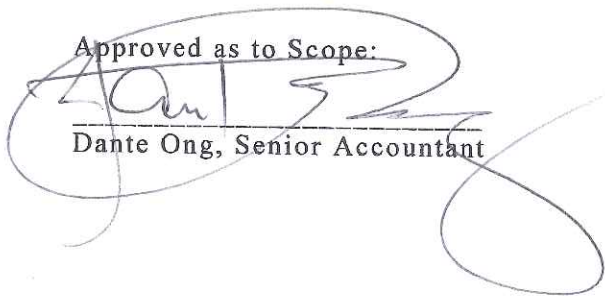
Christopher J. Diaz, City Attorney

Approved as to Content:



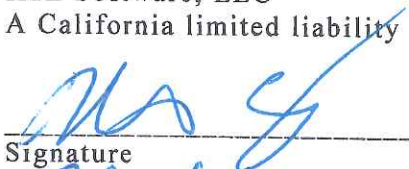
Will Fuentes, Director of Financial Services

Approved as to Scope:

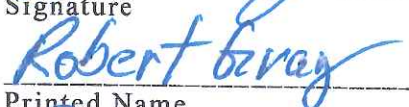


Dante Ong, Senior Accountant

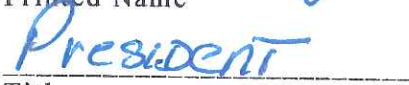
HdL Software, LLC
A California limited liability company



Signature



Printed Name



Title



Date

1-15-2018

EXHIBIT B-1 – COMPENSATION (Updated January 2018)

1. Prime Software System

One Time Project Costs

Item	Price	Comments
Prime Business License - Software License Fee	\$10,000.00	Seven (7) named users
Prime Business License - Software License Fee (User Added Jan. 17, 2018)	\$4,000.00	Two (2) named users
Prime Web Module	Included	Must use HdL supported gateway, FIS Global (no charge). Non-supported gateways require a customizing charge of \$5,000.00
Finance System Integration	\$3,000.00	Basic Finance File Transfer - Statement of Work required.
HdL hosted FIS payment website	\$500.00	
Transient Occupancy Tax Tracking	\$3,000.00	Configuration, Implementation, 1 Report
Stored Procedure Function	\$3,000.00	Pending Specification Discussion
Implementation	Included	Project management, installation, configuration, report design, training, etc.
Data Conversion	Included	Up to 30 hours of data conversion work.
Travel Expenses	At Cost	At Cost
Training - 1 Day	Included	Included. Additional days available at \$2,000.00/day
TOTAL	\$23,500.00	Total one-time costs

Recurring Costs

Item	Price	Comments
Annual Software Use Fee	\$14,359.98	Due at "Go Live" of core Prime System. Renewed annually + CPI

- 1.1. **Software License Fee** - The license fee includes the use of the software by the specified number of users, software user manual in digital format, and all standard forms and reports. Additional user licenses are available for two thousand dollars (\$2,000.00) license fee plus six hundred dollars (\$600.00) annual software use fee.
- 1.2. **Annual Software Use Fee** - The software use fee is billed annually, and provides for ongoing customer support and updates to the software.
 - 1.2.1. The software use fee shall be adjusted at the beginning of each calendar year by the change in the Consumer Price Index – West Urban (CPI-WU) as reported by the Bureau of Labor Statistics. Each CPI adjustment will not be less than two percent (2%) or greater than ten percent (10%).
- 1.3. **Implementation** - The implementation fee covers all efforts involved for installation and configuration of the software. This includes one session of pre-installation and process evaluation, one session of "go live" training, installation support, design and programming of standard forms and reports, and configuration of the software.
- 1.4. **Data Conversion** – Data will be converted from the City provided source files. Includes one (1) conversion when migrating from an HdL system, and two (2) conversions when migrating from another vendor's system. Additional conversions of the same source data can be performed, upon request, at a cost of five hundred dollars (\$500.00) per conversion. The source files must be provided in the same format for all conversions,

otherwise custom programming costs will apply in order to accommodate the varying data formats. Data conversion includes up to thirty (30) hours of developer time. Any work above thirty (30) hours will be charged at the current developer hourly rate.

- 1.5. **Travel Expenses** - Travel and lodging expenses are billed at cost and apply to all meetings; including process, pre-installation, installation, training, and support. HdL is dedicated to conserving public funds, and ensures any travel costs are indeed required and reasonable.
- 1.6. **Parcel Data** - HdL Prime includes comprehensive land management functionality. There are three ways to acquire the parcel data.
 - 1.6.1. If the City is a client for HdL property tax services, the parcel data will be provided at no cost.
 - 1.6.2. If the City is not a client for HdL property tax services, the parcel data may be purchased from HdL.
 - 1.6.3. If the City wishes to use any other source of parcel data, HdL can work with the City to create a re-useable import utility. The development of this utility will be billed on a time and material basis. Once the source data has been reviewed, a statement of work will be provided including a cost estimate.
- 1.7. **Customizing Services** - The software is a table-driven system and has been developed to meet almost all of the needs of a City. However, should the need occur, HdL is available to provide custom enhancements to the software on a pre-determined time and material basis. No work shall be performed without prior written approval of the City project manager.
- 1.8. **Payment Schedule** - Compensation for the contract amount shall be as follows:
 - 1.8.1. One time project costs and the first year Software Use Fee. Sixty percent (60%) shall be due and payable within thirty (30) days of the effective date of the Agreement. Thirty percent (30%) within sixty (60) days of the effective date of the Agreement. Ten percent (10%) within thirty (30) days of full system delivery or first production use of the system, whichever comes first.
 - 1.8.2. Travel Expenses. Travel and lodging expenses are billed at cost as they are incurred. Travel expenses shall be due and payable within thirty (30) days of the billing date.
 - 1.8.3. Annual Software Use Fee. The software use fee will be invoiced each year on the anniversary of sixty (60) days after the effective date of the Agreement, and shall be due and payable within thirty (30) days of the invoice date. The software use fee billing cycle can be prorated as needed should the City desire an alternative billing cycle.

2. **Hosting Services** - hosting services are billed quarterly in advance. Includes software and data hosting and disaster recovery services. Hosting fee may be revised with three (3) months advance notice to account for changes in market costs related to hosting, such as internet bandwidth, power, and related equipment or service costs. The base fee provides for three (3) named user connections to the system.

Service	Compensation
Monthly Hosting (includes 9 named user connections)	\$280.00/month
Additional Named User Connections	\$15.00/month/user

3. **Payment Processing Services** - HdL will provide City with eCheck, credit and debit card payment processing (merchant) services under an Agency Funded Interchange Pass-through pricing model. HdL reserves the right to not accept any payment type in situations where doing so may be in violation of the rules and regulations governing that payment type.

Service (Agency Funded Model)	Compensation
Credit and Debit Cards processing	2.9% + \$0.30 per transaction
ACH/eCheck processing	\$0.50 per transaction
Monthly Reporting and Statement Fee	Waived
Monthly Hosting and Maintenance	\$30.00 per month
ACH and eCheck Returns	\$10.00 per event
Chargebacks	\$25.00 per event

4. Payment

HdL will provide detailed invoices for all work completed. City will submit payment to HdL within thirty (30) days of receiving the invoice. Provided City continues to timely make all undisputed payments, HdL warrants that during the Term of this Agreement it will not withhold services provided hereunder, for any reason, including but not limited to a dispute between the parties arising under this Agreement, except as may be specifically authorized herein.

5. Contract Amount

The annual not-to-exceed amount of this contract for Annual Software Use Fee and Hosting Service shall not exceed the following:

Year 1: \$30,155.44

Years 2 - 5: \$17,719.98*

*Subject to annual CPI increase in Exhibit B-1 – Compensation section 1.2.1.

citywide HVAC Maintenance and Repair Services for \$300,000 in Year One. The first contract option was exercised by the City on October 7, 2016 for \$187,527 with no price increase. The second contract option was exercised on September 28, 2017 with a 2.6% increase as requested by the contractor for \$193,402.70.

Since that time, additional equipment not listed in the initial RFP has been discovered or installed necessitating the increase in funding by \$15,996 per year for the remainder of agreement, beginning in the current contract year three through the remaining term of the agreement.

Fiscal Impact: None. Funds are available in Facilities Maintenance Operating Budget for this amendment.

Recommendation: Approve Amendment No. 5 to the Agreement with ACCO Engineered Systems Inc. increasing compensation by \$15,996 for additional equipment and increased staff costs for an amount not to exceed \$208,398.70 in year 3 of the agreement and authorize City Manager to execute the amendment.

Attachment: Amendment to Agreement with ACCO

26. **Approve Amendment No. 1 to the Agreement with HdL Software LLC and Authorize the City Manager to Execute the Amendment for Business License Software for an Amount Not to Exceed \$30,155.44 (Staff Contact: Chris Schroeder, 408-586-3161)**

Background: On August 23, 2017, the City of Milpitas entered into an agreement with HdL Software LLC to provide upgraded business license software and services for the City of Milpitas. At the time, HdL was the current provider for business licenses software and changes to PCI requirements made upgrading the HdL's Prime software a requirement.

The City desires to amend the agreement by \$12,416.63, over the 5-year term of the agreement to fund two additional users for the Prime software and to provide funds to reimburse HdL for travel costs pertaining to October 4, 2017 training of City staff. The amendment increases the first year of the agreement for a not-to-exceed amount of \$30,155.44. Future years will also increase, but the exact dollar amount is not yet known as increases are tied to the Bay Area consumer-price index.

Fiscal Impact: None. Funds for this purchase are available the Finance Department Fiscal Year 2017-18 operating budget.

Recommendation: Approve Amendment No. 1 and authorize the City Manager to execute the amendment to the HdL Software LLC agreement for business license software for and amount not to exceed \$30,155.44.

Attachment: Amendment to Agreement with HdL

27. **Approve and Authorize the City Manager to Execute an Agreement with Bellinger Foster Steinmetz Landscape Architecture for Creighton Park, Project No. 5109, and Approved a Budget Appropriation of \$900,000 into Creighton Park Renovation Project No. 5109 (Staff Contact: Steve Erickson, 408-586-3301)**

Background: The project to renovate Creighton Park, Project No. 5109, is in the approved 2017-2022 Capital Improvement Program. Creighton Park is located along Olympic Drive and is approximately five acres with picnic areas, walking path turf area and play equipment. The park was originally constructed in 1968 with subsequent renovations completed in 1981 and 1991. The park is in need of renovation to replace aging infrastructure and update access and equipment for compliance with new regulations and law. The project provides for the

CITY COUNCIL MEETING

01/16/2018

SUMMARY OF ACTIONS

Item

Staff

- *20. **ADOPT A RESOLUTION AUTHORIZING THE CITY OF MILPITAS TO PARTICIPATE IN THE POOLED LIABILITY ASSURANCE NETWORK JOINT POWERS AUTHORITY**
Adopted **Resolution No. 8741** authorizing the City of Milpitas to participate in the Pooled Liability Assurance Network Joint Powers Authority (PLAN JPA).
VOTE: 5-0
Will Fuentes
21. **ADOPT RESOLUTION APPOINTING STEPHEN HEALY AS INTERIM FIRE CHIEF PER GOVT. CODE**
Item was not heard.
Tina Murphy
- *22. **ADOPT A RESOLUTION DIRECTING STAFF TO FLY BLACK HISTORY MONTH COMMEMORATIVE FLAG AT CESAR CHAVEZ PLAZA IN FEBRUARY**
Adopted **Resolution No. 8742** directing staff to fly the Black History Month Commemorative Flag from February 6–28, 2018 in the Cesar Chavez Plaza.
VOTE: 5-0
Renee Lorentzen
23. **ADOPT A RESOLUTION DECLARING WEEDS ON CERTAIN PROPERTIES TO BE A PUBLIC NUISANCE AND SETTING A PUBLIC HEARING FOR FEBRUARY 20, 2018 TO HEAR OBJECTIONS**
Adopted **Resolution No. 8743** declaring weeds on specific properties to be public nuisances and set the public hearing date on February 20, 2018.
VOTE: 5-0
Albert Zamora
24. **HOUSING AUTHORITY & CITY COUNCIL: CONSIDER RESOLUTION AUTHORIZING THE EXECUTIVE OFFICER/CITY MANAGER TO PURCHASE 1101 S. MAIN ST. #112 PROPERTY**
Item was not heard.
Tim Wong
- *25. **APPROVE AMENDMENT NO. 5 TO THE AGREEMENT WITH ACCO ENGINEERED SYSTEMS INC. TO INCREASE COMPENSATION BY \$15,996 FOR ADDITIONAL EQUIPMENT SERVICES AND INCREASED STAFF COSTS FOR AN AMOUNT NOT TO EXCEED \$208,398.70 IN YEAR 3 OF AGREEMENT**
Approved Amendment No. 5 to the Agreement with ACCO Engineered Systems Inc. increasing compensation by \$15,996 for additional equipment and increased staff costs for an amount not to exceed \$208,398.70 in year 3 of the agreement and authorized City Manager to execute the amendment.
VOTE: 5-0
Tony Ndah and Chris Schroeder
- *26. **APPROVE AMENDMENT NO. 1 TO THE AGREEMENT WITH HDL SOFTWARE LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT FOR BUSINESS LICENSE SOFTWARE**
Approved Amendment No. 1 and authorized the City Manager to execute the amendment to the HdL Software LLC agreement for business license software for and amount not to exceed \$30,155.44.
VOTE: 5-0
Chris Schroeder



AMENDMENT NO. 2 TO THE AGREEMENT
WITH
HDL SOFTWARE, LLC
FOR
BUSINESS LICENSE SOFTWARE

This Amendment No. 2 is entered into this 7th of June, 2019, by and between the **City of Milpitas**, a municipal corporation of the State of California (hereafter referred to as "City") and **HdL Software, LLC**, a California limited liability company (hereafter referred to as "HdL"). City and HdL are jointly referred to hereinafter as the "Parties."

RECITALS:

WHEREAS, on August 23, 2017, the Parties entered into a five-year agreement for Prime Business License software (4th generation) licensing platform (hereinafter the "Master Agreement") to process business license fees for the City on an annual basis; and

WHEREAS, the first year costs for the Software include a One-Time Project Cost, Annual Software Use Fee, Two PCI Compliance Gateways, Payment Processing Services Fees, and Hosting Services, which were correctly calculated pursuant to the Master Agreement as \$25,088.08 including a credit of \$12,185.17 for HdL "Classic" Software which the City used prior to this conversion to the cloud-based 4th generation, all as shown in **TABLE 1** below; and

TABLE 1	
Original Master Agreement Amount	
One-Time Project Cost	\$ 19,500.00
Annual Software Use Fee	\$ 13,159.98
2 - PCI Compliance Gateways	\$ 1,250.00
Payment Processing Services	\$ 363.27
Hosting Services Per Year	\$ 3,000.00
Sub-Total	\$ 37,273.25
Credit for HdL "Classic" Software	\$ (12,185.17)
TOTAL	\$ 25,088.08

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• amch. analyzed

WHEREAS, on January 16, 2018, the Parties entered into Amendment No. 1 to the Master Agreement, which incorrectly increased costs by \$11,800.00 for two (2) additional user licenses, software use fees and hosting services, and to pay for travel expenses relating to a training session held on October 4, 2017 as the Parties did not prorate the amount for the remaining six months of Year One. The correct amount of the increase should have been \$5,396.63, which would have made the correct new increased total amount for Year One \$30,484.71 as shown in **TABLE 2** below; and

TABLE 2	
Amendment No. 1	
2 Additional User License Fees	\$ 4,000.00
Annual Software Use Fee	\$ 600.00
Hosting Services Per Year	\$ 180.00
Travel Expense for Training	\$ 616.63
TOTAL	\$ 5,396.63
Original Master Agreement Amount	\$ 25,088.08
Amendment No. 1 Amount	\$ 5,396.63
NEW YEAR ONE TOTAL	\$ 30,484.71

WHEREAS, the City processed Purchase Order No. FY17316 for the total costs of Year One of the HdL Master Agreement and Amendment No. 1 in the incorrect amount of \$30,155.44, which was \$329.27 short, resulting in an underpayment to HdL. HdL has agreed to waive this underpayment and zero out the City's account balance for Year One; and

WHEREAS, on April 1, 2018, the monthly Payment Processing Services fee was administratively increased by \$1.09. This addition brought the total monthly Payment Processing Services fee to \$31.09; and

WHEREAS, on August 1, 2018, a Remote User Access License was administratively added to the monthly Hosting fees for an additional \$15.00. This addition brought the total monthly Hosting fee to \$295.00; and

WHEREAS, on June 21, 2018, the City executed a "Notice of Exercise of Option to Extend Agreement" for Year Two, as set forth in Exhibit C-1 attached hereto and incorporated herein by reference, in the incorrect amount of \$15,707.37. The City incorrectly executed the option to extend, as the term of the Master Agreement is five years unless earlier termination is requested. Nevertheless, the correct amount for Year Two should have been \$18,735.45 on the Notice of Exercise of Option to Extend Agreement; and

WHEREAS, the Parties now desire to amend the Master Agreement in order to clarify the correct first year costs calculated pursuant to the Master Agreement and Amendment No. 1, and make administrative changes to fees set forth in Exhibit B-1 to Amendment No. 1 to the Master Agreement.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Agreement as follows:

1. The Year One total expense is corrected from Thirty Thousand One Hundred Fifty Five Dollars and Forty Four Cents (\$30,155.44) to Thirty Thousand Four Hundred Eighty Four Dollars and Seventy One Cents (\$30,484.71). The City accepts HdL's waiver of the City's underpayment of Three Hundred Twenty Nine Dollars and Twenty Seven Cents (\$329.27) for Year One.
2. The correct amount of charges for Year One of Thirty Thousand Four Hundred Eighty Four Dollars and Seventy One Cents (\$30,484.71) and Year Two Eighteen Thousand Seven Hundred Thirty Five Dollars and Forty Five Cents (\$18,735.45) are now correctly stated in Exhibit B-3, "Compensation," a copy of which is attached hereto and incorporated herein by reference.

3. All other provisions of the Agreement not amended by this Amendment No. 2 shall remain in full force and effect.

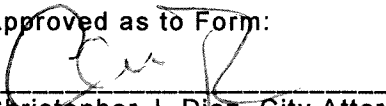
APPROVED BY:

Senior Accountant

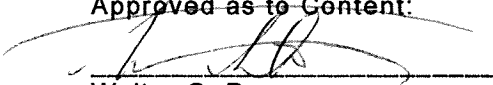
City of Milpitas
A municipal corporation


Chris Schroeder, Purchasing Agent

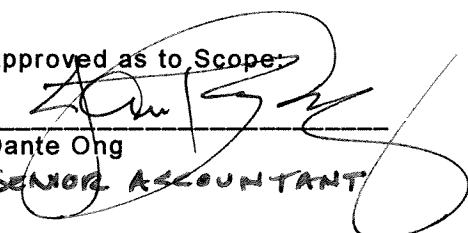
Approved as to Form:


Christopher J. Diaz, City Attorney

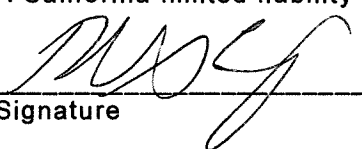
Approved as to Content:


Walter C. Rossmann
Director of Financial Services

Approved as to Scope:


Dante Ong
SENIOR ACCOUNTANT

HdL Software, LLC
A California limited liability company


Signature

Robert Gray
Printed Name

President
Title

6-5-2019
Date

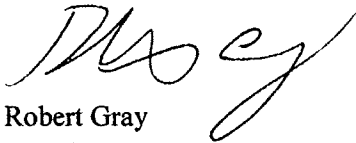
HdL[®] Companies

City of Milpitas
455 E Calaveras Blvd
Milpitas, CA 95035

To whom it may concern:

The City has requested a current pricing grid depicting costs for years 1 and 2, and estimated costs for years 3 through 5 of the City's Agreement with HdL Software for Business License Software, dated August 23, 2017, and incorporating all subsequent service amendments as requested by the City. The requested pricing grid is included with this letter.

Sincerely,



Robert Gray
President
HdL Software LLC



714.879.5000 | hdlcompanies.com |

120 S. State College Blvd.
Suite 200
Brea, CA 92821



EXHIBIT B-3

COMPENSATION - YEAR 1

Item	U/M	Price	Date
One-Time Project Cost	One-Time	\$ 19,500.00	7/1/2017
Annual Software Use Fee	One-Time	\$ 13,159.98	7/1/2017
PCI Compliance Charge (1 each)	One-Time	\$ 500.00	7/1/2017
Payment Processing Services	Per Month	\$ 30.00	7/1/2017
Hosting Services	Per Month	\$ 250.00	7/1/2017
Amendment No. 1			
Hosting Services	Per Month	\$ 30.00	1/1/2018
Annual Software Use Fee	One-Time	\$ 600.00	1/1/2018
Travel Expenses	One-Time	\$ 616.63	1/1/2018
License Fee - 2 Additional Users	One-Time	\$ 4,000.00	1/1/2018
Administrative Changes			
PCI Compliance Charge (1 additional)	One-Time	\$ 750.00	4/1/2018
Payment Processing Services	Per Month	\$ 1.09	4/1/2018
TOTAL		\$ 42,669.88	
Less Credit for HDL "Classic"		\$ (12,185.17)	
		\$ 30,484.71	

COMPENSATION - YEAR 2

Item	U/M	Price	Date
Annual Software Use Fee (+ Actual CPI of 3.22%)	One-Time	\$ 14,822.37	7/1/2018
Payment Processing Services	Per Month	\$ 31.09	7/1/2018
Hosting & Remote User Access Services	Per Month	\$ 295.00	7/1/2018
TOTAL		\$ 18,735.45	



714.879.5000 | hdlcompanies.com

120 S. State College Blvd.
Suite 200
Brea, CA 92821



EXHIBIT B-3 Continued

COMPENSATION - YEAR 3

Item	U/M	Price	Date
Annual Software Use Fee (CPIAverage at 3%)	One-Time	\$ 15,267.04	7/1/2019
Payment Processing Services	Per Month	\$ 373.08	7/1/2019
Hosting & Remote User Access Services	Per Month	\$ 3,540.00	7/1/2019
TOTAL		\$ 19,180.12	

COMPENSATION - YEAR 4

Item	U/M	Price	Date
Annual Software Use Fee (CPIAverage at 3%)	One-Time	\$ 15,725.05	7/1/2019
Payment Processing Services	Per Month	\$ 373.08	7/1/2019
Hosting & Remote User Access Services	Per Month	\$ 3,540.00	7/1/2019
TOTAL		\$ 19,638.13	

COMPENSATION - YEAR 5

Item	U/M	Price	Date
Annual Software Use Fee (CPIAverage at 3%)	One-Time	\$ 16,196.80	7/1/2019
Payment Processing Services	Per Month	\$ 373.08	7/1/2019
Hosting & Remote User Access Services	Per Month	\$ 3,540.00	7/1/2019
TOTAL		\$ 20,109.88	



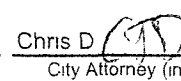
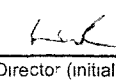
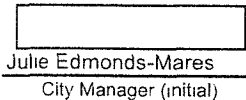
714.879.5000 | hdlcompanies.com |

120 S. State College Blvd.
Suite 200
Brea, CA 92821

REQUEST FOR SIGNATURES COVER SHEET

Date sent to: CAO 6/5/19 Finance Dir _____ CMO 6/6/19

Approvals

 DH-name & initial
 Chris D City Attorney (initial)
 Walter R Finance Director (initial)
 Julie Edmonds-Mares City Manager (initial)

From (Staff Name)/Ext/Dept: Martin Garcia/Finance/3164 Date from CMO to staff _____

Contractor / Vendor Name HdL Software LLC

What is the contract for? Amendment No 2 - Correcting Fiscal Calculations

Project Name / Number _____

Terms of the Contract Start date <u>9.23/17</u> End date <u>9.22/22</u> Extension date _____	
Is contract subject to renewal? ☒ YES _____ # of Years _____ Compensation per contract term _____	
Is RFP process required? YES _____ RFP Issue Date _____ RFP Award Date _____	
☒ NO Total # of RFPs received _____	
Initial Contract Amount. \$ <u>49 220 16</u>	Balance from initial contract. \$ <u>150 00</u>
(IF) Amendment - Amount? _____	(IF) Amendment - Amount? _____
Total contract amt w/amends \$ <u>49 220 16</u>	New bal. amnt incl amends \$ <u>150 00</u>
Did the Initial Contract go to Council for Approval? YES ☒ NO _____ Council meeting date _____	
Did the Amendment/s go to Council for Approval? YES ☒ NO _____ Council meeting date _____	
SOURCE OF FUNDING	
Operating Budget <u>300-4237</u> specify budget item line _____	CIP _____ specify CIP # / Name _____
PJ Reimbursement _____ specify Developer Name / PJ # (may still need Budget Appropriation)	Grant _____ specify Grant Name _____
Other _____ specify other funding source _____	Grant Date _____ Council mtg date (Grants require pre-approval from Council) _____
All info verified by Rachelle _____	
CDBG _____ specify CDBG Fiscal Year _____	
☐ General Fund ☐ Water Fund ☐ Sewer Fund ☐ Equipment Fund ☐ Housing Fund ☐ TASP	
Is Budget Appropriation needed? YES ☒ NO _____ Council meeting date _____ From budget code _____ To budget code _____	

6/5/19

CAO/Chris,

Samantha Chen of BBK and Robert Gray, President of HdL Software, have both reviewed and approved the final draft of Amendment No. 2

Best regards,

A handwritten signature in black ink, appearing to read 'Martin Garcia', with a stylized flourish at the end.

Martin Garcia

No signature line for CMO Exec.

AMENDMENT NO. 3 TO THE AGREEMENT
WITH
HINDERLITER DE LLAMAS & ASSOCIATES (HDL)
FOR
BUSINESS LICENSE SOFTWARE



This Amendment No. 3 is entered into this day of _____, (“Effective Date”) by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as “City”) and **Hinderliter De Llamas & Associates (HdL)**, a California limited liability company (hereafter referred to as “HdL”). City and HdL are jointly referred to hereinafter as the “Parties.”

RECITALS:

WHEREAS, on August 23, 2017, the Parties entered into an Agreement for Business License Software and Services (hereinafter the “Master Agreement”) to process business license fees for the City on an annual basis; and

WHEREAS, on January 16, 2018, the Parties entered into Amendment No. 1 to the Master Agreement, which increased funding by \$616.63 for travel expenses relating to a training session held on October 4, 2017, increased funding by \$11,800.00 for two (2) additional user licenses, software use fees and hosting services, and deleted EXHIBIT B – COMPENSATION and replaced it with EXHIBIT B–1 COMPENSATION (Updated January 2018); and

WHEREAS, on June 7, 2019, the Parties entered into Amendment No. 2 to the Master Agreement correcting the first-year costs to \$30,484.71; and correcting Year Two fees to \$18,735.45, and added Exhibit B-3; and

WHEREAS the Parties now desire to amend the Master Agreement to expand the functionality of the Prime System to schedule the export of the City’s data for GIS use.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Agreement as follows:

1. **Scope of Service Amended.** Section 1 (entitled “Prime Software System”) of Exhibit A (entitled “Scope of Service”) of the Master Agreement is hereby amended to include item 1.2.1 as follows:

“1.2.1 HdL will create the SQL query to pull the data requested by the City to schedule the export of the City’s data for GIS use by July 1, 2021. City will provide the list of all columns wanted and any filters that should be applied to the data set. The City will set up the export to routinely pull data in a static format. This data will be stored on HdL servers in a location the City can access.”

2. **Year 5 Cost Amendment.** Exhibit B-3, as approved by Amendment No. 2, dated June 7, 2019, is hereby amended to add the one-time fee of \$2,520 for GIS data export and Alarm Permit reports, and to increase the Software Use Fee by \$400.00 for annual maintenance of the SQL query in Year 5. This increase will take effect July 1, 2021. Accordingly, Exhibit B-3, Compensation - YEAR 5 table shall be revised to read as follows:

COMPENSATION - YEAR 5

Item	U/M	Price	Date
One-Time Project Cost	One-Time	\$ 2,520.00	7/1/2021
Annual Software Use Fee	One-Time	\$ 16,453.62	7/1/2021
Hosting & Remote User Access Services	12 Months	\$ <u>3,540.00</u>	<u>7/1/2021</u>
	TOTAL	\$ <u>22,513.62</u>	

[SIGNATURES ON FOLLOWING PAGE]

AMENDMENT NO. 3 TO THE AGREEMENT
WITH
HDL SOFTWARE, LLC



IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF MILPITAS

Approved By:

HdL

Steven G. McHarris, City Manager

Signature

Date

Name

Approved As To Form:

Title

Christopher J. Diaz, City Attorney

Date

Approved:

Lauren Lai, CPA, MPA
Finance Director / Risk Manager

Approved As To Content:

Daniel Nam, Director of Information
Technology



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Award Construction Contract IFB No. 22-032 for the Installation of Card Access Control and Monitoring Systems at Fire Stations to Trofholz Technologies for the Not-To-Exceed Amount of \$104,324.42 and Authorize the City Manager to Execute the Construction Contract.
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	1/18/2022
Staff Contact:	Tony Ndah, 408-586-2602, Chris Schroeder, 408-586-3161
Recommendation:	Award construction contract IFB No. 22-032 for the installation of card access control and monitoring systems at Fire Stations to Trofholz Technologies for the not-to-exceed amount of \$104,324.42 and authorize the City Manager to execute the construction contract.

Background:

On June 2, 2020, the City Council approved funding in the FY 2020-2021 Capital Budget for the installation of card access control and alarm monitoring systems (ACAMS) in all fire stations ("Fire Stations") in the City of Milpitas ("City"). Currently, all Fire Stations use a pushbutton lock system for access. The pushbutton lock system operates only when the correct buttons are pushed in the proper sequence and the turn knob is rotated to unlock the door. These systems are obsolete and do not provide adequate security access and monitoring in line with systems currently installed at other City buildings.

Analysis:

On October 27, 2021, the Purchasing Division released IFB No. 22-032: Card Access Installation at Fire Stations ("IFB No. 22-030"), seeking bids from qualified vendors with demonstrated experience in installing card access control and alarm monitoring systems. The IFB was publicly noticed in accordance with the Uniform Public Construction Cost Accounting Act and the City's Municipal Code by advertising on the City's website and emailing companies registered with the City via ProcureNow.com (the City's eProcurement system). Upon release, 621 firms received the solicitation notification and 25 firms downloaded the IFB documents. The bid specifications called for a Sielox "or equal" system to ensure compatibility with the existing badge system at other City buildings. Per Municipal Code paragraph I-2-3.12 titled "Use of "or equals" in specifications and testing of "equals"", the City's reference to a brand name or equal describes a component best meeting the specific operational, design, performance, maintenance, quality, and reliability requirements of the City. A bidder may offer an equivalent ("or equal") in response to a brand name or equal reference.

The Purchasing Division received one (1) bid by the 2:00 p.m. November 30, 2021 deadline in response to the IFB and no "equal" products were submitted. The bid was reviewed for responsiveness, including, among other things, completeness of all required documentation. Based on this review, staff determined that the bid from Trofholz Technologies is the lowest responsible, responsive bidder and recommends the City Council award the IFB No. 22-032 to Trofholz Technologies at the not-to-exceed amount of \$104,324.42.

Policy Alternatives:

Alternative 1: Do not award IFB No. 22-032 to Trofholz Technologies, reject the bid and readvertise for bids.

Pros: The City may spend less than \$104,324.42 for the installation of card access control and alarm monitoring systems at Fire Stations.

Cons: Due to other high priority procurements, there's insufficient staff capacity to rebid the installation of a card access control and alarm monitoring systems at Fire Stations.

Reason not recommended: The City underwent a competitive "or equals" process to acquire a card access control and alarm monitoring systems at Fire Stations which is compatible to existing systems at other facilities. Further, by not awarding the contract, the installation of a security access and monitoring system would be further delayed.

Fiscal Impact:

Sufficient funding is available in CIP No. 3461 – Fire Station Security, which has a balance of \$200,000. Funding for CP3461 comes from General Government CIP.

California Environmental Quality Act:

The City Council's action in awarding the contract is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15301 as the installation of card access control and alarm monitoring involves the minor alteration of existing public structures/facilities involving no expansion of existing or former use and will merely involve access and control to the existing buildings.

Recommendation:

Award construction contract IFB No. 22-032 for card access installation at fire stations to Trofholz Technologies for the not-to-exceed amount of \$104,324.42 and authorize the City Manager to execute the construction contract.

Attachment

1. Construction contract with Trofholz Technologies for the installation of card access control and alarm monitoring systems at Fire Stations.

CITY OF MILPITAS
CONSTRUCTION CONTRACT

IFB 22-032 CARD ACCESS INSTALLATION AT FIRE STATIONS

1. PARTIES AND DATE.

This Contract is made and entered into on: _____ by and between the City of Milpitas, a public agency and public corporation of the State of California ("City") and **Troholz Technologies, Inc.** a California corporation with its principal place of business at **1014 N. Market, Suite 50, Sacramento, CA 95834** ("Contractor"). City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties" in this Contract.

2. RECITALS.

2.1 City. City is a public agency organized under the laws of the State of California, with power to contract for services necessary to achieve its purpose.

2.2 Contractor. Contractor desires to perform and assume responsibility for the provision of certain construction services required by the City on the terms and conditions set forth in this Contract. Contractor represents that it is duly licensed and experienced in providing **Card Access Installation at Fire Stations** related construction services to public clients, that it and its employees or subcontractors have all necessary licenses and permits to perform the services in the State of California, and that it is familiar with the plans of City. The following license classifications are required for this Project: **C-7 and/or C-10**

2.3 Project. City desires to engage Contractor to render such services for the **Card Access Installation at Fire Stations** ("Project") as set forth in this Contract.

2.4 Project Documents & Certifications. Contractor has obtained, and delivers concurrently herewith, a performance bond, a payment bond, and all insurance documentation, as required by the Contract.

3. TERMS

3.1 Incorporation of Documents. This Contract includes and hereby incorporates in full by reference the following documents, including all exhibits, drawings, specifications and documents therein, and attachments and addenda thereto:

- Services/Schedule (Exhibit "A")
- Plans and Specifications (Exhibit "B")
- Special Conditions (Exhibit "C")
- Contractor's Certificate Regarding Workers' Compensation (Exhibit "D")
- Public Works Contractor Registration Certification (Exhibit "E")
- Payment and Performance Bonds (Exhibit "F")
- Insurance Requirements (Exhibit "G")
- Federal Requirements (Exhibit "H")
- Addenda
- Change Orders executed by the City

- Current Edition of the Caltrans Standard Specifications, Excluding Division I (Sections 1-9)
- Current Edition of the Caltrans Standard Plans
- Notice Inviting Bids, if any
- Instructions to Bidders, if any
- Contractor's Bid

3.2 Contractor's Basic Obligation; Scope of Work. Contractor promises and agrees, at its own cost and expense, to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately complete the Project, including all structures and facilities necessary for the Project or described in the Contract (hereinafter sometimes referred to as the "Work"), for a Total Contract Price as specified pursuant to this Contract. All Work shall be subject to, and performed in accordance with the above referenced documents, as well as the exhibits attached hereto and incorporated herein by reference. The plans and specifications for the Work are further described in Exhibit "B" attached hereto and incorporated herein by this reference. Special Conditions, if any, relating to the Work are described in Exhibit "C" attached hereto and incorporated herein by this reference.

3.2.1 Change in Scope of Work. Any change in the scope of the Work, method of performance, nature of materials or price thereof, or any other matter materially affecting the performance or nature of the Work shall not be paid for or accepted unless such change, addition or deletion is approved in writing by a valid change order executed by the City. Should Contractor request a change order due to unforeseen circumstances affecting the performance of the Work, such request shall be made within five (5) business days of the date such circumstances are discovered or shall waive its right to request a change order due to such circumstances. If the Parties cannot agree on any change in price required by such change in the Work, the City may direct the Contractor to proceed with the performance of the change on a time and materials basis.

3.2.2 Substitutions/"Or Equal". Pursuant to Public Contract Code Section 3400(b), the City may make a finding that designates certain products, things, or services by specific brand or trade name. Unless specifically designated in this Contract, whenever any material, process, or article is indicated or specified by grade, patent, or proprietary name or by name of manufacturer, such Specifications shall be deemed to be used for the purpose of facilitating the description of the material, process or article desired and shall be deemed to be followed by the words "or equal."

Contractor may, unless otherwise stated, offer for substitution any material, process or article which shall be substantially equal or better in every respect to that so indicated or specified in this Contract. However, the City may have adopted certain uniform standards for certain materials, processes and articles. Contractor shall submit requests, together with substantiating data, for substitution of any "or equal" material, process or article no later than thirty-five (35) days after award of the Contract. To facilitate the construction schedule and sequencing, some requests may need to be submitted before thirty-five (35) days after award of Contract. Provisions regarding submission of "or equal" requests shall not in any way authorize an extension of time for performance of this Contract. If a proposed "or equal" substitution request is rejected, Contractor shall be responsible for providing the specified material, process or article. The burden of proof as to the equality of any material, process or article shall rest with Contractor.

The City has the complete and sole discretion to determine if a material, process or article is an "or equal" material, process or article that may be substituted. Data required to substantiate requests for substitutions of an "or equal" material, process or article data shall

include a signed affidavit from Contractor stating that, and describing how, the substituted "or equal" material, process or article is equivalent to that specified in every way except as listed on the affidavit. Substantiating data shall include any and all illustrations, specifications, and other relevant data including catalog information which describes the requested substituted "or equal" material, process or article, and substantiates that it is an "or equal" to the material, process or article. The substantiating data must also include information regarding the durability and lifecycle cost of the requested substituted "or equal" material, process or article. Failure to submit all the required substantiating data, including the signed affidavit, to the City in a timely fashion will result in the rejection of the proposed substitution.

Contractor shall bear all of the City's costs associated with the review of substitution requests. Contractor shall be responsible for all costs related to a substituted "or equal" material, process or article. Contractor is directed to the Special Conditions (if any) to review any findings made pursuant to Public Contract Code section 3400.

3.3 Period of Performance and Liquidated Damages. Contractor shall perform and complete all Work under this Contract within **365 Calendar Days**, beginning the effective date of the Notice to Proceed ("Contract Time"). Contractor shall perform its Work in strict accordance with any completion schedule, construction schedule or project milestones developed by the City. Such schedules or milestones may be included as part of Exhibits "A" or "B" attached hereto, or may be provided separately in writing to Contractor. Contractor agrees that if such Work is not completed within the aforementioned Contract Time and/or pursuant to any such completion schedule, construction schedule or project milestones developed pursuant to provisions of the Contract, it is understood, acknowledged and agreed that the City will suffer damage. Pursuant to Government Code Section 53069.85, Contractor shall pay to the City as fixed and liquidated damages the sum of **One Hundred and Fifty dollars (\$150.00)** per day for each and every calendar day of delay beyond the Contract Time or beyond any completion schedule, construction schedule or Project milestones established pursuant to the Contract.

3.4 Standard of Performance; Performance of Employees. Contractor shall perform all Work under this Contract in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the professional calling necessary to perform the Work. Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Work assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Work, including an City Business License, and that such licenses and approvals shall be maintained throughout the term of this Contract. As provided for in the indemnification provisions of this Contract, Contractor shall perform, at its own cost and expense and without reimbursement from the City, any work necessary to correct errors or omissions which are caused by Contractor's failure to comply with the standard of care provided for herein. Any employee who is determined by the City to be uncooperative, incompetent, a threat to the safety of persons or the Work, or any employee who fails or refuses to perform the Work in a manner acceptable to the City, shall be promptly removed from the Project by Contractor and shall not be re-employed on the Work.

3.5 Control and Payment of Subordinates; Contractual Relationship. City retains Contractor on an independent contractor basis and Contractor is not an employee of City. Any additional personnel performing the work governed by this Contract on behalf of Contractor shall at all times be under Contractor's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance under this Contract and as required by law. Contractor shall be responsible for all reports and obligations

respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, and workers' compensation insurance.

3.6 City's Basic Obligation. City agrees to engage and does hereby engage Contractor as an independent contractor to furnish all materials and to perform all Work according to the terms and conditions herein contained for the sum set forth above. Except as otherwise provided in the Contract, the City shall pay to Contractor, as full consideration for the satisfactory performance by Contractor of the services and obligations required by this Contract, the below-referenced compensation in accordance with compensation provisions set forth in the Contract.

3.7 Compensation and Payment.

3.7.1 Amount of Compensation. As consideration for performance of the Work required herein, City agrees to pay Contractor the Total Contract Price of **One Hundred and Four Thousand Three Hundred and Twenty-Four Dollars and Forty-Two Cents (\$104,324.42)** ("Total Contract Price") provided that such amount shall be subject to adjustment pursuant to the applicable terms of this Contract or written change orders approved and signed in advance by the City.

3.7.2 Payment of Compensation. If the Work is scheduled for completion in thirty (30) or less calendar days, City will arrange for payment of the Total Contract Price upon completion and approval by City of the Work. If the Work is scheduled for completion in more than thirty (30) calendar days, City will pay Contractor on a monthly basis as provided for herein. On or before the fifth (5th) day of each month, Contractor shall submit to the City an itemized application for payment in the format supplied by the City indicating the amount of Work completed since commencement of the Work or since the last progress payment. These applications shall be supported by evidence which is required by this Contract and such other documentation as the City may require. The Contractor shall certify that the Work for which payment is requested has been done and that the materials listed are stored where indicated. Contractor may be required to furnish a detailed schedule of values upon request of the City and in such detail and form as the City shall request, showing the quantities, unit prices, overhead, profit, and all other expenses involved in order to provide a basis for determining the amount of progress payments.

3.7.3 Prompt Payment. City shall review and pay all progress payment requests in accordance with the provisions set forth in Section 20104.50 of the California Public Contract Code. However, no progress payments will be made for Work not completed in accordance with this Contract. Contractor shall comply with all applicable laws, rules and regulations relating to the proper payment of its employees, subcontractors, suppliers or others.

3.7.4 Contract Retentions. From each approved progress estimate, five percent (5%) will be deducted and retained by the City, and the remainder will be paid to Contractor. All Contract retention shall be released and paid to Contractor and subcontractors pursuant to California Public Contract Code Section 7107.

3.7.5 Other Retentions. In addition to Contract retentions, the City may deduct from each progress payment an amount necessary to protect City from loss because of: (1) liquidated damages which have accrued as of the date of the application for payment; (2) any sums expended by the City in performing any of Contractor's obligations under the Contract which Contractor has failed to perform or has performed inadequately; (3) defective Work not remedied; (4) stop notices as allowed by state law; (5) reasonable doubt that the Work can be completed for the unpaid balance of the Total Contract Price or within the scheduled completion date; (6) unsatisfactory prosecution of the Work by Contractor; (7) unauthorized deviations from the Contract; (8) failure of Contractor to maintain or submit on a timely basis proper and sufficient

documentation as required by the Contract or by City during the prosecution of the Work; (9) erroneous or false estimates by Contractor of the value of the Work performed; (10) any sums representing expenses, losses, or damages as determined by the City, incurred by the City for which Contractor is liable under the Contract; and (11) any other sums which the City is entitled to recover from Contractor under the terms of the Contract or pursuant to state law, including Section 1727 of the California Labor Code. The failure by the City to deduct any of these sums from a progress payment shall not constitute a waiver of the City's right to such sums.

3.7.6 Substitutions for Contract Retentions. In accordance with California Public Contract Code Section 22300, the City will permit the substitution of securities for any monies withheld by the City to ensure performance under the Contract. At the request and expense of Contractor, securities equivalent to the amount withheld shall be deposited with the City, or with a state or federally chartered bank in California as the escrow agent, and thereafter the City shall then pay such monies to Contractor as they come due. Upon satisfactory completion of the Contract, the securities shall be returned to Contractor. For purposes of this Section and Section 22300 of the Public Contract Code, the term "satisfactory completion of the contract" shall mean the time the City has issued written final acceptance of the Work and filed a Notice of Completion as required by law and provisions of this Contract. Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any interest thereon. The escrow agreement used for the purposes of this Section shall be in the form provided by the City.

3.7.7 Title to Work. As security for partial, progress, or other payments, title to Work for which such payments are made shall pass to the City at the time of payment. To the extent that title has not previously been vested in the City by reason of payments, full title shall pass to the City at delivery of the Work at the destination and time specified in this Contract. Such transferred title shall in each case be good, free and clear from any and all security interests, liens, or other encumbrances. Contractor promises and agrees that it will not pledge, hypothecate, or otherwise encumber the items in any manner that would result in any lien, security interest, charge, or claim upon or against said items. Such transfer of title shall not imply acceptance by the City, nor relieve Contractor from the responsibility to strictly comply with the Contract, and shall not relieve Contractor of responsibility for any loss of or damage to items.

3.7.8 Labor and Material Releases. Contractor shall furnish City with labor and material releases from all subcontractors performing work on, or furnishing materials for, the Work governed by this Contract prior to final payment by City.

3.7.9 Prevailing Wages. Contractor is aware of the requirements of California Labor Code Section 1720 et seq., and 1770 et seq., as well as California Code of Regulations, Title 8, Section 16000 et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. Since the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Contract. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. Contractor and any subcontractor shall forfeit a penalty of up to \$200 per calendar day or portion thereof for each worker paid less than the prevailing wage rates.

3.7.10 Apprenticeable Crafts. When Contractor employs workmen in an apprenticeable craft or trade, Contractor shall comply with the provisions of Section 1777.5 of the California Labor Code with respect to the employment of properly registered apprentices upon public works. The primary responsibility for compliance with said section for all apprenticeable occupations shall be with Contractor. The Contractor or any subcontractor that is determined by the Labor Commissioner to have knowingly violated Section 1777.5 shall forfeit as a civil penalty an amount not exceeding \$100 for each full calendar day of noncompliance, or such greater amount as provided by law.

3.7.11 Hours of Work. Contractor is advised that eight (8) hours labor constitutes a legal day's work. Pursuant to Section 1813 of the California Labor Code, Contractor shall forfeit a penalty of \$25.00 per worker for each day that each worker is permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, except when payment for overtime is made at not less than one and one-half (1-1/2) times the basic rate for that worker.

3.7.12 Payroll Records. Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. The payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of Contractor in the manner provided in Labor Code section 1776. In the event of noncompliance with the requirements of this section, Contractor shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects such Contractor must comply with this section. Should noncompliance still be evident after such 10-day period, Contractor shall, as a penalty to City, forfeit not more than \$100.00 for each calendar day or portion thereof, for each worker, until strict compliance is effectuated. The amount of the forfeiture is to be determined by the Labor Commissioner. A contractor who is found to have violated the provisions of law regarding wages on Public Works with the intent to defraud shall be ineligible to bid on Public Works contracts for a period of one to three years as determined by the Labor Commissioner. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, such penalties shall be withheld from progress payments then due. The responsibility for compliance with this section is on Contractor. The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

3.7.13 Contractor and Subcontractor Registration. Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. No bid will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. Contractor is directed to review, fill out and execute the Public Works Contractor Registration Certification attached hereto as Exhibit "E" prior to contract execution. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

3.7.14 Labor Compliance; Stop Orders. This Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be the Contractor's sole responsibility to evaluate and pay the cost of complying with all labor compliance

requirements under this Contract and applicable law. Any stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor that affect Contractor's performance of Work, including any delay, shall be Contractor's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Contractor caused delay subject to any applicable liquidated damages and shall not be compensable by the City. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor.

3.8 Performance of Work; Jobsite Obligations.

3.8.1 Water Quality Management and Compliance.

3.8.1.1 Water Quality Management and Compliance. Contractor shall keep itself and all subcontractors, staff, and employees fully informed of and in compliance with all local, state and federal laws, rules and regulations that may impact, or be implicated by the performance of the Work including, without limitation, all applicable provisions of the Federal Water Pollution Control Act (33 U.S.C. §§ 1300); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); local ordinances regulating discharges of storm water; and any and all regulations, policies, or permits issued pursuant to any such authority regulating the discharge of pollutants, as that term is used in the Porter-Cologne Water Quality Control Act, to any ground or surface water in the State.

3.8.1.2 Compliance with the Statewide Construction General Permit. Contractor shall comply with all conditions of the most recent iteration of the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity, issued by the California State Water Resources Control Board ("Permit"). It shall be Contractor's sole responsibility to file a Notice of Intent and procure coverage under the Permit for all construction activity which results in the disturbance of more than one acre of total land area or which is part of a larger common area of development or sale. Prior to initiating work, Contractor shall be solely responsible for preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) as required by the Permit. Contractor shall be responsible for procuring, implementing and complying with the provisions of the Permit and the SWPPP, including the standard provisions, and monitoring and reporting requirements as required by the Permit. The Permit requires the SWPPP to be a "living document" that changes as necessary to meet the conditions and requirements of the job site as it progresses through different phases of construction and is subject to different weather conditions. It shall be Contractor's sole responsibility to update the SWPPP as necessary to address conditions at the project site.

3.8.1.3 Other Water Quality Rules Regulations and Policies. Contractor shall comply with the lawful requirements of any applicable municipality, drainage City, or local agency regarding discharges of storm water to separate storm drain systems or other watercourses under their jurisdiction, including applicable requirements in municipal storm water management programs.

3.8.1.4 Cost of Compliance. Storm, surface, nuisance, or other waters may be encountered at various times during construction of The Work. Therefore, the Contractor, by submitting a Bid, hereby acknowledges that it has investigated the risk arising from such waters, has prepared its Bid accordingly, and assumes any and all risks and liabilities arising therefrom.

3.8.1.5 Liability for Non-Compliance. Failure to comply with the Permit is a violation of federal and state law. Pursuant to the indemnification provisions of this Contract, Contractor hereby agrees to defend, indemnify and hold harmless the City and its directors, officials, officers, employees, volunteers and agents for any alleged violations. In addition, City may seek damages from Contractor for any delay in completing the Work in accordance with the Contract, if such delay is caused by or related to Contractor's failure to comply with the Permit.

3.8.1.6 Reservation of Right to Defend. City reserves the right to defend any enforcement action brought against the City for Contractor's failure to comply with the Permit or any other relevant water quality law, regulation, or policy. Pursuant to the indemnification provisions of this Contract, Contractor hereby agrees to be bound by, and to reimburse the City for the costs (including the City's attorney's fees) associated with, any settlement reached between the City and the relevant enforcement entity.

3.8.1.7 Training. In addition to the standard of performance requirements set forth in paragraph 3.4, Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Work assigned to them without impacting water quality in violation of the laws, regulations and policies described in paragraph 3.8.1. Consultant further warrants that it, its employees and subcontractors will receive adequate training, as determined by City, regarding the requirements of the laws, regulations and policies described in paragraph 3.8.1 as they may relate to the Work provided under this Agreement. Upon request, City will provide the Contractor with a list of training programs that meet the requirements of this paragraph.

3.8.2 Safety. Contractor shall execute and maintain its work so as to avoid injury or damage to any person or property. Contractor shall comply with the requirements of the specifications relating to safety measures applicable in particular operations or kinds of work. In carrying out its Work, Contractor shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the Work and the conditions under which the Work is to be performed. Safety precautions as applicable shall include, but shall not be limited to, adequate life protection and lifesaving equipment; adequate illumination for underground and night operations; instructions in accident prevention for all employees, such as machinery guards, safe walkways, scaffolds, ladders, bridges, gang planks, confined space procedures, trenching and shoring, fall protection and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and adequate facilities for the proper inspection and maintenance of all safety measures. Furthermore, Contractor shall prominently display the names and telephone numbers of at least two medical doctors practicing in the vicinity of the Project, as well as the telephone number of the local ambulance service, adjacent to all telephones at the Project site.

3.8.3 Laws and Regulations. Contractor shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Contract or the Work, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Work. If Contractor observes that the drawings or specifications are at variance with any law, rule or regulation, it shall promptly notify the City in writing. Any necessary changes shall be made by written change order. If Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. City is a public entity of the State of California subject to certain provisions of the Health & Safety Code, Government Code, Public Contract

Code, and Labor Code of the State. It is stipulated and agreed that all provisions of the law applicable to the public contracts of a municipality are a part of this Contract to the same extent as though set forth herein and will be complied with. Contractor shall defend, indemnify and hold City, its officials, directors, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Contract, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.8.4 Permits and Licenses. Contractor shall be responsible for securing City permits and licenses necessary to perform the Work described herein, including, but not limited to, a City Business License. While Contractor will not be charged a fee for any City permits, Contractor shall pay the City's applicable business license fee. Any ineligible contractor or subcontractor pursuant to Labor Code Sections 1777.1 and 1777.7 may not perform work on this Project.

3.8.5 Trenching Work. If the Total Contract Price exceeds \$25,000 and if the Work governed by this Contract entails excavation of any trench or trenches five (5) feet or more in depth, Contractor shall comply with all applicable provisions of the California Labor Code, including Section 6705. To this end, Contractor shall submit for City's review and approval a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards, the plan shall be prepared by a registered civil or structural engineer.

3.8.6 Hazardous Materials and Differing Conditions. As required by California Public Contract Code Section 7104, if this Contract involves digging trenches or other excavations that extend deeper than four (4) feet below the surface, Contractor shall promptly, and prior to disturbance of any conditions, notify City of: (1) any material discovered in excavation that Contractor believes to be a hazardous waste that is required to be removed to a Class I, Class II or Class III disposal site; (2) subsurface or latent physical conditions at the site differing from those indicated by City; and (3) unknown physical conditions of an unusual nature at the site, significantly different from those ordinarily encountered in such contract work. Upon notification, City shall promptly investigate the conditions to determine whether a change order is appropriate. In the event of a dispute, Contractor shall not be excused from any scheduled completion date and shall proceed with all Work to be performed under the Contract but shall retain all rights provided by the Contract or by law for making protests and resolving the dispute.

3.8.7 Underground Utility Facilities. To the extent required by Section 4215 of the California Government Code, City shall compensate Contractor for the costs of: (1) locating and repairing damage to underground utility facilities not caused by the failure of Contractor to exercise reasonable care; (2) removing or relocating underground utility facilities not indicated in the construction drawings; and (3) equipment necessarily idled during such work. Contractor shall not be assessed liquidated damages for delay caused by failure of City to provide for removal or relocation of such utility facilities.

3.8.8 Air Quality. Contractor must fully comply with all applicable laws, rules and regulations in furnishing or using equipment and/or providing services, including, but not limited to, emissions limits and permitting requirements imposed by the California Air Resources Board (CARB). Although CARB limits and requirements are more broad, Contractor shall specifically be aware of their application to "portable equipment", which definition is considered by CARB to include any item of equipment with a fuel-powered engine. Contractor shall indemnify City against any fines or penalties imposed by CARB, or any other governmental or regulatory agency for

violations of applicable laws, rules and/or regulations by Contractor, its subcontractors, or others for whom Contractor is responsible under its indemnity obligations provided for in this Agreement.

3.8.9 State Recycling Mandates. Contractor shall comply with State Recycling Mandates. Any recyclable materials/debris collected by the contractor that can be feasibly diverted via reuse or recycling must be hauled by the appropriate handler for reuse or recycling.

3.9 Completion of Work. When Contractor determines that it has completed the Work required herein, Contractor shall so notify City in writing and shall furnish all labor and material releases required by this Contract. City shall thereupon inspect the Work. If the Work is not acceptable to the City, the City shall indicate to Contractor in writing the specific portions or items of Work which are unsatisfactory or incomplete. Once Contractor determines that it has completed the incomplete or unsatisfactory Work, Contractor may request a reinspection by the City. Once the Work is acceptable to City, City shall pay to Contractor the Total Contract Price remaining to be paid, less any amount which City may be authorized or directed by law to retain. Payment of retention proceeds due to Contractor shall be made in accordance with Section 7107 of the California Public Contract Code.

3.10 Claims; Government Code Claim Compliance.

3.10.1 Intent. Effective January 1, 1991, Section 20104 et seq., of the California Public Contract Code prescribes a process utilizing informal conferences, non-binding judicial supervised mediation, and judicial arbitration to resolve disputes on construction claims of \$375,000 or less. Effective January 1, 2017, Section 9204 of the Public Contract Code prescribes a process for negotiation and mediation to resolve disputes on construction claims. The intent of this Section is to implement Sections 20104 et seq. and Section 9204 of the California Public Contract Code. This Section shall be construed to be consistent with said statutes.

3.10.2 Claims. For purposes of this Section, "Claim" means a separate demand by the Contractor, after a change order duly requested in accordance with the terms of this Contract has been denied by the City, for (A) a time extension, (B) payment of money or damages arising from Work done by or on behalf of the Contractor pursuant to the Contract, or (C) an amount the payment of which is disputed by the City. Claims governed by this Section may not be filed unless and until the Contractor completes all procedures for giving notice of delay or change and for the requesting of a time extension or change order, including but not necessarily limited to the change order procedures contained herein, and Contractor's request for a change has been denied in whole or in part. Claims governed by this Section must be filed no later than the date of final payment. The claim shall be submitted in writing to the City and shall include on its first page the following in 16-point capital font: "THIS IS A CLAIM." Furthermore, the claim shall include the documents necessary to substantiate the claim. Nothing in this Section is intended to extend the time limit or supersede notice requirements otherwise provided by contract for the filing of claims, including all requirements pertaining to compensation or payment for extra Work, disputed Work, and/or changed conditions. Failure to follow such contractual requirements shall bar any claims or subsequent lawsuits for compensation or payment thereon.

3.10.3 Supporting Documentation. The Contractor shall submit all claims in the following format:

3.10.3.1 Summary of claim merit and price, reference Contract Document provisions pursuant to which the claim is made

3.10.3.2 List of documents relating to claim:

- (A) Specifications
- (B) Drawings
- (C) Clarifications (Requests for Information)
- (D) Schedules
- (E) Other

3.10.3.3 Chronology of events and correspondence

3.10.3.4 Analysis of claim merit

3.10.3.5 Analysis of claim cost

3.10.3.6 Time impact analysis in CPM format

3.10.4 City's Response. Upon receipt of a claim pursuant to this Section, City shall conduct a reasonable review of the claim and, within a period not to exceed 45 days, shall provide the Contractor a written statement identifying what portion of the claim is disputed and what portion is undisputed. Any payment due on an undisputed portion of the claim will be processed and made within 60 days after the public entity issues its written statement.

3.10.4.1 If City needs approval from its governing body to provide the Contractor a written statement identifying the disputed portion and the undisputed portion of the claim, and the governing body does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, City shall have up to three days following the next duly publicly noticed meeting of the governing body after the 45-day period, or extension, expires to provide the Contractor a written statement identifying the disputed portion and the undisputed portion.

3.10.4.2 Within 30 days of receipt of a claim, City may request in writing additional documentation supporting the claim or relating to defenses or claims City may have against the Contractor. If additional information is thereafter required, it shall be requested and provided pursuant to this subdivision, upon mutual agreement of City and the Contractor.

3.10.4.3 City's written response to the claim, as further documented, shall be submitted to the Contractor within 30 days (if the claim is less than \$50,000, within 15 days) after receipt of the further documentation, or within a period of time no greater than that taken by the Contractor in producing the additional information or requested documentation, whichever is greater.

3.10.5 Meet and Confer. If the Contractor disputes City's written response, or City fails to respond within the time prescribed, the Contractor may so notify City, in writing, either within 15 days of receipt of City's response or within 15 days of City's failure to respond within the time prescribed, respectively, and demand an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand, City shall schedule a meet and confer conference within 30 days for settlement of the dispute.

3.10.6 Mediation. Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, City shall provide the Contractor a written statement identifying the portion of the claim that remains in dispute and

the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after City issues its written statement. Any disputed portion of the claim, as identified by the Contractor in writing, shall be submitted to nonbinding mediation, with City and the Contractor sharing the associated costs equally. City and Contractor shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing, unless the parties agree to select a mediator at a later time.

3.10.6.1 If the Parties cannot agree upon a mediator, each Party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each Party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator.

3.10.6.2 For purposes of this section, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the Parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

3.10.6.3 Unless otherwise agreed to by City and the Contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Section 20104.4 to mediate after litigation has been commenced.

3.10.6.4 The mediation shall be held no earlier than the date the Contractor completes the Work or the date that the Contractor last performs Work, whichever is earlier. All unresolved claims shall be considered jointly in a single mediation, unless a new unrelated claim arises after mediation is completed.

3.10.7 Procedures After Mediation. If following the mediation, the claim or any portion remains in dispute, the Contractor must file a claim pursuant to Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code. For purposes of those provisions, the running of the period of time within which a claim must be filed shall be tolled from the time the Contractor submits his or her written claim pursuant to subdivision (a) until the time the claim is denied, including any period of time utilized by the meet and confer conference or mediation.

3.10.8 Civil Actions. The following procedures are established for all civil actions filed to resolve claims subject to this Section:

3.10.8.1 Within 60 days, but no earlier than 30 days, following the filing or responsive pleadings, the court shall submit the matter to non-binding mediation unless waived by mutual stipulation of both parties or unless mediation was held prior to commencement of the action in accordance with Public Contract Code section 9204 and the terms of these procedures. The mediation process shall provide for the selection within 15 days by both parties of a disinterested third person as mediator, shall be commenced within 30 days of the submittal, and shall be concluded within 15 days from the commencement of the mediation unless a time requirement is extended upon a good cause showing to the court.

3.10.8.2 If the matter remains in dispute, the case shall be submitted to judicial arbitration pursuant to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, notwithstanding Section 1114.11 of that code. The Civil Discovery Act of 1986 (Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure) shall apply to any proceeding brought under this subdivision consistent with the rules pertaining to judicial arbitration.

3.10.8.3 In addition to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, (A) arbitrators shall, when possible, be experienced in construction law, and (B) any party appealing an arbitration award who does not obtain a more favorable judgment shall, in addition to payment of costs and fees under that chapter, also pay the attorney's fees on appeal of the other party.

3.10.9 Government Code Claims. In addition to any and all contract requirements pertaining to notices of and requests for compensation or payment for extra work, disputed work, claims and/or changed conditions, Contractor must comply with the claim procedures set forth in Government Code sections 900 et seq. prior to filing any lawsuit against the City. Such Government Code claims, and any subsequent lawsuit based upon the Government Code claims shall be limited to those matters that remain unresolved after all procedures pertaining to extra work, disputed work, claims, and/or changed conditions have been followed by Contractor. If no such Government Code claim is submitted, or if any prerequisite contractual requirements are not otherwise satisfied as specified herein, Contractor shall be barred from bringing and maintaining a valid lawsuit against the City. A Government Code claim must be filed no earlier than the date the work is completed or the date the Contractor last performs work on the Project, whichever occurs first. A Government Code claim shall be inclusive of all unresolved claims unless a new unrelated claim arises after the Government Code claim is submitted.

3.10.10 Non-Waiver. City's failure to respond to a claim from the Contractor within the time periods described in this Section or to otherwise meet the time requirements of this Section shall result in the claim being deemed rejected in its entirety. City's failure to respond shall not waive City's rights to any subsequent procedures for the resolution of disputed claims.

3.11 Loss and Damage. Except as may otherwise be limited by law, Contractor shall be responsible for all loss and damage which may arise out of the nature of the Work agreed to herein, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the Work until the same is fully completed and accepted by City. In the event of damage proximately caused by an Act of God, as defined by Section 7105 of the Public Contract Code, the City may terminate this Contract pursuant to Section 3.17.3; provided, however, that the City needs to provide Contractor with only one (1) day advanced written notice.

3.12 Indemnification.

3.12.1 Scope of Indemnity. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold the City, its officials, employees, agents and authorized volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, (collectively, "Claims") in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Contractor, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Contractor's services, the Project or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and other related costs and expenses. Notwithstanding the foregoing, to the extent required by Civil Code section 2782, Contractor's indemnity obligation shall not apply to liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage or expense arising from the sole or active negligence or willful misconduct of the City or the City's agents, servants, or independent

contractors who are directly responsible to the City, or for defects in design furnished by those persons.

3.12.2 Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense and risk, any and all Claims covered by this section that may be brought or instituted against the City, its elected officials, officers, attorneys, agents, employees, and authorized volunteers. In addition, Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, employees, agents and authorized volunteers as part of any such claim, suit, action or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City or its officials, employees, agents and authorized volunteers as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Contractor shall reimburse City and its officials, employees, agents and authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its officials, employees, agents and authorized volunteers.

3.13 Insurance. Contractor shall not commence Work under this Contract until it has provided evidence satisfactory to the City that it has secured all insurance required under Exhibit "G" (Insurance Requirements), attached hereto and incorporated herein by this reference. In addition, Contractor shall not allow any subcontractor to commence work on any subcontract until it has provided evidence satisfactory to the City that the subcontractor has secured all insurance required therein. Failure to provide and maintain all required insurance shall be grounds for the City to terminate this Contract for cause.

3.14 Bond Requirements.

3.14.1 Payment Bond. If required by Civil Code section 9550, as it may be amended from time to time, or otherwise specifically requested by City as set forth in Exhibit "C" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Contract a Payment Bond in an amount required by the City and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until the bond has been received and approved by the City.

3.14.2 Performance Bond. If specifically requested by City in Exhibit "C" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Contract a Performance Bond in an amount required by the City and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until the bond has been received and approved by the City.

3.14.3 Bond Provisions. Should, in City's sole opinion, any bond become insufficient, or any surety be found to be unsatisfactory, Contractor shall renew or replace the effected bond within (ten) 10 days of receiving notice from City. In the event the surety or Contractor intends to reduce or cancel any required bond, at least thirty (30) days prior written notice shall be given to the City, and Contractor shall post acceptable replacement bonds at least ten (10) days prior to expiration of the original bonds. No further payments shall be deemed due or will be made under this Contract until any replacement bonds required by this Section are accepted by the City. To the extent, if any, that the Total Contract Price is increased in accordance with the Contract, Contractor shall, upon request of the City, cause the amount of the bond to be increased accordingly and shall promptly deliver satisfactory evidence of such increase to the City. If Contractor fails to furnish any required bond, the City may terminate the Contract for cause.

3.14.4 Surety Qualifications. Only bonds executed by an admitted surety insurer, as defined in California Code of Civil Procedure Section 995.120, shall be accepted. If a California-admitted surety insurer issuing bonds does not meet these requirements, the insurer will be considered qualified if it is in conformance with Section 995.660 of the California Code of Civil Procedure, and proof of such is provided to the City.

3.15 Warranty. Contractor warrants all Work under the Contract (which for purposes of this Section shall be deemed to include unauthorized work which has not been removed and any non-conforming materials incorporated into the Work) to be of good quality and free from any defective or faulty material and workmanship. Contractor agrees that for a period of one year (or the period of time specified elsewhere in the Contract or in any guarantee or warranty provided by any manufacturer or supplier of equipment or materials incorporated into the Work, whichever is later) after the date of final acceptance, Contractor shall within ten (10) days after being notified in writing by the City of any defect in the Work or non-conformance of the Work to the Contract, commence and prosecute with due diligence all Work necessary to fulfill the terms of the warranty at its sole cost and expense. Contractor shall act sooner as requested by the City in response to an emergency. In addition, Contractor shall, at its sole cost and expense, repair and replace any portions of the Work (or work of other contractors) damaged by its defective Work or which becomes damaged in the course of repairing or replacing defective Work. For any Work so corrected, Contractor's obligation hereunder to correct defective Work shall be reinstated for an additional one-year period, commencing with the date of acceptance of such corrected Work. Contractor shall perform such tests as the City may require to verify that any corrective actions, including, without limitation, redesign, repairs, and replacements comply with the requirements of the Contract. All costs associated with such corrective actions and testing, including the removal, replacement, and reinstitution of equipment and materials necessary to gain access, shall be the sole responsibility of Contractor. All warranties and guarantees of subcontractors, suppliers and manufacturers with respect to any portion of the Work, whether express or implied, are deemed to be obtained by Contractor for the benefit of the City, regardless of whether or not such warranties and guarantees have been transferred or assigned to the City by separate agreement and Contractor agrees to enforce such warranties and guarantees, if necessary, on behalf of the City. In the event that Contractor fails to perform its obligations under this Section, or under any other warranty or guaranty under this Contract, to the reasonable satisfaction of the City, the City shall have the right to correct and replace any defective or non-conforming Work and any work damaged by such work or the replacement or correction thereof at Contractor's sole expense. Contractor shall be obligated to fully reimburse the City for any expenses incurred hereunder upon demand.

3.16 Employee/Labor Certifications.

3.16.1 Contractor's Labor Certification. By its signature hereunder, Contractor certifies that he is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code and agrees to comply with such provisions before commencing the performance of the Work. A certification form for this purpose, which is attached to this Contract as Exhibit "D" and incorporated herein by reference, shall be executed simultaneously with this Contract.

3.16.2 Equal Opportunity Employment. Contractor represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be

limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

3.16.3 Verification of Employment Eligibility. By executing this Contract, Contractor verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

3.17 General Provisions.

3.17.1 City's Representative. The City hereby designates the General Manager, or his or her designee, to act as its representative for the performance of this Contract ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Contract. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.17.2 Contractor's Representative. Before starting the Work, Contractor shall submit in writing the name, qualifications and experience of its proposed representative who shall be subject to the review and approval of the City ("Contractor's Representative"). Following approval by the City, Contractor's Representative shall have full authority to represent and act on behalf of Contractor for all purposes under this Contract. Contractor's Representative shall supervise and direct the Work, using his best skill and attention, and shall be responsible for all construction means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the Work under this Contract. Contractor's Representative shall devote full time to the Project and either he or his designee, who shall be acceptable to the City, shall be present at the Work site at all times that any Work is in progress and at any time that any employee or subcontractor of Contractor is present at the Work site. Arrangements for responsible supervision, acceptable to the City, shall be made for emergency Work which may be required. Should Contractor desire to change its Contractor's Representative, Contractor shall provide the information specified above and obtain the City's written approval.

3.17.3 Termination. This Contract may be terminated by City at any time, either with or without cause, by giving Contractor three (3) days advance written notice. In the event of termination by City for any reason other than the fault of Contractor, City shall pay Contractor for all Work performed up to that time as provided herein. In the event of breach of the Contract by Contractor, City may terminate the Contract immediately without notice, may reduce payment to Contractor in the amount necessary to offset City's resulting damages, and may pursue any other available recourse against Contractor. Contractor may not terminate this Contract except for cause. In the event this Contract is terminated in whole or in part as provided, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated. Further, if this Contract is terminated as provided, City may require Contractor to provide all finished or unfinished documents, data, diagrams, drawings, materials or other matter prepared or built by Contractor in connection with its performance of this Contract.

3.17.4 Contract Interpretation. Should any question arise regarding the meaning or import of any of the provisions of this Contract or written or oral instructions from City, the matter shall be referred to City's Representative, whose decision shall be binding upon Contractor.

3.17.5 Anti-Trust Claims. This provision shall be operative if this Contract is applicable to California Public Contract Code Section 7103.5. In entering into this Contract to supply goods, services or materials, Contractor hereby offers and agrees to assign to the City all

rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code) arising from purchases of goods, services, or materials pursuant to the Contract. This assignment shall be made and become effective at the time the City tender final payment to Contractor, without further acknowledgment by the Parties.

3.17.6 Notices. All notices hereunder and communications regarding interpretation of the terms of the Contract or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

CONTRACTOR:

Trofholz Technologies, Inc.
1014 N. Market Blvd., Suite 50
Sacramento, CA 95834
Attn: Kelly Keyser

CITY:

City of Milpitas
455 E. Calaveras Boulevard
Milpitas, California 95035
Attn: Purchasing Agent

Any notice so given shall be considered received by the other Party three (3) days after deposit in the U.S. Mail as stated above and addressed to the Party at the above address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.17.7 Time of Essence. Time is of the essence in the performance of this Contract.

3.17.8 Assignment Forbidden. Contractor shall not, either voluntarily or by action of law, assign or transfer this Contract or any obligation, right, title or interest assumed by Contractor herein without the prior written consent of City. If Contractor attempts an assignment or transfer of this Contract or any obligation, right, title or interest herein, City may, at its option, terminate and revoke the Contract and shall thereupon be relieved from any and all obligations to Contractor or its assignee or transferee.

3.17.9 No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

3.17.10 Laws, Venue, and Attorneys' Fees. This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.

3.17.11 Counterparts. This Contract may be executed in counterparts, each of which shall constitute an original.

3.17.12 Successors. The Parties do for themselves; their heirs, executors, administrators, successors, and assigns agree to the full performance of all of the provisions contained in this Contract.

3.17.13 [Reserved]

3.17.14 Solicitation. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Contract. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Contract. For breach or violation of this warranty, City shall have the right to terminate this Contract without liability.

3.17.15 Conflict of Interest. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Contract, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Contract, or obtain any present or anticipated material benefit arising therefrom. In addition, Contractor agrees to file, or to cause its employees or subcontractors to file, a Statement of Economic Interest with the City's Filing Officer as required under state law in the performance of the Work.

3.17.16 Certification of License.

3.17.16.1 Contractor certifies that as of the date of execution of this Contract, Contractor has a current contractor's license of the classification indicated below under Contractor's signature.

3.17.16.2 Contractors are required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four (4) years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within ten (10) years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.

3.17.17 Authority to Enter Contract. Each Party warrants that the individuals who have signed this Contract have the legal power, right and authority to make this Contract and bind each respective Party.

3.17.18 Entire Contract; Modification. This Contract contains the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Contract may only be modified by a writing signed by both Parties.

3.17.19 Non-Waiver. None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

3.17.20 City's Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this Project or other projects.

3.17.21 Wage Theft Prevention.

3.17.21.1 Contractor, and any subcontractor it employs to complete work under this Contract, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act, the California Labor Code and the Milpitas Minimum Wage Ordinance.

3.17.21.2 BY SIGNING THIS CONTRACT, CONTRACTOR AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY, FINDING IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS CONTRACT THAT CONTRACTOR OR ITS SUBCONTRACTORS HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONTRACTOR FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS EITHER FULLY SATISFIED EACH JUDGMENT, DECISION OR ORDER, OR, IF ANY JUDGMENT, DECISION OR ORDER HAS NOT BEEN FULLY SATISFIED, CONTRACTOR AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) IS CURRENTLY SATISFYING SAID JUDGMENT, DECISION OR ORDER THROUGH A PAYMENT OR ALTERNATIVE PLAN APPROVED BY THE APPLICABLE COURT/GOVERNMENT AGENCY AND THAT CONTRACTOR OR ITS SUBCONTRACTOR(S) ARE IN COMPLIANCE WITH SAID PLAN AS OF THE DATE OF EXECUTING THIS CONTRACT.

3.17.21.3 If at any time during the term of this Contract, a court or investigatory government agency issues a final judgment, decision or order finding that Contractor or a subcontractor it employs to perform work under this Contract has violated any applicable wage and hour law, or Contractor learns of such a judgment, decision, or order that was not previously disclosed in its bid/proposal, Contractor shall inform the City no more than fifteen (15) calendar days after the judgment, decision or order becomes final or from the date of learning of the final judgment, decision or order. Contractor or its subcontractor(s) shall, within thirty (30) calendar days after notifying the City, either (i) fully satisfy any such judgment, decision, or order and provide the City with documentary evidence of satisfying said judgment, decision or order; or (ii) provide the City documentary evidence of a payment or other alternative plan approved by the court/government agency to satisfy the judgment, decision or order. If the Contractor or its subcontractor is subject to a payment or other alternative plan, the Contractor or its subcontractor shall continue to submit documentary evidence every thirty (30) calendar days during the term of the Contract demonstrating continued compliance with the plan until the judgment, decision or order has been fully satisfied.

3.17.21.4 For purposes of this Section, a "final judgment, decision, or order" refers to one for which all appeals have been exhausted or the time period to appeal has expired. Relevant investigatory government agencies include: the United States Department of Labor, the California Division of Labor Standards Enforcement, the City, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

3.17.21.5 Failure to comply with any part of this Section constitutes a material breach of this Contract. Such breach may serve as a basis for immediate termination of this Contract and/or any other remedies available under this Contract and/or law.

3.17.21.6 Notice provided to the City shall be addressed to: Attention: Finance Director, 455 E. Calaveras Blvd. Milpitas, CA 95035. The Notice provisions of this Section are separate from any other notice provisions in this Contract and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

[SIGNATURES ON NEXT PAGE]

**SIGNATURE PAGE FOR CONSTRUCTION CONTRACT
BETWEEN THE CITY OF MILPITAS
AND TROFHOLZ TECHNOLOGIES, INC.**

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of

CITY OF MILPITAS

Approved By:

Steven G. McHarris, City Manager

Date

Approved As To Form:

Christopher J. Diaz, City Attorney

Approved:

Lauren Lai, CPA, MPA
Finance Director/Risk Manager

Approved:

Tony Ndah, Public Works Director

TROFHOLZ TECHNOLOGIES, INC.

Signature

Kelly Keyser
Name

Contracts & Procurement Manager
Title

12/16/2021
Date

EXHIBIT "A"

SCOPE OF SERVICES AND TECHNICAL SPECIFICATIONS

1.01 Overview

The City of Milpitas is seeking a qualified Contractor to furnish all labor, equipment, tools, and materials necessary to install an electronic security access control system at City Fire Stations 1, 3, and 4. Currently, all Fire Stations hard keys and pushbutton locks for access are obsolete and do not provide adequate security access and monitoring required for a City building. Contractor is expected to furnish all materials, tools, management, travel, equipment, and labor required to provide a turn-key solution that replaces the existing Fire Station 1, 3, 4 access control with an electronic security access control system per all applicable laws and regulations, plus all of the following specifications detailed herein.

1.02 Qualifications

- A. All bidders shall, at minimum, have a current California Contractors License C-10 electrical and any additional licenses necessary to perform the installation work.
- B. All bidders must be a prime contractor, skilled, and consistently engaged in the license class stated above for the past five (5) years.
- C. Bidders must be certified Sielox integrators, experienced with services of similar scope to this solicitation, and professionalism in the field of Sielox security access control systems to public entities with facilities of similar size to the City of Milpitas.
- D. Contractor will ensure that a full-time employee is assigned to the job as supervisor for the duration of the contract and that staff has a minimum of three (3) years of supervision experience in work of similar scope to this solicitation.

1.03 Locations

- A. Fire Station 3 – 45 Midwick Drive
- B. Fire Station 4 – 775 Barber Lane
- C. Fire Station 1 (Maintenance and Administration Buildings) – 777 South Main Street

1.04 Scope of Services

A. General

- 1. The Contractor shall install an electronic security access control system in the Fire Stations as described in the scope of work herein. There shall be no additional cost to the City for these services.
- 2. All work required not covered in this scope must be approved by the Public Works Facilities Manager or designated staff.
- 3. All parts purchased that are not covered in this scope must be approved by the Public Works Facilities Manager or designated staff.
- 4. All work shall be performed during normal business hours between 8:00 a.m. and 5:00 p.m. and not fall on a City of Milpitas holiday, a list of which is found

here; <https://www.ci.milpitas.ca.gov/milpitas/departments/about-human-resources-2/city-milpitas-holiday-closures/>.

5. The Contractor shall provide all tools, materials, and equipment necessary for the installation.
6. The Work shall be in accordance with all details, plans, requirements, and specifications stated herein.
7. All Work shall be scheduled and coordinated with the City to minimize the impact to City staff using the facility.
8. Access shall be coordinated with Public Works Facilities Manager or designated staff. There will be no additional compensation for Contractor's inability to provide such coordination.
9. All equipment shall be purchased from manufacturer-approved and authorized resellers/distributors.

B. Service Personnel

1. All technicians dispatched by the Contractor to perform scheduled work shall be qualified to perform services.
2. The Contractor shall not dispatch any personnel that are not fully qualified to provide services.
3. Contractor staff shall at minimum report to the job site in Contractor's uniform with name plate or identification card clearly visible.

C. General Design Criteria (Fire Station 3)

1. At Doors 1, 2, and 4 only (as shown in Exhibit "B")
 - i. Provide and install an electric strike at each location
 - ii. Provide and install a surface door contact
 - iii. Provide and install a request-to-exit above each door
 - iv. Provide and install a card reader on the outside (full or mullion)
2. Provide and install appropriate surface conduit (typically plastic) for majority of wire ran from each door location to the controller panel locations.
3. Provide and install plenum rated wire from each door location to the panel location.
4. Provide and install two (2) security access terminal controllers with large enclosure.
5. Provide and install two (2) power supplies and batteries for controllers and door strike power.
 - i. Contractor shall provide a turnkey solution, which shall include hardwiring of 120 VAC power to the security access control system power enclosures.
6. Provide and install CAT6 cables from the controllers to existing network switch (same telco closet as controllers).
7. Coordinate with all required City of Milpitas staff to program and test doors as necessary for confirmation of proper operations of all equipment.

8. Contractor shall return the work area to its previous condition to the satisfaction of the City Public Works Facilities Manager or designated staff upon completion of the work.

D. General Design Criteria (Fire Station 4)

1. At Doors 1, 2, and 4 ONLY (as shown in Exhibit "B")
 - i. Provide and install an electric strike at each location
 - ii. Provide and install a surface door contact
 - iii. Provide and install a request-to-exit above each door
 - iv. Provide and install a card reader on the outside (full or mullion)
2. Provide and install appropriate surface conduit (typically plastic) for majority of wire ran from each door location to the controller panel locations. Some location(s) may require metallic conduit in garage area.
3. Provide an install plenum rated wire from each door location to the panel location.
4. Provide and install two (2) security access terminal controllers with a large enclosure.
5. Provide and install two (2) power supplies and batteries for controllers and door strike power.
 - i. Contractor shall provide a turnkey solution, which shall include hardwiring of 120 VAC power to the security access control system power enclosures.
6. Provide and install CAT6 wire from the controllers to existing network switch (same telco closet as controllers).
7. Coordinate with all required City of Milpitas staff to program and test doors as necessary for confirmation of proper operations of all equipment.
8. Contractor shall return the work area to its previous condition to the satisfaction of the City Public Works Facilities Manager or designated staff upon completion of the work.

E. General Design Criteria (Fire Station 1 Maintenance)

1. At Doors 1 and 2 ONLY (as shown in Exhibit "B")
 - i. Provide and install electrified cylinder and necessary hardware at each location.
 - ii. Provide and install a surface door contact
 - iii. Provide and install a request-to-exit above each door.
 - iv. Provide and install a card reader on the outside (full or mullion)
2. Provide an install surface conduit (typically plastic) for majority of wire or metallic conduit where necessary – ran from each door location to the controller panel location.
3. Provide and install plenum rated wire from each door location to the panel house.
4. Provide an install one (1) security access system controller with a large enclosure.
5. Provide and install two (2) power supplies and batteries for controller and door power.

6. Contractor shall provide a turnkey solution, which shall include hardwiring of 120 VAC power to the security access control system power enclosures. Provide and install CAT6 wire from the controller to existing network switch in Administration building telco closet.
 7. Coordinate with all required City of Milpitas Information Services staff to program and test doors as necessary for confirmation of proper operations of all equipment. Contractor shall return the work area to its previous condition to the satisfaction of the City Public Works Facilities Manager or designated staff upon completion of the work.
- F. General Design Criteria (Fire Station 1 Administration)
1. At Doors A, Gate 9, 2, 4, 5, 6, 7, and 8 (as shown in Exhibit "B")
 - i. Provide and install an electric strike at 8 door locations.
 - ii. Provide and install a surface door contact at 8 door locations.
 - iii. Provide and install a request-to-exit above each 8 door locations.
 - a. Note that location "Gate 9" may require a REX integrated into the secure-side door handle, or another solution recommended by Contractor.
 - iv. Provide and install a card reader at 8 door locations.
 2. At entrance rolling gate:
 - i. Provide an install one security access system controller inside a weatherproof enclosure.
 - ii. Provide an install one power supply and battery in weatherproof enclosure.
 - iii. Provide an install one long-range card reader at the pedestal. Assume that the conduit from pedestal to the gate mechanism is without obstruction in order to pull new 6 conductor reader wire.
 - iv. Provide and install two (2) wireless bridge devices -one at main building and one at gate electronics.
 3. Provide and install appropriate surface conduit (typically plastic) specifically at the interior of large courtyard door as well as metallic conduit in outside locations.
 4. Provide and install plenum rated wire from each door location to the panel location.
 5. Provide an install two (2) security access system controllers with a large enclosure at admin telco closet.
 6. Provide and install two (2) power supplies and batteries for controllers and door power.
 7. Contractor shall provide a turnkey solution, which shall include hardwiring of 120 VAC power to the security access control system power enclosures. Provide and install CAT6 wire from the controller to existing network switch in Administration building telco closet.
 8. Coordinate with all required City of Milpitas staff to program and test doors as necessary for confirmation of proper operations of all equipment.

1. Contractor shall return the work area to its previous condition to the satisfaction of the City Public Works Facilities Manager or designated staff upon completion of the work

G. Warranty

1. Performance Warranty

- i. The Contractor shall guarantee all work, equipment, and materials included in the service against any defects in workmanship; and shall satisfactorily correct, at no Cost to the City, any such defect that may become apparent within a period of one (1) year after completion of work.
- ii. The warranty period shall commence upon date of acceptance, inspection, and approval by the City's Public Works Facilities Manager or designated staff. If the Contractor is notified in writing of a deficiency in the work provided, within one (1) year from completion of the work, the Contractor shall, at the City's option, re-perform the work in question at no additional cost to the City, or refund the original charges for the work in question to the City, including the difference in cost, if any, to re-perform work if completed by another Contractor.

2. Material Warranty

- i. Parts furnished under the purchase order shall be the latest improved models in current production, as offered to commercial trade, and shall be of quality material. Used, shopworn, demonstrator, prototype, reconditioned, or discontinued models or materials are not acceptable.
- ii. The warranty period for Contractor provided materials shall be for a period of one (1) year after completion of the installation or within the manufacturer's warranty, whichever is later. The warranty period shall commence upon date of acceptance by the City's Public Works Manager for Facilities or his designee.
- iii. The Contractor shall provide the City's Public Works Manager for Facilities with all manufacturers' warranty documents.

H. Equipment specifications and acceptable substitutions

1. Security access system terminal controller:
 - i. Sielox AC-1700
 - ii. No substitutions allowed.
2. Power supplies with enclosures:
 - i. 12VDC (Sielox, IR, etc.) – Altronix AL400ULX
 - ii. 24VDC (door locks) – Altronix AL600ULACM
 - iii. Equal or better substitution permitted.
3. Backup batteries:
 - i. 12VDC nonspillable, rechargeable, sealed lead acid battery
 - ii. Equal or better substitution permitted
4. Standard card reader:

- i. HID Signo Reader 40 for 13.56 MHz iCLASS and 125 kHz Proximity credentials
 - ii. No substitutions allowed.
- 5. Slim (mullion-mount) card reader:
 - i. HID Signo Reader 20 for 13.56 MHz iCLASS and 125 kHz Proximity credentials
 - ii. No substitutions allowed.
- 6. Long-range card reader:
 - i. HID iCLASS SE R90 for 13.56 MHz iCLASS credentials
 - ii. No substitutions allowed.
- 7. Request-to-exit (REX) detector:
 - i. Bosch DS150i
 - ii. Equal or better substitution permitted.
- 8. Wireless bridge device:
 - i. Ubiquity airMAX NanoStation 5AC Loco
 - ii. Equal or better substitution permitted. Substitutions must support standalone configuration and operation (no additional controller required), they must support Cisco CDP device discovery, and they must permit transparent bridging of 802.1q trunked network traffic.

EXHIBIT "B"
PLANS AND SPECIFICATIONS

Fire Station 3

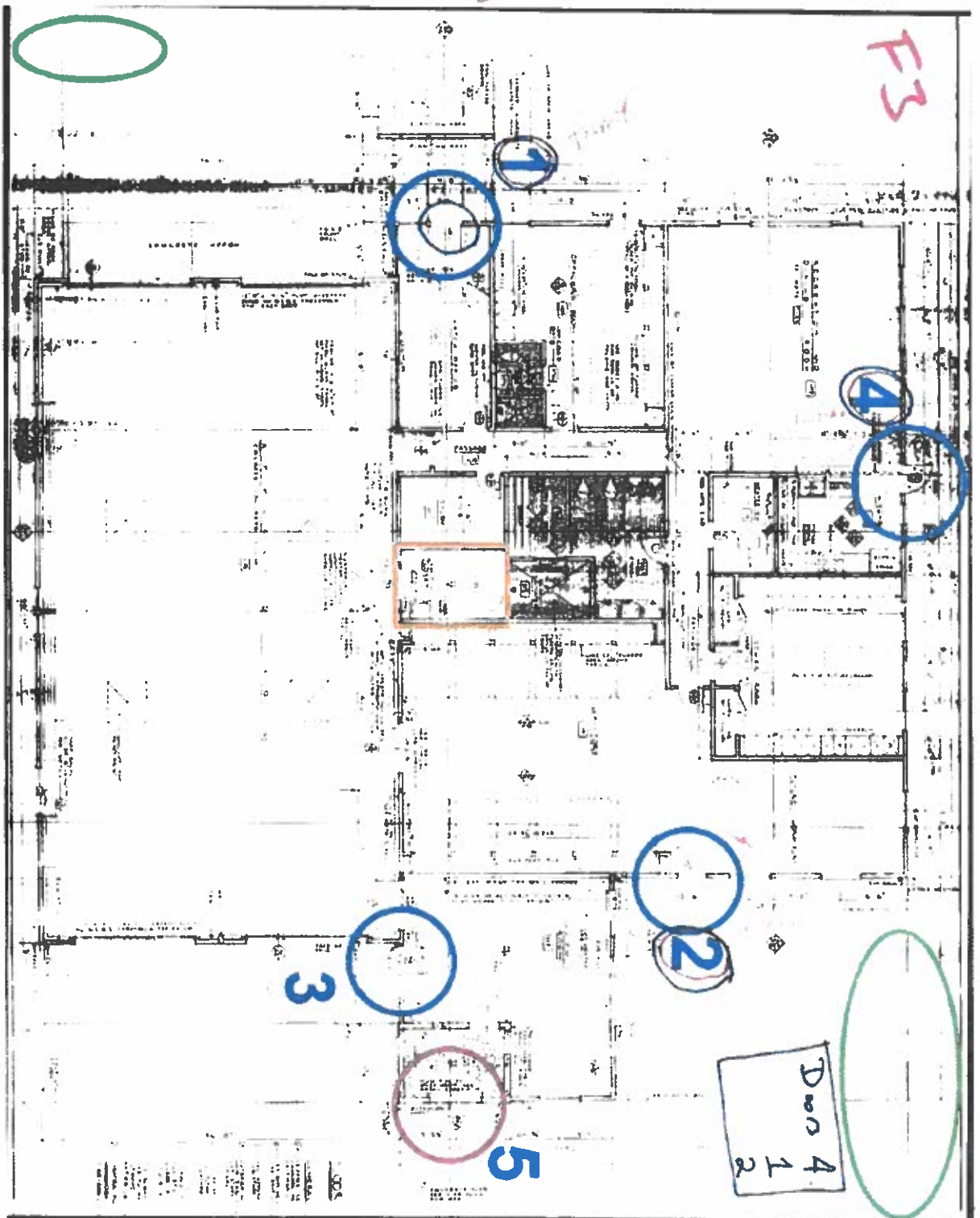
Legend:

Yellow rectangle – location of telco closet (existing City network switch, security access control system controllers and power supplies/batteries to be installed here, all security access control system wiring to be terminated here).

Blue circles 1, 2, 4 – identified locations of standard doors to be fitted with card reader access.

IGNORE locations 3 and 5.

IGNORE green ellipses.



Fire Station 4

Legend:

Yellow rectangle – location of telco closet (existing City network switch, security access control system controllers and power supplies/batteries to be installed here, all security access control system wiring to be terminated here).

Blue circles 1, 2, 4 – identified locations of standard doors to be fitted with card reader access.

IGNORE location 3.

[illegible]

Fire Station 1 (Maintenance)

Legend:

Red X "CAT6 Conduit" – wall-mount location for security access control system controllers and power supplies/batteries, all Fire Station 1

MAINTENANCE security access control system wiring to be terminated here), with CAT6 uplink to Administration area telco closet.

Blue circles 1, 2 – identified locations of standard doors to be fitted with card reader access.

IGNORE green and purple ellipses.

Fire Station 1 (Administration)

Legend:

Yellow rectangle – location of telco closet (existing City network switch, security access control system controllers and power supplies/batteries to be installed here, all security access control system wiring to be terminated here).

Blue circles 2, 4, 5, 6, 7, 8, Purple circle A – identified locations of standard doors to be fitted with card reader access.

Green circle 9 – identified location of metal gate outside door to be fitted with card reader access.

IGNORE blue circle TR?.

IGNORE green ellipses.

Main rolling vehicle gate not shown.

EXHIBIT "C"

SPECIAL CONDITIONS

ARTICLE 1. BONDS

Within ten (10) calendar days from the date the Contractor is notified of award of the Contract, the Contractor shall deliver to the City four identical counterparts of the Performance Bond and Payment Bond on the forms supplied by the City and included as Exhibit "F" to the Contract. Failure to do so may, in the sole discretion of City, result in the forfeiture of Contractor's bid security. The surety supplying the bond must be an admitted surety insurer, as defined in Code of Civil Procedure Section 995.120, authorized to do business as such in the State of California and satisfactory to the City. The Performance Bond and the Payment Bond shall be for one hundred percent (100%) of the Total Contract Price.

EXHIBIT "D"

**CERTIFICATION
LABOR CODE - SECTION 1861**

I, the undersigned Contractor, am aware of the provisions of Section 3700, et seq., of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and I, the undersigned Contractor, agree to and will comply with such provisions before commencing the performance of the Work on this Contract.

TROFHOLZ TECHNOLOGIES, INC.

By: 
Signature

Kelly Keyser
Name (Print)

Contracts & Procurement Manager
Title (Print)

EXHIBIT "E"

PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for additional information.

No bid will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work.

Contractor hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.¹

Name of Contractor: Trofholz Technologies, Inc.

DIR Registration Number: 1000039020

DIR Registration Expiration: 06/30/2022

Small Project Exemption: _____ Yes or X No

Unless Contractor is exempt pursuant to the small project exemption, Contractor further acknowledges:

- Contractor shall maintain a current DIR registration for the duration of the project.
- Contractor shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the project.
- Failure to submit this form or comply with any of the above requirements may result in a finding that the bid is non-responsive.

Name of Contractor: Trofholz Technologies, Inc. _____

Signature _____

Name and Title: Kelly Keyser – Contracts & Procurement Manager _____

Dated: 12/16/2021 _____

¹ If the Project is exempt from the contractor registration requirements pursuant to the small project exemption under Labor Code Sections 1725.5 and 1771.1, please mark "Yes" in response to "Small Project Exemption."

EXHIBIT “F”
PAYMENT AND PERFORMANCE BONDS

PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS:

THAT WHEREAS, the City of Milpitas (hereinafter referred to as "City") has awarded to _____, (hereinafter referred to as the "Contractor") _____ an agreement for _____ (hereinafter referred to as the "Project").

WHEREAS, the work to be performed by the Contractor is more particularly set forth in the Contract Documents for the Project dated _____, (hereinafter referred to as "Contract Documents"), the terms and conditions of which are expressly incorporated herein by reference; and

WHEREAS, the Contractor is required by said Contract Documents to perform the terms thereof and to furnish a bond for the faithful performance of said Contract Documents.

NOW, THEREFORE, we, _____, the undersigned Contractor and _____ as Surety, a corporation organized and duly authorized to transact business under the laws of the State of California, are held and firmly bound unto the City in the sum of _____ DOLLARS, (\$ _____), said sum being not less than one hundred percent (100%) of the total amount of the Contract, for which amount well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that, if the Contractor, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and agreements in the Contract Documents and any alteration thereof made as therein provided, on its part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their intent and meaning; and shall faithfully fulfill all obligations including the one-year guarantee of all materials and workmanship; and shall indemnify and save harmless the City, its officers and agents, as stipulated in said Contract Documents, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a condition precedent to the satisfactory completion of the Contract Documents, unless otherwise provided for in the Contract Documents, the above obligation shall hold good for a period of one (1) year after the acceptance of the work by City, during which time if Contractor shall fail to make full, complete, and satisfactory repair and replacements and totally protect the City from loss or damage resulting from or caused by defective materials or faulty workmanship, Surety shall undertake and faithfully fulfill all such obligations. The obligations of Surety hereunder shall continue so long as any obligation of Contractor remains. Nothing herein shall limit the City's rights or the Contractor or Surety's obligations under the Contract, law or equity, including, but not limited to, California Code of Civil Procedure section 337.15.

Whenever Contractor shall be, and is declared by the City to be, in default under the Contract Documents, the Surety shall remedy the default pursuant to the Contract Documents, or shall promptly, at the City's option:

- (1) Take over and complete the Project in accordance with all terms and conditions in the Contract Documents; or
- (2) Obtain a bid or bids for completing the Project in accordance with all terms and conditions in the Contract Documents and upon determination by Surety of the lowest responsive and responsible bidder, arrange for a Contract between such bidder, the Surety and the City, and make available as work progresses sufficient funds to pay the cost of completion of the Project, less the balance of the contract price, including other costs and damages for which Surety may be liable. The term "balance of the contract price" as used in this paragraph shall mean the total amount payable to Contractor by the City under the Contract and any modification thereto, less any amount previously paid by the City to the Contractor and any other set offs pursuant to the Contract Documents.
- (3) Permit the City to complete the Project in any manner consistent with local, California and federal law and make available as work progresses sufficient funds to pay the cost of completion of the Project, less the balance of the contract price, including other costs and damages for which Surety may be liable. The term "balance of the contract price" as used in this paragraph shall mean the total amount payable to Contractor by the City under the Contract and any modification thereto, less any amount previously paid by the City to the Contractor and any other set offs pursuant to the Contract Documents.

Surety expressly agrees that the City may reject any contractor or subcontractor which may be proposed by Surety in fulfillment of its obligations in the event of default by the Contractor.

Surety shall not utilize Contractor in completing the Project nor shall Surety accept a bid from Contractor for completion of the Project if the City, when declaring the Contractor in default, notifies Surety of the City's objection to Contractor's further participation in the completion of the Project.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents or to the Project to be performed thereunder shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Project, including but not limited to the provisions of sections 2819 and 2845 of the California Civil Code.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 20__).

(Corporate Seal)

Contractor/ Principal

By _____

Title _____

(Corporate Seal)

Surety

By _____
Attorney-in-Fact

Signatures of those signing for the Contractor and Surety must be notarized and evidence of corporate authority attached.

(Attach Attorney-in-Fact Certificate) Title _____

The rate of premium on this bond is _____ per thousand. The total amount of premium charges, \$ _____.
(The above must be filled in by corporate attorney.)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety) _____

(Name and Address of Agent or Representative for service of process in California, if different from above) _____

(Telephone number of Surety and Agent or Representative for service of process in California) _____

NOTE: A copy of the Power-of-Attorney authorizing the person signing on behalf of the Surety to do so must be attached hereto.

Notary Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally

appeared _____, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited
 ☐ General

- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS That

WHEREAS, the City of Milpitas (hereinafter designated as the "City"), by action taken or a resolution passed _____, 20____ has awarded to _____ hereinafter designated as the "Principal," a contract for the work described as follows:

_____ (the "Project"); and

WHEREAS, the work to be performed by the Principal is more particularly set forth in the Contract Documents for the Project dated _____ ("Contract Documents"), the terms and conditions of which are expressly incorporated by reference; and

WHEREAS, said Principal is required to furnish a bond in connection with said contract; providing that if said Principal or any of its Subcontractors shall fail to pay for any materials, provisions, provender, equipment, or other supplies used in, upon, for or about the performance of the work contracted to be done, or for any work or labor done thereon of any kind, or for amounts due under the Unemployment Insurance Code or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of said Principal and its Subcontractors with respect to such work or labor the Surety on this bond will pay for the same to the extent hereinafter set forth.

NOW THEREFORE, we, the Principal and _____ as Surety, are held and firmly bound unto the City in the penal sum of _____ Dollars (\$_____) lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if said Principal, his or its subcontractors, heirs, executors, administrators, successors or assigns, shall fail to pay any of the persons named in Section 9100 of the Civil Code, fail to pay for any materials, provisions or other supplies, used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, or amounts due under the Unemployment Insurance Code with respect to work or labor performed under the contract, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department or Franchise Tax Board from the wages of employees of the contractor and his subcontractors pursuant to Section 18663 of the Revenue and Taxation Code, with respect to such work and labor the Surety or Sureties will pay for the same, in an amount not exceeding the sum herein above specified.

This bond shall inure to the benefit of any of the persons named in Section 9100 of the Civil Code so as to give a right of action to such persons or their assigns in any suit brought upon this bond.

It is further stipulated and agreed that the Surety on this bond shall not be exonerated or released from the obligation of this bond by any change, extension of time for performance, addition, alteration or modification in, to, or of any contract, plans, specifications, or agreement pertaining or relating to any scheme or work of improvement herein above described, or pertaining or relating to the furnishing of labor, materials, or equipment therefore, nor by any change or modification of any terms of payment or extension of the time for any payment pertaining or relating to any scheme or work of improvement herein above described, nor by any rescission or attempted rescission of the contract, agreement or bond, nor by any conditions precedent or subsequent in the bond attempting to limit the right of recovery of claimants otherwise entitled to

recover under any such contract or agreement or under the bond, nor by any fraud practiced by any person other than the claimant seeking to recover on the bond and that this bond be construed most strongly against the Surety and in favor of all persons for whose benefit such bond is given, and under no circumstances shall Surety be released from liability to those for whose benefit such bond has been given, by reason of any breach of contract between the owner or City and original contractor or on the part of any obligee named in such bond, but the sole conditions of recovery shall be that claimant is a person described in Section 9100 of the Civil Code, and has not been paid the full amount of his claim and that Surety does hereby waive notice of any such change, extension of time, addition, alteration or modification herein mentioned and the provisions of sections 2819 and 2845 of the California Civil Code.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 20__.

(Corporate Seal)

Contractor/ Principal

By _____

Title _____

(Corporate Seal)

Surety

By _____

Attorney-in-Fact

Title _____

Signatures of those signing for the Contractor and Surety must be notarized and evidence of corporate authority attached. A Power-of-Attorney authorizing the person signing on behalf of the Surety to do so much be attached hereto.

NOTE: A copy of the Power-of-Attorney authorizing the person signing on behalf of the Surety to do so must be attached hereto.

Notary Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

☐ Individual

☐ Corporate Officer

Title(s)

Title or Type of Document

☐ Partner(s)

☐ Limited

☐ General

Number of Pages

☐ Attorney-In-Fact

☐ Trustee(s)

☐ Guardian/Conservator

☐ Other:

Date of Document

Signer is representing:

Name Of Person(s) Or Entity(ies)

Signer(s) Other Than Named Above

EXHIBIT "G"

INSURANCE REQUIREMENTS

Please refer to the insurance requirements listed below. Those that have an "X" indicated in the space before the requirement apply to Contractor's or Consultant's Agreement.

Contractor or Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor or Consultant, its agents, representatives, employees or subcontractors.

Contractor or Consultant shall provide its insurance broker(s)/agent(s) with a copy of these requirements and request that they provide Certificates of Insurance complete with copies of all required endorsements.

Contractor or Consultant shall furnish City with copies of original endorsements affecting coverage required by this **Exhibit G**. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements and certificates are to be received and approved by City before work commences. City has the right to require Contractor's or Consultant's insurer to provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Commercial General Liability (CGL):

☐ Coverage at least as broad as Insurance Services Office ("ISO") Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than \$2,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

☒ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than \$1,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

☐ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than \$5,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability:

☒ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), of if Contractor or Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limits no less than \$1,000,000.00 combined single limit for bodily injury and property damage.

___ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), with limits no less than \$5,000,000.00 combined single limit for bodily injury and property damage.

___ Garage keepers' extra liability endorsement to extend coverage to all vehicles in the care, custody and control of the Contractor or Consultant, regardless of where the vehicles are kept or driven.

Professional Liability (Errors and Omissions):

___ Insurance appropriate to the Contractor or Consultant's profession, with limit no less than \$1,000,000.00 per occurrence or claim, \$2,000,000.00 aggregate.

___ (If Design/Build), with limits no less than \$1,000,000.00 per occurrence or claim, and \$2,000,000.00 policy aggregate.

___ Insurance appropriate to the Contractor or Consultant's profession, with limit no less than _____ per occurrence or claim, _____ aggregate

Workers' Compensation Insurance:

X Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000.00 per accident for bodily injury or disease. *(Not required if Contractor or Consultant provides written verification it has no employees)*

The Employer's Liability policy shall be endorsed to waive any right of subrogation as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Builder's Risk (Course of Construction):

___ Insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions. If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

Contractor's or Consultant's Pollution Legal Liability:

___ Contractor's or Consultant's pollution legal liability and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than \$1,000,000.00 per occurrence or claim and \$2,000,000.00 policy aggregate.

If the Contractor or Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor or Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

Cyber Liability Insurance

☒ **Cyber Liability Insurance with limits not less than \$1,000,000 per claim.**

Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor or Consultant in this Agreement and shall include, but not be limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security.

The policy shall provide coverage for breach response costs as well as regulatory fines and penalties, and credit monitoring expenses with limits sufficient to respond to these obligations.

Surety Bonds:

Contractor shall provide the following Surety Bonds:

☒ Bid Bond
☒ Performance Bond
☒ Payment Bond

The Payment Bond and Performance Bond shall be in a sum equal to the contract price. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

Other Insurance Provisions:

The insurance policies are to contain, or be endorsed to contain the following provisions:

☒ **Additional Insured Status and Primary/Non-Contributory Language:**

Contractor's general liability and automobile liability policies shall be primary and shall not seek contribution from the City's coverage and be endorsed to add the City, its elected and appointed officials, officers, attorneys, agents and employees as additional insureds under such policies using Insurance Services Office form CG 20 10 (or equivalent) on the general liability policy. For construction projects, an endorsement providing completed operations coverage for the additional insured on the general liability policy, ISO form CG 20 37 (or equivalent), is also required.

The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City (if agreed to in a written contract or agreement) before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

☐ **Loss Payee Status – Builder's Risk/Course of Construction Insurance (applicable to Construction Contracts only)**

Contractor or Consultant may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

X Notice of Cancellation, Suspension or Otherwise Voiding Policies:

Each insurance policy required above shall contain or be endorsed to contain that coverage shall not be suspended, voided, canceled or reduced in coverage or in limits except with thirty (30) days' prior written notice by certified mail, return receipt requested to the City.

X Waiver of Subrogation:

Contractor or Consultant hereby grants to City a waiver of any right to subrogation which any insurer of said Contractor or Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Contractor or Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Workers' Compensation Policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by Contractor or Consultant, its employees, agents and subcontractors.

X Completed Operations

For Construction Agreements, Contractor shall maintain insurance as required by this Agreement to the fullest amount allowed by law and shall maintain insurance for a minimum of five (5) years following the completion of this project. In the event Contractor fails to obtain or maintain completed operations coverage as required by this Agreement, the City at its sole discretion may purchase the coverage required and the cost will be paid by Contractor.

THE FOLLOWING PROVISIONS APPLY TO ALL AGREEMENTS

Deductibles and Self-Insured Retentions ("SIR"):

Any deductibles or self-insured retentions must be declared to and approved by City. The City may require the Contractor or Consultant to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. At the option of the City, either (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees; or (2) the Contractor or Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

All SIRs must be disclosed to Risk Management for approval and shall not reduce the limits of liability.

Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the City.

City reserves the right to obtain a full-certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII, unless otherwise acceptable to City.

Claims Made Policies: (note - should be applicable only to professional liability, see below)

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Contractor or Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of work.
4. A copy of the claims reporting requirements must be submitted to the City for review.
5. If the services involve lead-based paint or asbestos identification/remediation, the Contractor's Pollution Liability Policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability Policy shall not contain a mold exclusion, and the definition of Pollution shall include microbial matter, including mold.

Subcontractors:

Contractor or Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Subcontractor agrees to be bound to Contractor and City in the same manner and to the same extent as Contractor is bound to City under this Agreement and any other contract documents. Subcontractor further agrees to include the same requirements and provisions of this Agreement, including the indemnity and insurance requirements, with any sub-subcontractor to the extent they apply to the scope of the sub-subcontractor's work. A copy of the City indemnity and insurance provisions will be furnished to the subcontractor upon request.

Verification of Coverage:

Contractor or Consultant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor or Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other special circumstances.

Failure to Comply:

Each insurance policy required above shall contain or be endorsed to contain that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Applicability of Coverage:

Each insurance policy required above shall contain or be endorsed to contain that the Contractor's or Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

1.2 Bid Bond

[Note: Not required when other form of Bidder's Security, e.g. cash, certified check or cashier's check, accompanies bid.]

The makers of this bond are, Trofholz Technologies, Inc, as Principal, and Harco National Insurance Company, as Surety and are held and firmly bound unto the City of Milpitas, hereinafter called the City, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to City for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated November 30, 20 21, for **Card Assess Installation at Fire Stations**.

If the Principal does not withdraw its Bid within the time specified in the Contract; and if the Principal is awarded the Contract and provides all documents to the City as required by the Contract; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract shall in affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 24th day of November, 20 21, the name and corporate seal of each corporation.

(Corporate Seal)

Trofholz Technologies, Inc.
Contractor/ Principal

By [Signature]

Title CEO

(Corporate Seal)

Harco National Insurance Company
Surety

By [Signature]

Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title Sydney M. Earl, Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA

County of FRESNO

On November 24, 2021 before me, Christine Bagetakos, NOTARY PUBLIC, personally appeared

Sydney M. Earl,

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Christine Bagetakos

Signature of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

- ☐ PARTNER(S) ☐ LIMITED
☒ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR

OTHER:

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

POWER OF ATTORNEY

Bond # n/a

HARCO NATIONAL INSURANCE COMPANY

INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

KNOW ALL MEN BY THESE PRESENTS: That HARCO NATIONAL INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

LINDA K. BRAGER, JOSEPH A. ORNDOFF, III., ALISON BERRY, SYDNEY M. EARL, MIKE GONG

Fresno, CA

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of HARCO NATIONAL INSURANCE COMPANY at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY have each executed and attested these presents on this 31st day of December, 2020



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman
Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2020, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, November 24, 2021

Irene Martins, Assistant Secretary



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive Monthly Report for Unhoused Services
Category:	Consent Calendar-Community Development
Meeting Date:	1/18/2022
Staff Contact:	Sharon Goei, Building Safety and Housing Director, 408-586-3260
Recommendation:	Receive November 2021 report for unhoused services.

Background:

On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County Office of Supportive Housing. On March 1, 2021, the County's Homeless Engagement and Access Team (HEAT), via Abode Services, began conducting outreach to engage and provide resources to the City's unhoused residents.

On December 1, 2020, the City Council directed staff to implement a six-month pilot mobile shower and laundry Dignity on Wheels program with WeHOPE. The nonprofit service provider, WeHOPE, began providing mobile shower and laundry services every Sunday starting March 21, 2021, on the site on Winsor Street, immediately south of the Milpitas Library. On September 7, 2021, the City Council directed staff to continue the mobile shower and laundry program for an additional 12 months.

This report reflects the November 2021 progress for unhoused services.

Analysis:

In November 2021, the HEAT Team continued to collaborate with City staff and County Office of Supportive Housing to conduct outreach throughout the City of Milpitas to engage and provide resources to the City's unhoused residents. During the month of November, the HEAT Team enrolled 8 clients and completed 8 assessments. Adding to 104 clients enrolled and 107 clients assessed since services began in March, this makes a total of 112 clients enrolled and 115 clients assessed. Since the HEAT Team has been conducting proactive outreach throughout Milpitas, they have been able to locate and connect with unhoused residents both at known and new locations. For the unhoused individuals that did not provide identifying information for the Team to enroll or assess, the Team provided basic needs items and community resources. See Attachment 2 for the HEAT Team November 2021 report.

During the month of November, WeHOPE provided four sessions to the unhoused community, providing a total of 49 showers and 22 loads of laundry, serving 18 individuals. See Attachment 3 for the WeHOPE Dignity on Wheels November 2021 report.

In addition to working closely with the above service providers, City departments continued to collaborate in providing assistance to the unhoused residents as well as addressing the health and safety of the community. Referrals to the HEAT Team continue to be provided through the City's internal referral process. This process has reduced internal messaging and maximized the HEAT Team's ability to quickly respond to requests for assessments and to provide updates to City staff. For a summary of the various activities and services for Milpitas unhoused residents as described above, refer to Attachment 1 for the November 2021 report for unhoused services.

Fiscal Impact:

There is no fiscal impact to the City budget other than staff time related to this item.

California Environmental Quality Act:

The action being considered has no potential for causing a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Recommendation:

Receive November 2021 report for unhoused services.

Attachments:

1. November 2021 report for unhoused services
2. November 2021 HEAT Team report
3. November 2021 WeHOPE Dignity on Wheels report

NOVEMBER 2021 REPORT FOR UNHOUSED SERVICES												
Outreach Location	Type	Jurisdiction	Unhoused Count	Date Counted	Date Referred	Clients Enrolled	Date Enrolled	Clients Assessed	Date Assessed	Clients Housed	Date Housed	Notes
1. Hillview Bridge	Encampment	Valley Water	1	11/17/2021	2/26/2021	1	11/17/2021	1	11/17/2021			
2. Topaz Street 1	Encampment	City			N/A							
3. Serra Center	Encampment	Private Property			3/26/2021							
4. Ocean Supermarket	Encampment	Private Property			N/A							
5. Dixon Road 1	Encampment	City			3/25/2021							
6. Dixon Road 2	RV Vehicles	City			3/25/2021							
7. Calaveras Blvd Overpass	Encampment	City			3/19/2021							
8. Dempsey Road 1	Encampment	City			3/25/2021							
9. Sinclair Frontage Road	Encampment	Union Pacific Railroad			3/25/2021							
10. Yosemite Business Park	Encampment	Private Property			3/25/2021							
11. Gibraltar Court	Trailers	City			3/25/2021							
12. Topaz Street 2	Encampment	City			3/25/2021							
13. Railroad Court	Camp/Trailers	City			3/25/2021							
14. Abel Plaza	Encampment	Private Property			3/25/2021							
15. S. Main Street	Encampment	City			3/25/2021							
16. S. Abbott Avenue	Encampment	City (if on street) or County (if on County property)			3/25/2021							
17. W. Calaveras Blvd	Encampment	City			3/25/2021							
18. Ethyl Court	Camp/Cars	City			3/25/2021							
19. Hammond Way	Cars/Trailers	City			3/25/2021	3	11/5/2021, 11/17/2021	3	11/5/2021, 11/17/2021			
20. Coyote Creek Trail 1	Encampment	Valley Water			3/25/2021							
21. Coyote Creek Trail 2	Encampment	Valley Water			3/25/2021							
22. Coyote Creek Trail 3	Encampment	Valley Water			3/25/2021							
23. Calaveras Plaza Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
24. Dignity on Wheels Mobile Shower and Laundry	Outreach (contact made in non-encampment setting)	N/A	2	11/21/2021	N/A	2	11/21/2021	2	11/21/2021			
25. Dixon Landing Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
26. Great Mall	Outreach (contact made in non-encampment setting)	N/A			N/A							
27. Milpitas Library	Outreach (contact made in non-encampment setting)	City			N/A							
28. Main Street	Outreach (contact made in non-encampment setting)	N/A			N/A							
29. Other (Street, Panhandle, Vehicle Dweller, or Unidentified Location)	Outreach (contact made in non-encampment setting)	N/A			N/A							
30. Dempsey Road 2	Encampment	Private Property			N/A							
31. Serra Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
32. E. Calaveras Blvd	Outreach (contact made in non-encampment setting)	N/A			N/A							
33. Dempsey Road 3	Outreach (contact made in non-encampment setting)	Private Property			N/A							
34. Galaxy Court	Outreach (contact made in non-encampment setting)	City			N/A							
35. Ranch Drive	Outreach (contact made in non-encampment setting)	City	1	11/22/2021	N/A	1	11/22/2021	1	11/22/2021			
36. Jacklin Rd	Car	City			N/A							
37. Folsom Ct	Outreach (contact made in non-encampment setting)	City			N/A							
38. Other (near Extended Stay)	Outreach (contact made in non-encampment setting)	City	1	11/4/2021	N/A	1	11/4/2021	1	11/4/2021			
39. S. Park Victoria	Outreach (contact made in non-encampment setting)	City			N/A							
40. O'Toole Elms Park	Outreach (contact made in non-encampment setting)	City			N/A							
41. America's Best Value Inn	Outreach (contact made in non-encampment setting)	Private Property			N/A							
Total			5			8		8				

WeHOPE Dignity on Wheels Mobile Shower and Laundry	Session Location	Service Dates	Number of Sessions	Total Unduplicated Individuals Served	Showers Provided	Loads of Laundry Provided
	Milpitas Library	11/7/2021, 11/14/2021, 11/21/2021, 11/28/2021	4	18	49	22

Santa Clara County Office of Supportive Housing
 Abode Services
 Milpitas HEAT Team
 November 2021 Report

In November, Abode's HEAT staff continued to focus on locating, identifying, and linking new unhoused individuals into various supportive services and shelter placements, in response to referrals from Milpitas PD and the City of Milpitas. The team was deployed in various regions of the city to assess and refer unhoused participants to the housing community queue for housing eligibility. The team utilized motivational interviewing strategies and effective engagement strategies to foster rapport with the various unhoused communities and provides basic needs items and linkage to appropriate resources.

During November, the Abode HEAT staff continued to coordinate outreach efforts at new locations, as well as, revisiting previous locations to enroll and assess 8 unhoused individuals. The Abode HEAT staff provided basic needs items to all participants who attended the November 21st Dignity on Wheels event. In total, the HEAT team administered 2 Vi-SPDAT assessments during the event.

In conclusion, the Abode HEAT staff supported all active participants in the program, including newly assessed individuals in accessing available resources conducive for housing acquisition and stabilization in various life domains. In response to the inclement weather conditions, the team also facilitated referrals to prospective shelter placements and interim motel support to medically vulnerable participants.

The following table reflects the number of outreach contacts, the total number of unhoused enrolled into the SCC HEAT program, as well as the number of VI-SPDAT assessments administered:

Milpitas HEAT Contact, Enrolled, Assessed Clients: November

Outreach Location	Outreach Contact	Enrolled	Assessments
Milpitas Outreach- Extended Stay Milpitas	1	1	1
11/4/2021	1	1	1
Milpitas Vehicle Dwellers- Hammond 15	3	3	3
11/5/2021	2	2	2
11/17/2021	1	1	1
Milpitas Encampment- Hillview Bridge	1	1	1
11/17/21	1	1	1
Milpitas Outreach- Dignity on Wheels	2	2	2
11/21/2021	2	2	2
Milpitas Outreach – (Vehicle Dweller) Ranch Dr.	1	1	1
11/22/21	1	1	1
Grand Total	8	8	8

Milpitas Outreach= Contact made with client in non-encampment setting

*Milpitas Encampment= Contact made at a location where
a tent and/or other structures are used as shelter*





Reporting Period		Total unduplicated individuals served during reporting period				Total unduplicated individuals served during contract term				Total Field Visits this month							
11/1/2021-11/30/2021		18				97				51							
						Age (for Field Visits)											
Session Locations		Service Date(s)	Hours	Unduplicated Individuals at Sessions	Showers Provided	Loads of Laundry Provided	>19	20-29	30-39	40-49	50-59	60-69	70-79	80+	Doesn't Know or Refused		
TOTALS FOR MONTH			16 hours	18	49	22	0	0	8	12	12	13	4	0	0		
Sundays		11/7/2021															
		11/14/2021															
		11/21/2021															
		11/28/2021															
Gender (unduplicated)						Ethnicity (for Field Visits)							Race (for Field Visits)				
Male	Female	Trans Female (M to F)	Trans Male (F to M)	Gender Non-Conforming	Doesn't Know or Refused	White	Black of African American	Asian	American Indian or Alaskan Native	Native Hawaiian or Other Pacific Islander	Multiple Races	Doesn't Know or Refused	Non-Hispanic/Non-Latino	Hispanic/Latino	Doesn't Know or Refused		
14	4	0	0	0	0	12	2	8	2	0	0	25	10	2	37		



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Accept the Resignation of Aysha Mohsin from the Planning Commission
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	1/18/2022
Staff Contact:	Wendy Wood, City Clerk, 408-586-3001
<u>Recommendation:</u>	Accept the resignation of Aysha Mohsin from the Planning Commission; and confirm the noticing of the unscheduled vacancy.

Background:

In accordance with the City of Milpitas Commission By-Laws, any member or alternate member of a Commission who is no longer available to serve must submit a resignation in writing by sending a written communication to the Mayor and the City Clerk, per adopted City Council Resolution No. 7702. The written resignation must then be accepted and confirmed by City Council via action on the consent calendar at a regularly scheduled City Council meeting. Aysha Mohsin submitted her resignation from the Planning Commission on January 7, 2022.

Analysis:

By state law, a Notice of an Unscheduled Vacancy must be posted by the City Clerk to advertise the vacant Commission seat. Final appointment to the board, commission, or committee for the Unscheduled Vacancy shall not be made by the legislative body for at least ten working days after the posting of the notice in the Clerk's office. The notice of the Unscheduled Vacancy for the Planning Commission was posted on January 7, 2022, in accordance with California Government Code 54974 (a).

Fiscal Impact:

There is no fiscal impact associated with this item.

Recommendation:

Accept the resignation of Aysha Mohsin from Planning Commission and confirm the noticing of the unscheduled vacancy.

Attachments:

1. Letter from Commissioner Aysha Mohsin

January 7, 2022

To: Mayor Rich Tran
Re: Letter of Resignation – Planning Commission

Hello Mayor Tran,

I write to you with a heavy heart that unfortunately, I will not be able to take the commission seat this year. My son is unwell, and the doctor has decided to start his treatment starting this month. It will be a lengthy and challenging time for my family, and I will need to be fully dedicated to him. I did not know that any of this would be happening with my son and so I wanted to apologize for any inconvenience this may have caused you. I do not take anything on unless I know I can be fully committed and dedicated – so I would not want to take the seat and let you and the community down. I really appreciate your support for my application for a seat on the planning commission.

As you know, I come from a family that is ready to serve its community. I hope one day I can do the same and serve the City of Milpitas as a commissioner. Until then, please do not hesitate to reach out for help in any matter.

Once again, apologies for the turn of events. Wishing you a prosperous 2022.

Thank you,
Aysha Mohsin



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Move to Waive the Second Reading and Adopt Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	1/18/2022
Staff Contact:	Steve Chan, Transportation and Traffic Manager, (408) 586-3324, and Jared Hernandez, Chief of Police (408) 586-2406
Recommendation:	Move to waive the second reading beyond the title and adopt Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic

Background:

On January 11, 2022, the City Council voted to introduce Ordinance No. 43.213 to make updates to various sections of Title V, Chapter 100 of the Milpitas Municipal Code. A detailed discussion of the changes proposed by the Ordinance can be found in the staff report heard during the January 11th City Council meeting.

The Ordinance is now ready for its second reading and adoption.

Fiscal Impact

There is no immediate fiscal impact in waiving the second reading and adopting Ordinance No. 43.213.

California Environmental Quality Act:

The introduction and adoption of this Ordinance is not a project subject to the California Environmental Quality Act (CEQA) as it can be seen with certainty that the project does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and is more akin to an administrative activity of the government pursuant to CEQA Guidelines Section 15378.

Recommendation

Move to waive the second reading and adopt Ordinance No. 43.213 Amending Various Sections of Milpitas Municipal Code, Title V, Chapter 100 - Traffic

Attachment

1. Ordinance No. 43.213 for adoption
2. Ordinance No. 43.213 "redline" version

REGULAR

NUMBER: 43.213

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING VARIOUS SECTIONS OF TITLE V, CHAPTER 100 ("TRAFFIC") OF THE MILPITAS MUNICIPAL CODE

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, upon motion by _____ and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Wendy Wood, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the California Vehicle Code (see Veh. Code §§ 21100–21117) authorizes local governments to adopt traffic rules and regulations regarding certain matters, including regulating traffic by means of traffic officers and regulating traffic by means of official traffic control devices; and

WHEREAS, the California Vehicle Code (see Veh. Code § 22507) authorizes local governments to regulate parking within their jurisdictions; and

WHEREAS, the City of Milpitas (“City”) regulates traffic and parking upon its streets and sidewalks through Title V, Chapter 100 (Traffic) of the Milpitas Municipal Code (“Traffic Ordinance”); and

WHEREAS, the Traffic Ordinance was last updated in 1969; and

WHEREAS, the responsibilities assigned by the Traffic Ordinance are inconsistent with current City operations and provisions of the California Vehicle Code; and

WHEREAS, City staff has identified various sections of the Traffic Ordinance requiring corrections, clarifications, updates and modifications and requests that the City Council take action to correct these issues through the adoption of this Ordinance.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.02 “Holidays”

Title V, Chapter 100, Section V-100-2.02 “Holidays” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-2.02 – Holidays

Within the meaning of this Chapter, holidays are the following:

A. January 1st

~~B. February 12th, known as "Lincoln Day"~~

~~CB. The third Monday in February~~

C. March 31st, known as “Cesar Chavez Day”

D. The last Monday in May, known as “Memorial Day”

E. July 4th

F. The first Monday in September, known as “Labor Day”

~~G. September 9th known as "Admission Day"~~

~~H. The second Monday in October known as "Columbus Day"~~

~~IG. November 11th known as "Veteran's Day"~~

~~H.~~ Thanksgiving Day

I. The Friday after Thanksgiving Day

J. December 24th

~~K.~~ December 25th

SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.05 “Official Traffic Control Devices”

Title V, Chapter 100, Section V-100-2.05 “Official Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-2.05 - Official Traffic Control Devices

All signs, signals, markings and devices as authorized in this Chapter and/or the California Vehicle Code or the California Manual of Traffic Control Devices shall be placed or erected consistent with the California Vehicle Code or the California Manual of Traffic Control Devices by authority of a public body or official having jurisdiction for the purposes of promoting safety and efficiency by providing orderly movement of all users on streets, bikeways, and pedestrian paths open to public travel. ~~of regulating, warning or guiding traffic.~~

SECTION 4. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-3.01 “Authority of Police and Fire Department Officials”

Title V, Chapter 100, Section V-100-3.01 “Authority of Police and Fire Department Officials” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-3.01 - Authority of Police, ~~and~~ Fire Department Officials and Other Authorized City Officers

3.01-1 There are conferred upon the City Manager those powers and duties necessary for the administration of this Chapter. In addition, there is also conferred upon the City Manager the authority and power to designate such officers and employees of the City as may be required to assist him or her in carrying out the intent and purpose of this Chapter.

~~3.01-24~~ It shall be the duty of the officers of the Police Department and/or other such authorized City officers ~~as are assigned by the Chief Police Officer~~ to enforce all street traffic laws of this City and all of the State vehicle laws applicable to street traffic in this City.

~~3.01-32~~ Officers of the Police Department and/or such other authorized City officers ~~as are assigned by the Chief Police Officer~~ are hereby authorized to direct all traffic by voice, hand or other signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

~~3.01-43~~ Officers of the Fire Department, in the course of their duties ~~when~~ at the scene of a fire, may direct or assist the police in directing traffic ~~thereat or in the immediate vicinity.~~

SECTION 5. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.01 “General”

Title V, Chapter 100, Section V-100-4.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.01 - General

All acts of the ~~Chief Police Officer~~ City Manager or designee required or authorized by the provisions of this ~~Chapter~~ Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this City.

4.01-1 ~~Reserved. Wherever in this Chapter the Chief Police Officer is required or authorized to determine the need for, or to install and maintain, or to remove, relocate or discontinue use of official traffic control devices, traffic signals, roadway markings, turning movement restrictions, stop signs, parking restrictions or other traffic control signs and markings, such authority for installations may be delegated to the Traffic Engineer by the Chief Police Officer.~~

SECTION 6. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.02 “Authority to Install Traffic Control Devices”

Title V, Chapter 100, Section V-100-4.02 “Authority to Install Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.02 - Authority to Install Traffic Control Devices

4.02-1 The ~~Chief Police Officer~~ City Manager or designee shall place and maintain or cause to be placed and maintained official traffic control devices when and as required under the traffic ordinances of this City to make effective the provisions of said ordinances.

4.02-2 Whenever the Vehicle Code of this State requires for the effectiveness of any provision thereof that traffic control devices be installed to give notice to the public of the application of such law the City Manager or designee ~~Chief Police Officer~~ is hereby authorized to install the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

4.02-3 The City Manager or designee ~~Chief Police Officer~~ may also place and maintain such additional traffic control devices as he may deem necessary to regulate traffic or to guide or warn traffic upon the basis of traffic engineering principles and traffic investigation.

4.02-4 The City Manager or designee shall maintain schedules of all official traffic control devices in electronic format.

SECTION 7. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.05 “Installation of Traffic Signals”

Title V, Chapter 100, Section V-100-4.05 “Installation of Traffic Signals” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.05 - Installation of Traffic Signals

4.05-1 The City Manager or designee ~~Chief Police Officer~~ shall install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.

4.05-2 The City Manager or designee ~~Chief Police Officer~~ shall ascertain and determine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent

and his determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the Manual of Uniform Traffic Control Devices for streets and highways promulgated by The American Association Streets and Highways Officials and Public Roads Administration.

4.05-3 Whenever the City Manager or designee ~~Chief Police Officer~~ installs and maintains official traffic signals at any intersection, the City Manager or designee shall likewise erect and maintain at such intersection street name signs visible to the principal flow of traffic unless such street name signs have previously been placed and are maintained at any said intersection.

SECTION 8. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.06 “Lane Markings”

Title V, Chapter 100, Section V-100-4.06 “Lane Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.06 - Lane Markings

The City Manager or designee ~~Chief Police Officer~~ is hereby authorized to mark center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

SECTION 9. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.07 “Distinctive Roadway Markings”

Title V, Chapter 100, Section V-100-4.07 “Distinctive Roadway Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.07 - Distinctive Roadway Markings

Whenever the State Department of Public Works determines by resolution and designates a distinctive roadway marking which shall indicate no driving over such marking, the ~~Chief Police Officer~~ City Manager or designee is authorized to designate by such marking those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking or signs and marking shall have the same effect as similar markings placed by the State Department of Public Works pursuant to provisions of the Vehicle Code.

SECTION 10. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices”

Title V, Chapter 100, Section V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.08 - Authority to Remove, Relocate or Discontinue Traffic Control Devices

The ~~Chief Police Officer~~ City Manager or designee is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by state law or this Chapter whenever ~~he~~ the City Manager or designee shall determine in any particular case that the conditions which warranted or required the installations no longer exist or obtain.

SECTION 11. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.09 “Traffic Control Devices—Hours of Operation”

Title V, Chapter 100, Section V-100-4.09 “Traffic Control Devices—Hours of Operation” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.09 - Traffic Control Devices—Hours of Operation

The ~~Chief Police Officer~~ City Manager or designee shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this Chapter.

SECTION 12. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.01 “General”

Title V, Chapter 100, Section V-100-5.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.01 - General

All acts of the ~~Chief Police Officer~~ City Manager or designee required or authorized by the provisions of this Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this ~~e~~City.

SECTION 13. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes”

Title V, Chapter 100, Section V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.02 - Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes

5.02-1 The ~~Chief Police Officer~~ City Manager or designee is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and the ~~Chief Police Officer~~ City Manager or designee is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand turns.

5.02-2 When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

SECTION 14. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.03 “Authority to Place Restricted Turn Signs”

Title V, Chapter 100, Section V-100-5.03 “Authority to Place Restricted Turn Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.03 - Authority to Place Restricted Turn Signs

The City Manager or designee ~~Chief Police Officer~~ is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

SECTION 15. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal”

Title V, Chapter 100, Section V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.05 - Authority to Prohibit Right Turns Against Traffic Stop Signal

The City Manager or designee ~~Chief Police Officer~~ is hereby authorized to determine those intersections within any business or residence district at which drivers of vehicles shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign.

SECTION 16. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.06 “Specific Turning Movements Prohibited at Specific Places”

Title V, Chapter 100, Section V-100-5.06 “Specific Turning Movements Prohibited at Specific Places” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-5.06 - Reserved ~~Specific Turning Movements Prohibited at Specific Places~~

~~Without limitation to any of the provisions of this Section, the Chief Police Officer is hereby directed to place signs at the following locations described in Section V-100-15.16 prohibiting drivers of vehicles from making the specific turning movements indicated for said locations. When signs are erected as directed, no driver of a vehicle shall disobey the directions of any such signs.~~

SECTION 17. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys”

Title V, Chapter 100, Section V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-6.01 - ~~The Chief Police Officer to Sign One-Way Streets and Alleys~~

Whenever ~~any ordinance or resolution of this~~ the City Manager designates any one-way street or alley, the ~~Chief Police Officer~~ City Manager or designee shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 18. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.01 “The Chief Police Officer to Erect Stop Signs”

Title V, Chapter 100, Section V-100-7.01 “The Chief Police Officer to Erect Stop Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.01 - ~~The Chief Police Officer to Erect Stop Signs~~

Whenever ~~any ordinance or resolution of this~~ the City Manager designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the ~~Chief Police Officer~~ City Manager or designee shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in ~~Section 471 of the~~ California Vehicle Code.

SECTION 19. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.02 “Stop at Through Street Or Stop Sign”

Title V, Chapter 100, Section V-100-7.02 “Stop at Through Street Or Stop Sign” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-7.02 - Reserved ~~Stop at Through Street Or Stop Sign~~

~~7.02-1 Those streets and parts of streets described in Subsection V 100-15.02 hereof are hereby declared to be through streets for the purposes of this Section.~~

~~7.02-2 The provisions of this Section shall also apply at one or more entrances to the intersections as such entrances and intersections are described in Subsection V 100-15.03 hereof.~~

~~7.02-3 The provisions of this Section shall apply at those highway railway grade crossings as described in Subsection V 100-15.04.~~

SECTION 20. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs”

Title V, Chapter 100, Section V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.04 - ~~Chief Police Officer to Erect Right-of-Way Signs~~

7.04-1 Whenever ~~any ordinance or resolution of this~~ the City Manager designates and describes any approach to an intersection of streets or highways (which are not through streets or highways), as one at which yield right-of-way signs shall be erected, the ~~Chief Police Officer~~ City Manager or designee shall erect and maintain at said approach, a Yield Right-of-Way sign.

7.04-2 Every Yield Right-of-Way sign shall conform with and be placed as provided in ~~Section 21402 of the California~~ Vehicle Code and ~~Section 21356 of the Vehicle Code, respectively.~~

7.04-3 Reserved. ~~Those approaches to an intersection of streets and highways which are not through highways and streets described in Subsection V 100-15.17 hereof are hereby declared to be approaches to an intersection of streets and highways at which a Yield Right of Way sign shall be erected.~~

SECTION 21. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.05 “Entrance Only And Exit Only Signs”

Title V, Chapter 100, Section V-100-7.05 “Entrance Only And Exit Only Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.05 - Entrance Only And Exit Only Signs

7.05-1 Whenever ~~any ordinance or resolution of this~~ the City Manager designates and describes any entrance as "entrance only" and designates and describes any exit as "exit only", the ~~Chief of Police~~ City Manager or designee shall erect and maintain at said entrance and at said exit an "Entrance Only" sign and an "Exit Only" sign.

7.05-2 Reserved. ~~Those entrances and those exits described in Subsection V 100-15.18 hereof are hereby declared to be "Entrance Only" and "Exit Only" approaches and departures, at which "Entrance Only" and "Exit Only" signs shall be erected.~~

SECTION 22. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway”

Title V, Chapter 100, Section V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.06 - Stop Sign At Intersection of Street and Alley or Private Driveway

7.06-1 Whenever ~~any ordinance or resolution of this the~~ City Manager designates and describes the intersection of any public street with any alley or private driveway as one at which a stop sign should be posted, the ~~Chief of Police~~ City Manager or designee shall erect and maintain at the intersection of said public street and alley or private driveway, the stop sign which shall stop traffic upon said public street. The purpose of this Subsection is to provide stop signs upon public streets at the intersection of said streets with alleys or private driveways in such special circumstances where conditions are hazardous to traffic, and a stop sign on said street is necessary for the safety of persons traveling on said street, or upon said alley or private driveway. Nothing herein contained, however, shall be deemed or construed to repeal or amend Subsection V-100-7.03 of this Chapter.

7.06-2 Reserved. ~~Pursuant to the provisions of this Subsection, a stop sign shall be erected at those locations upon public streets described in Subsection V 100 15.19 of this Chapter.~~

SECTION 23. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.01 “Crosswalks”

Title V, Chapter 100, Section V-100-9.01 “Crosswalks” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-9.01 - Crosswalks

9.01-1 The City ~~Council~~ Manager or designee shall establish, designate and ~~direct the Chief Police Officer to~~ maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway, ~~as follows:~~

9.01-2 Reserved. ~~Crosswalks shall be established at those intersections, and elsewhere other than intersections, as are described in Subsection V 100 15.10 hereof.~~

SECTION 24. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.04 “Pedestrian Walkways”

Title V, Chapter 100, Section V-100-9.04 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-9.04 - Pedestrian Walkways

9.04-1 Whenever ~~ordinance of this the~~ City Manager restricts pedestrian travel to marked or constructed walkways in subways, tubes and tunnels or upon bridges or viaducts, the City Manager or designee ~~Chief Police Officer~~ shall erect appropriate signs giving notice thereof.

9.04-2 When signs have been posted restricting pedestrian travel as herein provided, no person shall stand or walk other than on the designated walkway.

9.04-3 Reserved. ~~Pedestrian traffic shall be restricted in those subways, tubes and tunnels or upon bridges or viaducts, or portions thereof, as described in Subsection V 100 15.23 hereof.~~

SECTION 25. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.06 “Signs or Markings Indicating Angle Parking”

Title V, Chapter 100, Section V-100-10.06 “Signs or Markings Indicating Angle Parking” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.06 - Signs or Markings Indicating Angle Parking

10.06-1 Whenever ~~any ordinance of this the~~ City Manager designates and describes any street or portion thereof upon which angle parking shall be permitted, the ~~Chief Police Officer~~ City Manager or designee shall mark or sign such street indicating the angle at which vehicles shall be parked.

10.06-2 When signs or markings are in place indicating angle parking as herein provided, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

10.06-3 ~~Reserved. Angle parking shall be permitted upon those streets and parts of streets described in Subsection V-100-15.05 hereof.~~

SECTION 26. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb”

Title V, Chapter 100, Section V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-10.07 - Reserved ~~Permit for Loading or Unloading at an Angle to the Curb~~

~~The Chief Police Officer is authorized to issue special permits to allow the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.~~

SECTION 27. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.08 “Parking Adjacent to Schools”

Title V, Chapter 100, Section V-100-10.08 “Parking Adjacent to Schools” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.08 - Parking Adjacent to Schools

10.08-1 The City Manager or designee ~~Chief Police Officer~~ is hereby authorized to erect signs indicating no parking upon either side of any street adjacent to or opposite any school property when such parking would, in his opinion, interfere with traffic or create a hazardous condition.

10.08-2 When official signs are erected indicating "no parking" upon either side of a street adjacent to or opposite any school property, or "no parking" upon either side of a street between certain hours on certain days, no persons shall park a vehicle in any such designated place.

SECTION 28. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.09 “Parking Prohibited on Narrow Streets”

Title V, Chapter 100, Section V-100-10.09 “Parking Prohibited on Narrow Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.09 - Parking Prohibited on Narrow Streets

10.09-1 The City Manager or designee ~~Chief Police Officer~~ is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of the street as indicated by such signs or markings when the width of the roadway does not exceed 30 feet.

10.09-2 When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

SECTION 29. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required”

Title V, Chapter 100, Section V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.10 - Stopping, Standing or Parking Prohibited—Signs Required

The City Manager or designee ~~Chief Police Officer~~ shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of said places.

10.10-1 At any place within twenty (20) feet of a point on the curb immediately opposite the mid-block end of a safety zone.

10.10-2 Within twenty-five (25) feet of the approach to any traffic signal, boulevard stop sign, or official electrical flashing device.

10.10-3 At any place where the City Manager or designee ~~Chief Police Officer~~ determines that it is necessary in order to eliminate dangerous traffic hazards.

10.10-4 Reserved. ~~Upon those streets, or portions of streets described in Section V-100-15.11 hereof.~~

SECTION 30. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.11 “Unlawful Parking—Peddlers, Vendors”

Title V, Chapter 100, Section V-100-10.11 “Unlawful Parking—Peddlers, Vendors” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.11 - Unlawful Parking—Peddlers, Vendors

10.11-1 Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon or push-cart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City, except that such vehicles, wagons or push-carts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place. The provisions of this Subsection shall not apply to persons delivering such articles upon order of, or by agreement with a customer from a store or other fixed place of business or distribution.

10.11-2 Deleted by Ord. 43.139.

10.11-3 Deleted by Ord. 43.139.

10.11-4 Deleted by Ord. 43.139.

10.11-5 Reserved. ~~It shall be unlawful to sell, display, solicit or offer for sale, barter or exchange or otherwise peddle or vend any goods, wares or merchandise (including, but not limited to wearing apparel, flowers or foodstuffs) from the sidewalk, curb or street (and whether on foot or from any vehicle, wagon or cart, or otherwise) at any of the following locations within the City of Milpitas:~~

- ~~.1 Abbott Avenue from Spence Avenue to Calaveras Boulevard~~
- ~~.2 Abel Street (Entire)~~
- ~~.3 Calaveras Boulevard/SR 237 from and including the western City Limit to Coyote Creek to and including its intersection with Carnegie Drive~~
- ~~.4 Capitol Avenue from Abel Street to the south City Limits~~
- ~~.5 Dixon Landing Road (Entire)~~
- ~~.6 Dixon Road from Milpitas Boulevard to Arizona Avenue~~
- ~~.7 Jacklin Road from Milpitas Boulevard to and including Park Victoria Drive~~
- ~~.8 Landess Avenue those portions within the City of Milpitas~~
- ~~.9 Main Street from Curtis Avenue to south City Limits~~
- ~~.10 McCarthy Boulevard (Entire)~~
- ~~.11 Milpitas Boulevard (Entire)~~
- ~~.12 Montague Expressway (Entire)~~
- ~~.13 Park Victoria Drive from Ayer Street to south City Limits~~
- ~~.14 Serra Way (Entire)~~

10.11-6 Reserved. Application

The provisions of V-100-10.11-5 shall be applicable to any vehicle, wagon or push cart, to which V-100-10.11-1 applies.

SECTION 31. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.15 “Parking on City Property”

Title V, Chapter 100, Section V-100-10.15 “Parking on City Property” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.15 - Parking on City Property

10.15-1 Whenever the City ~~Council~~ Manager ~~shall~~ determines that the orderly, efficient conduct of the City's business requires that parking or standing of vehicles on City property be prohibited, limited or restricted, the City ~~Council~~ Manager shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

10.15-2 When signs authorized by the provisions of this Subsection are in place, giving notice thereof, no person shall park or stand any vehicle contrary to the directions or provisions of such signs, and any vehicle parked in violation of such signs may be towed to a public storage garage at the expense of the owner of such vehicle; or the Police Department may, and it is granted authority to, issue a citation in the usual form and manner for any violation of the prohibition, limitation or restriction indicated by such signs or for any violation of the provisions of this Subsection.

10.15-3 No person shall park or stand any vehicle exceeding twenty feet (20') in length on any City-owned parking lot except for the loading or unloading of materials or passengers as permitted by Section V-100-11.03 of this Chapter.

10.15-4 Reserved. The City Council finds and declares that the orderly, efficient conduct of the City's business requires that parking of vehicles on City property be prohibited, limited or restricted as hereafter provided:

(a) ~~When signs are in place giving notice thereof, and except as authorized by permit as hereafter provided, it shall be unlawful to park a vehicle between the hours of 7:00 a.m. and 6:00 p.m. on any day (except Saturdays, Sundays and official City holidays) at the following locations and in excess of the following periods:~~

~~(1) Within the east wing of the City Hall parking lot (including the area in front of and east of the Community Center) in excess of four (4) hours in any one day (except as authorized by permit);~~

~~(2) Within the parking areas in front of the main entrance to City Hall in excess of three (3) hours in any one day (except as authorized by permit);~~

~~(3) In the parking stalls in front of the Finance Department and the Credit Union on the southerly side of City Hall in excess of thirty (30) minutes in any one day.~~

~~(b) Permits shall be issued by the City Manager or the Chief of Police. They may be limited as to date and permitted hours. They shall be prominently displayed on the dashboard of the vehicle or, if a sticker, affixed to the rear bumper. They will be issued to all City Councilpersons, to all City vehicles and to all City employees for use on the employee's private vehicle. They may be issued by the City Manager or Chief of Police on a sign-out basis for all persons having business to conduct at City Hall or the Community Center in excess of the allowable parking time.~~

~~(c) When signs are in place giving notice thereof, it shall be unlawful to park a vehicle between the hours of 10:00 p.m. and 7:00 a.m. on any day in the Milpitas Library Parking Garage.~~

10.15-5 Reserved. The City Manager shall be empowered to prohibit, limit or restrict parking in any City parking lot (or parts thereof) within the Milpitas Civic Center.

SECTION 32. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.16 “Bicycle Parking Zones”

Title V, Chapter 100, Section V-100-10.16 “Bicycle Parking Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.16 - Bicycle Parking Zones

Whenever the ~~Chief Police Officer~~ City Manager or designee shall determines that the establishment of a bicycle parking zone is reasonably necessary or desirable for the regulation of traffic or to provide facilities for the temporary parking of bicycles being operated upon the public streets, or to safeguard life or property, the City Manager or designee is hereby authorized to set aside a space on the street not more than thirty-six feet (36') in length for the parking of bicycles during such hours of such days as are found by him to be best suited for the accomplishment of the purposes set forth in this Section. When a bicycle parking zone is so established, the ~~Chief Police Officer~~ City Manager or designee shall cause appropriate signs to be posted there at during such hours, giving notice that parking of other vehicles is prohibited. No person shall stop, stand or park any other vehicle in front of such zone while such signs are in place.

SECTION 33. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.01 “Authority to Establish Loading Zones”

Title V, Chapter 100, Section V-100-11.01 “Authority to Establish Loading Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.01 - Authority to Establish Loading Zones

11.01-1 The ~~Chief Police Officer~~ City Manager is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

(a) At any place in any business district.

(b) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

11.01-2 In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

11.01-3 Deleted by Ord. 43.140.

11.01-4 Deleted by Ord. 43.140.

SECTION 34. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations”

Title V, Chapter 100, Section V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.02 - Curb Markings to Indicate No Stopping and Parking Regulations

11.02-1 The ~~Chief of Police~~ City Manager or designee is hereby authorized, subject to the provisions and limitations of this Chapter, to place, and when required herein shall place, the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth.

(a) Red shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.

(b) Yellow shall mean no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.

(c) White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers or depositing mail in an adjacent mailbox which shall not exceed three (3) minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:

(1) When such zone is in front of a hotel or adjacent mailbox the restrictions shall apply at all times.

(2) When such zone is in front of a theater the restrictions shall apply at all times except when such theater is closed.

(d) Green shall mean no standing or parking for longer than twenty (20) minutes at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays.

(e) Blue indicates parking limited exclusively to vehicles of physically handicapped persons.

11.02-2 When the ~~Chief of Police~~ City Manager or designee as authorized under this ordinance has caused curb marking to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

SECTION 35. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.07 “Bus Zones to be Established”

Title V, Chapter 100, Section V-100-11.07 "Bus Zones to be Established" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.07 - Bus Zones ~~to be Established~~

11.07-1 The ~~Chief Police Officer~~ City Manager or designee is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses of common carriers of passengers and to determine the location thereof subject to the directives and limitations set forth herein.

11.07-2 The word "bus" as used in this section shall mean any motor bus, motor coach, trackless trolley coach, or passenger stage used as a common carrier of passengers.

11.07-3 No bus zone shall exceed 80 feet in length, except that when satisfactory evidence has been presented to the City Manager or designee ~~Chief Police Officer~~ showing the necessity therefor, the City Manager or designee ~~Chief Police Officer~~ may extend bus zones not to exceed a total length of 125 feet.

11.07-4 Bus zones shall normally be established on the far side of an intersection.

11.07-5 No bus zone shall be established opposite and to the right of a safety zone.

11.07-6 The City Manager or designee ~~Chief Police Officer~~ shall paint a red line stencil with white letters "NO STANDING", together with the words "BUS ZONE" upon the top or side of all curbs and places specified as a bus zone.

11.07-7 No person shall stop, stand or park any vehicle except a bus in a bus zone.

11.07-8 Reserved. ~~In addition to such bus zones as may be established by the Chief Police Officer pursuant to authority granted in paragraph 11.07-1 of this Subsection, and without limitation to said authority, those locations and parts of streets described in Subsection V-100-15.14 hereof are hereby declared to be Bus Zones and shall be subject to the directives and limitations set forth in paragraphs 2, 3, 4, 5, 6 and 7 of this Subsection V-100-11.07.~~

11.07-9 Reserved. ~~In addition to such bus zones as may be established by the Chief Police Officer pursuant to authority granted in paragraph 1 of this Subsection, and without limitation to said authority, those locations and parts of the streets described in Subsection V-100-15.15 hereof, are hereby declared to be School Bus Zones and shall be subject to the directives and limitations set forth in Subsection V-100-11.07, paragraphs 2, 3, 4, 5, and 6. No person shall stop, stand or park any vehicle except a school bus in a School Bus Zone between the hours of 6:00 a.m. and 6:00 p.m. of any day during which the school adjacent thereto is in session.~~

SECTION 36. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.08 "Mail deposit zones"

Title V, Chapter 100, Section V-100-11.08 "Mail deposit zones" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.08 - Mail deposit zones

11.08-1 Whenever ~~any ordinance of this~~ the City Manager designates and describes any portion of any street as a mail deposit zone, the ~~Chief Police Officer~~ City Manager or designee shall place a white marking on the curb within said zone in accordance with the provisions of Subsection V-100-11.02 hereof.

11.08-2 Reserved. ~~Those portions of streets described in Subsection V-100-15.13 hereof are hereby declared to be Mail Deposit Zones.~~

SECTION 37. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.01 “Parking Time Limited on Certain Enumerated Streets”

Title V, Chapter 100, Section V-100-12.01 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.01 - Parking Time Limited ~~on Certain Enumerated Streets~~

Whenever the City Manager designates and describes any street or portion thereof as time limited parking, the City Manager or designee shall erect and maintain parking restriction signs. When authorized signs are in place giving notice thereof, no person shall stop, stand or park any vehicle on any of the streets or portions thereof enumerated in Subsection V-100-15.06 hereof for a period of time in excess of the time therein indicated between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays.

SECTION 38. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.02 “Parking Prohibited at all Times on Certain Streets”

Title V, Chapter 100, Section V-100-12.02 “Parking Prohibited at all Times on Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.02 - Parking Prohibited at all Times ~~on Certain Streets~~

Whenever the City Manager designates and describes any street or portion thereof as prohibited parking, the City Manager or designee shall erect and maintain parking restriction signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the California Vehicle Code.

~~When signs are erected giving notice thereof no person shall park a vehicle at any time upon any of the streets described in Subsection V-100-15.07 of this Chapter.~~

SECTION 39. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.04 “Parking Space Markings”

Title V, Chapter 100, Section V-100-12.04 “Parking Space Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.04 - Parking Space Markings

The ~~Chief Police Officer~~ City Manager or designee is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.

When such parking space markings are placed in the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

SECTION 40. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.05 “Truck Routes”

Title V, Chapter 100, Section V-100-12.05 “Truck Routes” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.05 - Truck Routes

12.05-1 Whenever ~~any ordinance of this~~ the City Manager designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three tons, the ~~Chief Police Officer~~ City Manager or designee is hereby authorized to designate such street or streets by appropriate signs as "Truck Traffic Routes" for the movement of vehicles exceeding a maximum gross weight limit of three tons.

12.05-2 When any such truck traffic route or routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross weight limit of three tons shall drive on such route or routes and none other except that nothing in this Section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three tons coming from a "Truck Traffic Route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.05-3 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utilities Commission, or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility.

12.05-4 Reserved. ~~Those streets and parts of streets described in Subsection V-100-15.08 hereof are hereby declared to be truck traffic routes for the movement of vehicles exceeding a maximum gross weight of three tons.~~

SECTION 41. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.06 "Commercial Vehicles Prohibited From Using Certain Streets"

Title V, Chapter 100, Section V-100-12.06 "Commercial Vehicles Prohibited From Using Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.06 - Commercial Vehicles Prohibited From Using Certain Streets-

12.06-1 Whenever ~~any ordinance of this~~ the City Manager designates and describes any street or portion thereof as a street the use of which is prohibited by any commercial vehicle, the ~~Chief Police Officer~~ City Manager or designee shall erect and maintain appropriate signs on those streets affected by such ordinance.

12.06-2 ~~Those streets and parts of streets described in Subsection V-100-15.09 hereof are hereby declared to be streets the use of which is prohibited by any commercial vehicle.~~ The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

12.06-3 The provisions of this Section shall not apply to house cars or camper-type pickup trucks provided the same are not designated, maintained or classified or required to be licensed as "commercial vehicle" under the provisions of the California Vehicle Code.

SECTION 42. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.07 "Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets"

Title V, Chapter 100, Section V-100-12.07 "Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.07 - Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets

12.07-1 Whenever ~~any ordinance of this~~ the City Manager designates and describes any street or portions thereof as a street the use of which is prohibited by any vehicle exceeding a maximum gross weight limit of 4 tons, the

~~Chief Police Officer~~ City Manager or designee shall erect and maintain appropriate signs as necessary to adequately provide notice of the prohibition.

12.07-2 Reserved. ~~Those streets and parts of streets designated in Subsection V-100-15.12 hereof are hereby declared to be streets the use of which is prohibited by any vehicles exceeding a maximum gross weight limit of 4 tons.~~

12.07-3 The provisions of this Section shall not apply to any commercial vehicle having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.07-4 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utility Commission or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or (iii) any vehicle owned or operated by a City Department while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

12.07-5 The provisions of this Section shall not apply to the bridge at Old Alviso-Milpitas Road over Coyote Creek just north of Highway 237 which lies partly in the County of Santa Clara and partly within the City of Milpitas, which shall have a maximum limit of 10 tons.

"The provisions of this Section shall not apply to non-commercial recreational vehicles or trailers, including boat and utility trailers, having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of parking, loading, or unloading said recreational vehicle or trailer on said restricted street."

SECTION 43. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets"

Title V, Chapter 100, Section V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.10 - Commercial Vehicle Parking Time Limited ~~on Certain Streets~~

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle between the hours of 9:00 p.m. and 6:00 a.m. of any day on any street or portion thereof ~~as described in Subsection V-100-15.24 hereof~~ except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

SECTION 44. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets"

Title V, Chapter 100, Section V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.12 - Commercial Vehicle Parking Prohibited on Certain Streets

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle at any time of any day on any street or portion thereof ~~as described in Subsection V-100-15.25 hereof~~ except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

SECTION 45. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.14 “Parking Time Limited On Certain Streets Except By Permit”

Title V, Chapter 100, Section V-100-12.14 “Parking Time Limited On Certain Streets Except By Permit” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.14 - Parking Time Limited On Certain Streets Except By Permit

12.14-1 When authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle on any of the streets or portions thereof and during the hours ~~prescribed in Subsection V 100-15.26 or V 100-15.27.~~posted on authorized signs.

12.14-2 Any vehicle on which is displayed a valid parking permit, as provided for herein, shall be permitted to be parked on such street without being limited by time restrictions established in Section 12.14-1.

12.14-3 Vehicle permits required under Section 12.14-2 shall be issued by the Police Department in accordance with the provisions of this section and in compliance with such administrative procedures as may be required by the Chief of Police. One permit may be issued for ~~each~~a vehicle which may otherwise be legally parked, owned, or under the control of, a resident of property adjacent to a street within the restricted parking area.

12.14-4 Permits shall be valid until the vehicle is sold or the permittee ceases to be resident of the restricted parking area; at such time the permit will be void and shall be removed from the vehicle. No permit issued hereunder shall be transferred or sold. Replacement permits for vehicles which are sold will be issued without charge upon surrender of the old permit.

12.14-5 ~~The Chief of Police may issue temporary parking permits. A maximum of two guest permits may be issued for each residence within the restricted parking area, upon application of a resident. Each permit shall state the address to which it is issued.~~

12.14-6 The provisions of this Section shall not apply to any disabled person or disabled veteran whose vehicle displays either a distinguishing license plate or distinguishing placard issued in accordance with ~~either Section 9105 or 22511.5 of the~~ California Vehicle Code.

SECTION 46. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-14.04 “Regulation of Speed by Traffic Signals”

Title V, Chapter 100, Section V-100-14.04 “Regulation of Speed by Traffic Signals” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-14.04 - Reserved ~~Regulation of Speed by Traffic Signals~~

~~In accordance with the provisions of Section 4.05, the driver of any vehicle shall obey the instructions of any official traffic control device located as follows:~~

- ~~.1 Serra Way at Main Street.~~
- ~~.2 Deleted by Ord. 43.119.~~
- ~~.3 Great Mall Parkway Capitol Avenue at Montague Expressway.~~
- ~~.4 Dixon Road at Main Street.~~
- ~~.5 Abel Street at Calaveras Boulevard.~~

- ~~.6 Serra Way at Calaveras Boulevard.~~
- ~~.7 Deleted by Ord. 43.180.~~
- ~~.8 Park Victoria Drive at Calaveras Boulevard.~~
- ~~.9 Abbott Avenue at Calaveras Boulevard.~~
- ~~.10 Washington Drive at North Main Street.~~
- ~~.11 Montague Expressway at Trade Zone Boulevard/McCandless Drive.~~
- ~~.12 Montague Expressway at Milpitas Boulevard.~~
- ~~.13 Park Victoria Drive at Landess Avenue.~~
- ~~.14 Park Victoria Drive at Yosemite Drive.~~
- ~~.15 The intersection of North Abel Street, North Main Street, North Milpitas Boulevard, and Jacklin Road.~~
- ~~.16 South Abel Street at Serra Way.~~
- ~~.17 North Abel Street at Marylinn Drive.~~
- ~~.18 Milpitas Boulevard at Calaveras Boulevard.~~
- ~~.19 McCarthy Boulevard at Montague Expressway.~~
- ~~.20 McCarthy Boulevard at Barber Lane.~~
- ~~.21 Hillview Drive at Calaveras Boulevard.~~
- ~~.22 Cedar Way at South Main Street.~~
- ~~.23 Escuela Parkway at Jacklin Road.~~
- ~~.24 Hillview Drive at Jacklin Road.~~
- ~~.25 Dixon Landing Road at California Circle/Route 17 ramp.~~
- ~~.26 Montague Expressway at Pecten Court/Alpha Beta driveway.~~
- ~~.27 McCarthy Boulevard at Tasman Drive.~~
- ~~.28 North Abel Street at Weller Lane.~~
- ~~.29 Great Mall Parkway at McCandless Drive.~~
- ~~.30 North Milpitas Boulevard at Beresford Court.~~
- ~~.31 South Milpitas Boulevard at Yosemite Drive.~~
- ~~.32 North Milpitas Boulevard at Midwick Drive.~~

~~.33 South Main Street at South Abel Street.~~

~~.34 North Abel Street at Redwood Avenue.~~

~~.35 South Milpitas Boulevard at Los Coches Street.~~

~~.36 Deleted by Ord. 43.164.~~

~~.37 California Circle at I-880 off-ramp.~~

~~.38 Calaveras Boulevard at Temple Drive.~~

~~.39 Yellowstone Avenue at Westridge Drive.~~

~~.40 South Abel Street at Capitol Avenue.~~

~~.41 South Park Victoria Drive at Yellowstone Avenue.~~

~~.42 South Abel Street at Corning Avenue.~~

~~.43 Jacklin Road at Arizona Avenue.~~

~~.44 Landess Avenue at Dempsey Road.~~

~~.45 McCarthy Boulevard at Bellew Drive.~~

~~.46 Bellew Drive at Cypress Drive.~~

~~.47 Landess at Yellowstone.~~

~~.48 South Milpitas at Ames.~~

~~.49 Jacklin at Park Victoria.~~

~~.50 Dixon Landing at Milmont.~~

~~.51 McCarthy Boulevard/Ranch Drive (south).~~

~~.52 Yosemite/Dempsey.~~

~~.53 Yosemite/Sinclair Frontage.~~

~~.54 Landess/Clear Lake.~~

~~.55 North Main/Weller.~~

~~.56 Jacklin Road at I-680 SB on the off-ramps.~~

~~.57 Jacklin Road at I-680 NB on the off-ramp.~~

~~.58 Calaveras Boulevard at Gadsden Drive.~~

~~.59 North Milpitas Boulevard at Escuela Parkway.~~

- ~~.60 South Milpitas Boulevard at Gibraltar Drive.~~
- ~~.61 McCarthy Boulevard at Cottonwood Drive.~~
- ~~.62 South Abel Street at Curtis Avenue.~~
- ~~.63 South Main Street at East Curtis Avenue.~~
- ~~.64 South Main Street at Great Mall Drive (formerly Escort Drive)~~
- ~~.65 Great Mall Parkway at Centre Pointe Drive.~~
- ~~.66 Great Mall Parkway at South Abel Street.~~
- ~~.67 Great Mall Parkway at South Main Street.~~
- ~~.68 Tasman Drive at Alder Drive.~~
- ~~.69 Tasman Drive at I-880 Southbound on/off ramps.~~
- ~~.70 Great Mall Parkway at Elmwood Access Road/I-880 Northbound off ramp.~~
- ~~.71 Jacklin Road at Hetch Hetchy Crossing.~~
- ~~.72 Pedestrian crossing at California Circle.~~
- ~~.73 McCarthy Boulevard at Sycamore Drive.~~
- ~~.74 S. Park Victoria Drive at Edsel Drive.~~
- ~~.75 S. Park Victoria Drive at Big Basin Drive.~~
- ~~.76 S. Abel Street at Junipero Drive.~~
- ~~.77 N. Milpitas Boulevard at Sunnyhills Court.~~
- ~~.78 McCarthy Boulevard/Ranch Drive (north).~~
- ~~.79 Ranch Drive/McCarthy Ranch.~~

SECTION 47. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.01 “One-Way Streets”

Title V, Chapter 100, Section V-100-15.01 “One-Way Streets” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.01 - Reserved ~~One-Way Streets~~

~~In accordance with the provisions of Section 6.01 the following streets, alleys, or portions thereof are hereby designated as one-way streets.~~

- ~~.1 The westerly portion of Escuela Parkway is hereby designated as one-way in a southerly direction.~~

~~.2 The easterly portion of Escuela Parkway is hereby designated as one way in a northerly direction.~~

~~.3 The southerly portion of Carlo Street extending from the intersection of Calaveras Boulevard and Abel Street to Main Street is hereby designated as one way in an easterly direction.~~

SECTION 48. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.03 “Stop Intersections”

Title V, Chapter 100, Section V-100-15.03 “Stop Intersections” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.03 - Reserved ~~Stop Intersections~~

~~In accordance with the provisions of Section 7.01 and where signs are erected giving notice thereof, drivers of vehicles shall stop at the entrance or entrances to these intersections described as follows:~~

~~.1 Deleted by Ord. 43.114.~~

~~.2 Entrance of Sinnott Lane upon Main Street.~~

~~.3 Entrance of Corning Avenue upon Main Street.~~

~~.4 Entrance of roadway from Gates 7 and 8 at Ford Motor Company Plant on Main Street.~~

~~[Text continues on page 265]~~

~~.5 Entrance of Casper upon Spence.~~

~~.6 Entrance of Whittier upon Spence.~~

~~.7 Entrance of Spence upon Abbott Avenue.~~

~~.8 Entrance of Vegas Avenue upon Dixon Road.~~

~~.9 Entrance of Rudyard Avenue upon Abbott to include traffic moving both east and west.~~

~~.10 Entrance of Keniston Avenue upon Abbott Avenue.~~

~~.11 Entrance of Marylinn Drive upon Abbott Avenue to include traffic moving both east and west.~~

~~.12 Entrance of Ashland Drive upon Carnegie Drive to include traffic moving west only.~~

~~.13 Entrance of Gadsden Drive upon Canton.~~

~~.14 Entrance of Roswell upon Canton to include traffic moving both north and south.~~

~~.15 Entrance of Ames Avenue upon Sinclair Frontage Road.~~

~~.16 Deleted by Ord. 43.114.~~

~~.17 Deleted by Ord. 43.150.~~

~~.18 At the intersection of Sylvia Avenue and Abel Street, stopping eastbound traffic on Sylvia Avenue.~~

- ~~.19 At the entrance(s) onto Abel Street from the Elmwood Rehabilitation Center.~~
- ~~.20 Deleted by Ord. 43.168.~~
- ~~.21 Deleted by Ord. 43.148.~~
- ~~.22 At the intersection of Conway Street with Dixon Road, stopping southbound traffic turning onto Dixon Road.~~
- ~~.23 At the intersection of Gadsden Drive with Calaveras Boulevard, stopping southbound traffic on Gadsden Drive.~~
- ~~.24 At the intersection of Conway Street with Dixon Road, stopping traffic moving in a northerly direction on Conway Street.~~
- ~~.25 At the intersection of Heath Street with Abbott Avenue, stopping all traffic moving upon Heath Street at said intersection with Abbott Avenue.~~
- ~~.26 At the intersection of Smithwood Street with Abbott Avenue, stopping all traffic moving upon Smithwood Street at its intersection with Abbott Avenue.~~
- ~~.27 At the intersection of Piper Drive with Montague Expressway, stopping all traffic moving upon Piper Drive at the intersection with Montague Expressway.~~
- ~~.28 At the intersection of Krismer Street with Marylinn Drive, stopping all traffic moving upon Krismer Street at said intersection with Marylinn Drive.~~
- ~~.29 At the intersection of Barker Street with Marylinn Drive, stopping all traffic moving upon Barker Street at said intersection with Marylinn Drive.~~
- ~~.30 At the intersection of Penitencia Street with Marylynn Drive, stopping all traffic moving northbound upon Penitencia Street at its intersection with Marylinn Drive, and stopping all traffic moving southbound upon Penitencia Street at its intersection with Marylinn Drive.~~
- ~~.31 Deleted by Ord. 43.114.~~
- ~~.32 Deleted by Ord. 43.66.~~
- ~~.33 At the intersection of the driveway from the Students Parking Lots at Samuel Ayer High School with Calaveras Boulevard, stopping all traffic moving upon said driveway at its intersection with Calaveras Boulevard.~~
- ~~.34 At the intersection of the driveway from the Faculty Parking Lot at Samuel Ayer High School with Calaveras Boulevard, stopping all traffic moving upon said driveway at said intersection with Calaveras Boulevard.~~
- ~~.35 Deleted by Ord. 43.148.~~
- ~~.36 At the intersection of Jupiter Drive with Temple Drive, stopping all traffic moving upon Jupiter Drive at its intersection with Temple Drive.~~
- ~~.37 At the intersection of Burley Drive with Temple Drive, stopping all traffic moving east and west upon Burley Drive at its intersection with Temple Drive.~~
- ~~.38 At the intersection of Canton Drive with Temple Drive, stopping all traffic moving east and west upon Canton Drive at its intersection with Temple Drive.~~

- ~~.39 At the intersection of Wylie Drive with Temple Drive, stopping all traffic westbound on Wylie Drive.~~
- ~~.40 At the intersection of Ashland Drive with Roswell Drive, stopping all traffic moving upon Ashland Drive at its intersection with Roswell Drive.~~
- ~~.41 At the intersection of Wilson Way with North Milpitas Boulevard, stopping all traffic moving easterly upon Wilson Way.~~
- ~~.42 Deleted by Ord. 43.109.~~
- ~~.43 At the intersection of Selwyn Drive with Dempsey Road, stopping all traffic moving from Selwyn Drive onto Dempsey Road (Selwyn Drive, a loop street, intersects with Dempsey Road twice; it is the intent hereof to stop traffic entering Dempsey Road at both intersections of Selwyn Drive and Dempsey Road)~~
- ~~.44 At the intersection of Shirley Drive with Dempsey Road, stopping all traffic moving from Shirley Drive onto Dempsey Road.~~
- ~~.45 At the intersection of Edsel Drive with Dempsey Road, stopping all traffic moving from Edsel Drive onto Dempsey Road.~~
- ~~.47 At the intersection of Penitencia Street at Abel Street, stopping all traffic moving from Penitencia Street onto Abel Street.~~
- ~~.48 At the intersection of South Abel Street and Curtis Avenue, stopping westbound traffic on Curtis Avenue.~~
- ~~.49 At the intersection of South Main Street and East Curtis Avenue, stopping eastbound and westbound traffic on East Curtis Avenue.~~
- ~~.50 At the intersection of Mercury Court and Carnegie Drive, stopping all traffic westbound on Mercury Court and entering Carnegie Drive.~~
- ~~.51 At the intersection of Saturn Court and Carnegie Drive, stopping all traffic westbound on Saturn Court and entering Carnegie Drive.~~
- ~~.52 At the intersection of Temple Drive with Yosemite Drive, stopping all traffic southbound on Temple Drive.~~
- ~~.53 At the intersection of Roswell Drive with Yosemite Drive, stopping all traffic southbound on Roswell Drive.~~
- ~~.54 At the intersection of Carnegie Drive and Yosemite Drive, stopping all traffic moving southbound on Carnegie Drive.~~
- ~~.55 At the intersection of Freeland Drive and Carnegie Drive, stopping all traffic westbound on Freeland Drive.~~
- ~~.56 At the intersection of Edsel Drive and Roswell Drive, stopping westbound traffic on Edsel Drive.~~
- ~~.57 At the intersection of Edsel Drive and Roswell Drive, stopping eastbound traffic on Edsel Drive.~~
- ~~.58 At the intersection of Edsel Drive and Temple Drive, stopping all traffic moving east on Edsel Drive.~~
- ~~.59 At the intersection of Edsel Drive and Temple Drive, stopping all traffic moving east and west on Edsel Drive.~~
- ~~.60 At the intersection of Bixby Drive and Burley Drive, stopping all traffic moving north on Bixby Drive.~~

- ~~.61 At the intersection of Bixby Drive and Burley Drive, stopping all traffic moving south on Bixby Drive.~~
- ~~.62 At the intersection of Bixby Drive and Canton drive, stopping all traffic moving north on Bixby Drive.~~
- ~~.63 At the intersection of Bixby Drive and Canton Drive, stopping all traffic moving south on Bixby Drive.~~
- ~~.64 At the intersection of Bixby Drive and Wylie Drive, stopping all traffic moving north on Bixby Drive.~~
- ~~.65 At the intersection of Bixby Drive and Wylie Drive stopping all traffic moving south on Bixby Drive.~~
- ~~.66 At the intersection of Boulder Street and Arizona Avenue, stopping all traffic moving west on Boulder Street.~~
- ~~.67 At the intersection of Boyd Street and Arizona Avenue, stopping all traffic moving west on Boyd Street.~~
- ~~.68 At the intersection of Hazen Street and Arizona Avenue, stopping all traffic moving west on Hazen Street.~~
- ~~.69 At the intersection of Coelho Street and Arizona Avenue, stopping all traffic moving east on Coelho Street.~~
- ~~.70 At the intersection of Coelho Street and Arizona Avenue, stopping all traffic moving west on Coelho Street.~~
- ~~.71 At the intersection of Valmy Street and Arizona Avenue, stopping all traffic moving east on Valmy Street.~~
- ~~.72 At the intersection of Valmy Street and Arizona Avenue, stopping all traffic moving west on Valmy Street.~~
- ~~.73 At the intersection of Arizona Avenue and Washington Drive, stopping all traffic moving north on Arizona Avenue.~~
- ~~.74 At the intersection of Arizona Avenue and Washington Drive, stopping all traffic moving south on Arizona Avenue.~~
- ~~.75 At the intersection of Fontainbleu Avenue and Washington Drive, stopping all traffic moving north on Fontainbleu Avenue.~~
- ~~.76 At the intersection of Edsel Drive with Carnegie Drive, stopping all traffic moving eastbound and westbound on Edsel Drive.~~
- ~~.77 At the intersection of Cortez Street and Coelho Street, stopping all traffic moving northbound and southbound on Cortez Street.~~
- ~~.78 At the intersection of Dennis Avenue and Lynn Avenue, stopping all eastbound traffic on Dennis Avenue.~~
- ~~.79 At the intersection of Dennis Avenue and Lynn Avenue, stopping all westbound traffic on Dennis Avenue.~~
- ~~.80 At the intersection of Calaveras Court and Calaveras Boulevard, stopping all traffic entering Calaveras Boulevard from Calaveras Court.~~
- ~~.81 Deleted by Ord. 43.114.~~
- ~~.82 At the intersection of Edsel Drive and Carnegie Drive, stopping all traffic moving northbound on Carnegie Drive.~~
- ~~.83 At the intersection of Edsel Drive and Carnegie Drive, stopping all traffic moving southbound on Carnegie Drive.~~

- ~~.84 At the intersection of Canton Drive and Carnegie Drive, stopping all traffic moving northbound on Carnegie Drive.~~
- ~~.85 At the intersection of Canton Drive and Carnegie Drive, stopping all traffic moving southbound on Carnegie Drive.~~
- ~~.86 At the intersection of Canton Drive and Park Victoria Drive, stopping all traffic on Canton Drive.~~
- ~~.87 Deleted by Ord. 43.193.~~
- ~~.88 Deleted by Ord. 43.193.~~
- ~~.89 At the intersection of Acadia Avenue and Park Victoria Drive, stopping all traffic eastbound on Acadia Avenue.~~
- ~~.90 At the intersection of Shirley Drive with Edsel Drive, stopping all traffic entering the intersection from Shirley Drive.~~
- ~~.91 Deleted by Ord. 43.150.~~
- ~~.92 Deleted by Ord. 43.114.~~
- ~~.93 At the intersection of Mt. Shasta and Park Victoria Drive, stopping all traffic entering the intersection from the east and from the west on Mt. Shasta.~~
- ~~.94 Deleted by Ord. 43.193.~~
- ~~.95 At the intersection of South Park Victoria Drive with Clear Lake Avenue, stopping all westbound traffic entering the intersection from Clear Lake Avenue.~~
- ~~.96 At the intersection of South Park Victoria Drive and Sonoma Drive, stopping all westbound traffic entering the intersection from Sonoma Drive.~~
- ~~.97 At the intersection of South Park Victoria Drive with Portola Drive, stopping all westbound traffic entering the intersection from Portola Drive.~~
- ~~.98 At the intersection of South Park Victoria Drive with Mt. Diablo Avenue, stopping all westbound traffic entering the intersection from Mt. Diablo Avenue.~~
- ~~.99 Deleted by Ord. 43.150.~~
- ~~.100 At the intersection of South Park Victoria Drive with Saratoga Drive, stopping all westbound traffic entering the intersection from Saratoga Drive.~~
- ~~.101 At the intersection of South Park Victoria Drive with Platt Avenue, stopping all westbound and eastbound traffic entering the intersection from Platt Avenue.~~
- ~~.102 At the intersection of South Park Victoria Drive with Olympic Drive, stopping all westbound and eastbound traffic entering the intersection from Olympic Drive.~~
- ~~.103 At the intersection of South Park Victoria with Lassen Avenue, stopping all westbound and eastbound traffic entering the intersection from Lassen Avenue.~~

- ~~.104 At the intersection of South Park Victoria Drive with Glacier Drive, stopping all westbound and eastbound traffic entering the intersection from Glacier Drive.~~
- ~~.105 At the intersection of Park Grove Drive with No. Park Victoria Drive, stopping all traffic entering No. Park Victoria Drive from Park Grove Drive.~~
- ~~.106 At the intersection of Park Heights Drive with No. Park Victoria Drive, stopping all traffic entering No. Park Victoria from Park Heights Drive.~~
- ~~.107 At the intersection of Park View Drive with No. Park Victoria Drive, stopping all traffic entering No. Park Victoria Drive from Park View Drive.~~
- ~~.108 At the intersection of Conway Drive with Coelho Street, stopping all traffic entering Coelho Street from Conway Drive.~~
- ~~.109 Deleted by Ord. 43.114.~~
- ~~.110 At the intersection of Canton Drive and Carnegie Drive, stopping all traffic eastbound on Canton Drive.~~
- ~~.111 At the intersection of Canton Drive and Carnegie Drive, stopping all traffic westbound on Canton Drive.~~
- ~~.112 At the intersection of Adams Avenue with Gadsden Drive, stopping all eastbound and westbound traffic entering the intersection from Adams Avenue.~~
- ~~.113 At the intersection of Perry Street with Edsel Drive, stopping all southbound traffic entering the intersection from Perry Street.~~
- ~~.114 At the intersection of Madalen Drive with Russell Lane, stopping all traffic entering the intersection from Madalen Drive.~~
- ~~.115 Deleted by Ord. 43.68.~~
- ~~.116 Deleted by Ord. 43.120.~~
- ~~.117 At the intersection of Cedar Court with Cedar Way, stopping all traffic entering the intersection from Cedar Court.~~
- ~~.118 At the intersection of Cedar Way with Fallen Leaf Drive, stopping all traffic entering the intersection from Cedar Way.~~
- ~~.119 At the intersection of Greenwood Way at Fallen Leaf Drive, stopping all northbound and southbound traffic entering Fallen Leaf Drive.~~
- ~~.120 At the intersection of Pinewood Way with Fallen Leaf Drive, stopping all northbound and southbound traffic entering the intersection from Pinewood Way.~~
- ~~.121 At the intersection of Starlite Drive and Fallen Leaf Drive, stopping all northbound and southbound traffic entering the intersection from Starlite Drive.~~
- ~~.122 At the intersection of Escuela Parkway with Washington Drive, stopping all northbound traffic entering the intersection from Escuela Parkway.~~
- ~~.123 At the intersection of Sequoia and Yellowstone, stopping all traffic southbound on Sequoia.~~

- ~~.124 At the intersection of Spence and Butler, stopping all westbound traffic on Spence.~~
- ~~.125 At the intersection of Spence and Butler, stopping all eastbound traffic on Spence.~~
- ~~.126 At the intersection of Butler and Calaveras Boulevard, stopping all southbound traffic on Butler.~~
- ~~.127 Deleted by Ord. 43.114.~~
- ~~.128 Deleted by Ord. 43.138.~~
- ~~.129 At the intersection of Valley Way and Abbott, stopping all eastbound traffic on Valley Way.~~
- ~~.130 Deleted by Ord. 43.109.~~
- ~~.131 At the intersection of Tahoe Drive and Yellowstone Avenue, stopping all eastbound traffic on Tahoe Drive.~~
- ~~.132 At the intersection of Rocky Mountain Avenue and Yellowstone Avenue stopping both eastbound and westbound traffic on Rocky Mountain Avenue.~~
- ~~.133 At the intersection of Butano Drive and Yellowstone Avenue, stopping all eastbound traffic on Butano Drive.~~
- ~~.134 At the intersection of Fallen Leaf with Evergreen Way, stopping eastbound on Evergreen Way.~~
- ~~.135 At the intersection of Fallen Leaf with Greentree Way, stopping all east and westbound traffic on Greentree Way.~~
- ~~.136 At the intersection of Fallen Leaf with Lone Tree Way, stopping east and westbound traffic on Lone Tree way.~~
- ~~.137 Deleted by Ord. 43.196.~~
- ~~.138 At the intersection of Moon Court and Capitol Avenue, stopping southbound traffic on Moon Court.~~
- ~~.139 At the intersection of Moonbeam Way and Capitol Avenue, stopping northbound traffic on Moonbeam Way.~~
- ~~.140 At the intersection of Fallen Leaf Drive and Capitol Avenue, stopping traffic northbound on Fallen Leaf Drive.~~
- ~~.141 At the intersection of Sun Court at Fallen Leaf Drive, stopping traffic westbound on Sun Court.~~
- ~~.142 At the intersection of Polaris Court and Fallen Leaf Drive, stopping traffic westbound on Polaris Court.~~
- ~~.143 At the intersection of Woodland Way and Fallen Leaf Drive, stopping traffic eastbound on Woodland Way.~~
- ~~.144 At the intersection of Woodland Way and Fallen Leaf Drive, stopping westbound traffic on Woodland Way.~~
- ~~.145 At the intersection of the Main parking lot of Levin County Park and Calaveras Blvd., stopping traffic entering onto Calaveras Boulevard.~~
- ~~.146 At the intersection of Evening Star Court and Capitol Avenue, stopping traffic southbound on Evening Star Court.~~

- ~~.147 At the intersection of Stellar Way and Capitol Avenue, stopping traffic northbound on Stellar Way.~~
- ~~.148 At the intersection of Sunrise Way and Capitol Avenue, stopping traffic northbound on Sunrise Way.~~
- ~~.149 At the intersection of Stardust Way and Capitol Avenue, stopping traffic northbound on Stardust Way.~~
- ~~.150 At the intersection of Moonlight Way and Capitol Avenue, stopping traffic northbound on Moonlight Way.~~
- ~~.151 At the intersection of Abbott Avenue and Marylinn Drive, stopping traffic moving northbound and southbound on Abbott Drive.~~
- ~~.152 At the intersection of Park Hill Drive and Ayer Street, stopping traffic southbound on Park Hill Drive.~~
- ~~.153 At the intersection of Ayer Street and North Park Victoria Drive, stopping traffic eastbound on Ayer Street.~~
- ~~.154 At the intersection of Kennedy Drive and North Park Victoria Drive, stopping traffic eastbound on Kennedy Drive.~~
- ~~.155 At the intersection of Kennedy Drive and North Park Victoria Drive, stopping traffic westbound on Kennedy Drive.~~
- ~~.156 At the intersection of Guerrero Court and North Park Victoria Drive, stopping traffic westbound on Guerrero Court.~~
- ~~.157 At the intersection of Admire Court and North Park Victoria Drive, stopping traffic westbound on Admire Court.~~
- ~~.158 At the intersection of Torres Avenue and North Park Victoria Drive, stopping traffic eastbound on Torres Avenue.~~
- ~~.159 At the intersection of Burdett Way and North Park Victoria Drive, stopping traffic eastbound on Burdett Way.~~
- ~~.160 At the intersection of Traughber Street and North Park Victoria Drive, stopping traffic eastbound on Traughber Street.~~
- ~~.161 At the intersection of Calle Oriente and North Park Victoria Drive, stopping traffic eastbound on Calle Oriente.~~
- ~~.162 At the intersection of Calle Oriente and North Park Victoria Drive, stopping traffic westbound on Calle Oriente.~~
- ~~.163 Deleted by Ord. 43.109.~~
- ~~.164 At the intersection of Petersburg Drive and Piedmont Road, stopping traffic eastbound on Petersburg Drive.~~
- ~~.165 At the intersection of Bliss Avenue and Piedmont Road, stopping traffic eastbound on Bliss Avenue.~~
- ~~.166 At the intersection of Mesa Verde Drive and Piedmont Road, stopping traffic eastbound on Mesa Verde Drive.~~
- ~~.167 At the intersection of Shiloh Avenue and Piedmont Road, stopping traffic eastbound on Shiloh Avenue.~~

- ~~.168 At the intersection of Seacliff Drive and Piedmont Road, stopping traffic eastbound on Seacliff Drive.~~
- ~~.169 At the intersection of Yosemite Drive and Piedmont Road, stopping traffic eastbound on Yosemite Drive.~~
- ~~.170 At the intersection of Fallen Leaf Drive and Pinewood Way (Court), stopping all traffic north and southbound on Fallen Leaf Drive.~~
- ~~.171 At the intersection of Starlite Drive and Timber Way, stopping all traffic north and southbound on Starlite Drive.~~
- ~~.172 At the intersection of Timber Way and Starlite Drive, stopping traffic eastbound on Timber Way.~~
- ~~.173 Deleted by Ord. 43.66.~~
- ~~.174 At the intersection of Dempsey Road with Park Victoria Drive, stopping traffic eastbound on Dempsey Road.~~
- ~~.175 At the intersection of Dempsey Way and Calaveras Blvd., stopping traffic northbound on Dempsey Way.~~
- ~~.176 Deleted by Ord. 43.67.~~
- ~~.177 At the intersection of Butler Street and Spence Avenue, stopping traffic northbound and southbound on Butler Street.~~
- ~~.179 At the intersection of Railroad Avenue and Railroad Court, stopping westbound traffic on Railroad Avenue.~~
- ~~.180 At the intersection of Fanyon Street and Kennedy Drive, stopping traffic entering onto Kennedy Drive.~~
- ~~.181 At the intersection of Dixon Road and Arizona Street, stopping traffic north and southbound on Arizona Street.~~
- ~~.182 At the intersection of Yosemite Drive and Falcato Drive, stopping traffic entering onto Yosemite Drive.~~
- ~~.183 At the intersection of Edsel Drive and Falcato Drive, stopping traffic entering onto Edsel Drive.~~
- ~~.184 At the intersection of Dempsey Way and Dempsey Road, stopping traffic entering onto Dempsey Road.~~
- ~~.185 At the intersection of Downing Road and Calaveras Blvd., stopping traffic entering onto Calaveras Blvd.~~
- ~~.186 Deleted by Ord. 43.109.~~
- ~~.187 Deleted by Ord. 43.99.~~
- ~~.188 At the intersection of the driveway from the Students Parking Lot at the Milpitas High School with Escuela Parkway, stopping all traffic entering onto Escuela Parkway.~~
- ~~.189 At the intersection of the driveway from the Students Parking Lot at the Milpitas High School with Arizona Street, stopping all traffic entering onto Arizona Street.~~
- ~~.190 At the intersection of Arizona Street and Rose Drive, stopping traffic entering onto Arizona Street.~~
- ~~.191 At the intersection of Arizona Street and Garcia Court, stopping traffic entering onto Arizona Street.~~

- ~~.192 At the intersection of Duarte Court and Arizona Street, stopping traffic entering onto Arizona Street.~~
- ~~.193 At the intersection of Golden Hill Drive and North Temple Drive, stopping traffic entering onto North Temple Drive.~~
- ~~.194 At the intersection of Old Evans Road and Kennedy Drive, stopping southbound traffic on Old Evans Road.~~
- ~~.195 At the intersection of Lynn Avenue and Kennedy Drive, stopping traffic entering onto Kennedy Drive.~~
- ~~.196 At the intersection of North Temple Drive and Kennedy Drive, stopping traffic entering onto Kennedy Drive.~~
- ~~.197 At the intersection of North Temple Drive and Dennis Avenue, stopping traffic east and westbound onto North Temple Drive.~~
- ~~.198 Deleted by Ord. 43.117.~~
- ~~.199 At the intersection of View Drive and North Temple Drive, stopping traffic entering onto North Temple Drive.~~
- ~~.200 At the intersection of Arana Court and North Temple Drive, stopping traffic entering onto North Temple Drive.~~
- ~~.201 At the intersection of Fair Hill Drive and North Temple Drive, stopping traffic entering onto North Temple Drive.~~
- ~~.202 At the intersection of North Park Victoria Drive and Kennedy Drive, stopping traffic southbound on Park Victoria Drive.~~
- ~~.200 Deleted by Ord. 43.114.~~
- ~~.204 At the intersection of Berryessa and Marylinn Drive, stopping traffic southbound on Berryessa.~~
- ~~.200 At the intersection of Vasona and Marylinn Drive, stopping traffic southbound on Vasona Street.~~
- ~~.206 Deleted by Ord. 43.133.~~
- ~~.207 At the intersection of Fallen Leaf Drive at Cedar Way, stopping northbound and southbound traffic on Fallen Leaf Drive.~~
- ~~.208 At the intersection of Adams Avenue and North Temple Drive, stopping eastbound traffic on Adams Avenue.~~
- ~~.209 At the intersection of Yosemite Drive and Sequoia Drive, stopping east and westbound traffic on Yosemite Drive.~~
- ~~.210 At the intersection of Traughber Street at North Park Victoria Drive, stopping westbound traffic on Traughber Street.~~
- ~~.211 At the intersection of Lynn Avenue and Adams Avenue, stopping southbound traffic on Lynn Avenue.~~
- ~~.212 At the intersection of Canton Drive and South Temple Drive, stopping northbound and southbound traffic on Temple Drive.~~

~~.213 At the intersection of the southwest Wool Lake parking lot exit at Downing Road, stopping traffic moving from the parking lot exit onto Downing Road.~~

~~.214 At the intersection of Greathouse Drive and Conway Street, stopping westbound traffic on Greathouse Drive.~~

~~.215 Deleted by Ord. 43.140.~~

~~.216 At the intersection of Ethyl Street and Junipero Drive, stopping northbound traffic on Ethyl Street.~~

~~.217 At the intersection of Ethyl Street and Corning Avenue, stopping southbound traffic on Ethyl Street.~~

~~.218 At the intersection of Columbus Drive and Russell Lane, stopping northbound traffic on Columbus Drive.~~

~~.219 At the intersection of Russell Lane and Escuela Parkway, stopping westbound traffic on Russell Lane.~~

~~.220 At the intersection of Poppy Lane and Calaveras Boulevard, stopping southbound traffic on Poppy Lane.~~

~~.221 At the intersection of Poppy Lane and Evans Road, stopping eastbound traffic on Poppy Lane.~~

~~.222 At the intersection of Strawberry Lane and North Temple Drive, stopping westbound traffic on Strawberry Lane.~~

~~.223 At the intersection of Canton Drive and Roswell Drive, stopping eastbound and westbound traffic on Canton Drive.~~

~~.225 Deleted by Ord. 43.196.~~

~~.226 At the intersection of Sunnyhills Drive (private) and Dixon Road, stopping northbound traffic on Sunnyhills Drive.~~

~~.227 At the intersection of Lowland Court and Landess Avenue, stopping southbound traffic on Lowland Court.~~

~~.228 At the intersection of Highland Court and Landess Avenue, stopping southbound traffic on Highland Court.~~

~~.229 Deleted by Ord. 43.130.~~

~~.230 Deleted by Ord. 43.120.~~

~~.231 At the intersection of Martil Way and Escuela Parkway, stopping westbound and eastbound traffic on Martil Way.~~

~~.232 At the intersection of Corinthia Drive and Escuela Parkway, stopping westbound and eastbound traffic on Corinthia Drive.~~

~~.233 At the intersection of Clauser Drive and Escuela Parkway, stopping westbound traffic on Clauser Drive.~~

~~.234 At the intersection of Parvin Drive and Escuela Parkway, stopping westbound traffic on Parvin Drive.~~

~~.235 At the intersection of Singley Drive and Escuela Parkway, stopping westbound and eastbound traffic on Singley Drive.~~

~~.236 At the intersection of Tramway Drive and Escuela Parkway, stopping westbound and eastbound traffic on Tramway Drive.~~

~~.237 Deleted by Ord. 43.141.~~

~~.239 At the intersection of Wrigley Way and Sinclair Frontage Road, stopping eastbound traffic on Wrigley Way.~~

~~.240 At the intersection of Vista Way and Yosemite Drive, stopping southbound traffic on Vista Way.~~

~~.241 Deleted by Ord. 43.114.~~

~~.242 Deleted by Ord. 43.164.~~

~~.243 Deleted by Ord. 43.164.~~

~~.244 Deleted by Ord. 43.109.~~

~~.245 Deleted by Ord. 43.133.~~

~~.246 At the intersection of Rudyard Drive and Heath Street, stopping westbound traffic on Rudyard Drive.~~

~~.247 Deleted by Ord. 43.150.~~

~~.248 At the intersection of LaCrosse Drive and Canton Drive, stopping northbound and southbound traffic on LaCrosse Drive.~~

~~.249 Deleted by Ord. 43.143.~~

~~.250 At the intersection of Hillview Drive and Los Coches Street, stopping northbound and southbound traffic on Hillview Drive.~~

~~.251 At the intersection of Coyote Street and Redwood Avenue, stopping northbound and southbound traffic on Coyote Street.~~

~~.252 At the intersection of Campbell Street and Jacklin Road, stopping southbound traffic on Campbell Street.~~

~~.253 At the intersection of Hamilton Avenue and Jacklin Road, stopping northbound traffic on Hamilton Avenue.~~

~~.254 At the intersection of Kevenaire Drive and Hillview Drive, stopping eastbound traffic on Kevenaire Drive.~~

~~.255 At the intersection of Daniel Court and North Park Victoria Drive, stopping eastbound and westbound traffic on Daniel Court.~~

~~.256 At the intersection of Mt. Shasta Avenue and Dempsey Road, stopping westbound traffic on Mt. Shasta Avenue.~~

~~.257 At the intersection of Carlsbad Street and Yosemite Drive, stopping northbound traffic on Carlsbad Street.~~

~~.258 At the intersection of Monmouth Drive and Edsel Drive, stopping southbound traffic on Monmouth Drive.~~

~~.259 At the intersection of Firethorn Street and North Milpitas Boulevard, stopping westbound traffic on Firethorn Street.~~

~~.260 Deleted by Ord. 43.164.~~

~~.261 At the intersection of Minnis Circle and North Milpitas Boulevard, stopping eastbound traffic on Minnis Circle.~~

~~.262 At the intersection of Sequoia Drive and Shenandoah Avenue, stopping eastbound and westbound traffic on Shenandoah Avenue.~~

~~.263 At the intersection of Sequoia Drive and Big Bend Drive, stopping eastbound and westbound traffic on Big Bend Drive.~~

~~.264 At the intersection of Sequoia Drive and Crater Lake Avenue, stopping eastbound and westbound traffic on Crater Lake Avenue.~~

~~.265 At the intersection of Sequoia Drive and Everglades Drive, stopping eastbound and westbound traffic on Everglades Drive.~~

~~.266 At the intersection of Sequoia Drive and Mt. Rainier Avenue, stopping eastbound traffic on Mt. Rainier Avenue.~~

~~.267 At the intersection of Sequoia Drive and Grand Teton Drive, stopping eastbound and westbound traffic on Grand Teton Drive.~~

~~.269 Deleted by Ord. 43.164.~~

~~.270 At the intersection of Hillview Drive and Russell Lane, stopping eastbound traffic on Russell Lane.~~

~~.271 At the intersection of Hillview Drive and Horcajo Street, stopping eastbound traffic on Horcajo Street.~~

~~.272 At the intersection of South Park Victoria Drive and Edsel Drive, stopping northbound and southbound traffic on South Park Victoria Drive.~~

~~.273 At the intersection of Falcato Drive and Lacey Drive, stopping westbound traffic on Lacey Drive.~~

~~.274 At the intersection of North Milpitas Blvd. and Escuela Parkway, stopping northbound and southbound traffic on North Milpitas Blvd.~~

~~.275 At the intersection of Escuela Parkway and Hamilton Avenue, stopping traffic entering Escuela Parkway from Hamilton Avenue.~~

~~.276 At the intersection of North Milpitas Blvd. and Tramway Drive, stopping westbound traffic on Tramway Drive.~~

~~.277 At the intersections of Horcajo Circle and Hillview Drive, stopping westbound traffic on Horcajo Circle.~~

~~.278 At the intersection of Escuela Parkway and Hamilton Avenue, stopping northbound and southbound traffic on Escuela Pkwy.~~

~~.279 At the intersection of Escuela Parkway and Angus Drive, stopping westbound traffic on Angus Drive.~~

~~.280 At the intersection of South Park Victoria Drive and Canton Drive, stopping northbound and southbound traffic on South Park Victoria Drive.~~

~~.281 Deleted by Ord. 43.150.~~

~~.282 At the intersection of Abbott Avenue and Rudyard Drive, stopping northbound and southbound traffic on Abbott Avenue.~~

~~.283 Deleted by Ord. 43.141.~~

~~.284 At the intersection with Donahe Drive and Escuela Parkway, stopping eastbound traffic on Donahe Drive.~~

~~.285 At the intersection of Escuela Place and Escuela Parkway, stopping traffic entering Escuela Parkway.~~

~~.286 At the intersection of Dundee Avenue and Angus Drive, stopping north and southbound traffic on Dundee Avenue.~~

~~.287 At the intersection of Santa Rita Drive and Tramway Drive, stopping northbound and southbound traffic on Santa Rita Drive.~~

~~.288 At the intersection of Los Pinos Avenue and Santa Rita Drive, stopping eastbound traffic on Los Pinos Avenue.~~

~~.289 At the intersection of Aberdeen Way and Los Pinos Avenue, stopping northbound traffic on Aberdeen Way.~~

~~.290 At the intersection of Wessex Place and North Park Victoria Drive, stopping westbound traffic on Wessex Place.~~

~~.291 At the intersection of Carson Way and North Park Victoria Drive, stopping westbound traffic on Carson Way.~~

~~.292 At the intersection of London Drive and North Park Victoria Drive, stopping westbound traffic on London Drive.~~

~~.293 At the intersection of Wellington Drive and London Drive, stopping southbound traffic on Wellington Drive.~~

~~.294 At the intersection of Stirling Drive and North Park Victoria Drive, stopping westbound traffic on Stirling Drive.~~

~~.295 At the intersection of Kirkwall Place and North Park Victoria Drive, stopping westbound traffic on Kirkwall Pl.~~

~~.296 At the intersection of Sussex Place and North Park Victoria Drive, stopping westbound traffic on Sussex Place.~~

~~.297 At the intersection of Devon Drive and North Park Victoria Drive, stopping eastbound traffic on Devon Drive.~~

~~.298 At the intersection of Bolton Drive and North Park Victoria Drive, stopping westbound traffic in Bolton Drive.~~

~~.299 At the intersection of Hamilton Ave. and Tramway Dr., stopping northbound and southbound traffic on Hamilton Ave.~~

~~.300 At the intersection of Creed Street and North Park Victoria Drive, stopping eastbound traffic on Creed Street.~~

~~.301 At the intersection of Nicklaus Avenue and North Park Victoria Drive, stopping northbound traffic on Nicklaus Avenue.~~

~~.302 At the intersection of Pacheco Drive and Hillview Drive, stopping eastbound traffic on Pacheco Drive.~~

~~.303 At the intersection of Las Lomas Drive and Hillview Drive, stopping eastbound traffic on Las Lomas Drive.~~

~~.304 At the intersection of Alcosta Drive and Hillview Drive, stopping eastbound traffic on Alcosta Drive.~~

~~.305 At the intersection of Los Positos Drive and Hillview Drive, stopping eastbound traffic on Los Positos Drive.~~

~~.306 At the intersection of DeAnza Court and Hillview Drive, stopping eastbound traffic on DeAnza Court.~~

~~.307 At the intersection of Tramway Drive and Hillview Drive, stopping eastbound traffic on Tramway Drive.~~

~~.308 At the intersection of Tassasara Drive and Hillview Drive, stopping eastbound traffic on Tassasara Drive.~~

~~.309 At the intersection of Canada Drive and Hillview Drive, stopping eastbound traffic on Canada Drive.~~

~~.310 At the intersection of Prada Drive and Kennedy Drive, stopping southbound traffic on Prada Drive.~~

~~.311 At the intersection of Simas Drive and Kennedy Drive, stopping southbound traffic on Simas Drive.~~

~~.312 At the intersection of Simas Drive and Stemel Way, stopping northbound traffic on Simas Drive.~~

~~.313 At the intersection of Quail Drive and Simas Drive, stopping westbound traffic on Quail Drive.~~

~~.314 Deleted by Ord. 43.133.~~

~~.315 At the intersection of Stemel Way and Evans Road, stopping eastbound traffic on Stemel Way.~~

~~.316 At the intersection of McCarthy Blvd. and Cottonwood Drive, stopping northbound and southbound traffic on McCarthy Blvd.~~

~~.317 At the intersection of Cottonwood Drive and McCarthy Blvd., stopping westbound traffic on Cottonwood Drive.~~

~~.318 Deleted by Ord. 43.187.~~

~~.319 Deleted by Ord. 43.187.~~

~~.320 At the intersection of Buckeye Drive and Cottonwood Drive, stopping southbound traffic on Buckeye Drive.~~

~~.321 At the intersection of Buckeye Drive and Sycamore Drive, stopping northbound traffic on Buckeye Drive.~~

~~.322 At the intersection of Cottonwood Drive and Barber Lane, stopping eastbound traffic on Cottonwood Drive.~~

~~.323 At the intersection of Sycamore Drive and Barber Lane, stopping eastbound traffic on Sycamore Drive.~~

~~.324 At the intersection of El Camino Higuera and N. Park Victoria Dr., stopping southbound traffic on El Camino Higuera.~~

- ~~.325 At the intersection of Zamora Court and El Camino Higuera, stopping westbound traffic on Zamora Court.~~
- ~~.326 At the intersection of Uridias Ranch Road and Piedmont Road, stopping westbound traffic on Uridias Ranch Road.~~
- ~~.327 At the intersection of Aguilar Court and Piedmont Road, stopping westbound traffic on Aguilar Court.~~
- ~~.328 At the intersection of Cirolero Street and Escuela Parkway, stopping westbound traffic on Cirolero Street.~~
- ~~.329 At the intersection of Manzano Street and Escuela Parkway, stopping westbound traffic on Manzano Street.~~
- ~~.330 At the intersection of Midwick Drive and Arizona Avenue, stopping westbound traffic on Midwick Drive.~~
- ~~.331 At the intersection of Berrendo Drive and Arizona Avenue, stopping eastbound traffic on Berrendo Drive.~~
- ~~.332 At the intersection of Vienna Drive and Arizona Avenue, stopping eastbound traffic on Vienna Drive.~~
- ~~.333 Deleted by Ord. 43.141.~~
- ~~.334 At the intersection of Jacklin Court and Jacklin Road, stopping traffic entering onto Jacklin Road.~~
- ~~.335 At the intersection of Hanson Court and North Milpitas Boulevard, stopping traffic entering onto North Milpitas Boulevard.~~
- ~~.336 At the intersection of Country Club Drive and North Park Victoria Drive, stopping westbound traffic on Country Club Drive.~~
- ~~.337 At the intersection of Big Bear Court and Mt. Shasta Avenue, stopping northbound and southbound traffic on Big Bear Court.~~
- ~~.338 At the intersection of Matterhorn Court and Mt. Shasta Avenue, stopping northbound and southbound traffic on Matterhorn Court.~~
- ~~.339 At the intersection of Jungfrau Court and Mt. Shasta Avenue, stopping northbound and southbound traffic on Jungfrau Court.~~
- ~~.340 At the intersection of Courtland Avenue and Mt. Shasta Avenue, stopping northbound traffic on Courtland Avenue.~~
- ~~.341 At the intersection of Courtland Court and Mt. Shasta Avenue, stopping southbound traffic on Courtland Court.~~
- ~~.342 At the intersection of Chewpon Avenue and Dempsey Road, stopping westbound traffic on Chewpon Avenue.~~
- ~~.343 Deleted by Ord. 43.117.~~
- ~~.344 Deleted by Ord. 43.143.~~
- ~~.345 At the intersection of Turquoise Street and South Milpitas Boulevard, stopping eastbound traffic on Turquoise Street.~~
- ~~.346 At the intersection of Norwich Avenue and Barker Street, stopping westbound traffic on Norwich Avenue.~~

~~.347 At the intersection of Vienna Drive and Fontainebleu Avenue, stopping westbound and eastbound traffic on Vienna Drive.~~

~~.348 Deleted by Ord. 43.164.~~

~~.349 At the intersection of the driveway from the Town Center with Hillview Drive, stopping all traffic entering Hillview Drive.~~

~~.350 At the intersection of Barker Street and Rudyard Drive, stopping southbound traffic on Barker Street.~~

~~.351 At the intersection of Carlo Street and South Main Street, stopping eastbound traffic on Carlo Street.~~

~~.352 At the intersection of East Carlo Street and North Main Street, stopping westbound traffic on East Carlo Street.~~

~~.353 Deleted by Ord. 43.150.~~

~~.354 At the intersection of Jacklin Place and Jacklin Road stopping traffic entering on Jacklin Road.~~

~~.355 At the intersection of Buckeye Court and Buckeye Drive, stopping eastbound traffic on Buckeye Court.~~

~~.356 At the intersection of Hillview Drive and Yosemite Drive, stopping southbound traffic on Hillview Drive.~~

~~.357 Deleted by Ord. 43.141.~~

~~.358 Deleted by Ord. 43.184.~~

~~.359 At the intersection of Gibraltar Court and Gibraltar Drive, stopping southbound traffic on Gibraltar Court.~~

~~.360 Deleted by Ord. 43.184.~~

~~.361 At the intersection of Folsom Drive and North Milpitas Boulevard, stopping eastbound traffic on Folsom Drive.~~

~~.362 At the intersection of Paseo Refugio and Hillview Drive, stopping eastbound traffic on Paseo Refugio.~~

~~.363 At the intersection of Downing Road and Old Calaveras Road, stopping southbound traffic on Downing Road.~~

~~.364 At the intersection of Tramway Drive and North Milpitas Boulevard, stopping eastbound traffic on Tramway Drive.~~

~~.365 At the intersection of Erie Drive and North Milpitas Boulevard, stopping eastbound traffic on Erie Drive.~~

~~.366 Deleted by Ord. 43.141.~~

~~.367 At the intersection of Cadillac Court and California Circle, stopping northbound traffic on Cadillac Court.~~

~~.368 At the intersection of Redwood and Abbott Avenues, stopping eastbound and westbound traffic on Redwood Avenue.~~

~~.369 At the intersection of Abbott and Redwood Avenues, stopping northbound and southbound traffic on Abbott Avenue.~~

~~.370 Deleted by Ord. 43.164.~~

~~.371 At the intersection of Marylinn Drive and Penitencia Street, stopping eastbound and westbound traffic on Marylinn Drive.~~

~~.372 At the intersection of Butler Street and Norwich Avenue, stopping northbound traffic on Butler Street.~~

~~.373 At the intersection of Norwich Avenue and Butler Street, stopping eastbound and westbound traffic on Norwich Avenue.~~

~~.374 At the intersection of Kennedy Drive and Evans Road, stopping eastbound traffic on Kennedy Drive.~~

~~.375 At the intersection of Old Calaveras Road and Evans Road, stopping westbound traffic on Old Calaveras Road.~~

~~.376 At the intersection of Capitol Avenue and Centre Pointe Drive stopping eastbound traffic on Centre Pointe Drive.~~

~~.377 At the intersection of Bayview Park Drive and Kennedy Drive, stopping southbound traffic on Bayview Park Drive.~~

~~.378 At the intersection of Alexander Way and Kennedy Drive, stopping southbound traffic on Alexander Way.~~

~~.379 At the intersection of Creighton Court and Dempsey Road, stopping westbound traffic on Creighton Court.~~

~~.380 At the intersection of Richter Court and Dempsey Road, stopping westbound traffic on Richter Court.~~

~~.381 At the intersection of Michael Street and Evans Road, stopping eastbound traffic on Michael Street.~~

~~.382 Deleted by Ord. 43.141.~~

~~.383 At the intersection of Los Coches Street and Hillview Drive, stopping eastbound and westbound traffic on Los Coches Street.~~

~~.384 At the intersection of Magnolia Drive and McCarthy Boulevard, stopping eastbound traffic on Magnolia Drive.~~

~~.385 At the intersection of Alder Drive and McCarthy Boulevard, stopping westbound traffic on Alder Drive.~~

~~.386 At the intersection of Alder Drive and Barber Lane, stopping eastbound traffic on Alder Drive.~~

~~.387 Deleted by Ord. 43.184.~~

~~.388 At the intersection of Sumac Drive and McCarthy Boulevard, stopping eastbound traffic on Sumac Drive.~~

~~.389 At the intersection of Anacapa Court and Hillview Drive, stopping eastbound traffic on Anacapa Court.~~

~~.390 At the intersection of Terra Bella Drive and Hillview Drive, stopping eastbound traffic on Terra Bella Drive.~~

~~.391 At the intersection of Fairview Way and California Circle, stopping northbound traffic on Fairview Way.~~

~~.392 At the intersection of Fairview Way and Cadillac Court, stopping westbound traffic on Fairview Way.~~

- ~~.393 At the intersection of Canterbury Place and North Park Victoria Drive, stopping westbound traffic on Canterbury Place.~~
- ~~.394 At the intersection of Cardiff Place and North Park Victoria Drive, stopping westbound traffic on Cardiff Place.~~
- ~~.395 At the intersection of Jason Drive and North Milpitas Boulevard, stopping westbound traffic on Jason Drive.~~
- ~~.396 At the intersection of Homme Way and North Milpitas Boulevard, stopping westbound traffic on Homme Way.~~
- ~~.397 At the intersection of South Main Street and East Carlo Street, stopping northbound traffic on South Main Street.~~
- ~~.398 At the intersection of North Main Street and Carlo Street, stopping southbound traffic on North Main Street.~~
- ~~.400 At the intersection of Railroad Avenue and Marylinn Drive, stopping traffic entering onto Marylinn Drive.~~
- ~~.401 At the intersection of Calaveras Ridge Drive and Country Club Drive, stopping traffic entering onto Country Club Drive.~~
- ~~.402 At the intersection of Tice Drive and Horcajo Street, stopping traffic on Tice Drive.~~
- ~~.403 Deleted by Ord. 43.171.~~
- ~~.404 At the intersection of Midwick Drive and Belbrook Way, stopping northbound and southbound traffic on Belbrook Way.~~
- ~~.405 At the intersection of Yellowstone Avenue/Sequoia Avenue stopping eastbound and westbound traffic on Yellowstone Avenue.~~
- ~~.406 At the intersection of Country Club Drive and Camarillo Court, stopping southbound traffic on Camarillo Court.~~
- ~~.407 At the intersection of Country Club Drive and Cervantez Court, stopping southbound traffic on Cervantez Court.~~
- ~~.408 At the intersection of Piedmont Road and Landess Avenue, stopping all southbound traffic on Piedmont Road.~~
- ~~.409 At the intersection of Arizona Avenue and Midwick Drive, stopping northbound and southbound traffic on Arizona Avenue.~~
- ~~.410 Entrance of City Corporation Yard upon North Milpitas Boulevard.~~
- ~~.411 At the intersection of Calaveras Road and Harrison Road, stopping northbound traffic on Harrison Road.~~
- ~~.412 Vehicle exiting onto East Curtis Avenue from the easterly gate of the Old Ford Plant.~~
- ~~.413 At the intersection of Dixon Road and Arizona Avenue, stopping eastbound and westbound traffic on Dixon Road.~~
- ~~.414 At the intersection of Gordon Street and Kevenaire Drive, stopping southbound traffic on Gordon Street.~~

~~.415 At the intersection of Dennis Avenue and North Gadsden Drive, stopping eastbound and westbound traffic on Dennis Avenue.~~

~~.416 At the intersection of Stemel Way and Prada Drive, stopping westbound traffic on Stemel Way.~~

~~.417 Vehicles exiting Terrace Gardens onto Beresford Court.~~

~~.418 Vehicles exiting Beresford Terrace onto Beresford Court.~~

~~.419 At the intersection of Redwood Avenue and Penitencia Street, stopping the northbound traffic on Penitencia Street.~~

~~.420 At the intersection of Edsel Drive and Falcato Drive, stopping eastbound and westbound traffic on Edsel Drive.~~

~~.421 At the intersection of Dundee Avenue and Angus Drive, stopping eastbound and westbound traffic on Angus Drive.~~

~~.422 At the intersection of Calaveras Road and Piedmont/Evans Road, stopping eastbound and westbound traffic on Calaveras Road.~~

~~.423 At the intersection of Conway Street and Manfred Street stopping eastbound and westbound traffic on Manfred Street.~~

~~.424 At the intersection of Sepulveda Avenue and Falcato Drive, stopping westbound traffic on Sepulveda Avenue.~~

SECTION 49. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3”

Title V, Chapter 100, Section V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 50. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.05 “Angle Parking on Certain Streets”

Title V, Chapter 100, Section V-100-15.05 “Angle Parking on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.05 - Reserved ~~Angle Parking on Certain Streets~~

No.	Street	Segment
.1	Removed by Ord. 43.210	
.2	Removed by Ord. 43.210	
.3	Barber Lane	East Side between Bellew Drive to North End of Street
.4	Ranch Drive	West of North McCarthy Boulevard to East End of Street
.5	Hammond Way	West Side from Curtis Avenue to 1,500 Feet North of Curtis Avenue

SECTION 51. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.06 “Parking Time Limited on Certain Enumerated Streets”

Title V, Chapter 100, Section V-100-15.06 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.06 Reserved ~~Parking Time Limited on Certain Enumerated Streets~~

~~In accordance with provisions of Section 12.01 and when signs are erected giving notice thereof, no person shall stop, stand, or park any vehicle for a period time in excess of the time therein indicated on the streets or portions of streets described as follows:~~

No.	Street	Segment	Duration	Time
.1	Deleted by Ord. 43.81			
.2	Deleted by Ord. 43.81			
.3	Deleted by Ord. 43.198			
.4	Deleted by Ord. 43.207			
.5	Milpitas Library	Parking Zones in front of the Library Parking Lot Facing the Main Entrance	5- Minutes	Any Time
.6	Deleted by Ord. 43.210			
.7	Deleted by Ord. 43.210			
.8	Deleted by Ord. 43.209			
.9	Alvarez Court	East Side	4 Hours	7 a.m.—9 p.m.
.10	Thompson Street	West Side from Great Mall Parkway to Machado Street	3 Hours	Any Time
.11	Thompson Court	West Side from Machado Street to North End of Street	3 Hours	7 a.m.— 6 p.m. Everyday
.12	Thompson Court	East Side from Machado Street to North End of Street	10 Hours	7 a.m.— 6 p.m. Mon— Fri
.13	S Hillview Drive	East Side from Calaveras Boulevard to Los Coches Street	4 Hours	7 a.m.— 6 p.m. Mon— Fri

.14	Hammond Way	West Side from Curtis Avenue to 1,500-Feet North of Curtis Avenue	10 Hours	7 a.m.— 6 p.m. Mon— Fri
.15	Gladding Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.16	Piper Drive	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.17	Merry Loop	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.18	Garden Street	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.19	McCandless Drive	Great Mall Parkway to Penitencia Creek	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.20	Centre Pointe Drive	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.21	Jubilee Drive	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.22	Expedition Lane	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.23	Momentum Drive	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri

.24	Waston Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.25	Pectan Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.26	Sango Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.27	Tarob Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.28	Houret Drive	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri
.29	Houret Court	Entire	4 Hours	7 a.m.— 6 p.m., Mon— Fri

SECTION 52. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.07 “Reserved for schedule pursuant to V-100-12.02”

Title V, Chapter 100, Section V-100-15.07 “Reserved for schedule pursuant to V-100-12.02” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 53. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4”

Title V, Chapter 100, Section V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 54. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2”

Title V, Chapter 100, Section V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 55. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.10 “Crosswalks”

Title V, Chapter 100, Section V-100-15.10 “Crosswalks” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.10 Reserved Crosswalks

In accordance with Section V 100 9.01, crosswalks shall be established at the following places upon the streets within the City of Milpitas:

- ~~.1 At the intersection of Carlo Street and Main Street, upon the crosswalk running from the south side of Carlo Street and across Main Street in an east-west direction.~~
- ~~.2 At the intersection of Serra Way and Main Street, the crosswalk running from the north side of Serra Way and across Main Street in an east-west direction.~~
- ~~.3 Across Main Street from Milpitas City Hall in an east-west direction.~~
- ~~[Text continues on page 279]~~
- ~~.4 Across Corning Avenue at Main Street in a north-south direction.~~
- ~~.5 Across Carlo Street at Main Street in a north-south direction.~~
- ~~.6 Across Abbott Avenue at Spence Avenue in an east-west direction at the north side of the intersection.~~
- ~~.7 Across Spence Avenue at Abbott Avenue in a north-south direction at the east and west sides of the intersection.~~
- ~~.8 Across Abbott Avenue at Rudyard Drive in a north-south direction at the east and west sides of the intersection.~~
- ~~.9 Across Abbott Avenue at Rudyard Drive in an east-west direction at the south side of the intersection.~~
- ~~.10 Across Casper at Rudyard Drive in an east-west direction at the south side of the intersection.~~
- ~~.11 Across Barker Street at Rudyard Drive in an east-west direction at the north side of the intersection.~~
- ~~.12 Across Rudyard Drive at Barker in a north-south direction at the west side of the intersection.~~
- ~~.13 Across Roswell Drive at Canton Drive in an east-west direction at the south side of the intersection.~~
- ~~.14 Across Canton Drive at Roswell Drive in a north-south direction at the east and west sides of the intersection.~~
- ~~.15 Across Roswell Drive at Ashland Drive in an east-west direction at the south side of the intersection.~~
- ~~.16 Across Ashland Drive at Roswell Drive in a north-south direction.~~
- ~~.17 Across Edsel Drive at Roswell Drive in a north-south direction at the west side of the intersection.~~
- ~~.18 Across Roswell Drive at Edsel Drive in an east-west direction at the north side of the intersection.~~
- ~~.19 Across Dixon Road at Conway Street in a north-south direction at the west side of the intersection.~~
- ~~.20 Across Conway Street at Dixon Road in an east-west direction at the north side of the intersection.~~
- ~~.21 At the intersection of Vegas Avenue and Boulder Street upon the crosswalk running from east and west of Vegas Avenue and across Vegas Avenue in an east-west direction.~~
- ~~.22 At the intersection of Boulder Street and Arizona Street upon the crosswalk running from the north and south of Boulder Street and across Boulder Street in a north-south direction.~~
- ~~.23 At the intersection of Arizona Avenue and Boulder Street upon the crosswalk running from the north curb line of Boulder Street and across Arizona Avenue in an east-west direction.~~
- ~~.24 At the intersection of Vegas Avenue and Dixon Road upon the crosswalk running from the east and west of Vegas Avenue and across Vegas Avenue in an east-west direction.~~
- ~~.25 At the intersection of Arizona Avenue and Dixon Road upon the crosswalks running from the east and west sides of Arizona Avenue, north and south of Dixon Road running in an east-west direction.~~

- ~~.26 At the intersection of Dixon Road and Arizona Avenue upon the crosswalks running from the north and south sides of Dixon Road east and west of Arizona Avenue running in a north-south direction.~~
- ~~.27 At the intersection of Gadsden Drive and Canton Drive upon the crosswalks running from the east and west of Gadsden Drive and across Gadsden Drive in an east-west direction.~~
- ~~.28 At the intersection of Monmouth Drive and Ashland Drive upon the crosswalks running from the east and west of Monmouth Drive and across Monmouth Drive in an east-west direction.~~
- ~~.29 At the intersection of Sylvia Avenue and Abel Street upon the crosswalk running from the north and south of Sylvia Avenue and running across Sylvia Avenue in a north-south direction.~~
- ~~.30 At the intersection of Corning Avenue and Abel Street upon the crosswalks running from the north and south sides of Corning Avenue east and west of Abel Street and running in a north-south direction.~~
- ~~.31 At the intersection of Abel Street and Corning Avenue upon the crosswalks running from east and west sides of Abel Street, north and south of Corning Avenue and running in an east-west direction.~~
- ~~.32 Across Dixon Road in a north-south direction at a point 134 feet east of the east curb line of Vegas Avenue where Dixon Road and Vegas Avenue intersect.~~
- ~~.33 Across Boulder Street in a north-south direction at a point 272 feet east of the west property line of the Joseph Weller Elementary School.~~
- ~~.34 Across Lawton Drive in an east-west direction at the intersection of Lawton Drive and Canton Drive.~~
- ~~.35 Across Beacon Drive in an east-west direction at the intersection of Beacon Drive and Canton Drive.~~
- ~~.36 Across Carnegie Drive at Calaveras Boulevard in an east-west direction.~~
- ~~.37 Across Gadsden Drive in an east-west direction on the north side of the intersection of Gadsden Drive and Calaveras Blvd.~~
- ~~.38 Across Gadsden Drive in an east-west direction on the south side of the intersection of Gadsden Drive and Calaveras Blvd.~~
- ~~.39 Across Calaveras Blvd. in a north-south direction on the east side of the intersection of Calaveras Blvd. and Gadsden Drive.~~
- ~~.40 Across Calaveras Blvd. in a north-south direction on the west side of the intersection of Calaveras Blvd. and Gadsden Drive.~~
- ~~.41 Across Barker Street in an east-west direction on the south side of the intersection of Barker Street with Marylinn Drive.~~
- ~~.42 Across Marylinn Drive in a north-south direction at the west side of the intersection of Marylinn Drive with Barker Street.~~
- ~~.43 Across Jupiter Drive in a north-south direction on the west side of the intersection of Jupiter Drive with South Temple Drive.~~
- ~~.44 Deleted by Ord. 43.66, 10/6/70.~~
- ~~.45 Across Burley Drive in a north-south direction on the east side and on the west side of the intersection of Burley Drive with Temple Drive.~~
- ~~.46 Across Temple Drive in an east-west direction on the north side and on the south side of the intersection of Temple Drive with Burley Drive.~~
- ~~.47 Across Canton Drive in a north-south direction on the east side and on the west side of the intersection of Canton Drive with Temple Drive.~~
- ~~.48 Across Temple Drive in an east-west direction on the north side and on the south side of the intersection of Temple Drive with Canton Drive.~~
- ~~.49 Across Wylie Drive in a north-south direction on the east side of the intersection of Wylie Drive and Temple Drive~~

- ~~.50 Across Temple Drive in an east-west direction on the north side and on the south side of the intersection of Temple Drive with Wylie Drive.~~
- ~~.51 Across Abbott Avenue in the east-west direction on the south side of the intersection of Abbott Avenue and Spence Avenue.~~
- ~~.52 Across Main Street in an east-west direction on the south side of the intersection of Main Street with Serra Way.~~
- ~~.53 Across Dennis Avenue in a northerly direction on the east side of the intersection of Dennis Avenue and Fanyon Street.~~
- ~~.54 Across North Park Victoria Drive in a westerly direction on the south side of the intersection of North Park Victoria Drive and Kennedy Drive.~~
- ~~.55 Across Fanyon Street in a westerly direction on the south side of the intersection of Fanyon Street and Kennedy Drive.~~
- ~~.56 Across Ellis Avenue in a northerly direction on the west side of the intersection of Ellis Avenue and Lynn Avenue.~~
- ~~.57 Across Lynn Avenue in a westerly direction on the north side of the intersection of Lynn Avenue and Ellis Avenue.~~
- ~~.58 Across Fanyon Street in a westerly direction at a point 455 feet south of the southerly line of the intersection of Fanyon Street and Kennedy Drive (so as to provide a crosswalk adjacent to the William Burnett School in midblock).~~
- ~~.59 Across North Gadsden Drive in a westerly direction on the north side of the intersection of North Gadsden Drive and Dennis Avenue.~~
- ~~.60 Across Adams Avenue in a northerly direction on the east and west side of the intersection of Adams Avenue and North Gadsden Drive.~~
- ~~.61 Across Dennis Avenue in a northerly direction on the east and west side of the intersection of Dennis Avenue with North Gadsden Drive.~~
- ~~.62 Across Redwood Avenue in a north-south direction on the east side of the intersection of Redwood Avenue and Abbott Avenue.~~
- ~~.63 Across Redwood Avenue in a north-south direction on the west side of the intersection of Redwood Avenue and Abbott Avenue.~~
- ~~.64 Across Abbott Avenue in an east-west direction on the north side of the intersection of Abbott Avenue and Redwood Avenue.~~
- ~~.65 Across Redwood Avenue in a north-south direction on the east side of the intersection of Redwood Avenue and Lexington Street.~~
- ~~.66 Across Penitencia Street at the intersection of Penitencia Street with Redwood Avenue.~~
- ~~.67 Across Lexington Street at the intersection of Lexington Street with Redwood Avenue.~~
- ~~.68 Across Coyote Street in an east-west direction on the north side of the intersection of Coyote Street and Redwood Avenue.~~
- ~~.69 Across Coyote Street in an east-west direction on the south side of the intersection of Coyote Street and Redwood Avenue.~~
- ~~.70 Deleted by Ordinance 43.109.~~
- ~~.71 Across Uvas Street at the intersection of Uvas Street with Penitencia Street.~~
- ~~.72 Deleted by Ordinance 43.141.~~
- ~~.73 Across Vasona Street in an east-west direction on the north side of the intersection of Vasona Street with Adobe Avenue.~~

- ~~.74 Across Almaden Avenue at the intersection of Almaden Avenue with Vasona Street.~~
- ~~.75 Across Marylinn Drive in a north-south direction on the west side of the intersection of Marylinn Drive with Abel Street.~~
- ~~.76 Across Marylinn Drive in a north-south direction on the east side of the intersection of Marylinn Drive with Penitencia Street.~~
- ~~.77 Across Penitencia Street in an east-west direction on the north side of the intersection of Penitencia Street and Marylinn Drive.~~
- ~~.78 Across Penitencia Street in an east-west direction on the south side of the intersection of Penitencia Street and Marylinn Drive.~~
- ~~.79 Across Edsel Drive in a north-south direction on the east side of the intersection of Edsel Drive with Roswell Drive.~~
- ~~.80 Across Carnegie Drive in an east-west direction on the north side of the intersection of Carnegie Drive with Edsel Drive.~~
- ~~.81 Across Carnegie Drive in an east-west direction on the south side of the intersection of Carnegie Drive with Edsel Drive.~~
- ~~.82 Across Carnegie Drive in an east-west direction on the north side of the intersection of Carnegie Drive with Canton Drive.~~
- ~~.83 Across Carnegie Drive in an east-west direction on the south side of the intersection of Carnegie Drive with Canton Drive.~~
- ~~.84 Across Bixby Drive in an east-west direction on the north side of the intersection of Bixby Drive and Burley Drive.~~
- ~~.85 Across Bixby Drive in an east-west direction on the south side of the intersection of Bixby Drive and Burley Drive.~~
- ~~.86 Across Bixby Drive in an east-west direction on the north side of the intersection of Canton Drive and Bixby Drive.~~
- ~~.87 Across Bixby Drive in an east-west direction on the south side of the intersection of Bixby Drive and Canton Drive.~~
- ~~.88 Across Bixby Drive in an east-west direction on the north side of the intersection of Bixby Drive and Wylie Drive.~~
- ~~.89 Across Bixby Drive in an east-west direction on the south side of the intersection of Bixby Drive and Wylie Drive.~~
- ~~.90 Across Bixby Drive in an east-west direction on the north side of the intersection of Bixby Drive and Edsel Drive.~~
- ~~.91 Across Burley Drive in a north-south direction on the east side of the intersection of Burley Drive and Bixby Drive.~~
- ~~.92 Across Burley Drive in a north-south direction on the west side of the intersection of Burley Drive and Bixby Drive.~~
- ~~.93 Across Canton Drive in a north-south direction on the east side of the intersection of Canton Drive with Bixby Drive.~~
- ~~.94 Across Canton Drive in a north-south direction on the west side of the intersection of Canton Drive and Bixby Drive.~~
- ~~.95 Across Wylie Drive in a north-south direction on the east side of the intersection of Wylie Drive and Bixby Drive.~~
- ~~.96 Across Wylie Drive in a north-south direction on the west side of the intersection of Wylie Drive and Bixby Drive.~~

~~.97 Across Temple Drive in a east-west direction at the north side of the intersection of Temple Drive and Edsel Drive.~~

~~.98 Across Edsel Drive in a north-south direction on the east side of the intersection of Edsel Drive and Temple Drive.~~

~~.99 Across Edsel Drive in a north-south direction on the west side of the intersection of Edsel Drive and Temple Drive.~~

~~.100 Across Calaveras Blvd. in a north-south direction on the east side of the intersection of Calaveras Boulevard and Park Victoria Drive.~~

~~.101 Across Roswell Drive in an east-west direction on the south side of the intersection of Roswell Drive and Edsel Drive.~~

~~.102 Deleted by Ord. 43.67.~~

~~.103 Across Carnegie Drive in an east-west direction on the north side of the intersection of Carnegie Drive with Edsel Drive.~~

~~.104 Across Carnegie Drive in an east-west direction on the south side of the intersection of Carnegie Drive and Edsel Drive.~~

~~.105 Across Edsel Drive in a north-south direction on the east side of the intersection of Edsel Drive and Carnegie Drive.~~

~~.106 Across Edsel Drive in a north-south direction on the west side of the intersection of Edsel Drive and Carnegie Drive.~~

~~.107 Across Carnegie Drive in an east-west direction at the intersection of Carnegie Drive with Yosemite Drive.~~

~~.108 Across Yosemite Drive in a north-south direction on the east side of the intersection of Yosemite Drive and Roswell Drive.~~

~~.109 Across Yosemite Drive in a north-south direction on the east side of the intersection of Yosemite Drive and South Park Victoria Drive.~~

~~.110 Across Monmouth Drive in an east-west direction at the intersection of Monmouth Drive with Edsel Drive.~~

~~.111 Across Rogers Street in an east-west direction at the intersection of Rogers Street with Coelho Street.~~

~~.112 Across Coelho Street in a north-south direction on the east side of the intersection of Coelho Street and Cortez Street.~~

~~.113 Across Conway Street in an east-west direction on the south side of the intersection of Conway Street and Dixon Road.~~

~~.114 Across North Gadsden Drive in an east-west direction on the north side of the intersection of North Gadsden Drive and Adams Avenue.~~

~~.115 Across North Gadsden Drive in an east-west direction on the south side of the intersection of North Gadsden Drive and Adams Avenue.~~

~~.116 Across Calaveras Court in a north-south direction at the intersection of Calaveras Court with Calaveras Blvd.~~

~~.117 Across Canton Drive in a north-south direction at its intersection with South Park Victoria Drive.~~

~~.118 Across South Park Victoria Drive in an east-west direction on the north side of the intersection of South Park Victoria Drive with Edsel Drive.~~

~~.119 Across South Park Victoria Drive in an east-west direction on the south side of the intersection of South Park Victoria Drive with Edsel Drive.~~

~~.120 Across Edsel Drive in a north-south direction on the east side of the intersection of Edsel drive with South Park Victoria Drive.~~

- ~~.121 Across Edsel Drive in a north-south direction on the west side of the intersection of Edsel Drive with South Park Victoria Drive.~~
- ~~.122 Across North Main street, running in an east-west direction at the south side of the intersection of North Main Street with Weller Lane.~~
- ~~.123 Across Casper Street, running in an east-west direction at the intersection of Casper Street with Spence Avenue.~~
- ~~.124 Across Alton Street, running in an east-west direction at the intersection of Alton Street with Spence Avenue.~~
- ~~.125 Across Park Heights Drive, running in a north-south direction at the intersection of Park Heights Drive with North Park Victoria Drive.~~
- ~~.126 Across Park View Drive, running in a north-south direction at the intersection of Park View Drive with North Park Victoria Drive.~~
- ~~.127 Across Park Grove Drive, running in a north-south direction at the intersection of Park Grove Drive with North Park Victoria Drive.~~
- ~~.128 Across Conway Street, running in an east-west direction on the north side of the intersection of Conway Street with Coelho Street.~~
- ~~.129 Across Curtner Drive, running in a north-south direction on the east side of the intersection of Curtner Drive with Roger Street.~~
- ~~.130 Across Coelho Street, running in a north-south direction on the east side of the intersection of Coelho Street with Roger Street.~~
- ~~.131 Across Cortez Street, running in an east-west direction on the north side and the south side of the intersection of Cortez Street with Coelho Street.~~
- ~~.132 Across Arizona Avenue, running in an east-west direction on the north side and the south side of the intersection of Arizona Avenue with Washington Drive.~~
- ~~.133 Across Fontainebleu Avenue, running in an east-west direction on the south side of the intersection of Fontainebleu Avenue with Washington Drive.~~
- ~~.134 Across Canton Drive in a north-south direction on the west side of the intersection of Canton Drive with Carnegie Drive.~~
- ~~.135 Across Perry Street, running in an east-west direction at the intersection of Perry Street and Edsel Drive.~~
- ~~.136 Across Abbott Avenue, running in an east-west direction, on the north side of its intersection with Marylinn Drive.~~
- ~~.137 Across Abbott Avenue, running in an east-west direction, on the south side of its intersection with Marylinn Drive.~~
- ~~.138 Across Starlite Drive, running in an east-west direction, on the north side of its intersection with Fallen Leaf Dr.~~
- ~~.139 Across Starlite Drive, running in an east-west direction, on the south side of its intersection with Fallen Leaf Dr.~~
- ~~.140 Across Fallen Leaf Drive, running in a north-south direction, on the west side of its intersection with Starlite Drive.~~
- ~~.141 Across Fallen Leaf Drive, running in a north-south direction, on the east side of its intersection with Starlite Drive.~~
- ~~.142 Across Yellowstone Avenue at Sequoia on the west side of the intersection running from the north-west corner of Yellowstone and Sequoia south to the school property.~~
- ~~.143 Across Yellowstone Avenue at Sequoia Drive on the east side of the intersection running from the north-east corner of Yellowstone Avenue and Sequoia Drive south to the school property.~~

- ~~.144 Across Sequoia Drive at Yellowstone Avenue, from the north west corner and running east to the north east corner.~~
- ~~.145 Across Valley Way in a north south direction at its intersection with Abbott Avenue.~~
- ~~.146 Across Weller Lane at Abel Street, from the north east corner of Weller Lane and Abel and running south to the south east corner of Weller Lane and Abel Street.~~
- ~~.147 Across Spence Avenue at Butler Street, from the north west corner and running south to the south west corner of Spence Avenue and Butler Street.~~
- ~~.148 Across Spence Avenue at Butler Street, from the north east corner and running south to the south east corner of Spence Avenue and Butler Street.~~
- ~~.149 Across Butler Street at Spence Avenue, from the south west corner and running east to the south east corner of Butler Street and Spence Avenue.~~
- ~~.150 Across Abel Street in an east west direction at south side of the intersection of Abel Street and Weller Lane.~~
- ~~.151 Across So. Park Victoria in an east west direction on both sides of the intersection of Yosemite Drive at So. Park Victoria Drive.~~
- ~~.152 Across Yellowstone Avenue at its intersection With So. Park Victoria Drive~~
- ~~.153 Across Roger Street on the north side of its intersection with Rancho Higuera Road~~
- ~~.154 deleted by Ordinance 43.66, 10/6/70~~
- ~~.155 Across Calaveras Blvd., in a north south direction, from the south west corner of Calaveras Blvd. and Calaveras Ct., running north across Calaveras Blvd. to Samuel Ayer High School~~
- ~~.156 Across Yosemite Drive in a north south direction, starting from a point on the south side of Yosemite Drive 245 feet east of the west property line of Murphy School and running north across Yosemite Drive (perpendicular to the south curb of Yosemite Dr.) to the north curb of Yosemite Drive~~
- ~~.157 Across Sequoia Drive in an east west direction, starting from the south east corner of Yosemite Drive and Sequoia Drive and running west to the south west corner of Yosemite Drive and Sequoia Drive~~
- ~~.158 Across Shenandoah Avenue in a north south direction on both the east and west side of Sequoia Drive~~
- ~~.159 Across Big Bend Drive in a north south direction on both the east and west side of Sequoia Drive~~
- ~~.160 Across Crater Lake in a north south direction on both the east and west side of Sequoia Drive~~
- ~~.161 Across Everglades Drive in a north south direction on both the east and west side of Sequoia Drive~~
- ~~.162 Across Mt. Rainier in a north south direction on the west side of Sequoia Drive~~
- ~~.163 Across Grand Teton Drive in a north south direction on the east and west side of Sequoia Drive.~~
- ~~.164 Across Rocky Mountain Avenue in a north south direction on both east and west side of Yellowstone Avenue.~~
- ~~.165 Across Butano Drive in a north south direction on the west side of Yellowstone Avenue~~
- ~~.166 Across So. Park Victoria Drive at Canton Drive in an east west direction, from the northeast corner of Canton Drive and South Park Victoria Drive and running west across South Park Victoria Drive~~
- ~~.167 Across Starlite Drive at its intersection with Timber Way in an east west direction opposite the pedestrian entrance to Pinewood Park.~~
- ~~.168 Across Moon Court in an east west direction on the north side of Capitol Avenue~~
- ~~.169 Across Fallen Leaf Drive in an east west direction on the south side of Capitol Avenue~~
- ~~.170 Across Capitol Avenue in a north south direction from the west side of Fallen Leaf Drive to the west side of Moon Court~~
- ~~.171 Across Fallen Leaf Drive in an east west direction on the north side of Woodland Way~~

- ~~.172 Across Woodland Way in a north-south direction on the west side of Fallen Leaf Drive~~
- ~~.173 Across Woodland Court in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.174 Across Sun Court in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.175 Across Polaris Court in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.176 Across Evergreen Way in a north-south direction on the west side of Fallen Leaf Drive~~
- ~~.177 Across Greentree Way in a north-south direction on the west side of Fallen Leaf Drive~~
- ~~.178 Across Greentree Way in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.179 Across Lonetree Court in a north-south direction on the west side of Fallen Leaf Drive~~
- ~~.180 Across Lonetree Court in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.181 Across Fallen Leaf Drive in an east-west direction on the north side of Cedar Way~~
- ~~.182 Across Cedar Way in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.183 Across Cedar Way in a east-west direction on the south side of Cedar Way~~
- ~~.184 Across Fallen Leaf Drive in an east-west direction on the north side of Greenwood Way~~
- ~~.185 Across Greenwood Way in a north-south direction on the west side of Fallen Leaf Drive~~
- ~~.186 Across Greenwood Way in a north-south direction on the east side of Fallen Leaf Drive~~
- ~~.187 Across Pinewood Way in an east-west direction on the north side of Fallen Leaf Drive~~
- ~~.188 Across Pinewood Court in an east-west direction on the south side of Fallen Leaf Drive~~
- ~~.189 Across Blue Spruce Way in an east-west direction on the north side of Fallen Leaf Drive~~
- ~~.190 Across Blue Spruce Court in an east-west direction on the south side of Fallen Leaf Drive~~
- ~~.191 Across Forest Court in an east-west direction on the south side of Fallen Leaf Drive~~
- ~~.192 Across Silvertip Court in a north-south direction on the west side of Blue Spruce Way~~
- ~~.193 Across Manzanita Court in a north-south direction on the west side of Blue Spruce Way~~
- ~~.194 Across Fir Tree Court in a north-south direction on the west side of Blue Spruce Way~~
- ~~.195 Across Blue Spruce Way in an east-west direction on the south side of Timber Way~~
- ~~.196 Across Timber Way in a north-south direction on the west side of Starlite Drive~~
- ~~.197 Across Evening Star Court in an east-west direction on the north side of Capitol Avenue~~
- ~~.198 Across Moonbeam Way in an east-west direction on the south side of Capitol Avenue~~
- ~~.199 Across Moonbeam Way in an east-west direction on the north side of Woodland Way~~
- ~~.200 Across Stellar Way in an east-west direction on the south side of Capitol Avenue~~
- ~~.201 Across Stellar Way in an east-west direction on the north side of Woodland Way~~
- ~~.202 Across Capitol Avenue in a north-south direction from the west side of Sunrise Way to a point 88 feet east of the east side of Venus Way~~
- ~~.203 Across Sunrise Way in an east-west direction on the south side of Capitol Avenue~~
- ~~.204 Across the intersection of Sunrise Way and Woodland Way in a northeasterly-southwesterly direction from the northeast corner to the southwest corner~~
- ~~.205 Across Greenwood Way in an east-west direction from a point along the east side of Greenwood Way measuring 382 feet along the curblin to Fallen Leaf Drive~~
- ~~.206 Across Palmer Street in an east-west direction on the south side of Corning Avenue~~
- ~~.207 Across Corning Avenue in a north-south direction on the west side of Palmer Street~~

- ~~.208 Across North Park Victoria Drive in an east-west direction at the entrance to the Samuel Ayer High School Grounds 292 feet north of Park Grove Drive~~
- ~~.209 Across North Park Victoria Drive in an east-west direction on the north side of the intersection of North Park Victoria Drive and Kennedy Drive.~~
- ~~.210 Across Kennedy Drive in a north-south direction on the east side and on the west side of the intersection of Kennedy Drive and North Park Victoria Drive.~~
- ~~.211 Across North Park Victoria Drive in an east-west direction on the north side and on the south side of the intersection of North Park Victoria Drive and Calle Oriente.~~
- ~~.212 Across Calle Oriente in a north-south direction on the east side and on the west of the intersection of Calle Oriente and North Park Victoria Drive.~~
- ~~.213 Across Lynn Avenue in an east-west direction at its intersection with Kennedy Drive.~~
- ~~.214 Deleted by Ord. 43.67, 1/5/71~~
- ~~.215 Across Landess Avenue in a north-south direction on the east side of South Park Victoria Drive.~~
- ~~.216 Across Yosemite Drive in a north-south direction on the east side of the intersection of Yosemite Drive and Sequoia Drive.~~
- ~~.217 Across Tahoe Drive in a north-south direction on the west side of Yellowstone Ave.~~
- ~~.218 Across Acadia Avenue in a north-south direction on the west side of South Park Victoria Drive.~~
- ~~.219 Across Glacier Drive in a north-south direction on the west side of South Park Victoria Drive.~~
- ~~.220 Across Lassen Avenue in a north-south direction on the west side of South Park Victoria Drive.~~
- ~~.221 Across Olympic Drive in a north-south direction on the west side of South Park Victoria Drive.~~
- ~~.222 Across Platt Avenue in a north-south direction on the west side of South Park Victoria Drive.~~
- ~~.223 Across Mattos Drive in an east-west direction on the north side of Edsel Drive.~~
- ~~.224 Across Dolores Drive in an east-west direction on the north side of Edsel Drive.~~
- ~~.225 Across Ferreira Court in an east-west direction on the north side of Edsel Drive.~~
- ~~.226 Across Lacey Drive in a north-south direction on the east side of Falcato Drive.~~
- ~~.227 Across Falcato Drive in an east-west direction on the north side of Edsel Drive.~~
- ~~.228 Across Edsel Drive in a north-south direction on the east side and on the west side of the intersection of Falcato Drive.~~
- ~~.229 Across Falcato Drive in an east-west direction on the north side of Yosemite Drive.~~
- ~~.230 Across Yosemite Drive in a north-south direction on the east side of Falcato Drive.~~
- ~~.231 Across Patricia Court in an east-west direction on the north side of Edsel Drive.~~
- ~~.232 Across LaBaree Drive in an east-west direction on the south side of Wylie Drive.~~
- ~~.233 Across Stulman Drive in an east-west direction on the south side of Wylie Drive.~~
- ~~.234 Across Golden Hills Drive in a north-south direction on the east side of North Temple Drive.~~
- ~~.235 Across Dennis Avenue in a north-south direction on the east side of North Temple Drive.~~
- ~~.236 Across North Temple Drive in an east-west direction on the north side and on the south side of the intersection of Dennis Avenue.~~
- ~~.237 Across View Drive in a north-south direction on the east side of North Temple Drive.~~
- ~~.238 Across Arana Court in a north-south direction on the east side of North Temple Drive.~~
- ~~.239 Across Fair Hill Drive in a north-south direction on the east side of North Temple Drive.~~
- ~~.240 Across North Temple Drive in an east-west direction on the south side of Kennedy Drive.~~

- ~~.241 Across Dennis Avenue in a north-south direction on the east side of Lynn Avenue.~~
- ~~.242 Across LaCrosse Drive in an east-west direction on the north side of Wylie Drive.~~
- ~~.243 Across LaCrosse Drive in an east-west direction on the north side and on the south side of the intersection of Canton Drive.~~
- ~~.244 Across LaCrosse Drive in an east-west direction on the south side of Burley Drive.~~
- ~~.245 Across Guerrero Court in a north-south direction on the east side of North Park Victoria Drive.~~
- ~~.246 Across Admire Court in a north-south direction on the east side of North Park Victoria Drive.~~
- ~~.247 Across Torres Avenue in a north-south direction on the west side of North Park Victoria Drive.~~
- ~~.248 Across Burdett Way in a north-south direction on the west side of North Park Victoria Drive.~~
- ~~.249 Across Traughber Street in a north-south direction on the east side and on the west side of the intersection of North Park Victoria Drive.~~
- ~~.250 Across Cestaric Drive in an east-west direction on the north side of Kennedy Drive.~~
- ~~.251 Across Printy Avenue in an east-west direction on the north side of Kennedy Drive.~~
- ~~.252 Across Wool Drive in an east-west direction on the north side of Kennedy Drive.~~
- ~~.253 Across Columbus Drive in an east-west direction on the north side of Russell Lane.~~
- ~~.254 Across Madalen Drive in an east-west direction on the north side of Russell Lane.~~
- ~~.255 Across Nieves Street in a north-south direction on the east side of Madalen Drive.~~
- ~~.256 Across Nieves Street in a north-south direction on the west side of Diel Drive.~~
- ~~.257 Across Diel Drive in an east-west direction on the north side of Founders Lane.~~
- ~~.258 Across Madalen Drive in a north-south direction on the east side of Columbus Drive.~~
- ~~.259 Across Founders Lane in a north-south direction on the east side of Columbus Drive.~~
- ~~.260 Across Columbus Circle in an east-west direction on the north side of Founders Lane.~~
- ~~.261 Across Founders Lane in a north-south direction on the west side of Diel Drive.~~
- ~~.262 Across Ethyl Street in an east-west direction on the north side of Corning Avenue.~~
- ~~.263 Across Ethyl Court in a north-south direction on the east side of Ethyl Street.~~
- ~~.264 Across Ethyl Street in an east-west direction on the south side of Junipero Drive.~~
- ~~.265 Across Junipero Drive in a north-south direction on the west side of South Abel Street.~~
- ~~.266 Across Junipero Drive in a north-south direction on the west side of Ethyl Street.~~
- ~~.267 Across Sequoia Drive in an east-west direction on the south side of Mt. Rainer Avenue.~~
- ~~.268 Across Escuela Parkway in an east-west direction on the north side of Russell Lane.~~
- ~~.269 Across Russell Lane in a north-south direction on the east side of Escuela Parkway.~~
- ~~.270 Across Columbus Drive in an east-west direction on the south side of Russell Lane.~~
- ~~.271 Across Penitencia Street in a north-south direction on the west side of Abel Street.~~
- ~~.272 Across Abel Street in an east-west direction on the north side of Penitencia Street.~~
- ~~.273 Across Abel Street in an east-west direction on the north side and on the south side of the intersection of Marylinn Drive.~~
- ~~.274 Across Marylinn Drive in a north-south direction on the east side of Abel Street.~~
- ~~.275 Across Weller Lane in a north-south direction on the west side of North Main Street.~~
- ~~.276 Across Old Calaveras Road in a north-south direction on the west side of Downing Road.~~

- ~~.277 Across Calaveras Road in a north-south direction 40 feet east of the east side of Downing Road.~~
- ~~.278 Across Calaveras Road in an east-west direction 415 feet north of the south City limits.~~
- ~~.279 Across Downing Road in an east-west direction 770 feet north of the north side of Calaveras Road.~~
- ~~.280 Across Milpitas Blvd. in an east-west direction on the north and south sides of the Calaveras Blvd. intersection.~~
- ~~.281 Across Smithwood Street in a north-south direction on the west side of Abbott Avenue.~~
- ~~.282 Across Washington Drive in a north-south direction on the west side of Fontainbleu Avenue.~~
- ~~.283 Across Greathouse Drive in a north-south direction on the east side of Conway Street.~~
- ~~.284 Across Matthews Court in a north-south direction on the east side of Conway Street.~~
- ~~.285 Across Woodcock Court in a north-south direction on the east side of Conway Street.~~
- ~~.286 Across Taylor Drive in a north-south direction on the east side of Conway Street.~~
- ~~.287 Across Conway Street in an east-west direction on the south side of Matthews Court.~~
- ~~.288 Across Abel Street in an east-west direction on the north side of Weller Lane.~~
- ~~.289 Across Weller Lane in a north-south direction on the east side of Abel Street.~~
- ~~.290 Across Escuela Parkway in an east-west direction 675 feet south of the south side of Washington Drive.~~
- ~~.291 Across Jacklin Road in a north-south direction on the east side and on the west side of the intersection of Escuela Parkway.~~
- ~~.292 Across Kennedy Drive in a north-south direction on the west side of Fanyon Street.~~
- ~~.293 Across South Abel Street in an east-west direction on the north side of Junipero Drive.~~
- ~~.294 Across Temple Drive in an east-west direction on the north side and on the south side of the intersection of East Calaveras Blvd.~~
- ~~.295 Across East Calaveras Blvd. in a north-south direction on the east side and on the west side of the intersection of Temple Drive.~~
- ~~.296 Across Escuela Parkway in an east-west direction on the north side and the south side of the intersection of Jacklin Road.~~
- ~~.297 Across Russell Lane in a north-south direction on the west side of the intersection of Columbus Drive.~~
- ~~.298 Across Coyote street in an east-west direction 730 feet north of the intersection of Redwood Avenue.~~
- ~~.299 Across Hamilton Avenue in an east-west direction on the south side of the intersection of Jacklin Road.~~
- ~~.300 Across South Main Street in an east-west direction on the north side of the intersection of Cedar Way.~~
- ~~.301 Across Cedar Way in a north-south direction on the west side of the intersection of South Main Street.~~
- ~~.302 Across South Abel Street in an east-west direction on the north side and the south side of the intersection of Capitol Avenue.~~
- ~~.303 Across Capitol Avenue in a north-south direction on the east side and the west side of the intersection of South Abel Street.~~
- ~~.304 Across South Park Victoria Drive in an east-west direction on the north side of and south side of the intersection Big Basin Drive.~~
- ~~.305 Across Big Basin Drive in a north-south direction on the east side of South Park Victoria Drive.~~
- ~~.306 Across South Park Victoria Drive in an east-west direction on the south side of the intersection of Canton Drive.~~
- ~~.307 Across North Milpitas Blvd. in an east-west direction on the north side and south side of the intersection of Escuela Parkway.~~

~~.308 Across Escuela Parkway in a north-south direction on the east side and west side of the intersection of North Milpitas Blvd.~~

~~.309 Across Sycamore Drive in a north-south direction on the east side of the intersection of McCarthy Blvd.~~

~~.310 Across McCarthy Boulevard in an east-west direction on the north side of the intersection of Sycamore Drive.~~

~~.311 Across Cottonwood Drive in a north-south direction on the east side of the intersection of McCarthy Boulevard.~~

~~.312 Across McCarthy Boulevard in an east-west direction on the north side of the intersection of Cottonwood Drive.~~

~~.313 Across McCarthy Boulevard in an east-west direction on the north side of the intersection of Barber Lane.~~

~~.314 Across Barber Lane in a north-south direction on the east side of the intersection of McCarthy Boulevard.~~

~~.315 Across McCarthy Boulevard in an east-west direction on the north side of Montague Expressway.~~

~~.316 Across Serra Way in a north-south direction on the east side and west side of the intersection of Abel Street.~~

~~.317 Across Abel Street in an east-west direction on the north side and south side of Serra Way.~~

~~.318 Across Yosemite Drive in a north-south direction on the west side of the intersection of South Park Victoria Drive.~~

~~.319 Across Kennedy Drive in a north-south direction on the east side of the intersection of Simas Drive.~~

~~.320 Across Jacklin Court in an east-west direction on the north side of Jacklin Road.~~

~~.321 Across Jacklin Road in a north-south direction on the west side of the intersection of Hillview Drive.~~

~~.322 Across Hillview Drive in an east-west direction on the south side of the intersection of Jacklin Road.~~

~~.323 Across South Park Victoria Drive in an east-west direction on the north side and south side of the intersection of Yellowstone Avenue.~~

~~.324 Across Abbott Avenue in an east-west direction on the south side of Valley Way.~~

~~.325 Across Valley Way in a north-south direction on the west side of Abbott Avenue.~~

~~.326 Across Calaveras Boulevard in a north-south direction on the east and west sides of the Milpitas Boulevard intersection.~~

~~.327 Across Calaveras Boulevard in a north-south direction on the east and west sides of the Hillview Drive intersection.~~

~~.328 Across Hillview Drive in an east-west direction on the north and south sides of the Calaveras Boulevard intersection.~~

~~.329 Across Jacklin Place in an east-west direction on the south side of Jacklin Road.~~

~~.330 Across Yellowstone Avenue in a north-south direction 730 feet east of the intersection of Park Victoria Drive.~~

~~.331 Across Escuela Parkway in an east-west direction on the north side of the intersection of Cirolero Street.~~

~~.332 Across South Abel Street in an east-west direction on the south side of the driveway to Elmwood Rehabilitation Center.~~

~~.333 Across South Main Street in an east-west direction on the south side of Corning Avenue.~~

~~.334 Across Folsom Drive in a north-south direction on the west side of North Milpitas Boulevard.~~

~~.335 Across the entrance to Town Center in an east-west direction on the north side of Calaveras Boulevard.~~

~~.336 Across the entrance to Town Center in a north-south direction on the west side of Hillview Drive.~~

~~.337 Across North Milpitas Boulevard in an east-west direction on the north side of the northerly driveway to the City Hall parking lot.~~

~~.338 Across South Park Victoria Drive in an east-west direction on the north and south side of Mt. Shasta Avenue.~~

~~.339 Across Mt. Shasta Avenue in a north-south direction on the east and west side of South Park Victoria Drive.~~

~~.340 Across Abbott Avenue in an east-west direction 880 feet north of the intersection of Redwood Avenue.~~

~~.341 Across Beresford Court in a north-south direction on the west side of North Milpitas Boulevard.~~

~~.342 Across North Milpitas Boulevard in an east-west direction on the south side of Beresford Court.~~

~~.343 Across Rudyard Drive in a north-south direction on the east side of Barker Street.~~

~~.344 Across Buckeye Drive in an east-west direction on the north side of Cottonwood Drive.~~

~~.345 Across McCarthy Boulevard in an east-west direction on the north side of Tasman Drive.~~

~~.346 Across McCarthy Boulevard in an east-west direction on the south side of Magnolia Drive.~~

~~.347 Across Magnolia Drive in a north-south direction on the west side of McCarthy Boulevard.~~

~~.348 Across McCarthy Boulevard in an east-west direction on the north side of Alder Drive.~~

~~.349 Across McCarthy Boulevard in an east-west direction on the south side of Sumac Drive.~~

~~.350 Across Alder Drive in a north-south direction on the east side of McCarthy Boulevard.~~

~~.351 Across Sumac Drive in a north-south direction on the west side of McCarthy Boulevard.~~

~~.352 Across Tasman Drive in a north-south direction on the east side of McCarthy Boulevard.~~

~~.353 Across Tasman Drive in a north-south direction on the west side of Alder Drive.~~

~~.354 Across Alder Drive in an east-west direction on the north and south sides of Tasman Drive.~~

~~.355 Across Paseo Refugio in a north-south direction on the west side of Hillview Drive.~~

~~.356 Across Tramway Drive in a north-south direction on the west side of North Milpitas Boulevard.~~

~~.357 Across Erie Drive in a north-south direction on the west side of North Milpitas Boulevard.~~

~~.358 Across Cadillac Court in an east-west direction on the south side of Fairview Way.~~

~~.359 Across Fairview Way in a north-south direction on the east side of Cadillac Court.~~

~~.360 Across North Park Victoria Drive in an east-west direction on the south side of Jacklin Road.~~

~~.361 Across North Park Victoria Drive in an east-west direction on the north side of Jacklin Road.~~

~~.362 Across McCandless Drive in an east-west direction on the south side of Great Mall Parkway.~~

~~.363 Across McCandless Drive in an east-west direction on the northerly side of Montague Expressway.~~

~~.364 Across South Abbott Avenue in an east-west direction on the south side of Calaveras Boulevard.~~

~~.365 Across South Abbott Avenue in an east-west direction on the north side of Calaveras Boulevard.~~

~~.366 Across North Milpitas Boulevard in an east-west direction on the north side of Beresford Court.~~

~~.367 Across the entrance to the Town Center in a north-south direction on the east side of North Milpitas Boulevard.~~

~~.368 Across North Abel Street in an east-west direction on the south side of Redwood Avenue.~~

~~.369 Across Redwood Avenue in a north-south direction on the west side of North Abel Street.~~

~~.370 Across South Milpitas Boulevard in an east-west direction on the north and south sides of Yosemite Drive.~~

~~.371 Across Yosemite Drive in a north-south direction on the west side of South Milpitas Boulevard.~~

~~.372 Across South Main Street in a north-south direction on the east side of the South Main Street/Abel Street intersection.~~

~~.373 Across South Abel Street in an east-west direction on the north side of the South Main Street intersection.~~

- ~~.374 Across Midwick Drive in a north-south direction on the east side of North Milpitas Boulevard.~~
- ~~.375 Across North Milpitas Boulevard in an east-west direction on the north side of Midwick Drive.~~
- ~~.376 Across South Hillview Drive in an east-west direction on the north side of Los Coches Street.~~
- ~~.377 Across Yellowstone Avenue in an east-west direction on both north and south side of Westridge Drive.~~
- ~~.378 Across Westridge Drive in a north-south direction on both east and west side of Yellowstone Avenue.~~
- ~~.379 Across Yellowstone Avenue in an east-west direction on both north and south side of Rocky Mountain Avenue.~~
- ~~.380 Across Landess Avenue in a north-south direction on both east and west side of Yellowstone Avenue.~~
- ~~.381 Across Yellowstone Avenue in an east-west direction on the north side of Landess Avenue.~~
- ~~.382 Across Arizona Avenue in an east-west direction on the north and south sides of Midwick Drive.~~
- ~~.383 Across Midwick Drive in a north-south direction on the west side of Arizona Avenue.~~
- ~~.384 Mid-block on Arizona Avenue in an east-west direction just north of the Milpitas High School driveway.~~
- ~~.385 Across South Park Victoria Drive in an east-west direction on the north side of Clear Lake Avenue.~~
- ~~.386 Across North Milpitas Boulevard in an east-west direction on both north and south sides of Tramway Drive.~~
- ~~.387 Across Tramway Drive in a north-south direction on the east side of North Milpitas Boulevard.~~
- ~~.388 Across Canterbury Place in a north-south direction on the east side of North Park Victoria Drive.~~
- ~~.389 Across Simas Drive in an east-west direction on the north side of Kennedy Drive.~~
- ~~.390 Across McCandless Drive in an east-west direction on the north side of McCandless Drive.~~
- ~~.391 Across Great Mall Parkway in a north-south direction on the east side of Great Mall Parkway.~~
- ~~.393 Across Centre Point Drive in an east-west direction on the west side of Great Mall Parkway.~~
- ~~.394 Across Centre Point Drive in an east-west direction on the south side of Great Mall Parkway.~~
- ~~.395 Across Great Mall Parkway in a north-south direction on the east side of Centre Point Drive.~~
- ~~.396 Across Great Mall Parkway in a north-south direction on the north side of Centre Point Drive.~~
- ~~.397 Across Corning Avenue in a north-south direction on the west side of Ethyl Street.~~
- ~~.398 Mid-block crosswalk across California Circle in an east-west direction approximately 1,100 feet south of the intersection of the I-880 off-ramp.~~
- ~~.399 Mid-block crosswalk across Jacklin Road in a north-south direction approximately 500 feet west of the intersection of Hillview Drive.~~
- ~~.400 Across Easter Avenue in a north-south direction on both east and west side of Abbott Avenue.~~
- ~~.401 Across Walnut Drive in a north-south direction on the east side of Abbott Avenue.~~
- ~~.402 Across Elm Avenue in a north-south direction on the east side of Abbott Avenue.~~
- ~~.403 Across Willow Avenue in a north-south direction on the east side of Abbott Avenue.~~
- ~~.404 Across Chestnut Avenue in a north-south direction on the east side of Abbott Avenue.~~
- ~~.405 Across Maple Avenue in a north-south direction on the east side of Abbott Avenue.~~
- ~~.406 Across Redwood Avenue in an east-west direction on the south side of Abbott Avenue.~~
- ~~.407 Across Calaveras Road in a north-south direction approximately 850' easterly from the intersection of Downing Road.~~
- ~~.408 Across Dennis Avenue in a north-south direction on the west side of Temple Drive.~~
- ~~.409 Across Lynn Avenue in an east-west direction on the north side of Dennis Avenue.~~

~~.410 Across Escuela Parkway in a north-south direction on the east side of Higuera Place.~~

~~.411 Across Yosemite Drive in a north-south direction on the east side of Carnegie Drive.~~

SECTION 56. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.11 “Stopping, Standing, Parking Prohibited”

Title V, Chapter 100, Section V-100-15.11 “Stopping, Standing, Parking Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.11 - Reserved ~~Stopping, Standing, Parking Prohibited~~

~~In accordance with the provisions of Section 10.10 (but without limitation to the generality of the other provisions of Section 10.10), and when signs are erected or curb markings installed giving notice thereof, no person shall stop, stand or park a vehicle upon any of the streets or portions of streets described as follows:~~

~~.1 Deleted by Ord. 43.81.~~

~~.2 Deleted by Ord. 43.68.~~

~~.3 Deleted by Ord. 43.81.~~

~~.4 Commencing on the east side of North Main Street at the northeast corner of the intersection of Main Street and Carlo Street and running northerly along said east side of North Main Street for a distance of 125 feet from the point of beginning.~~

~~.5 On the west side of South Main Street commencing at the intersection of Carlo Street and extending south to the intersection of Corning Avenue.~~

~~.6 On the east side of South Main Street commencing at the intersection of Carlo Street and extending south to a point opposite the north curb line of the intersection of Corning Avenue.~~

~~.7 Along the south curb line of Dixon Road, starting at the southeast corner of Dixon Road and North Main Street and running 265 feet east along Dixon Road.~~

~~.8 Along the north curb line of Dixon Road, starting at the northeast corner of Dixon Road and North Main Street and running 250 feet east, along Dixon Road.~~

~~.9 Along the south curb line of Dixon Landing Road starting at the southwest corner of Dixon Landing Road and North Milpitas Boulevard and running 728 feet west along Dixon Landing Road.~~

~~.10 Along the north curb line of Dixon Landing Road, starting at the northwest corner of Dixon Landing Road and North Milpitas Boulevard and running 850 feet west along Dixon Landing Road.~~

~~.11 Along the west side of North Main Street, beginning at the southwest corner of Wilson Way and North Main Street and running 170 feet south along North Main Street.~~

~~.12 Along the north side of Great Mall Parkway commencing at the intersection of Montague Expressway and extending west to the I-880 southbound on/off ramps.~~

~~.13 Along the south side of Great Mall Parkway commencing at a point 200 feet east curblines of Montague Expressway and extending west to the intersection of South Main Street.~~

- ~~.14 On the north side of Calaveras Boulevard commencing at a point 80 feet from the curb return on the east side of Park Victoria Drive (at the intersection of Calaveras Boulevard and Park Victoria Drive and continuing in an easterly direction for 185 feet)~~
- ~~.15 Commencing on the east side of Abbott Avenue at the northeast corner of the intersection of Abbott Avenue with Calaveras Boulevard and running northerly for a distance of 450 feet.~~
- ~~.16 On the east side of Hammond Way, for a distance of 15 feet on each side of each of the two driveways into the Convoy (Hadley) Trucking Company (the 15 feet shall be computed as follows: commencing at the north curb return of each driveway and running in a northerly direction for 15 feet; commencing at the south curb return of each driveway and running in a southerly direction for 15 feet).~~
- ~~.17 On that portion of Calaveras Boulevard, on the north side thereof between Abbott Avenue and Serra Way.~~
- ~~.18 On that portion of Calaveras Boulevard, on both sides of Calaveras Boulevard, commencing at the east curb line of Piedmont Road and running easterly along Calaveras Boulevard to a point 500 feet east of the east curb line of Downing Road.~~
- ~~.19 On the east side of Dempsey Road for a distance of 690 feet (including driveways) in a southerly direction from the southerly curb return of the intersection of Calaveras Boulevard with Dempsey Road.~~
- ~~.20 On the east side of South Main Street commencing at the center line of Corning Avenue and extending southerly to the south property line of 620 South Main Street.~~
- ~~.21 Deleted by Ord. 43.192.~~
- ~~.22 On the west side of Fallen Leaf Drive extending north for a distance of 70 feet from the north curb return of Woodland Way.~~
- ~~.23 On the west side of Fallen Leaf Drive extending north for a distance of 70 feet from the curb return on Pinewood Way.~~
- ~~.24 On the east side of South Park Victoria Drive extending for 515 feet south of curb line of Calaveras Boulevard at its intersection with Park Victoria Drive.~~
- ~~.25 On the east side of North Park Victoria Drive extending for 365 feet north of the curb line of Calaveras Boulevard at its intersection with Park Victoria Drive.~~
- ~~.26 On the west side of North Park Victoria Drive extending from the intersection of Calaveras Boulevard north to Ayer Street.~~
- ~~.27 On the west side of South Park Victoria Drive extending for 440 feet south of the curb line of Calaveras Boulevard at its intersection with Park Victoria Drive.~~
- ~~.28 On the north side of Calaveras Boulevard extending from the Sinclair Freeway northbound off ramp to the intersection of Calaveras Boulevard and Carnegie Drive.~~
- ~~.29 On the north side of Calaveras Boulevard extending for 260 feet east of the curb line of North Park Victoria Drive.~~
- ~~.30 On the east and west sides of Escuela Parkway, and the north and south sides of its connecting streets, commencing at the intersection of Washington Drive and extending south to intersection of North Milpitas Boulevard, excepting therefrom the east side of Escuela Parkway between Cirolero Street and Manzano Street.~~

- ~~.31 On the west side of South Park Victoria Drive commencing at the intersection of Landess Avenue and extending northerly to the intersection of Big Basin Drive.~~
- ~~.32 Deleted by Ord. 43.139.~~
- ~~.33 Commencing on the west side of Abbott Avenue at the northwest and running to the southwest corner of the intersection of Abbott Avenue and Spence Avenue.~~
- ~~.34 On the south side of Dixon Road extending from the intersection of Arizona Avenue west to Sunnyhills Drive.~~
- ~~.35 On the north side of Curtis Avenue, commencing at a point 60 feet west of the west curb line of South Main Street, and running westward for a distance of 86 feet.~~
- ~~.36 On the north side of Midwick Drive, extending east for a distance of 190 feet from the east curb line of North Main Street.~~
- ~~.37 On the north side of Yosemite Drive, commencing at a point 84 feet west of the west curb line of South Park Victoria Drive and running west for a distance of 69 feet.~~
- ~~.38 On the west side of North Main Street and Marylinn Drive, extending north for a distance of 707 feet from the north curb line of Weller Lane.~~
- ~~.39 On East Carlo Street commencing on the north side of east Carlo Street at the east curb line of Windsor Street thru and including the east end of East Carlo Street to the south curb line of Carlo Street.~~
- ~~.40 On the east side of North Abel Street commencing at the intersection of Weller Lane and extending north to the southerly K-Mart driveway.~~
- ~~.41 Deleted by Ord. 43.138.~~
- ~~.42 On the west side of North Abel Street commencing at the intersection of Penitencia Street and extending to the intersection of Calaveras Boulevard.~~
- ~~.43 On the north side of Weller Lane extending 172 feet east of the east curb line of Abel Street.~~
- ~~.44 On the west side of South Abel Street commencing at the intersection of Serra Way and extending south to the intersection of Capitol Avenue.~~
- ~~.45 Deleted by Ord. 43.91.~~
- ~~.46 Entire curb length of Landess Avenue.~~
- ~~.47 On the east, west and north sides of Highland Court, commencing at the intersection of Landess Avenue on the west side, and commencing at a point 115 feet north of the intersection of Landess Avenue on the east side and running north to the northernmost end of Highland Court.~~
- ~~.48 On the east, west and north sides of Lowland Court, commencing at the north curb line of Landess Avenue and running north to its northernmost end.~~
- ~~.49 On the south side of Calaveras Boulevard commencing at the off ramp from northbound Nimitz Freeway and extending east to the intersection of Serra Way.~~
- ~~.50 Deleted by Ord. 43.106.~~

- ~~.51 On the west side of Winsor Street, commencing at a point 400 feet south of the south curb line of Weller Lane and extending south for a distance of 80 feet.~~
- ~~.52 On the west side of Sequoia Drive, commencing at a point 50 feet north and extending to 25 feet south of the Sinnott/Rancho Milpitas Schools' driveway.~~
- ~~.53 On the south side of Dixon Landing Road, commencing at a point 50 feet east and extending to 50 feet west of The Friendly Village Mobile Home Park driveway.~~
- ~~.54 On the north side of Dixon Landing Road, commencing at a point 50 feet east and extending to 50 feet west of the Pioneer Mobile Home Park driveway.~~
- ~~.55 On the west side of South Park Victoria Drive, commencing at a point 440 feet south of the south curb line of Calaveras Boulevard and extending south to the south side of Los Coches Creek.~~
- ~~.56 On the east side of South Park Victoria Drive, commencing at a point 515 feet south of the south curb line of Calaveras Boulevard and extending south to the intersection of Canton Drive.~~
- ~~.57 At the east end of Dixon Road commencing at the east property line of 531 Dixon Road and extending to the east property line of 540 Dixon Road.~~
- ~~.58 At the east end of Manferd Street commencing at the east property line of 2206 Levin Street and extending to the east property line of 458 Manferd Street.~~
- ~~.59 On the west side of Dempsey Road commencing at a point 225 feet north of Piedmont Creek and extending south to the intersection of Landess Avenue.~~
- ~~.60 On the east side of Sinclair Frontage Road commencing at a point 100 feet north of the intersection of Yosemite Drive and extending south to its southernmost end.~~
- ~~.61 On the west side of Dempsey Road commencing at Los Coches Creek and extending north to its northernmost end.~~
- ~~.62 On the east side of South Park Victoria Drive commencing at the intersection of Yosemite Drive and extending south to the intersection of Sonoma Drive.~~
- ~~.63 On the east side of South Park Victoria Drive commencing at the intersection of Edsel Drive and extending southerly for a distance of 225 feet.~~
- ~~.64 On the west side of South Park Victoria Drive commencing at Piedmont Creek and extending south to the intersection of Platt Avenue.~~
- ~~.65 Deleted by Ord. 43.87.~~
- ~~.66 On the north side of Calaveras Boulevard commencing at a point 200 feet east and extending to 200 feet west of the intersection of Gadsden Drive.~~
- ~~.67 On the north and south sides of East Calaveras Boulevard extending for a distance of 500 feet from the east curb line of Temple Drive and extending west for a distance of 400 feet from the west curb line of Temple Drive.~~
- ~~.68 On the south side of Serra Way commencing at the intersection of Calaveras Boulevard and extending east to Serra Center driveway.~~

~~.69 On the east and west sides of South Milpitas Boulevard commencing at the intersection of Calaveras Boulevard and extending south to the intersection of Yosemite Drive.~~

~~.70 On the north and south sides of Yosemite Drive commencing at the intersection of South Milpitas Boulevard and extending east to the intersection of South Park Victoria Drive.~~

~~.71 On the west side of south Main Street commencing at the intersection of Cedar Way and extending north for a distance of 250 feet.~~

~~.72 Deleted by Ord. 43.136.~~

~~.73 Deleted by Ord. 43.127.~~

~~.74 On the east side of North Abel Street commencing at the intersection of Marylinn Drive and extending north for a distance of 80 feet.~~

~~.75 On the east side of North Abel Street commencing at the intersection of Marylinn Drive and extending south for a distance of 160 feet.~~

~~.76 On the north side of Marylinn Drive commencing at the intersection of North Abel Street and extending east to the intersection of Vasona Street.~~

~~.77 On the west side of North Abel Street commencing at the intersection of Marylinn Drive and extending north for a distance of 50 feet.~~

~~.78 On the north and south sides of West Calaveras Boulevard commencing at the intersection of Abel Street and extending west to the intersection of Serra Way.~~

~~.79 On the north and south sides of Russell Lane commencing at the intersection of Escuela Parkway and extending east to the west property line of 735 Russell Lane on the north side and the west property line of 740 Russell Lane on the south side.~~

~~.80 Deleted by Ord. 43.127.~~

~~.81 On the north side of Jacklin Road commencing at the end of curb return west of Hillview Drive and extending west for a distance of 135 feet.~~

~~.82 On the east side of North Milpitas Boulevard from Calaveras Boulevard north approximately 200 feet to the entrance driveway to Milpitas City Hall.~~

~~.83 On the south side of Marylinn Drive commencing at the intersection of North Abel Street and extending east for a distance of 180 feet.~~

~~.84 Deleted by Ord. 43.127.~~

~~.85 On the south side of Serra Way commencing at the intersection of South Abel Street and extending west to the driveway to Serra Center.~~

~~.86 On the north side of Serra Way commencing at the intersection of South Abel Street and extending west for a distance of 160 feet.~~

~~.87 On the west side of South Park Victoria Drive, commencing at the south side of Los Coches Creek and extending south for a distance of 200 feet.~~

- ~~.88 On the east side of South Park Victoria Drive, commencing at the south curb line of Canton Drive and extending south for a distance of 110 feet.~~
- ~~.89 On the east side of South Park Victoria Drive, commencing at the south curb line of Sonoma Drive and extending south to the intersection of Clear Lake Avenue.~~
- ~~.90 On the east side of South Abel Street commencing at the intersection of Serra Way and extending south for a distance of 570 feet.~~
- ~~.91 On the east and west sides of South Abel Street commencing at the intersection of Serra Way and extending north to the intersection of Calaveras Boulevard.~~
- ~~.92 On the east and west sides of South Abel Street commencing at the intersection of Capitol Avenue and extending south to the intersection of South Main Street.~~
- ~~.93 On the east and west sides of South Main Street commencing at the intersection of Capitol Avenue and extending south to the intersection of South Abel Street.~~
- ~~.94 On the east side of Hillview Drive commencing at a point 85 feet north of the centerline of Tassasara Drive and extending south to a point 299 feet south of Pacheco Drive.~~
- ~~.95 On the east and west sides of McCarthy Boulevard commencing at the intersection of Montague Expressway and extending to the north end.~~
- ~~.96 Along the west side of Barber Lane commencing at a point 360 feet south of the intersection of Bellew Drive and extending southerly to the intersection of McCarthy Boulevard.~~
- ~~.97 On the east and west sides of Buckeye Drive commencing at the intersection of Cottonwood Drive and extending to the intersection of Sycamore Drive.~~
- ~~.98 On the north and south sides of Cottonwood Drive commencing at the intersection of McCarthy Boulevard and extending to the intersection of Barber Lane.~~
- ~~.99 On the north and south sides of Sycamore Drive commencing at the intersection of McCarthy Boulevard and extending to the intersection of Barber Lane.~~
- ~~.100 On the east and west sides of Milmont Drive commencing at the intersection of Dixon Landing Road and extending north to the City limit.~~
- ~~.101 On the west side of South Main Street commencing at a point 532 feet from the north curb line of Cedar Way extending north to the intersection of South Abel Street.~~
- ~~.102 On the west side of South Milpitas Boulevard commencing at the intersection of Montague Expressway and extending north for a distance of 75 feet.~~
- ~~.103 On the east side of South Milpitas Boulevard commencing at the intersection of Montague Expressway and extending north for a distance of 1,425 feet.~~
- ~~.104 On the west side of North Milpitas Boulevard commencing at the intersection of Calaveras Boulevard and extending north for a distance of 370 feet.~~
- ~~.105 On the west side of South Main Street commencing at the intersection of Montague Expressway and extending north to the intersection of Cedar Way.~~

- ~~.106 On the east and west sides of Hillview Drive commencing at the intersection of Calaveras Boulevard and extending south for a distance of 250 feet.~~
- ~~.107 On the east side of Hillview Drive commencing at the intersection of Calaveras Boulevard and extending north for a distance of 980 feet.~~
- ~~.108 On the west side of Hillview Drive commencing at the intersection of Calaveras Boulevard and extending to the intersection of Paseo Refugio.~~
- ~~.109 On the north side of Calaveras Boulevard commencing at the end of curb return west of Hillview Drive and extending west for a distance of 50 feet.~~
- ~~.110 On the north side of Calaveras Boulevard commencing at the end of curb return east of Hillview Drive and extending east for a distance of 50 feet.~~
- ~~.111 On the south side of Calaveras Boulevard commencing at the end of curb return west of Hillview Drive and extending west for a distance of 50 feet.~~
- ~~.112 On the south side of Calaveras Boulevard commencing at the end of curb return east of Hillview Drive and extending east for a distance of 50 feet.~~
- ~~.113 On the north side of Calaveras Boulevard commencing at the east side of the driveway to the faculty and library parking lot at the Milpitas Branch Junior College and extending for a distance of 100 feet.~~
- ~~.114 On the east side of North Abel Street commencing at the intersection of Calaveras Boulevard and extending to the intersection of Weller Lane.~~
- ~~.115 On the north side of Jacklin Road commencing at the east curb line of Escuela Parkway and extending east for a distance of 300 feet.~~
- ~~.116 On the west side of North Abel Street commencing at the end of curb return north of Penitencia Street extending north for a distance of 62 feet.~~
- ~~.117 On the east side of Dempsey Road commencing at the end of curb return north of Yosemite Drive extending north for a distance of 70 feet.~~
- ~~.118 On the west side of South Park Victoria Drive commencing at a point 96 feet from the north curb line of Yellowstone and extending southerly for a distance of 230 feet.~~
- ~~.119 On the north side of Dixon Road commencing at the end of curb return west of Arizona Avenue extending west for a distance of 30 feet.~~
- ~~.120 On the north side of Dixon Road commencing at the end of curb return east of Arizona Avenue extending east for a distance of 45 feet.~~
- ~~.121 On the south side of Dixon Road commencing at the end of curb return east of Arizona Avenue extending east for a distance of 45 feet.~~
- ~~.122 On the north side of Marylinn Drive commencing at the end of curb return east of Penitencia Street extending east for a distance of 50 feet.~~
- ~~.123 On the west side of Penitencia Street commencing at the end of curb return north of Marylinn Drive extending north for a distance of 12 feet.~~

- ~~.124 On the east side of Penitencia Street commencing at the end of curb return north of Marylinn Drive extending north for a distance of 20 feet.~~
- ~~.125 On the east side of Penitencia Street commencing at the end of curb return south of Marylinn Drive extending south for a distance of 25 feet.~~
- ~~.126 On the north side of Yosemite Drive commencing at the west side of the crosswalk to Murphy School extending east for a distance of 55 feet.~~
- ~~.127 On the east side of Butler Street commencing at the intersection of Calaveras Boulevard extending north to a point 25 feet north of the end of curb return.~~
- ~~.128 On the south side of Jacklin Road commencing at the intersection of North Milpitas Boulevard extending east to the intersection of Jacklin Place.~~
- ~~.129 On the north side of Jacklin Road commencing at the intersection of North Milpitas Boulevard extending east for a distance of 250 feet.~~
- ~~.130 On the north side of Jacklin Court commencing at the end of curb return north of Jacklin Road extending west for a distance of 150 feet.~~
- ~~.131 On the south side of Jacklin Court commencing at the end of curb return north of Jacklin Road extending west for a distance of 150 feet.~~
- ~~.132 Deleted by 43.198.~~
- ~~.133 On the east side of Dempsey Road commencing at the end of curb return south of Yosemite Drive, extending south for a distance of 60 feet.~~
- ~~.134 On the west side of Penitencia Street commencing at the end of curb return south of Marylinn Drive extending south for a distance of 25 feet.~~
- ~~.135 On the north and south sides of Marylinn Drive commencing at the intersection of Barker Street and extending east to the intersection of Penitencia Street.~~
- ~~.136 On the south side of Cedar Way commencing at the end of curb return at South Main Street extending west for a distance of 32 feet.~~
- ~~.137 On the north and south sides of Buckeye Court commencing at the intersection of Buckeye Drive and extending west to the end of Buckeye Court.~~
- ~~.138 On the south side of Paseo Refugio commencing at the west curb line of Hillview Drive and extending westerly for a distance of 520 feet.~~
- ~~.139 Deleted by Ord. 43.169.~~
- ~~.140 Deleted by Ord. 43.169.~~
- ~~.141 On the east and west sides of Hillview Drive commencing at the end of curb returns south of Los Coches Street and extending south for a distance of 200 feet.~~
- ~~.142 On the east side of South Milpitas Boulevard commencing at a point 1,425 feet north of Montague Expressway and extending north to the intersection of Yosemite Drive.~~

- ~~.143 On the west side of South Milpitas Boulevard commencing at the intersection of Yosemite Drive and extending south to a point 585 feet south of the centerline of Gibraltar Drive.~~
- ~~.144 On the north and south sides of Yosemite Drive commencing at the intersection of South Milpitas Boulevard and extending to the intersection of Gibraltar Court.~~
- ~~.145 On the east and west sides of Gibraltar Drive commencing at the intersection of Gibraltar Court and extending southerly to the intersection of South Milpitas Boulevard.~~
- ~~.146 Deleted by Ord. 43.173.~~
- ~~.147 On both sides of Hillview Drive commencing at the intersection of Jacklin Road and extending south to Tularcitos Creek.~~
- ~~.148 On the south side of West Curtis Avenue commencing at the centerline of South Main Street and extending west for a distance of 275 feet.~~
- ~~.149 On the east and west sides of North Milpitas Boulevard commencing at the intersection of Jacklin Road and extending north to the intersection of Dixon Road.~~
- ~~.150 On the west side of North Milpitas Boulevard, commencing at the end of curb return south of Beresford Court and extending south for a distance of 80 feet.~~
- ~~.151 On the south side of Dixon Landing Road commencing at the intersection of California Circle and extending east to the Southern Pacific Railroad right of way.~~
- ~~.152 On both sides of California Circle commencing at the intersection of Dixon Landing Road and extending to the easterly end of California Circle.~~
- ~~.153 On the north and south sides of Beresford Court commencing at the intersection of North Milpitas Boulevard and extending westerly to the beginning of the cul-de-sac bulb.~~
- ~~.154 On the north side of Jacklin Road commencing at the intersection of Hillview Drive and extending east to the I-680 interchange.~~
- ~~.155 On the west side of Evans Road commencing at the end of curb return north of Kennedy Drive and extending north for a distance of 120 feet.~~
- ~~.156 On the east and west sides of North Milpitas Boulevard commencing at the intersection of Dixon Road and extending north to the north City limits.~~
- ~~.157 On the east side of North Milpitas Boulevard commencing at the northerly end of the southerly driveway from City Hall and extending north for a distance of 20 feet.~~
- ~~.158 Deleted by Ord. 43.164.~~
- ~~.159 On the west side of North Park Victoria Drive from the intersection of London Drive to the intersection of Carson Way.~~
- ~~.160 On the north side of Curtis Avenue commencing at a point 20 feet east of the middle driveway at Lockheed warehouse and extending west to a point 20 feet west of the driveway.~~
- ~~.161 On the south side of Jacklin Road commencing at the intersection of Hillview Drive and extending east for a distance of 100 feet.~~

- ~~.162 On the northerly side of Montague Expressway commencing at the intersection of Trade Zone Boulevard and extending to the west City Limits.~~
- ~~.163 On both sides of Montague Expressway commencing at the intersection of Trade Zone Boulevard and extending to the I-680 interchange.~~
- ~~.164 On the north side of Trade Zone Boulevard commencing at the end of curb return east of Montague Expressway and extending east for a distance of 100 feet.~~
- ~~.165 On both sides of Tasman Drive commencing at the intersection of McCarthy Boulevard and extending to the intersection of Alder Drive.~~
- ~~.166 On both sides of Alder Drive commencing at the intersection of McCarthy Boulevard and extending to the intersection of Barber Lane.~~
- ~~.167 On both sides of Magnolia Drive commencing at the intersection of McCarthy Boulevard and extending to the intersection of Sumac Drive.~~
- ~~.168 On both sides of Sumac Drive commencing at the intersection of Magnolia Drive and extending to the intersection of McCarthy Boulevard.~~
- ~~.169 On the north side of Ames Avenue commencing at the east end of the driveway to Great Western Chemical Company, and extending east for a distance of 25 feet.~~
- ~~.170 On the east side of South Main Street commencing at the end of curb return north of Montague Expressway, and extending north for a distance of 240 feet.~~
- ~~.171 On the east side of South Main Street commencing at the end of curb return south of the intersection of Main Street and Abel Street, and extending south for a distance of 260 feet.~~
- ~~.172 On the east side of South Main Street commencing at the intersection of Capitol Avenue and extending to the intersection of Curtis Avenue.~~
- ~~.173 On the west side of South Main Street commencing at the intersection of Capitol Avenue and extending north for a distance of 250 feet.~~
- ~~.174 On both sides of South Abbott Avenue commencing at the intersection of Calaveras Boulevard and extending to the south end.~~
- ~~.175 On both sides of Cadillac Court commencing at the intersection of California Circle and extending to the south end.~~
- ~~.176 On both sides of Fairview Way commencing at the intersection of California Circle and extending to the intersection of Cadillac Court.~~
- ~~.177 On both sides of North Park Victoria Drive commencing at the intersection of Jacklin Road and extending south to a point 130 feet south of the end of curb return south of Daniel Court.~~
- ~~.178 On the east side of North Main Street commencing at the south end of the southerly driveway to the parking lot of 160 North Main Street and extending south for a distance of 85 feet.~~
- ~~.179 On the south side of Jacklin Road commencing at the end of curb return west of North Park Victoria Drive and extending west for a distance of 430 feet.~~

- ~~.180 On the west side of Evans Road commencing at the end of curb return north of Kennedy Drive and extending north for a distance of 200 feet.~~
- ~~.181 On the east side of South Park Victoria Drive commencing at the intersection of Landess Avenue and extending north to the intersection of Clear Lake Avenue.~~
- ~~.182 On the north side of Capitol Avenue commencing at the easterly City limit and extending west to the Western Pacific Railroad.~~
- ~~.183 On the south side of Jacklin Road commencing at the end of curb return east of North Park Victoria Drive and extending east for a distance of 280 feet.~~
- ~~.184 On both sides of McCandless Drive, commencing at the intersection of Montague Expressway and extending to the intersection of Capitol Avenue.~~
- ~~.185 On both sides of Serra Way commencing at the intersection of South Main Street and extending to the intersection of South Abel Street.~~
- ~~.186 Deleted by Ord. 43.143.~~
- ~~.187 On the east side of North Abel Street commencing at a point 330 feet south of the centerline of Redwood Avenue and extending north for a distance of 500 feet.~~
- ~~.188 Deleted by Ord. 43.143.~~
- ~~.189 Deleted by Ord. 43.143.~~
- ~~.190 On the south side of Redwood Avenue commencing at the end of the curb return west of North Abel Street and extending west for a distance of 56 feet.~~
- ~~.191 On the west side of South Main Street commencing at the north corner of the Fire Station No. 1 driveway and extending north for a distance of 25 feet.~~
- ~~.192 On the westerly side of Pecten Court, commencing at the end of the curb return at Montague Expressway, extending southerly around a curve, then continuing easterly for 23 feet making a total of 234 feet.~~
- ~~.193 On the easterly side of Pecten Court, commencing at a point 70 feet south of the end of the curb return at Montague Expressway and extending southerly around a curve, then continuing easterly for 7 feet, making a total of 84 feet.~~
- ~~.194 On the west side of North Abel Street commencing at the end of curb return south of Redwood Avenue and extending south for a distance of 150 feet.~~
- ~~.195 Deleted by Ord. 43.152.~~
- ~~.196 On South Abel Street, extending 3 feet north from the northerly corner of the post office employees' driveway.~~
- ~~.197 Along the north side of Calaveras Boulevard between the off ramp of Interstate Route 680 to Hillview Drive.~~
- ~~.198 On the north side of Yosemite Drive commencing at the end of the curb return east of Roswell Drive and extending east for a distance of 16 feet.~~

- ~~.199 On the east side of Hillview Drive beginning at a point directly opposite from the south curb line of the Container Corporation driveway and extending north for a distance of 115 feet.~~
- ~~.200 Entire curb length of Hillview Court.~~
- ~~.201 On both sides of Yellowstone Avenue commencing at the end of the curb return north of Westridge Drive and extending north for a distance of 240 feet.~~
- ~~.202 On both sides of Yellowstone Avenue commencing at the end of the curb return south of Westridge Drive and extending south for a distance of 350 feet.~~
- ~~.203 On both sides of Westridge Drive commencing at the end of the curb return east of Yellowstone Avenue and extending east for a distance of 50 feet.~~
- ~~.204 On the north side of Paseo Refugio commencing at the end of the curb return east of Hillview Drive and extending west for a distance of 490 feet.~~
- ~~.205 On the south side of East Curtis Avenue near the east gate of the Old Ford Plant and extending 100 feet away from the west end of the easterly driveway.~~
- ~~.206 On the north side of Jacklin Road commencing at the end of the curb return east of Arizona Avenue and extending east for a distance of 80 feet.~~
- ~~.207 On the north side of Jacklin Road commencing at the end of the curb return west of Escuela Parkway and extending west for a distance of 80 feet.~~
- ~~.208 Commencing on the east side of Abbott Avenue at the southeast corner of the intersection of Abbott Avenue with Spence Avenue and running southerly for a distance of 200 feet.~~
- ~~.209 On the west side of North Main Street commencing at the end of the curb return north of the Calaveras Boulevard off-ramp and extending northerly for a distance of 67 feet.~~
- ~~.210 Along the south side of Jacklin Court commencing at the intersection of Jacklin Court/Oregon Way and extending west for a distance of 150 feet.~~
- ~~.211 Along the west side of North Park Victoria Drive commencing at the intersection of Jacklin Road and extending north to the intersection of Fox Hollow Court.~~
- ~~.212 On the west side of Yellowstone Avenue commencing at the end of the curb return north of Landess Avenue and extending north for a distance of 100 feet.~~
- ~~.213 On the east side of Yellowstone Avenue commencing at the end of the curb return north of Landess Avenue and extending north for a distance of 100 feet.~~
- ~~.214 On the west side of Fallen Leaf Drive commencing at the end of the curb return north of Greenwood Way and extending north for a distance of 50 feet.~~
- ~~.215 On the north end of Greenwood Way commencing at the end of the curb return west of Fallen Leaf Drive and extending west for a distance of 50 feet.~~
- ~~.216 On the west side of Sinclair Frontage Road commencing at the intersection of Los Coches Street and extending south to Yosemite Drive.~~

- ~~.217 On the northerly side of Landess Avenue commencing at the end of the curb return east of Montara Drive and extending easterly for a distance of 140 feet.~~
- ~~.218 On the east side of Capitol Avenue commencing at the end curb return south of Montague Expressway and extending southerly for a distance of 380 feet.~~
- ~~.219 On the southerly side of Dixon Landing Road commencing between the railroad and a point 473 feet easterly.~~
- ~~.220 On the easterly side of Sinclair Frontage Road commencing at the end of the curb return north of Ames Avenue and continuing southerly for a distance of 90 feet.~~
- ~~.221 On the easterly side of Sinclair Frontage Road commencing at a point 150 feet north of the end of the curb return north of Ames Avenue and continuing northerly for a distance of 80 feet.~~
- ~~.222 On the easterly side of Sinclair Frontage Road commencing at a point 820 feet north of the end of curb return north of Ames Avenue and continuing northerly for a distance of 86 feet.~~
- ~~.223 On the northerly side of Los Coches Street commencing at the easterly side of the driveway of 375 Los Coches Street and extending easterly for a distance of 140 feet.~~
- ~~.224 Along the east side of Barber Lane commencing at the intersection of McCarthy Boulevard and extending northerly for a distance of approximately 7,513 feet.~~
- ~~.225 Deleted by Ord. 43.191.~~
- ~~.226 On the northerly side of Ames Avenue commencing at the end of the curb return east of South Milpitas Boulevard and extending east for a distance of 130 feet.~~
- ~~.227 On the easterly side of Vista Way commencing at the end of the curb return south of Wrigley Way and extending south for a distance of 400 feet.~~
- ~~.228 On the south side of Los Coches Street commencing at the end of the curb return east of South Milpitas Boulevard and extending easterly for a distance of 120 feet.~~
- ~~.229 On both sides of Downing Road commencing at the intersections of Calaveras Road and Old Calaveras Road.~~
- ~~.230 On both sides of Old Calaveras Road commencing at the intersections of Downing Road and extending westerly to the City Limit.~~
- ~~.231 Along the northerly side of Dixon Landing Road commencing at the end of the curb return west of Milmont Drive and extending westerly for a distance of 590 feet.~~
- ~~.232 Along the westerly side of Barber Court commencing at the end of the curb return north of Bellew Drive and extending northerly to the center of the cul-de-sac.~~
- ~~.233 On the east side of South Park Victoria Drive commencing at the intersection of Edsel Drive and extending northerly for a distance of 190 feet.~~
- ~~.234 On the west side of South Park Victoria Drive commencing at the intersection of Edsel Drive and extending northerly for a distance of 220 feet.~~

~~.235 On the west side of South Park Victoria Drive commencing at the intersection of Edsel Drive and extending southerly for a distance of 225 feet.~~

SECTION 57. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited”

Title V, Chapter 100, Section V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.12 Reserved ~~Vehicles in Excess of Certain Gross Weight Limits Prohibited~~

~~In accordance with the provisions of Section 12.07 of this Chapter, and where signs are erected giving notice thereof at all entrances to the highway or parts thereof affected, all streets and parts of streets in the City of Milpitas (now or hereafter existing) are hereby declared to be streets, the use of which is prohibited by any vehicle exceeding a maximum gross weight limit of four (4) tons, with the following specific exceptions:~~

No.	Street	Segment
.1	Deleted by Ord. 43.210	
.2	Weller Lane	Entire Segment
.3	Deleted by Ord. 43.210	
.4	Deleted by Ord. 43.210	
.5	Deleted by Ord. 43.210	
.6	Ames Avenue	Entire Segment
.7	Deleted by Ord. 43.210	
.8	Piper Drive	Entire Segment
.9	Landess Avenue	Entire Segment
.15	Hammond Way	Entire Segment
.16	Deleted by Ord. 43.146	
.17	Piedmont Road	Entire Segment
.18	Abbott Avenue	Spence Avenue and Calaveras Boulevard
.19	South Milpitas Boulevard	Montague Expressway and Calaveras Boulevard
.20	Los Coches Street	Entire Segment
.21	Hillview Drive	Calaveras Boulevard Yosemite Drive

.22	Sinclair Frontage Road	Entire Segment
.23	Yosemite Drive	West of Dempsey Road
.24	Vista Way	Entire Segment
.25	Wrigley Way	Entire Segment
.26	Watson Court	Entire Segment
.27	Pecten Court	Entire Segment
.28	Gladding Court	Entire Segment
.29	Deleted by Ord. 43.210	
.30	Sango Court	Entire Segment
.31	Houret Drive	Entire Segment
.32	Tarob Court	Entire Segment
.33	Milmont Drive	Dixon Landing Road and Northern City Limits
.34	Railroad Avenue	Entire Segment
.35	Deleted by Ord. 43.210	
.36	McCarthy Boulevard	Entire Segment
.37	Barber Lane	Entire Segment
.38	Buckeye Drive	Entire Segment
.39	Cottonwood Drive	Entire Segment
.40	Sycamore Drive	Entire Segment
.41	Turquoise Street	Entire Segment
.42	Topaz Street	Entire Segment
.43	Buckeye Court	Entire Segment
.44	Gibraltar Drive	Entire Segment
.45	Gibraltar Court	Entire Segment

.46	California Circle	Entire Segment
.47	Deleted by Ord. 43.210	
.48	Trade Zone Boulevard	That portion within the City Limits
.49	Centre Point Drive	Entire Segment
.50	Tasman Drive	Entire Segment
.51	Alder Drive	Entire Segment
.52	Magnolia Drive	Entire Segment
.53	Sumac Drive	Entire Segment
.54	Abbott Avenue	South of Calaveras Boulevard
.55	Fairview Way	Entire Segment
.56	Cadillac Court	Entire Segment
.57	Lundy Place	That portion within the City Limits
.58	McCandless Drive	Entire Segment
.59	Deleted by Ord. 43.210	
.60	Dempsey Way	Entire Segment
.61	N Abel Street	Weller Lane and Calaveras Boulevard
.62	S Abel Street	Great Mall Parkway and S Main Street
.63	N Main Street	Railroad Avenue and Weller Lane
.64	S Main Street	Curtis Avenue and S Abel Street
.65	Curtis Avenue	S Main Street to Easterly End of Street
.66	Great Mall Parkway	Tasman Drive to Capitol Avenue
.67	Capitol Avenue	Great Mall Parkway to Southerly City Limits
.68	Dempsey Road	Yosemite Drive to Montague Expressway

SECTION 58. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.13 “Mail Deposit Zones”

Title V, Chapter 100, Section V-100-15.13 “Mail Deposit Zones” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.13 - Reserved Mail Deposit Zones

~~In accordance with Section 11.08, the following portions of streets are hereby designated and described as mail deposit zones:~~

~~.1 Deleted by Ord. 43.81.~~

~~.2 Deleted by Ord. 43.102.~~

SECTION 59. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.14 “Bus Zones”

Title V, Chapter 100, Section V-100-15.14 “Bus Zones” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.14 - Reserved Bus Zones

~~In accordance with the provisions of Section 11.07, the following are designated as "Bus Zones" and shall be subject to the directives and limitations set forth in Section 11.07, Subsections (1), (2), (3), (4), (5), (6) and (7):~~

~~.1 On the east side of Main Street from a point 242 feet south of the south curb return of Calaveras Boulevard to a point 316 feet south of the south curb return on Calaveras Boulevard.~~

~~.2 On the west side of Main St. from a point 242 feet south of the south curb return on Carlo St. to a point 302 feet south of the south curb return of Carlo St.~~

SECTION 60. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.16 “Specific turning movements prohibited at specific areas”

Title V, Chapter 100, Section V-100-15.16 “Specific turning movements prohibited at specific areas” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.16. Reserved Specific turning movements prohibited at specific areas

~~In accordance with the provisions of Section 5.06 and when signs are erected giving notice thereof, drivers of vehicles shall obey the directions of any such sign located as hereafter described:~~

No.	Street	Location	Time
.1	S Abbott Avenue	Brentwood Market Parking Lot	Any Time
.2	Deleted by Ord. 43.146		
.3	N Milpitas Boulevard	Beresford Square Shopping Center Parking Lot	7 a.m.— 7 p.m. Everyday

.4	Deleted by Ord. 43.210		
.5	Jacklin Road	Westbound Jacklin Road at Hillview Drive	7 a.m.— 8 a.m. Mon— Fri
.6	Jacklin Road	Westbound Jacklin Road at Campbell Street	7 a.m.— 8 a.m. Mon-Fri
.7	N Abel Street	Southbound N Abel Street at Redwood Avenue (Carpools OK)	6 a.m.— 9 a.m. Mon— Fri
.8	N Abel Street	Southbound N Abel Street at Marilynn Drive (Carpools OK)	6 a.m.— 9 a.m. Mon— Fri
.9	N Abel Street	Southbound N Abel Street at Penitencia Street (Carpools OK)	6 a.m.— 9 a.m. Mon— Fri

SECTION 61. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected”

Title V, Chapter 100, Section V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.17 - Reserved ~~Approaches to Intersections at Which Yield Right-of-Way Signs Shall be Erected~~

~~In accordance with the provisions of Section 7.04 and when signs are erected giving notice thereof, drivers of vehicles shall yield the right of way at the approach to an intersection of streets and highways as listed below:~~

~~.1 Deleted by Ord. 43.194.~~

~~.2 On Jupiter Court on the eastbound approach and on the westbound approach to Gadsden Drive, causing traffic moving easterly or westerly on Jupiter Court to yield the right of way to traffic on Gadsden Drive.~~

~~.3 On Rudyard Drive on the eastbound approach and the westbound approach to Smithwood Street, causing traffic moving easterly or westerly on Rudyard Drive to yield the right of way to traffic on Smithwood Street.~~

~~.4 On Easter Avenue on the eastbound approach and the westbound approach to Abbott Avenue, causing traffic moving easterly or westerly on Easter Avenue to yield the right of way to traffic on Abbott Avenue.~~

~~.5 On Perry Street, on the northbound approach to Canton Drive, causing traffic moving northbound on Perry Street to yield the right of way to traffic on Canton Drive.~~

- ~~.6 On Rodrigues Avenue, on the northbound approach to Canton Drive, causing traffic moving northbound on Rodrigues Avenue to yield the right of way to traffic on Canton Drive.~~
- ~~.7 On Landess Avenue at its westbound approach to Capitol Avenue, causing traffic making a turning movement from Landess Avenue to Capitol Avenue to yield the right of way to traffic on Capitol Avenue.~~
- ~~.8 At the intersection of Landess Avenue with Capitol Avenue, causing traffic making a southbound turning movement from Landess Avenue to yield the right of way to traffic on Capitol Avenue.~~
- ~~.9 At the intersection of Walnut Drive with Abbott Avenue, causing traffic entering Abbott Avenue from Walnut Drive to yield the right of way to traffic on Abbott Avenue.~~
- ~~.10 At the intersection of Elm Avenue with Abbott Avenue, causing traffic entering the intersection from Elm Avenue to yield the right of way to traffic on Abbott Avenue.~~
- ~~.11 At the intersection of Willow Avenue with Abbott Avenue, causing traffic entering the intersection from Willow Avenue to yield the right of way to traffic on Abbott Avenue.~~
- ~~.12 At the intersection of Chestnut Avenue with Abbott Avenue, causing traffic entering the intersection from Chestnut Avenue to yield the right of way to traffic on Abbott Avenue.~~
- ~~.13 At the intersection of Maple Avenue with Abbott Avenue, causing traffic entering the intersection of Maple Avenue to yield the right of way to traffic on Abbott Avenue.~~
- ~~.14 Deleted by Ord. 43.106.~~
- ~~.15 Deleted by Ord. 43.106.~~
- ~~.16 Deleted by Ord. 43.106.~~
- ~~.17 Deleted by Ord. 43.106.~~
- ~~.18 Deleted by Ord. 43.106.~~
- ~~.19 Deleted by Ord. 43.106.~~
- ~~.20 At the intersection of Stellar Way and Woodland Way, requiring traffic on Stellar Way to yield the right of way to traffic on Woodland Way.~~
- ~~.21 At the intersection of Moonbeam Way and Woodland Way requiring traffic on Moonbeam Way to yield right of way to traffic on Woodland Way.~~
- ~~.22 At the intersection of Cestaric Drive and Kennedy Drive, requiring traffic southbound on Cestaric Drive to yield to traffic on Kennedy Drive.~~
- ~~.23 At the intersection of Printy Avenue and Kennedy Drive, requiring traffic southbound on Printy Avenue to yield to traffic on Kennedy Drive.~~
- ~~.24 At the intersection of Galaxy Court with Starlite Drive, requiring traffic eastbound on Galaxy Court to yield to traffic on Starlite Drive.~~
- ~~.25 At the intersection of Starlite Court with Starlite Drive, requiring traffic eastbound on Starlite Court to yield to traffic on Starlite Drive.~~

- ~~.26 At the intersection of Gibbons Court with Starlite Drive, requiring traffic eastbound on Gibbons Court to yield to traffic on Starlite Drive.~~
- ~~.27 At the intersection of Live Oak Court with Starlite Drive, requiring traffic eastbound on Live Oak Court to yield to traffic on Starlite Drive.~~
- ~~.28 At the intersection of Marylinn Drive and Heath Street requiring traffic westbound on Marylinn Drive to yield to traffic on Heath Street.~~
- ~~.29 At the intersection of Hammond Way and Curtis Avenue requiring traffic southbound on Hammond Way to yield to traffic on Curtis Avenue.~~
- ~~.30 At the intersection of Blue Spruce Drive and Blue Spruce Court with Fallen Leaf Drive requiring traffic northbound and southbound on Blue Spruce Drive and Blue Spruce Court to yield to traffic on Fallen Leaf Drive.~~
- ~~.31 At the intersection of Landess Avenue and South Park Victoria Drive requiring traffic westbound on Landess Avenue in the far right hand lane turning north onto South Park Victoria Drive to yield to traffic on South Park Victoria Drive.~~
- ~~.32 At the intersection of Capitol Avenue and Starlite Drive, requiring traffic entering Starlite drive from Capitol Avenue to yield the right of way to traffic on Starlite Drive.~~
- ~~.33 Deleted by Ord. 43.86.~~
- ~~.34 Deleted by Ord. 43.113.~~
- ~~.35 At the intersection of Elm Avenue at Heath Street, causing traffic entering Heath Street from Elm Avenue to yield the right of way to traffic on Heath Street.~~
- ~~.36 At the intersection of Chestnut Avenue at Heath Street, causing traffic entering Heath Street from Chestnut Avenue to yield to traffic on Heath Street.~~
- ~~.37 At the intersection of Smithwood Street at Marylinn Drive, causing traffic entering Marylinn Drive from Smithwood Street to yield the right of way to traffic on Marylinn Drive.~~
- ~~.38 At the intersection of Patricia Court at Edsel Drive, causing traffic entering Edsel Drive from Patricia Court to yield the right of way to traffic on Edsel Drive.~~
- ~~.39 At the intersection of LaBaree at Edsel Drive, causing traffic entering Edsel Drive from LaBaree to yield the right of way to traffic on Edsel Drive.~~
- ~~.40 At the intersection of Stulman at Edsel Drive, causing traffic entering Edsel Drive from Stulman to yield the right of way to traffic on Edsel Drive.~~
- ~~.41 At the intersection of Bixby Drive at Edsel Drive, causing traffic entering Edsel Drive from Bixby Drive to yield the right of way to traffic on Edsel Drive.~~
- ~~.42 At the intersection of Park Grove Drive and Park Hill Drive, causing traffic entering Park Hill Drive from Park Grove Drive to yield the right of way to traffic on Park Hill Drive.~~
- ~~.43 Deleted by Ord. 43.166.~~
- ~~.44 At the intersection of Dennis Avenue and Fanyon Street, causing traffic entering Fanyon Street from Dennis Avenue to yield the right of way to traffic on Fanyon Street.~~

- ~~.45 At the intersection of Ellis Avenue at Lynn Avenue, causing traffic entering Lynn Avenue from Ellis Avenue to yield the right of way to traffic on Lynn Avenue.~~
- ~~.46 At the intersection of Freeland Drive at Edsel Drive, causing traffic entering Edsel Drive from Freeland Drive to yield the right of way to traffic on Edsel Drive.~~
- ~~.47 Deleted by Ord. 43.102.~~
- ~~.48 At the intersection of Mattos Drive and Edsel Drive, causing traffic entering Edsel Drive from Mattos Drive to yield the right of way on Edsel Drive.~~
- ~~.49 At the intersection of Dolores Drive at Edsel Drive, causing traffic entering Edsel Drive from Dolores Drive to yield the right of way to traffic on Edsel Drive.~~
- ~~.50 At the intersection of Carl Avenue and Lynn Avenue, causing traffic entering Lynn Avenue from Carl Avenue to yield the right of way to traffic on Lynn Avenue.~~
- ~~.51 At the intersection of Braly Avenue at Lynn Avenue, causing traffic entering Lynn Avenue from Braly Avenue to yield the right of way to traffic on Lynn Avenue.~~
- ~~.52 At the intersection of Ferreira Court at Edsel Drive, causing traffic entering Edsel Drive from Ferreira Court to yield the right of way to traffic on Edsel Drive.~~
- ~~.53 At the intersection of Holly Court at Edsel Drive, causing traffic entering Edsel Drive from Holly Court to yield the right of way to traffic on Edsel Drive.~~
- ~~.54 At the intersection of Lomer Court at Edsel Drive, causing traffic entering Edsel Drive from Lomer Court to yield the right of way to traffic on Edsel Drive.~~
- ~~.55 At the intersection of Bryce Court at Yosemite Drive, causing traffic entering Yosemite drive from Bryce Court to yield the right of way to traffic on Yosemite Drive.~~
- ~~.56 At the intersection of Zion Court at Yosemite Drive, causing traffic entering Yosemite Drive from Zion Court to yield the right of way to traffic on Yosemite Drive.~~
- ~~.57 At the intersection of Solar Court at Canton Drive, causing traffic entering Canton Drive from Solar Court to yield the right of way to traffic on Canton Drive.~~
- ~~.58 At the intersection of Beacon Drive at Canton Drive, causing traffic entering Canton Drive from Beacon Drive to yield the right of way to traffic on Canton Drive.~~
- ~~.59 At the intersection of Lawton Drive at Canton Drive, causing traffic entering Canton Drive from Lawton Drive to yield the right of way to traffic on Canton Drive.~~
- ~~.60 At the intersection of Uvas Street at Penitencia Street, causing traffic entering Penitencia Street from Uvas Street to yield the right of way to traffic on Penitencia Street.~~
- ~~.61 At the intersection of Taylor Drive at Conway Street, causing traffic entering Conway Street from Taylor Drive to yield the right of way to traffic on Conway Street.~~
- ~~.62 At the intersection of Nieves Street at Diel Drive, causing traffic entering Diel Drive from Nieves Street to yield the right of way to traffic on Diel Drive.~~
- ~~.63 At the intersection of Nieves Street at Madalen Drive, causing traffic entering Madalen Drive from Nieves Street to yield the right of way to traffic on Madalen Drive.~~

~~.64 Deleted by Ord. 43.109.~~

~~.65 At the intersection of San Petra Court and Junipero Drive, causing traffic entering Junipero Drive from San Petra Court to yield the right of way to traffic on Junipero Drive.~~

~~.66 At the intersection of San Miguel Court and Junipero Drive, causing traffic entering Junipero Drive from San Miguel Court to yield the right of way to traffic on Junipero Drive.~~

~~.67 At the intersection of Ethyl Court and Ethyl Street, causing traffic entering Ethyl Street from Ethyl Court to yield the right of way to traffic on Ethyl Street.~~

~~.68 At the intersection of Kizer Drive and Columbus Drive, causing traffic entering Columbus Drive from Kizer Drive to yield the right of way to traffic on Columbus Drive.~~

~~.69 At the intersection of Rivera Drive and Columbus Drive, causing traffic entering Columbus Drive from Rivera Drive to yield the right of way to traffic on Columbus Drive.~~

~~.70 At the intersection of Heflin Drive and Columbus Drive, causing traffic entering Columbus Drive from Heflin Drive to yield the right of way to traffic on Columbus Drive.~~

~~.71 At the intersection of the entrance ramp for eastbound traffic on Calaveras Boulevard from Carlo Street and Calaveras Boulevard, causing traffic entering Calaveras Boulevard from the on ramp to yield the right of way to traffic on Calaveras Blvd.~~

~~.72 Deleted by Ord. 43.140.~~

~~.73 At the intersection of Laguna Drive and Pescadero Street, causing traffic entering Pescadero Street from Laguna Drive to yield the right of way to traffic on Pescadero Street.~~

~~.74 At the intersection of La Honda Drive and Pescadero Street, causing traffic entering Pescadero Street from La Honda Drive to yield the right of way to traffic on Pescadero Street.~~

~~.75 At the intersection of Pescadero Court and Pescadero Street, causing traffic entering Pescadero Street from Pescadero Court to yield the right of way to traffic on Pescadero Street.~~

~~.76 and .77 not used (see Ord. 43.102).~~

~~.78 Deleted by Ord. 43.121.~~

~~.79 At the intersection of Tarob Court and Lundy Place, causing traffic entering Lundy Place from Tarob Court to yield the right of way to traffic on Lundy Place.~~

~~.80 Deleted by Ord. 43.131.~~

~~.81 At the intersection of Big Basin Drive and Clear Lake Avenue, causing traffic entering Clear Lake Avenue from Big Basin Drive to yield the right of way to traffic on Clear Lake Avenue.~~

~~.82 At the intersection of Glasgow Court and Dundee Avenue, causing traffic entering Dundee Avenue from Glasgow Court to yield the right of way to traffic on Dundee Avenue.~~

~~.83 At the intersection of Aberdeen Way and Santa Rita Drive, causing traffic entering Santa Rita Drive from Aberdeen Way to yield the right of way to traffic on Santa Rita Drive.~~

~~.84 At the intersection of Shetland Court and Santa Rita Drive, causing traffic entering Santa Rita Drive from Shetland Court to yield the right of way to traffic on Santa Rita Drive.~~

- ~~.85 At the intersection of Via Baja Dr. and Singley Dr., causing traffic entering Singley Dr. from Via Baja Dr. to yield right of way to traffic on Singley Dr.~~
- ~~.86 At the intersection of Sark Ct. and Hamilton Ave., causing traffic entering Hamilton Avenue from Sark Court to yield the right of way to traffic on Hamilton Ave.~~
- ~~.87 At the intersection of Donahe Dr. and Tramway Dr., causing traffic entering Tramway Dr. from Donahe Dr. to yield right of way to traffic on Tramway Dr.~~
- ~~.88 At the intersection of Watson Court and Montague Expwy., causing traffic entering Montague Expwy. from Watson Ct. to yield the right of way to traffic on Montague Expwy.~~
- ~~.89 At the intersection of Gladding Ct. and Montague Expwy., causing traffic entering Montague Expwy. from Gladding Ct. to yield the right of way to traffic on Montague Expwy.~~
- ~~.90 At the intersection of Houret Ct. and Montague Expwy., causing traffic entering Montague Expwy. from Houret Ct. to yield the right of way to traffic on Montague Expwy.~~
- ~~.91 At the intersection of Sango Ct. and Montague Expwy., causing traffic entering Montague Expwy. from Sango Ct. to yield the right of way to traffic on Montague Expwy.~~
- ~~.92 Deleted by Ord. 43.151.~~
- ~~.93 At the intersection of Bayview Park Drive and Old Evans Road, causing traffic entering Old Evans Road from Bayview Park Drive to yield the right of way to traffic on Old Evans Road.~~
- ~~.94 At the intersection of Alexander Way and Old Evans Road, causing traffic entering Old Evans Road from Alexander Way to yield the right of way to traffic on Old Evans Road.~~
- ~~.95 At the intersection of Wylie Drive and Falcato Drive causing traffic entering Falcato Drive from Wylie Drive to yield the right of way to traffic on Falcato Drive.~~
- ~~.96 At the intersection of Heflin Street and Tice Drive causing traffic entering Tice Drive from Heflin Street to yield the right of way to traffic on Tice Drive.~~
- ~~.97 At the intersection of Manfred Street and Arizona Avenue causing traffic entering Arizona Avenue from Manfred Street to yield the right of way to traffic on Arizona Avenue.~~
- ~~.98 At the intersection of North Main Street and Railroad Avenue causing northbound right turning traffic on North Main Street entering Railroad Avenue to yield the right of way to traffic on Railroad Avenue.~~
- ~~.99 At the intersection of westbound Jacklin Road and the I 680 northbound on-ramp causing right turning Jacklin Road traffic to yield the right of way to northbound traffic on the on-ramp.~~
- ~~.100 At the intersection of Campbell Street and Kevenaire Drive causing traffic entering Kevenaire Drive from Campbell Street to yield the right of way to traffic on Kevenaire Drive.~~
- ~~.101 At the intersection of Serpa Drive and Old Evans Road, causing traffic entering Old Evans Road from Serpa Drive to yield the right of way to traffic on Old Evans Road.~~
- ~~.102 At the intersection of Rudyard Drive and Casper Street causing traffic entering Casper Street from Rudyard Drive to yield the right of way to traffic on Casper Street.~~
- ~~.103 At the intersection of Michael Street and Michael Court causing traffic entering Michael Court from Michael Street to yield the right of way to traffic on Michael Court.~~

~~.104 At the intersection of Pedro Avenue and Falcato Drive causing traffic entering Falcato Drive to yield the right of way to traffic on Falcato Drive.~~

~~.105 At the intersection of Sepulveda Avenue and Falcato Drive causing traffic entering Falcato Drive to yield the right of way to traffic on Falcato Drive.~~

~~.106 At the intersection of Bolton Drive and Stratford Drive causing traffic entering Bolton Drive to yield the right of way to traffic on Bolton Drive.~~

SECTION 62. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.18 “ Entrances and Exits at which Signs Shall Be Erected”

Title V, Chapter 100, Section V-100-15.18 “ Entrances and Exits at which Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.18 - Reserved Entrances and Exits at which Signs Shall Be Erected

~~In accordance with the provisions of Section 7.05 and when signs are erected giving notice thereof, drivers of vehicles shall use the following approaches or departures for entrance only or exit only, as the case may be:~~

~~.1 Entrance only on the east driveway of the Ayer High School Student Parking Lot.~~

~~.2 Exit only on the west driveway of the Ayer High School Student Parking Lot.~~

~~.3 Entrance only on the west driveway of the Milpitas High School Student/Faculty Parking Lot at Arizona Avenue.~~

SECTION 63. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.19 “ Places at Which Stop Signs Shall Be Erected”

Title V, Chapter 100, Section V-100-15.19 “Places at Which Stop Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.19 - Reserved Places at Which Stop Signs Shall Be Erected

~~In accordance with the provisions of Section 7.06 and where signs are erected giving notice thereof, drivers of vehicles shall stop at the entrance or entrances to these intersections described as follows:~~

~~.1 At the intersection of Pioneer Park with Dixon Road, stopping all traffic moving southerly from Pioneer Park.~~

~~.2 At the intersection of Mobilodge with North Main Street, stopping all traffic moving easterly from Mobilodge.~~

~~.3 At the intersection of the exit from the Conmat Cement Plant onto Capitol Avenue, stopping all traffic entering Capitol Avenue from the exit of the Conmat Cement Plant.~~

~~.4 At Rancho Higuera Road at its intersection with Roger Street, stopping all traffic entering the intersection from Rancho Higuera Road.~~

~~.5 At the intersection of Serra Center parking lot with Serra Way, stopping northbound traffic onto Serra Way.~~

~~.6 At the entrance of Serra Center parking lot with Abel Street, stopping eastbound traffic onto Abel Street.~~

- ~~.7 At the intersection of the private driveway of Cook Paint and Varnish Company and Dempsey Road, stopping all eastbound traffic entering Dempsey Road from the private driveway.~~
- ~~.8 Deleted by Ord. 43.113.~~
- ~~.9 Deleted by Ord. 43.133.~~
- ~~.10 At the intersection of the driveway from the Oak Creek Pump Station with McCarthy Boulevard, stopping eastbound traffic entering McCarthy Boulevard.~~
- ~~.11 At the intersection of the driveway on the west side of McCarthy Boulevard located opposite Cottonwood Drive, stopping eastbound traffic entering McCarthy Boulevard.~~
- ~~.12 At the intersection of the driveway on the west side of South Park Victoria Drive located opposite Big Basin Drive, stopping traffic entering onto South Park Victoria Drive.~~
- ~~.13 At the intersection of the northerly driveway from City Hall parking lot stopping traffic entering onto N. Milpitas Boulevard~~
- ~~.14 At the intersection of the driveway from Beresford Square stopping traffic entering onto N. Milpitas Boulevard~~
- ~~.15 At the driveway from Beresford Square parking lot stopping northbound traffic entering onto Beresford Court.~~
- ~~.16 At the driveway from Beresford Square north parking lot stopping southbound traffic entering onto Beresford Court.~~
- ~~.17 At the driveway from the "Swensen" quarry stopping traffic entering onto Calaveras Road.~~
- ~~.18 At the driveway from Aberfeldy Way stopping westbound traffic entering onto Dempsey Road.~~
- ~~.19 At the driveway from Methven Lane stopping westbound traffic entering onto Dempsey Road.~~
- ~~.20 At the driveway from the Beverly Heritage Hotel stopping northbound traffic entering onto Barber Lane.~~
- ~~.21 At the driveway from the Tulareitos Golf Course parking lot, stopping traffic entering onto Country Club Drive.~~
- ~~.22 At the first driveway on the south side of Dixon Road, east of N. Milpitas Blvd., exiting the driveway to Dixon Road.~~
- ~~.23 At the intersection of Horizon Drive, private street, with Los Coches Street, stopping all northbound traffic onto Los Coches Street.~~

SECTION 64. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.20 "Streets or Portions Thereof From Which Vehicles Can Be Removed"

Title V, Chapter 100, Section V-100-15.20 "Streets or Portions Thereof From Which Vehicles Can Be Removed" of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.20 - Reserved ~~Streets or Portions Thereof From Which Vehicles Can Be Removed~~

When signs are in place giving notice thereof, vehicles illegally parked or left standing upon the following streets or portions thereof may be removed therefrom and stored in accordance with the provisions of Section 12.09 of this Chapter:

~~.1 On the west side of South Main Street commencing at the intersection of Carlo Street and extending south to the intersection of Corning Avenue.~~

~~.2 On the east side of South Main Street commencing at a point 80 feet south of the south curb line of Serra Way and extending northerly to the intersection of Carlo Street.~~

~~.3 On the north side of Montague Expressway commencing at the Sinclair Freeway (I-680) and extending west to the intersection of South Milpitas Boulevard~~

~~.4 On the east side of South Abel Street commencing at a point 134 feet south of the southerly driveway at 540 South Abel Street and extending south to the intersection of Capitol Avenue.~~

SECTION 65. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.21 “Private Roads Open for Public Use”

Title V, Chapter 100, Section V-100-15.21 “Private Roads Open for Public Use” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-15.21 - Private Roads Open for Public Use

A. Findings

Pursuant to the provisions of Section 21107.5 of the California Vehicle Code, the City Council may from time to time, by resolution, of the City of Milpitas finds and declares that there roads described in Subsection 1 of this Section are privately owned and maintained roads within the City generally held open for use of the public for purposes of vehicular traffic which so connect with highways that the public cannot determine that such roads are not highways. Upon enactment of such a resolution, the provisions of the California Vehicle Code shall apply to the privately owned and maintained roads unless the owner of the road erects a notice of a size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

B. Applicability

~~Pursuant to the provisions of this section and of this Chapter and of said Section 21107.5 of the California Vehicle Code and of this Chapter shall be applicable to the roads described as follows:~~

~~.1 Deleted by Ord. 43.102.~~

SECTION 66. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.22 “Parking Prohibited Adjacent to Schools”

Title V, Chapter 100, Section V-100-15.22 “Parking Prohibited Adjacent to Schools” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.22 - Reserved Parking Prohibited Adjacent to Schools

~~Without limitation to the generality of the provisions of paragraphs 10.08 1 and 10.08 2 and when authorized signs are placed giving notice thereof, no person shall park a vehicle at any of the following designated locations on any of the following designated streets adjacent to the following school properties between the hours of 6:00 a.m. and 6:00 p.m. of any day except Saturdays, Sundays, or school holidays.~~

- ~~.1 On the east side of Abbott Avenue from the intersection of Abbott Avenue and Rudyard Drive, running southerly on Abbott Avenue for a distance of 282 feet.~~
- ~~.2 On the south side of Rudyard Drive from the intersection of Abbott Avenue to the intersection of Barker Street.~~
- ~~.3 On Roswell Drive from on the north property line of the Alexander Rose Elementary School, running southerly for a distance of 198 feet.~~
- ~~.4 On Boulder Street from the west property line of the Joseph Weller Elementary School, running easterly for a distance of 390 feet.~~
- ~~.5 On Redwood Avenue in front of the Curtner Elementary school and between the employees' and visitors' parking areas, extending 366 feet east of the west driveway of the visitors' parking area.~~
- ~~.6 On the south side of Yosemite Drive, commencing at the west property line of the Murphy Elementary School and running easterly for a distance of 325 feet.~~
- ~~.7 On Edsel Drive in front of the Robert Randall Elementary School extending easterly for a distance of 680 feet from the south curb line of Edsel Drive at its intersection with Park Victoria Drive along the south side of Edsel Drive.~~
- ~~.8 On Yellowstone Avenue on the south side thereof, for a distance of 100 feet to the east of the south-east corner of the intersection of Yellowstone Avenue and Sequoia Drive and for a distance of 100 feet to the west of the south-west corner of the intersection of Yellowstone Avenue and Sequoia Drive.~~
- ~~.9 On the east side of Fanyon Street for a distance of 475 feet (including driveways) in a southerly direction from the southerly curb return of the intersection of Fanyon Street with Kennedy Drive.~~
- ~~.10 On the west side of Fallen Leaf Drive from the north property line of the Zanker School running south to Greenwood Way.~~
- ~~.11 On the northeast side of Greenwood Way from Fallen Leaf Drive running north to the north property line of the Zanker School adjoining the Pinewood Park.~~
- ~~.12 On the west side of Yellowstone Avenue commencing at a point approximately 645 feet north of Tahoe Drive and running north for 199 feet in front of the front walkway to the Sinnott Elementary School.~~
- ~~.13 On the north side of Rudyard Drive from the intersection of Barker Street to the intersection of Abbott Avenue.~~
- ~~.14 On the south side of Yosemite Drive, commencing at the east property line of the Murphy Elementary School and running westerly for a distance of 110 feet.~~

SECTION 67. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.23 “Pedestrian Walkways”

Title V, Chapter 100, Section V-100-15.23 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.23 - Reserved Pedestrian Walkways

~~Where signs are in place giving notice thereof, pedestrian traffic shall be restricted at the locations thereafter set forth. No pedestrian shall walk on any sidewalk or other place at said locations except as hereafter provided.~~

~~.1 On Calaveras Boulevard between Abel Street and the roadway intersecting with Calaveras Boulevard on the west side of Milpitas City Hall and the approaches to and the exits from Calaveras Boulevard with Main Street and Carlo Street, pedestrian traffic shall be restricted to that sidewalk constructed for pedestrian traffic on the north side of Calaveras Boulevard and those sidewalks and walkways connecting it from Main Street and Abel Street.~~

~~.2 On North Abel Street between Redwood Avenue and North Milpitas Boulevard, pedestrian traffic shall be restricted to the sidewalk constructed for pedestrian traffic on the northwest side of the North Abel Street overpass.~~

~~.3 On East Calaveras Boulevard between Park Victoria Drive and Calaveras Court, pedestrian traffic shall be restricted to the constructed sidewalks on the north and on the south sides of East Calaveras Boulevard and any marked pedestrian crosswalks provided within this ordinance.~~

SECTION 68. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets”

Title V, Chapter 100, Section V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.24 - Reserved ~~Commercial Vehicle Parking Time Limited on Certain Streets~~

~~In accordance with the provisions of Section 12.10 and when signs are erected giving notice thereof, no person shall stop, stand or park any commercial vehicle between the hours of 9:00 p.m. and 6:00 a.m. of any day on the streets or portions of streets described as follows:~~

~~.1 Abel Street~~

~~.2 Main Street~~

~~.3 Railroad Avenue~~

~~.4 Hammond Way~~

~~.5 Milpitas Boulevard~~

~~.6 Hillview Drive, south of Calaveras Boulevard~~

~~.7 Sinclair Frontage Road~~

~~.8 Evans Road~~

~~.9 Piedmont Road~~

~~.10 Piper Drive~~

~~.11 Gladding Court~~

~~.12 Winsor Street~~

~~.13 Along the northerly side of Dixon Landing Road commencing between the railroad and a point 480 feet easterly.~~

- ~~.14 Jacklin Road~~
- ~~.15 Weller Lane~~
- ~~.16 Calaveras Boulevard~~
- ~~.17 Carlo Street~~
- ~~.18 Delete. (Industrial Way was abandoned.)~~
- ~~.19 Serra Way~~
- ~~.20 Corning Avenue (between Main and Abel)~~
- ~~.21 Curtis Avenue~~
- ~~.22 Capitol Avenue~~
- ~~.23 Trimble Road~~
- ~~.24 Deleted by Ord. 43.152.~~
- ~~.25 Montague Expressway~~
- ~~.26 Yosemite Drive (west of Park Victoria)~~
- ~~.27 Ames Avenue~~
- ~~.28 Sunnyhills Court~~
- ~~.29 Minnis Circle~~
- ~~.30 Los Coches Street~~
- ~~.31 Dempsey Road~~
- ~~.32 Wrigley Way~~
- ~~.33 Vista Way~~
- ~~.34 Wilson Way~~
- ~~.35 Turquoise Street~~
- ~~.36 Topaz Street.~~
- ~~.37 Along the north side of Landess Avenue between Montara Drive and Piedmont Road.~~

SECTION 69. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets”

Title V, Chapter 100, Section V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.25 - Commercial Vehicle Parking Prohibited on Certain Streets Reserved

In accordance with the provisions of Section 12.12 and when signs are erected giving notice thereof, no person shall stop, stand or park any commercial vehicle at any time of any day on the streets or portions of streets described as follows:

- ~~.1 On the north and south sides of Calaveras Boulevard between Piedmont Road and the Sinclair Freeway (I-680).~~
- ~~.2 Deleted by Ord. 43.136.~~
- ~~.3 On the east side of Dempsey Road commencing at the intersection of Yosemite Drive and extending north to Los Coches Creek.~~
- ~~.4 On the east side of South Main Street commencing at a point 240 feet north of Montague Expressway and extending to a point 260 feet south of the end of curb return south of the intersection of Main Street and Abel Street.~~
- ~~.5 On the west side of Evans Road commencing at the intersection of Calaveras Boulevard, and extending north for a distance of 425 feet.~~
- ~~.6 On the east and west side of Railroad Avenue between Railroad Court to the south end.~~
- ~~.7 On the west side of Dempsey Road commencing at Los Coches Street and extending south for a distance of approximately one thousand nine hundred eighty (1,980) feet.~~
- ~~.8 Entire curb length of Railroad Court.~~
- ~~.9 Deleted by Ord. 43.165.~~
- ~~.10 On the north side of Ames Avenue commencing at a point 356 feet east of the east curbline of South Milpitas Boulevard and extending easterly for a distance of 670 feet.~~
- ~~.11 On the south side of Ames Avenue commencing at a point 350 feet east of the east curbline of South Milpitas Boulevard and extending easterly for a distance of 500 feet.~~
- ~~.12 On the south side of Ames Avenue commencing at a point 1,025 feet east of the east curbline of South Milpitas Boulevard and extending easterly for a distance of 305 feet.~~
- ~~.13 On the south side of Ames Avenue commencing at a point 1,420 feet east of the east curbline of South Milpitas Boulevard and extending easterly for a distance of 320 feet.~~
- ~~.14 On the west side of Topaz Street commencing at the end curb return north of Turquoise Street and extending northerly for a distance of 700 feet.~~
- ~~.15 On the east side of Sinclair Frontage Road between Yosemite Drive and Los Coches Street.~~
- ~~.16 On the south side of Weller Lane between N. Main Street and Winsor Street.~~
- ~~.17 On the west side of Winsor Street commencing at the intersection of Weller Lane and extending south for a distance of 500 feet.~~

SECTION 70. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit”

Title V, Chapter 100, Section V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.26 - ~~Vehicle Parking Time Limited on Certain Streets Except by Permit~~ Reserved

~~In accordance with the provisions of Section 12.14, no person shall stand, stop or park any vehicle between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday excluding holidays on the streets or portions thereof described as follows, except by permit.~~

- ~~.1 On the east side of Escuela Parkway between Cirolero Street and Manzano Street.~~
- ~~.2 On Higuera Place.~~
- ~~.3 On the north and south sides of Manzano Street commencing at the intersection of Escuela Parkway and extending east to the intersection of Cirolero Street.~~
- ~~.4 On north and south sides of Cirolero Street commencing at the intersection of Escuela Parkway and extending east to the intersection of Manzano Street.~~
- ~~.5 On the north and south sides of Russell Lane commencing at the west property line of 735 Russell Lane on the north side and at the west property line of 740 Russell Lane on the south side and extending east to the intersection of Hillview Drive.~~
- ~~.6 On Columbus Drive.~~
- ~~.7 On the north and south sides of Kizer Street commencing at the intersection of Columbus Drive and extending east to the intersection of Tice Drive.~~
- ~~.8 Entire curb length of Sandalwood Court.~~
- ~~.9 On the east and west sides of Madalen Drive commencing at the intersection of Russel Lane and extending north to the intersection of Columbus Drive.~~
- ~~.10 On the north and south sides of Nieves Street commencing at the intersection of Madalen Drive and extending east to the intersection of Hillview Drive.~~
- ~~.11 On Columbus Circle.~~
- ~~.12 On Founders Lane.~~
- ~~.13 On Nieves Court.~~
- ~~.14 On Rivera Street.~~
- ~~.15 On Heflin Street.~~
- ~~.16 On Horcajo Street between Columbus Drive to Tice Drive.~~
- ~~.17 On Gordon Street.~~

~~.18 On Altamont Drive.~~

~~.19 On Kevenaire Drive beginning from the east side of Campbell Street extending the west end of the cul-de-sac.~~

~~.20 On Duarte Court.~~

~~.21 On Garcia Court.~~

~~.22 On Pashote Court.~~

~~.23 On Arizona Avenue between Calera Creek and Washington Drive.~~

~~.24 On Rose Drive.~~

~~.25 On Vienna Drive between Fontainbleu Avenue and Arizona Avenue.~~

~~.26 On Knollview Drive.~~

~~.27 On Beaumere Way.~~

~~.28 On Midwick Drive between Fontainbleu Avenue and Arizona Avenue.~~

~~.29 On Berrendo Drive.~~

SECTION 71. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.27 “ Vehicle Parking Time on Certain Streets Except by Permit”

Title V, Chapter 100, Section V-100-15.27 “Vehicle Parking Time on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-15.27 - ~~Vehicle Parking Time on Certain Streets Except by Permit~~ Reserved

~~In accordance with the provisions of Section 12.14, no person shall stand, stop, or park any vehicle between the hours of 3:00 p.m. and 10:00 p.m. Monday through Friday, and 9:00 a.m. and 10:00 p.m. Saturday; from February 1 through July 31, on the streets or portions thereof described as follows, except by permit.~~

~~.1 On the east and west sides of Fanyon Street commencing at the intersection of Adams Avenue and extending north for a distance of approximately one thousand two hundred forty (1,240) feet.~~

~~.2 On the north and south sides of Dennis Avenue between Fanyon Street and Gadsden Drive.~~

SECTION 72. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.04-3

Title V, Chapter 100, Section V-100-16.04-3 of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-16.04-3

~~Reserved. Upon receipt of a report of a lost or stolen license plate, the Chief of Police shall cause the missing license to be cancelled and shall issue a new license plate upon payment of the fee of One Dollar (\$1.00).~~

SECTION 73. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.09 “Inspection of Bicycles”

Title V, Chapter 100, Section V-100-16.09 “Inspection of Bicycles” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-16.09 - Reserved ~~Inspection of Bicycles~~

~~The Chief of Police or an officer assigned such responsibility shall inspect each bicycle before it is licensed and shall be empowered to deny a license or license transfer for any bicycle which he determines is in unsafe mechanical condition as prescribed by this Chapter or applicable provisions of the California Vehicle Code.~~

SECTION 74. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.10 “Attachment of License Plates”

Title V, Chapter 100, Section V-100-16.10 “Attachment of License Plates” of the Milpitas Municipal Code is hereby deleted and reserved. The deleted text is shown in strikethrough below:

V-100-16.10 - Reserved ~~Attachment of License Plates~~

~~V 100 16.10 1~~

~~The Chief of Police or an officer assigned such duty, shall cause any license plate issued by the City to be firmly attached to the bicycle for which it is issued in such position as to be plainly visible.~~

~~V 100 16.10 2~~

~~No person shall remove, destroy, mutilate or alter a license plate from said bicycle during the period for which it is issued, provided, however, that upon the destruction or dismantlement of a bicycle, the license plate shall be removed and returned to the Police Department and provided further that upon any transfer involving the issuance of a new license, the old license shall be removed and returned to the Police Department.~~

SECTION 75. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established”

Title V, Chapter 100, Section V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-16.16-1 - Bicycle Lanes, Routes and Paths Established

~~The City Council (by resolution or motion)~~ City Manager may establish bicycle lanes and routes along designated streets or portions of streets ~~and may. The City Council may (by resolution or motion)~~ establish bicycle paths in the interest of providing recreation and developing open space programs. Any person operating a bicycle along a bicycle route shall be subject to all of the rights and duties applicable to the operators of motor vehicles generally along the streets or portions of streets so designated, such designation being intended only to inform the operators of bicycles that such streets or portions of streets afford an expeditious route of travel by bicycle, and to alert the operators of motor vehicles of the likelihood of a higher incidence of bicycle traffic where the roadway is so marked.

SECTION 76. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings”

Title V, Chapter 100, Section V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-16.16-2 - Bicycle Lanes, Routes and Paths Signs and Markings

The City ~~Traffic Engineer~~ Manager or designee shall designate bicycle lanes, routes and paths by the placement of appropriate signs and roadway markings.

SECTION 77. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 78. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

REGULAR

NUMBER: 43.213

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING VARIOUS SECTIONS OF TITLE V, CHAPTER 100 ("TRAFFIC") OF THE MILPITAS MUNICIPAL CODE

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, upon motion by _____ and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Wendy Wood, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the California Vehicle Code (see Veh. Code §§ 21100–21117) authorizes local governments to adopt traffic rules and regulations regarding certain matters, including regulating traffic by means of traffic officers and regulating traffic by means of official traffic control devices; and

WHEREAS, the California Vehicle Code (see Veh. Code § 22507) authorizes local governments to regulate parking within their jurisdictions; and

WHEREAS, the City of Milpitas (“City”) regulates traffic and parking upon its streets and sidewalks through Title V, Chapter 100 (Traffic) of the Milpitas Municipal Code (“Traffic Ordinance”); and

WHEREAS, the Traffic Ordinance was last updated in 1969; and

WHEREAS, the responsibilities assigned by the Traffic Ordinance are inconsistent with current City operations and provisions of the California Vehicle Code; and

WHEREAS, City staff has identified various sections of the Traffic Ordinance requiring corrections, clarifications, updates and modifications and requests that the City Council take action to correct these issues through the adoption of this Ordinance.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.02 “Holidays”

Title V, Chapter 100, Section V-100-2.02 “Holidays” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-2.02 – Holidays

Within the meaning of this Chapter, holidays are the following:

- A. January 1st
- B. The third Monday in February
- C. March 31st, known as “Cesar Chavez Day”
- D. The last Monday in May, known as “Memorial Day”
- E. July 4th
- F. The first Monday in September, known as “Labor Day”
- G. November 11th known as "Veteran's Day"
- H. Thanksgiving Day
- I. The Friday after Thanksgiving Day
- J. December 24th

K. December 25th

SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-2.05 “Official Traffic Control Devices”

Title V, Chapter 100, Section V-100-2.05 “Official Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-2.05 - Official Traffic Control Devices

All signs, signals, markings and devices as authorized in this Chapter and/or the California Vehicle Code or the California Manual of Traffic Control Devices shall be placed or erected consistent with the California Vehicle Code or the California Manual of Traffic Control Devices by authority of a public body or official having jurisdiction for the purposes of promoting safety and efficiency by providing orderly movement of all users on streets, bikeways, and pedestrian paths open to public travel.

SECTION 4. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-3.01 “Authority of Police and Fire Department Officials”

Title V, Chapter 100, Section V-100-3.01 “Authority of Police and Fire Department Officials” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-3.01 - Authority of Police, Fire Department Officials and Other Authorized City Officers

3.01-1 There are conferred upon the City Manager those powers and duties necessary for the administration of this Chapter. In addition, there is also conferred upon the City Manager the authority and power to designate such officers and employees of the City as may be required to assist him or her in carrying out the intent and purpose of this Chapter.

3.01-2 It shall be the duty of the officers of the Police Department and/or other authorized City officers to enforce all street traffic laws of this City and all of the State vehicle laws applicable to street traffic in this City.

3.01-3 Officers of the Police Department and/or other authorized City officers are hereby authorized to direct all traffic by voice, hand or other signal in conformance with traffic laws, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws.

3.01-4 Officers of the Fire Department, in the course of their duties at the scene of a fire, may direct or assist the police in directing traffic.

SECTION 5. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.01 “General”

Title V, Chapter 100, Section V-100-4.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.01 - General

All acts of the City Manager or designee required or authorized by the provisions of this Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this City.

4.01-1 Reserved.

SECTION 6. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.02 “Authority to Install Traffic Control Devices”

Title V, Chapter 100, Section V-100-4.02 “Authority to Install Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.02 - Authority to Install Traffic Control Devices

4.02-1 The City Manager or designee shall place and maintain or cause to be placed and maintained official traffic control devices when and as required under the traffic ordinances of this City to make effective the provisions of said ordinances.

4.02-2 Whenever the Vehicle Code of this State requires for the effectiveness of any provision thereof that traffic control devices be installed to give notice to the public of the application of such law the City Manager or designee is hereby authorized to install the necessary devices subject to any limitations or restrictions set forth in the law applicable thereto.

4.02-3 The City Manager or designee may also place and maintain such additional traffic control devices as he may deem necessary to regulate traffic or to guide or warn traffic upon the basis of traffic engineering principles and traffic investigation.

4.02-4 The City Manager or designee shall maintain schedules of all official traffic control devices in electronic format.

SECTION 7. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.05 “Installation of Traffic Signals”

Title V, Chapter 100, Section V-100-4.05 “Installation of Traffic Signals” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.05 - Installation of Traffic Signals

4.05-1 The City Manager or designee shall install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.

4.05-2 The City Manager or designee shall ascertain and determine the locations where such signals are required by resort to field observation, traffic counts and other traffic information as may be pertinent and his determinations therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the Manual of Uniform Traffic Control Devices for streets and highways promulgated by The American Association Streets and Highways Officials and Public Roads Administration.

4.05-3 Whenever the City Manager or designee installs and maintains official traffic signals at any intersection, the City Manager or designee shall likewise erect and maintain at such intersection street name signs visible to the principal flow of traffic unless such street name signs have previously been placed and are maintained at any said intersection.

SECTION 8. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.06 “Lane Markings”

Title V, Chapter 100, Section V-100-4.06 “Lane Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.06 - Lane Markings

The City Manager or designee is hereby authorized to mark center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles and may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

SECTION 9. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.07 “Distinctive Roadway Markings”

Title V, Chapter 100, Section V-100-4.07 “Distinctive Roadway Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.07 - Distinctive Roadway Markings

Whenever the State Department of Public Works determines by resolution and designates a distinctive roadway marking which shall indicate no driving over such marking, the City Manager or designee is authorized to designate by such marking those streets or parts of streets where the volume of traffic or the vertical or other curvature of the roadway renders it hazardous to drive on the left side of such marking or signs and markings. Such marking or signs and marking shall have the same effect as similar markings placed by the State Department of Public Works pursuant to provisions of the Vehicle Code.

SECTION 10. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices”

Title V, Chapter 100, Section V-100-4.08 “Authority to Remove, Relocate or Discontinue Traffic Control Devices” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.08 - Authority to Remove, Relocate or Discontinue Traffic Control Devices

The City Manager or designee is hereby authorized to remove, relocate or discontinue the operation of any traffic control device not specifically required by state law or this Chapter whenever the City Manager or designee shall determine in any particular case that the conditions which warranted or required the installations no longer exist or obtain.

SECTION 11. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-4.09 “Traffic Control Devices—Hours of Operation”

Title V, Chapter 100, Section V-100-4.09 “Traffic Control Devices—Hours of Operation” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-4.09 - Traffic Control Devices—Hours of Operation

The City Manager or designee shall determine the hours and days during which any traffic control device shall be in operation or be in effect, except in those cases where such hours or days are specified in this Chapter.

SECTION 12. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.01 “General”

Title V, Chapter 100, Section V-100-5.01 “General” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.01 - General

All acts of the City Manager or designee required or authorized by the provisions of this Section shall be made in accordance with any applicable standards, limitations or rules as may be set forth in this Chapter or amendments thereto or as may be determined by ordinance or resolution of the legislative body of this City.

SECTION 13. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes”

Title V, Chapter 100, Section V-100-5.02 “Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.02 - Authority to Place and Obedience to Turning Markers—Intersections—Multiple lanes

5.02-1 The City Manager or designee is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and the City Manager or designee is authorized to allocate and indicate more than one lane of traffic from which drivers of vehicles may make right or left hand turns.

5.02-2 When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

SECTION 14. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.03 “Authority to Place Restricted Turn Signs”

Title V, Chapter 100, Section V-100-5.03 “Authority to Place Restricted Turn Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.03 - Authority to Place Restricted Turn Signs

The City Manager or designee is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

SECTION 15. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal”

Title V, Chapter 100, Section V-100-5.05 “Authority to Prohibit Right Turns Against Traffic Stop Signal” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-5.05 - Authority to Prohibit Right Turns Against Traffic Stop Signal

The City Manager or designee is hereby authorized to determine those intersections within any business or residence district at which drivers of vehicles shall not make a right turn against a red or stop signal and shall erect proper signs giving notice of such prohibition. No driver of a vehicle shall disobey the directions of any such sign.

SECTION 16. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-5.06 “Specific Turning Movements Prohibited at Specific Places”

Title V, Chapter 100, Section V-100-5.06 “Specific Turning Movements Prohibited at Specific Places” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 17. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys”

Title V, Chapter 100, Section V-100-6.01 “The Chief Police Officer to Sign One-Way Streets and Alleys” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-6.01 - One-Way Streets and Alleys

Whenever the City Manager designates any one-way street or alley, the City Manager or designee shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 18. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.01 “The Chief Police Officer to Erect Stop Signs”

Title V, Chapter 100, Section V-100-7.01 “The Chief Police Officer to Erect Stop Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.01 - Stop Signs

Whenever the City Manager designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop, the City Manager or designee shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the California Vehicle Code.

SECTION 19. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.02 “Stop at Through Street Or Stop Sign”

Title V, Chapter 100, Section V-100-7.02 “Stop at Through Street Or Stop Sign” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 20. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs”

Title V, Chapter 100, Section V-100-7.04 “Chief Police Officer to Erect Right-of-Way Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.04 - Right-of-Way Signs

7.04-1 Whenever the City Manager designates and describes any approach to an intersection of streets or highways (which are not through streets or highways), as one at which yield right-of-way signs shall be erected, the City Manager or designee shall erect and maintain at said approach, a Yield Right-of-Way sign.

7.04-2 Every Yield Right-of-Way sign shall conform with and be placed as provided in the California Vehicle Code.

7.04-3 Reserved.

SECTION 21. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.05 “Entrance Only And Exit Only Signs”

Title V, Chapter 100, Section V-100-7.05 “Entrance Only And Exit Only Signs” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.05 - Entrance Only And Exit Only Signs

7.05-1 Whenever the City Manager designates and describes any entrance as "entrance only" and designates and describes any exit as "exit only", the City Manager or designee shall erect and maintain at said entrance and at said exit an "Entrance Only" sign and an "Exit Only" sign.

7.05-2 Reserved.

SECTION 22. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway”

Title V, Chapter 100, Section V-100-7.06 “Stop Sign At Intersection of Street and Alley or Private Driveway” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-7.06 - Stop Sign At Intersection of Street and Alley or Private Driveway

7.06-1 Whenever the City Manager designates and describes the intersection of any public street with any alley or private driveway as one at which a stop sign should be posted, the City Manager or designee shall erect and maintain at the intersection of said public street and alley or private driveway, the stop sign which shall stop traffic upon said public street. The purpose of this Subsection is to provide stop signs upon public streets at the intersection of said streets with alleys or private driveways in such special circumstances where conditions are hazardous to traffic, and a stop sign on said street is necessary for the safety of persons traveling on said street, or upon said alley or private driveway. Nothing herein contained, however, shall be deemed or construed to repeal or amend Subsection V-100-7.03 of this Chapter.

7.06-2 Reserved.

SECTION 23. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.01 “Crosswalks”

Title V, Chapter 100, Section V-100-9.01 “Crosswalks” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-9.01 - Crosswalks

9.01-1 the City Manager or designee shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway.

9.01-2 Reserved.

SECTION 24. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-9.04 “Pedestrian Walkways”

Title V, Chapter 100, Section V-100-9.04 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-9.04 - Pedestrian Walkways

9.04-1 Whenever the City Manager restricts pedestrian travel to marked or constructed walkways in subways, tubes and tunnels or upon bridges or viaducts, the City Manager or designee shall erect appropriate signs giving notice thereof.

9.04-2 When signs have been posted restricting pedestrian travel as herein provided, no person shall stand or walk other than on the designated walkway.

9.04-3 Reserved.

SECTION 25. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.06 “Signs or Markings Indicating Angle Parking”

Title V, Chapter 100, Section V-100-10.06 “Signs or Markings Indicating Angle Parking” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.06 - Signs or Markings Indicating Angle Parking

10.06-1 Whenever the City Manager designates and describes any street or portion thereof upon which angle parking shall be permitted, the City Manager or designee shall mark or sign such street indicating the angle at which vehicles shall be parked.

10.06-2 When signs or markings are in place indicating angle parking as herein provided, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

10.06-3 Reserved.

SECTION 26. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb”

Title V, Chapter 100, Section V-100-10.07 “Permit for Loading or Unloading at an Angle to the Curb” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 27. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.08 “Parking Adjacent to Schools”

Title V, Chapter 100, Section V-100-10.08 “Parking Adjacent to Schools” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.08 - Parking Adjacent to Schools

10.08-1 The City Manager or designee is hereby authorized to erect signs indicating no parking upon either side of any street adjacent to or opposite any school property when such parking would, in his opinion, interfere with traffic or create a hazardous condition.

10.08-2 When official signs are erected indicating "no parking" upon either side of a street adjacent to or opposite any school property, or "no parking" upon either side of a street between certain hours on certain days, no persons shall park a vehicle in any such designated place.

SECTION 28. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.09 “Parking Prohibited on Narrow Streets”

Title V, Chapter 100, Section V-100-10.09 “Parking Prohibited on Narrow Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.09 - Parking Prohibited on Narrow Streets

10.09-1 The City Manager or designee is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of the street as indicated by such signs or markings when the width of the roadway does not exceed 30 feet.

10.09-2 When official signs or markings prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign or marking.

SECTION 29. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required”

Title V, Chapter 100, Section V-100-10.10 “Stopping, Standing or Parking Prohibited—Signs Required” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.10 - Stopping, Standing or Parking Prohibited—Signs Required

The City Manager or designee shall appropriately sign or mark the following places and when so signed or marked no person shall stop, stand or park a vehicle in any of said places.

10.10-1 At any place within twenty (20) feet of a point on the curb immediately opposite the mid-block end of a safety zone.

10.10-2 Within twenty-five (25) feet of the approach to any traffic signal, boulevard stop sign, or official electrical flashing device.

10.10-3 At any place where the City Manager or designee determines that it is necessary in order to eliminate dangerous traffic hazards.

10.10-4 Reserved.

SECTION 30. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.11 “Unlawful Parking—Peddlers, Vendors”

Title V, Chapter 100, Section V-100-10.11 “Unlawful Parking—Peddlers, Vendors” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.11 - Unlawful Parking—Peddlers, Vendors

10.11-1 Except as otherwise provided in this section, no person shall stand or park any vehicle, wagon or push-cart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this City, except that such vehicles, wagons or push-carts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place. The provisions of this Subsection shall not apply to persons delivering such articles upon order of, or by agreement with a customer from a store or other fixed place of business or distribution.

10.11-2 Deleted by Ord. 43.139.

10.11-3 Deleted by Ord. 43.139.

10.11-4 Deleted by Ord. 43.139.

10.11-5 Reserved.

10.11-6 Reserved.

SECTION 31. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.15 “Parking on City Property”

Title V, Chapter 100, Section V-100-10.15 “Parking on City Property” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.15 - Parking on City Property

10.15-1 Whenever the City Manager determines that the orderly, efficient conduct of the City's business requires that parking or standing of vehicles on City property be prohibited, limited or restricted, the City Manager shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

10.15-2 When signs authorized by the provisions of this Subsection are in place, giving notice thereof, no person shall park or stand any vehicle contrary to the directions or provisions of such signs, and any vehicle parked in violation of such signs may be towed to a public storage garage at the expense of the owner of such vehicle; or the Police Department may, and it is granted authority to, issue a citation in the usual form and manner for any violation of the prohibition, limitation or restriction indicated by such signs or for any violation of the provisions of this Subsection.

10.15-3 No person shall park or stand any vehicle exceeding twenty feet (20') in length on any City-owned parking lot except for the loading or unloading of materials or passengers as permitted by Section V-100-11.03 of this Chapter.

10.15-4 Reserved.

10.15-5 Reserved.

SECTION 32. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-10.16 “Bicycle Parking Zones”

Title V, Chapter 100, Section V-100-10.16 “Bicycle Parking Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-10.16 - Bicycle Parking Zones

Whenever the City Manager or designee determines that the establishment of a bicycle parking zone is reasonably necessary or desirable for the regulation of traffic or to provide facilities for the temporary parking of bicycles being operated upon the public streets, or to safeguard life or property, the City Manager or designee is hereby authorized to set aside a space on the street not more than thirty-six feet (36') in length for the parking of bicycles during such hours of such days as are found by him to be best suited for the accomplishment of the purposes set forth in this Section. When a bicycle parking zone is so established, the City Manager or designee shall cause appropriate signs to be posted there at during such hours, giving notice that parking of other vehicles is prohibited. No person shall stop, stand or park any other vehicle in front of such zone while such signs are in place.

SECTION 33. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.01 “Authority to Establish Loading Zones”

Title V, Chapter 100, Section V-100-11.01 “Authority to Establish Loading Zones” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.01 - Authority to Establish Loading Zones

11.01-1 The City Manager is hereby authorized to determine and to mark loading zones and passenger loading zones as follows:

- (a) At any place in any business district.
- (b) Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

11.01-2 In no event shall more than one-half of the total curb length in any block be reserved for loading zone purposes.

11.01-3 Deleted by Ord. 43.140.

11.01-4 Deleted by Ord. 43.140.

SECTION 34. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations”

Title V, Chapter 100, Section V-100-11.02 “Curb Markings to Indicate No Stopping and Parking Regulations” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.02 - Curb Markings to Indicate No Stopping and Parking Regulations

11.02-1 The City Manager or designee is hereby authorized, subject to the provisions and limitations of this Chapter, to place, and when required herein shall place, the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth.

- (a) Red shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone marked or signed as a bus zone.
- (b) Yellow shall mean no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.
- (c) White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers or depositing mail in an adjacent mailbox which shall not exceed three (3) minutes and such restrictions shall apply between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays and except as follows:
 - (1) When such zone is in front of a hotel or adjacent mailbox the restrictions shall apply at all times.
 - (2) When such zone is in front of a theater the restrictions shall apply at all times except when such theater is closed.
- (d) Green shall mean no standing or parking for longer than twenty (20) minutes at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays.
- (e) Blue indicates parking limited exclusively to vehicles of physically handicapped persons.

11.02-2 When the City Manager or designee as authorized under this ordinance has caused curb marking to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

SECTION 35. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.07 “Bus Zones to be Established”

Title V, Chapter 100, Section V-100-11.07 “Bus Zones to be Established” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.07 - Bus Zones

11.07-1 The City Manager or designee is hereby authorized to establish bus zones opposite curb space for the loading and unloading of buses of common carriers of passengers and to determine the location thereof subject to the directives and limitations set forth herein.

11.07-2 The word "bus" as used in this section shall mean any motor bus, motor coach, trackless trolley coach, or passenger stage used as a common carrier of passengers.

11.07-3 No bus zone shall exceed 80 feet in length, except that when satisfactory evidence has been presented to the City Manager or designee showing the necessity therefor, the City Manager or designee may extend bus zones not to exceed a total length of 125 feet.

11.07-4 Bus zones shall normally be established on the far side of an intersection.

11.07-5 No bus zone shall be established opposite and to the right of a safety zone.

11.07-6 The City Manager or designee shall paint a red line stencil with white letters "NO STANDING", together with the words "BUS ZONE" upon the top or side of all curbs and places specified as a bus zone.

11.07-7 No person shall stop, stand or park any vehicle except a bus in a bus zone.

11.07-8 Reserved.

11.07-9 Reserved.

SECTION 36. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-11.08 “Mail deposit zones”

Title V, Chapter 100, Section V-100-11.08 “Mail deposit zones” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-11.08 - Mail deposit zones

11.08-1 Whenever the City Manager designates and describes any portion of any street as a mail deposit zone, the City Manager or designee shall place a white marking on the curb within said zone in accordance with the provisions of Subsection V-100-11.02 hereof.

11.08-2 Reserved.

SECTION 37. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.01 “Parking Time Limited on Certain Enumerated Streets”

Title V, Chapter 100, Section V-100-12.01 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.01 - Parking Time Limited

Whenever the City Manager designates and describes any street or portion thereof as time limited parking, the City Manager or designee shall erect and maintain parking restriction signs.

SECTION 38. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.02 “Parking Prohibited at all Times on Certain Streets”

Title V, Chapter 100, Section V-100-12.02 “Parking Prohibited at all Times on Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.02 - Parking Prohibited at all Times

Whenever the City Manager designates and describes any street or portion thereof as prohibited parking, the City Manager or designee shall erect and maintain parking restriction signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances of other intersections where a stop is required and at any railroad grade crossing so designated. Every such sign shall conform with and shall be placed as provided in the California Vehicle Code.

SECTION 39. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.04 “Parking Space Markings”

Title V, Chapter 100, Section V-100-12.04 “Parking Space Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.04 - Parking Space Markings

The City Manager or designee is authorized to install and maintain parking space markings to indicate parking spaces adjacent to curbs where authorized parking is permitted.

When such parking space markings are placed in the highway, subject to other and more restrictive limitations, no vehicle shall be stopped, left standing or parked other than within a single space unless the size or shape of such vehicle makes compliance impossible.

SECTION 40. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.05 “Truck Routes”

Title V, Chapter 100, Section V-100-12.05 “Truck Routes” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.05 - Truck Routes

12.05-1 Whenever the City Manager designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of three tons, the City Manager or designee is hereby authorized to designate such street or streets by appropriate signs as "Truck Traffic Routes" for the movement of vehicles exceeding a maximum gross weight limit of three tons.

12.05-2 When any such truck traffic route or routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross weight limit of three tons shall drive on such route or routes and none other except that nothing in this Section shall prohibit the operator of any vehicle exceeding a maximum gross weight of three tons coming from a "Truck Traffic Route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.05-3 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utilities Commission, or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility.

12.05-4 Reserved.

SECTION 41. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.06 “Commercial Vehicles Prohibited From Using Certain Streets”

Title V, Chapter 100, Section V-100-12.06 “Commercial Vehicles Prohibited From Using Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.06 - Commercial Vehicles Prohibited From Using Certain Streets

12.06-1 Whenever the City Manager designates and describes any street or portion thereof as a street the use of which is prohibited by any commercial vehicle, the City Manager or designee shall erect and maintain appropriate signs on those streets affected by such ordinance.

12.06-2 The provisions of this section shall not apply to passenger buses under the jurisdiction of the Public Utilities Commission.

12.06-3 The provisions of this Section shall not apply to house cars or camper-type pickup trucks provided the same are not designated, maintained or classified or required to be licensed as "commercial vehicle" under the provisions of the California Vehicle Code.

SECTION 42. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.07 “Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets”

Title V, Chapter 100, Section V-100-12.07 “Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.07 - Vehicles Exceeding Maximum Gross Weight of 4 Tons Prohibited From Using Certain Streets

12.07-1 Whenever the City Manager designates and describes any street or portions thereof as a street the use of which is prohibited by any vehicle exceeding a maximum gross weight limit of 4 tons, the City Manager or designee shall erect and maintain appropriate signs as necessary to adequately provide notice of the prohibition.

12.07-2 Reserved.

12.07-3 The provisions of this Section shall not apply to any commercial vehicle having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.

12.07-4 The provisions of this Section shall not apply to (i) passenger buses under the jurisdiction of the Public Utility Commission or to (ii) any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or (iii) any vehicle owned or operated by a City Department while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

12.07-5 The provisions of this Section shall not apply to the bridge at Old Alviso-Milpitas Road over Coyote Creek just north of Highway 237 which lies partly in the County of Santa Clara and partly within the City of Milpitas, which shall have a maximum limit of 10 tons.

"The provisions of this Section shall not apply to non-commercial recreational vehicles or trailers, including boat and utility trailers, having ingress and egress by direct route to and from said restricted streets when necessary for the purpose of parking, loading, or unloading said recreational vehicle or trailer on said restricted street."

SECTION 43. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets"

Title V, Chapter 100, Section V-100-12.10 "Commercial Vehicle Parking Time Limited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.10 - Commercial Vehicle Parking Time Limited

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle between the hours of 9:00 p.m. and 6:00 a.m. of any day on any street or portion thereof except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

SECTION 44. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets"

Title V, Chapter 100, Section V-100-12.12 "Commercial Vehicle Parking Prohibited on Certain Streets" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.12 - Commercial Vehicle Parking Prohibited on Certain Streets

When authorized signs are in place giving notice thereof, no person shall stop, stand or park any commercial vehicle at any time of any day on any street or portion thereof except to load or unload materials or passengers to the extent described and within the time limits specified in Subsection V-100-11.03 hereof.

SECTION 45. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-12.14 "Parking Time Limited On Certain Streets Except By Permit"

Title V, Chapter 100, Section V-100-12.14 "Parking Time Limited On Certain Streets Except By Permit" of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-12.14 - Parking Time Limited On Certain Streets Except By Permit

12.14-1 When authorized signs are in place giving notice thereof, no person shall stop, stand, or park any vehicle on any of the streets or portions thereof and during the hours posted on authorized signs.

12.14-2 Any vehicle on which is displayed a valid parking permit, as provided for herein, shall be permitted to be parked on such street without being limited by time restrictions established in Section 12.14-1.

12.14-3 Vehicle permits required under Section 12.14-2 shall be issued by the Police Department in accordance with the provisions of this section and in compliance with such administrative procedures as may be required by the Chief of Police. One permit may be issued for a vehicle which may otherwise be legally parked, owned, or under the control of, a resident of property adjacent to a street within the restricted parking area.

12.14-4 Permits shall be valid until the vehicle is sold or the permittee ceases to be resident of the restricted parking area; at such time the permit will be void and shall be removed from the vehicle. No permit issued

hereunder shall be transferred or sold. Replacement permits for vehicles which are sold will be issued without charge upon surrender of the old permit.

12.14-5 The Chief of Police may issue temporary parking permits.

12.14-6 The provisions of this Section shall not apply to any disabled person or disabled veteran whose vehicle displays either a distinguishing license plate or distinguishing placard issued in accordance with the California Vehicle Code.

SECTION 46. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-14.04 “Regulation of Speed by Traffic Signals”

Title V, Chapter 100, Section V-100-14.04 “Regulation of Speed by Traffic Signals” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 47. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.01 “One-Way Streets”

Title V, Chapter 100, Section V-100-15.01 “One-Way Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 48. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.03 “Stop Intersections”

Title V, Chapter 100, Section V-100-15.03 “Stop Intersections” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 49. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3”

Title V, Chapter 100, Section V-100-15.04 “Reserved for schedule pursuant to V-100-7.02-3” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 50. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.05 “Angle Parking on Certain Streets”

Title V, Chapter 100, Section V-100-15.05 “Angle Parking on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 51. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.06 “Parking Time Limited on Certain Enumerated Streets”

Title V, Chapter 100, Section V-100-15.06 “Parking Time Limited on Certain Enumerated Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 52. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.07 “Reserved for schedule pursuant to V-100-12.02”

Title V, Chapter 100, Section V-100-15.07 “Reserved for schedule pursuant to V-100-12.02” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 53. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4”

Title V, Chapter 100, Section V-100-15.08 “Reserved for schedule pursuant to V-100-12.05-4” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 54. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2”

Title V, Chapter 100, Section V-100-15.09 “Reserved for schedule pursuant to V-100-12.06-2” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 55. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.10 “Crosswalks”

Title V, Chapter 100, Section V-100-15.10 “Crosswalks” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 56. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.11 “Stopping, Standing, Parking Prohibited”

Title V, Chapter 100, Section V-100-15.11 “Stopping, Standing, Parking Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 57. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited”

Title V, Chapter 100, Section V-100-15.12 “Vehicles in Excess of Certain Gross Weight Limits Prohibited” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 58. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.13 “Mail Deposit Zones”

Title V, Chapter 100, Section V-100-15.13 “Mail Deposit Zones” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 59. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.14 “Bus Zones”

Title V, Chapter 100, Section V-100-15.14 “Bus Zones” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 60. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.16 “Specific turning movements prohibited at specific areas”

Title V, Chapter 100, Section V-100-15.16 “Specific turning movements prohibited at specific areas” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 61. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected”

Title V, Chapter 100, Section V-100-15.17 “Approaches to Intersections at Which Yield-Right-of-Way Signs Shall be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 62. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.18 “Entrances and Exits at which Signs Shall Be Erected”

Title V, Chapter 100, Section V-100-15.18 “Entrances and Exits at which Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 63. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.19 “Places at Which Stop Signs Shall Be Erected”

Title V, Chapter 100, Section V-100-15.19 “Places at Which Stop Signs Shall Be Erected” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 64. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.20 “Streets or Portions Thereof From Which Vehicles Can Be Removed”

Title V, Chapter 100, Section V-100-15.20 “Streets or Portions Thereof From Which Vehicles Can Be Removed” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 65. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.21 “Private Roads Open for Public Use”

Title V, Chapter 100, Section V-100-15.21 “Private Roads Open for Public Use” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-15.21 - Private Roads Open for Public Use

Pursuant to the provisions of Section 21107.5 of the California Vehicle Code, the City Council may from time to time, by resolution, find and declare that there are privately owned and maintained roads within the City generally held open for use of the public for purposes of vehicular traffic which so connect with highways that the public cannot determine that such roads are not highways. Upon enactment of such a resolution, the provisions of the California Vehicle Code shall apply to the privately owned and maintained roads unless the owner of the road erects a notice of a size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet to the effect that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

SECTION 66. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.22 “Parking Prohibited Adjacent to Schools”

Title V, Chapter 100, Section V-100-15.22 “Parking Prohibited Adjacent to Schools” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 67. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.23 “Pedestrian Walkways”

Title V, Chapter 100, Section V-100-15.23 “Pedestrian Walkways” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 68. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets”

Title V, Chapter 100, Section V-100-15.24 “Commercial Vehicle Parking Time Limited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 69. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets”

Title V, Chapter 100, Section V-100-15.25 “Commercial Vehicle Parking Prohibited on Certain Streets” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 70. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit”

Title V, Chapter 100, Section V-100-15.26 “Vehicle Parking Time Limited on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 71. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-15.27 “ Vehicle Parking Time on Certain Streets Except by Permit”

Title V, Chapter 100, Section V-100-15.27 “Vehicle Parking Time on Certain Streets Except by Permit” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 72. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.04-3

Title V, Chapter 100, Section V-100-16.04-3 of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 73. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.09 “Inspection of Bicycles”

Title V, Chapter 100, Section V-100-16.09 “Inspection of Bicycles” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 74. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.10 “Attachment of License Plates”

Title V, Chapter 100, Section V-100-16.10 “Attachment of License Plates” of the Milpitas Municipal Code is hereby deleted and reserved.

SECTION 75. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established”

Title V, Chapter 100, Section V-100-16.16-1 “Bicycle Lanes, Routes and Paths Established” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-16.16-1 - Bicycle Lanes, Routes and Paths Established

The City Manager may establish bicycle lanes and routes along designated streets or portions of streets and may establish bicycle paths in the interest of providing recreation and developing open space programs. Any person operating a bicycle along a bicycle route shall be subject to all of the rights and duties applicable to the operators of motor vehicles generally along the streets or portions of streets so designated, such designation being intended only to inform the operators of bicycles that such streets or portions of streets afford an expeditious route of travel by bicycle, and to alert the operators of motor vehicles of the likelihood of a higher incidence of bicycle traffic where the roadway is so marked.

SECTION 76. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE V, CHAPTER 100, SECTION V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings”

Title V, Chapter 100, Section V-100-16.16-2 “Bicycle Lanes, Routes and Paths Signs and Markings” of the Milpitas Municipal Code is hereby amended to read as follows:

V-100-16.16-2 - Bicycle Lanes, Routes and Paths Signs and Markings

The City Manager or designee shall designate bicycle lanes, routes and paths by the placement of appropriate signs and roadway markings.

SECTION 77. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 78. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Authorize and Approve Travel to Monterey, CA for City Manager Steve McHarris to Attend the League of California Cities City Managers Annual Conference scheduled for February 2 – 4, 2022
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	1/18/2022
Staff Contact:	Ashwini Kantak, Assistant City Manager, 408-586-3053
<u>Recommendation:</u>	Authorize and Approve Travel to Monterey, CA for City Manager Steve McHarris to Attend the League of California Cities City Managers Conference scheduled for February 2 – 4, 2022, for an estimated not-to-exceed amount of \$2,000 budgeted under Conferences/Trainings allocation for the City Manager's Office.

Background:

The League of California Cities holds its City Managers Conference each year in select California city. This popular conference is scheduled for February 2 - 4, 2022, and is designed for city managers and assistant city managers. This conference provides city officials with the essential information and updates needed to effectively run their cities. It affords the City Manager the rare opportunity to connect and openly exchange ideas with other city officials.

The in-person attendance will be contingent on the public health safety guidance in effect at the time of the conference. The preliminary program is included in this report.

Analysis:

The City of Milpitas Travel and Expense Policy requires all travel for the elected officials and City Manager be approved by City Council. Council approval of this request will allow City Manager McHarris to exchange ideas with city officials from other cities and to bring back information from other cities to share with his Executive Leadership Team.

Policy Alternative:

Not applicable

Fiscal Impact:

The estimated expenses for the conference in Monterey are \$1,700 (registration, and hotel).

To date, the City Manager's Office allocation of \$14,000 for Conferences / Trainings has been sparsely used due to the webinar platform of past conferences because of health and safety reasons brought about by the pandemic. Various agencies have just recently started to offer full in-person conferences.

California Environmental Quality Act:

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this action does not qualify as a "project" for the purpose of CEQA.

Recommendation:

Authorize and Approve travel to Monterey, CA for City Manager Steve McHarris to attend the League of California Cities City Managers Conference scheduled for February 2 – 4, 2022, for an estimated not-to-exceed amount of \$2,000 budgeted under Conferences/Trainings allocation for the City Manager's Office.

Attachment:

1. Draft 2022 City Managers Conference Schedule



Schedule

Wednesday, February 2

Registration Open

10:30 a.m.-5:30 p.m.

Lunch On Your Own

11:30 a.m.-1:15 p.m.

Opening General Session

1:30-3:15 p.m.

Opening Remarks

John Gillison, City Manager, Rancho Cucamonga, President, City Managers Department

Department Awards

Keynote: The Social Psychology of Negotiations

From working with the city council and other department heads at your city to life outside of your career, there are a broad array of negotiation skills needed to get solutions accepted and implemented. Through using a simulated negotiation exercise, you will be introduced to a “toolbox” of negotiation skills based on social psychological principles that will help you more effectively navigate relationships, problem solve, and achieve mutually beneficial solutions.

Takeaways from the session will include how to get people to open up to share information, the difference between good and bad questions, and how to build trust and influence through language and non-verbal cues. You will also understand how to plan and prepare for negotiation including making an opening offer/proposal, how to negotiate using packages, making effective concessions, and how to successfully conclude a negotiation. Finally, discover how to create value in a negotiation to make sure both sides walk away satisfied.

Speaker: Holly Schroth, Ph.D., Senior Lecturer, Management of Organizations, Distinguished Teaching Fellow, Haas School of Business, University of California, Berkeley

Break

3:15 -3:30 p.m.

Straight, No Chaser

3:30-5:00 p.m.

Listen in on city managers share their experiences during the recent past, the widespread challenges that surfaced, and what they did about it. Then, participate in collective learning with your colleagues by sharing your own experiences.

Speakers:

Reva Feldman, Senior Advisor, Avenu Insights & Analytics/ Hagerty Consulting
Thaddeus McCormack, City Manager, Lakewood

Rene Mendez, City Manager, Gonzales
Kimberley Summers, City Manager, Murrieta
Kurt Wilson, Executive Director, Western Riverside Council of Governments

League Partner Hosted Welcome Networking Reception



After the first day's activities, enjoy celebrating retirees, networking with your colleagues, and some light hors d'oeuvres.

Thursday, February 3
Breakfast Buffet Open
7:45-9:00 a.m.

Concurrent Sessions 9:00-10:15 a.m.

Creating a Culture of Equity

There is high interest from both city staff and the community to advance equity in city government. As city managers and department heads responsible for leading this work, how do we harness this energy to create a culture of equity for our organizations? What are the challenges we're facing and the successes we've experienced? Learn city strategies to approach equity and get the opportunity to share your own city's experiences.

Make Your City Attorney Your Best Friend

When issues get tense in your city, having a solid relationship with your city attorney can make a significant difference. You may not always see eye-to-eye, but understanding the key elements of building that relationship, and maintaining when undertaking a difficult issue, will help smooth the process and light the way to win-win solutions.

Speakers:

Dave Fleishman, City Attorney, Pismo Beach
Jim Lewis, City Manager, Pismo Beach

Show Me the Recovery! Updates on Fees, Assessments, and Financing Districts

Discover the importance of utilizing a variety of revenue tools, in both recovery mode as well as for long-term fiscal sustainability in a changing economy. The panel will address revenue options and the importance of public engagement as a fundamental effort. Updates via recent case law and legislative changes affecting cities across California will be provided. Select case studies statewide will be reviewed, including tales of challenges and successes in the city of Rancho Cucamonga. The topic of fiscal sustainability is a constant challenge for cities across the state, and perhaps more than ever as we emerge from the COVID pandemic. Attendees will leave the session with actionable information that can be applied to their city.

Moderator:

John Gillison, City Manager, Rancho Cucamonga

Speakers:

Michael Colantuono, Managing Shareholder, Colantuono, Highsmith & Whatley, PC
Tim Seufert, Managing Director, NBS
Danielle Wood, Director, NBS

Visit with Sponsors Coffee Break

10:15-10:45 a.m.

Concurrent Sessions

10:45 a.m.-12:00 p.m.

Creating a Strong Partnership with CalOES

Emergencies move fast and have devastating physical and economic impacts on communities. One way to prepare your city is to have a strong relationship with the Governor's Office of Emergency Services (CalOES). This relationship can help cities understand the short and long-term funding and program opportunities available to your city from the state. Learn about the programs that CalOES administers and take-away tips on how to build stronger relationships and support each other. Understand how the wide variety of programs offered by the state can benefit your city and can mitigate the impacts of an emergency. Proactively learn how to partner with CalOES on these programs and ask questions about how to best operationalize disaster preparedness and cost recovery in your city.

Speaker:

Ryan Buras, Deputy Director, California Governor's Office of Emergency Services

Think Outside the Building: Innovating Your Future

Knowing that innovation is critical isn't enough. "Getting it" is one thing. "Getting it done" is quite another. When your city thinks of itself as a community builder, quality of life advocate, and service provider, then it starts to behave differently. And that's where innovation surfaces because to innovate is to implement change that creates a new dimension of performance. In this session, practical strategies and proven techniques are presented to (re)set the tone of a dynamic, always-on, learning culture that's essential to unleash creativity and lead to faster, better innovation.

Moderator:

Armine Chaparyan, City Manager, South Pasadena

Speaker:

Patrick Ibarra, Co-Founder and Partner, The Mejorado Group

Prohousing Programs: Demonstrating Statewide Leadership While Meeting Local Goals

Many cities throughout California are experiencing dramatically increased Regional Housing Needs Allocation (RHNA) numbers, economic inequities, and homelessness. Now, a state program seeks to support local governments by creating a framework to help local agencies document prohousing policies and gain additional preference for competitive grant programs. Join us to learn best practices and lessons learned from cities that are leading the charge and get your burning questions answered.

Moderator:

Karalee Browne, Assistant Executive Director, Institute for Local Government

Speakers:

Matthew Burris, Deputy City Manager, Rancho Cucamonga
Danielle Foster, Housing Policy Manager, Sacramento

Networking Luncheon

12:00-1:15 p.m.

Afternoon General Session

1:15-2:45 p.m.

Opening Remarks

Eric Figueroa, City Manager, Martinez, First Vice President, City Managers Department

ICMA/Cal-ICMA President Remarks and Award

Troy Brown, City Manager (ICMA-CM), Moorpark

Dominic Lazzaretto, City Manager, Arcadia

Combatting Disinformation on Social Media: From Politically Motivated to Factually Inaccurate

Social media tools empower governments to quickly inform and mobilize residents in support of community events and initiatives. They are also tools that enable rapid sharing of disinformation across residents that range from the politically motivated designed to manipulate, to the factually inaccurate that need only be coherently corrected. This presentation encompasses the design of policies and practices, and digs deeply into derailing disinformation viral messaging that originates from diverse sources, some legitimate and some disingenuous.

Speakers:

Thomas Bryer, Professor, University of Central Florida

Sarah Stoeckel, Councilmember, City of Titusville, Florida

Visit with Sponsors Coffee Break

2:45-3:15 p.m.

Concurrent Sessions

3:15-4:45 p.m.

Diverse Workforce Development: Tips for Success and Pitfalls to Avoid

Explore tips for increasing diversity on your team. How do you move from just saying you want to increase diversity and inclusion, to actually seeing your staff at all levels of your organization and leadership reflect the diversity of the region you serve? This session will provide stories, tips, and tricks (and pitfalls to avoid) from colleagues who have been successful in doing so.

Speaker:

Lydia Romero, City Manager, Lemon Grove

Defending Institutions: Promoting Civic Debate and Rejecting Personal Attacks

In 2020, a protest outside the home of Sacramento City Manager Howard Chan threatened the very institution of democracy, moving the public debate forum from its rightful place in Council Chambers and the ballot box to the personal domicile of a civic leader. When events like this happen, how can city leaders and administrators protect themselves and their families while fostering greater community trust? Do existing channels for public debate suffice, or are more outlets needed to make the public feel heard – particularly in the age of digitization?

Moderator:

Ken Striplin, City Manager, Santa Clarita

Speakers:

Troy Brown, City Manager (ICMA-CM), Moorpark

Howard Chan, City Manager, Sacramento

Combating Disinformation on Social Media: The Workshop

A continuation of the afternoon General Session. Given a set of interactive scenarios, participants will develop and use a toolkit of technological, relational and communication solutions to combat

disinformation. Next, learn how to apply principles of civil discourse that neither disparages residents who are spreading disinformation nor legitimizes viewpoints that are damaging to the community. Finally, create a plan to enable a rapid response team that bridges government and community to promote both correct information and civility across individuals who disagree with each other.

Speakers:

Thomas Bryer, Professor, University of Central Florida
Sarah Stoeckel, Sarah Stoeckel, Council Member, City of Titusville, Florida

Presidential Networking Reception

5:00-6:00 p.m.

Evening on Your Own

6:00 p.m.

Friday, February 4

Breakfast Buffet Open

7:45-9:00 a.m.

Concurrent Sessions

9:00-10:15 a.m.

Navigating and Delivering for Multi-Generational City Councils

A new generation of elected leaders is joining city councils, bringing new perspectives and policies to the dais. They also have different experiences with government and may be interacting with a city manager for the first time. Plus, their fresher viewpoints may clash with more seasoned councilmembers. Learn first-hand from fellow city managers how they navigate these varying views and how it can affect decision making.

A Tale of Four Cities: Partnerships and Programs for the Unhoused

Hear from four city managers as they discuss programs and partnerships that are addressing homelessness.

Moderator:

Helene Schneider, Regional Coordinator, U.S. Interagency Council on Homelessness

Speakers:

Damien Arrula, City Manager, Placentia
Oliver Chi, City Manager, Huntington Beach
Alma K. Martinez, City Manager, El Monte
Robert Nisbet, City Manager, Half Moon Bay

Benefits and Risks of the New Hybrid Workplace Model

As we move beyond the COVID-19 crisis, some cities are back to pre-pandemic norms while others have adopted new hybrid work models. Will hybrid work fundamentally change the way local government operates? Hear from city managers about their experiences with different remote work models in varying organization sizes, and best practices for work in the post-COVID world. Speakers will consider the impacts of a hybrid workplace on labor negotiations, equity concerns, tax-related issues, accessibility, city-wide versus department-specific remote work policies, and the implications of the state government's decision to permanently change the way they work.

Moderator:

Justin Hess, City Manager, Burbank

Speakers:

Armine Chaparyan, City Manager, South Pasadena
Lisa Goldman, City Manager, Burlingame
Karen Pinkos, City Manager, El Cerrito

Coffee Break

10:15-10:30 a.m.

Closing Session

10:30-11:45 a.m.

Opening Remarks

Justin Hess, City Manager, Burbank, Second Vice President, City Managers Department

CCMF Remarks**California State and Local Economic and Fiscal Outlook**

California has one of the largest and most diverse economies in the world. California has been an epicenter of innovation, entertainment, agriculture and tourism in America for over a century. A combination of things, mostly stemming from the COVID-19 pandemic continues to cause economic disruption and uncertainty. Municipal revenues are affected in turn – but uniquely. This panel of leading experts will analyze economic and financial trends and discuss the year ahead for California its cities.

Adjourn

11:45 a.m.

****Schedule subject to change***



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Approving a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements on a 1.22-gross acre site located in the Multi-Family High Density Residential (R3) Zoning District at 2001 Tarob Court, in the Transit Area Specific Plan (TASP) planning area.
Category:	Public Hearings-Community Development
Meeting Date:	1/18/2022
Staff Contact:	Ned Thomas, Planning Director, 408-586-3273
<u>Recommendation:</u>	1) Conduct a public hearing, receive public comment, and move to close the hearing. 2) Consider the consistency memorandums to the Addendum to the Transit Area Specific Plan Environmental Impact Report (TASP EIR) and the exemptions in accordance with CEQA. 3) Adopt a Resolution approving Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map No. MT21-0001, and Environmental Assessment No. EA21-0002 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the findings and Conditions of Approval.

Background:

In June 2008, the City of Milpitas adopted the Transit Area Specific Plan (TASP) to facilitate the transformation of older industrial properties surrounding the future Milpitas Transit Center into high intensity, transit-oriented, mixed-use neighborhoods. The Project site is located within the Trade Zone/Montague Sub-District of the TASP. This sub-district is located east of Montague Expressway and south of Capitol Avenue, extending to the city limits on Trade Zone Boulevard and Lundy Place. On the Tarob Court side of the sub-district, the TASP envisions a moderate-to-high density residential area, with ample green space in the form of a large park and trails along Penitencia Creek. The Capitol Avenue and Montague Expressway portions of the sub-district are to be lined by mid-rise and high-rise mixed-use buildings that buffer the adjacent residential uses from noise and traffic.

On November 2, 2018, The True Life Companies (TTLIC) submitted an application for a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to develop a 40-unit condominium residential project at the project site. The Planning Commission recommended the City Council approve the above applications on July 31, 2019. On August 20, 2019, the City Council adopted Resolution No. 8899, approving the development application.

In March 2020, the City initiated an update to the TASP and rebranded this effort as the Milpitas Metro Specific Plan. The updated Plan will shape the continued transformation of neighborhoods surrounding the Milpitas Transit Center, which opened in June 2020, to create a vibrant transit-oriented community with a mix of housing, retail, entertainment, and employment uses and a safe and attractive network of parks and trails. Fu

development within the Tarob Court area is a primary component of the Milpitas Metro Specific Plan, with a vision for higher-density mixed-use development based on a future direct connection to the Milpitas Transit Center via an extension of South Milpitas Blvd into the neighborhood.

On March 24, 2021, TTLC submitted a new preliminary application pursuant to California Senate Bill 330 (SB 330) for a 32-unit townhome subdivision at the project site. On April 30, 2021, TTLC submitted a formal application for the revised townhome project, which is at the lower end of the density range for residential development in the R3-TOD zoning district.

On October 27, 2021, the Planning Commission reviewed the proposed Project and held a public hearing to receive public comment. Prior to the public hearing, staff received one comment letter, submitted by John Doll, a Milpitas resident, critiquing the proposed color scheme for buildings within the project. The Planning Commission received no other public comments during the public hearing.

The Planning Commission approved staff's recommendation for approval of the Project and forwarded the item to the City Council. The final vote was six "Ayes" votes and one absence (Chair Tao).

California Senate Bill 330 (Housing Crisis Act)

As noted above, TTLC submitted the proposed project pursuant to California Senate Bill 330 (SB 330), the Housing Crisis Act of 2019. This law went into effect on January 1, 2020 and declared a statewide housing emergency through January 1, 2030. The Housing Crisis Act allows an applicant to submit a preliminary application for any housing development project, as defined in Government Code Section 65589.5(h)(2). A housing development project includes the following: residential units only; mixed-use development consisting of residential and non-residential uses with at least two-thirds of the square footage of the project designated for residential use; transitional housing or supportive housing.

Under SB 330, eligible housing development projects are eligible for enhanced streamlining and vesting opportunities through a process initiated by the filing of a preliminary application. Once the preliminary application is deemed complete by the local jurisdiction, the housing development project is subject only to the ordinances, policies, and standards adopted and in effect at the time the preliminary application was submitted. In addition, housing development projects that meet all applicable objective general plan and zoning standards may only be subject to a total of five public hearings, including continuances and most appeal hearings.

Once a preliminary application is deemed complete, a complete project application must be submitted and accepted by the Planning Department within 180 days of submission of the preliminary application. The project must also commence construction within 30 months after the date of final approval. The preliminary application from TTLC met the qualifications for streamlined review by the City under SB 330, and they submitted a formal application on April 30, 2021.

Project Description:

The Project site at 2001 Tarob Court is currently occupied by a 16,200-square foot light industrial office building. The site was originally developed in the 1980s as part of the Tarob Court industrial park.

The Project includes a total of 32 townhome units, comprised of two multi-family buildings up to 50 feet in height, with tandem garages accessed from a central aisle. The scope of work includes associated landscaping and open space, parking and circulation, and infrastructure improvements.

The 32 townhome condominium units consist of four two-bedroom units and 28 three-bedroom units. The units will range in size from 1,854 to 2,354 square feet and all units will have a tandem two-car garage. The Project also provides nine guest parking spaces, ten public bicycle parking spaces, two electric vehicle charging spaces, and two ADA parking spaces. The Project will gain ingress and egress from both Tarob Court and Lundy Place via both existing driveway curb cuts.

Five of the 32 units, or fifteen percent (15%) of the base units, will be affordable to moderate-income households in conformance with the City's Affordable Housing Ordinance. By providing the required on-site affordable units, the Project is also eligible for certain waivers under the affordability provisions of the State Density Bonus Law (Gov. Code § 65915 et seq.) even though the Project is not asking for an increase in units or density. Specifically, Government Code Section 65915(p)(5) permits eligible housing projects under the State Density Bonus Law to provide onsite parking through tandem parking or uncovered parking. The analysis section of this staff report includes a full discussion of the State Density Bonus provisions related to this Project.

Location and Context:

The Project is located on a 1.22-acre site on the west side of Tarob Court, as shown in Figure 1 below.

Figure 1: 2001 Tarob Ct. (Aerial Image)

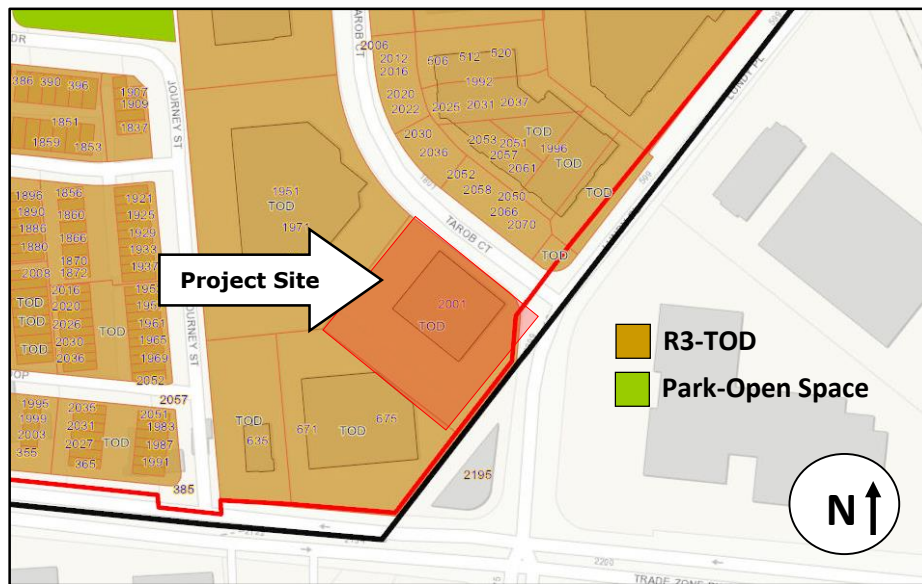


The property located within the Transit Area Specific Plan (Milpitas Metro Specific Plan) area and zoned R3 Multi-Family High Density Residential with a Transit-Oriented Development (-TOD) overlay. Table 1 summarizes the Project site's General Plan land use designation, zoning, and surrounding uses. Figure 2 shows the proposed location and surrounding zoning.

Table 1: Surrounding Zoning and Land Uses

	General Plan	Zoning	Existing Uses
Subject Site	Milpitas Metro Specific Plan (MMSP)	Multi-family High-Density Residential (R3-TOD)	Vacant Light Industrial
West	Milpitas Metro Specific Plan (MMSP)	Multi-family High-Density Residential (R3-TOD)	Light Industrial
East	Milpitas Metro Specific Plan (MMSP)	Multi-family High-Density Residential (R3-TOD)	Future Multi-Family Residential
North	Milpitas Metro Specific Plan (MMSP)	Multi-family High-Density Residential (R3-TOD)	Light Industrial
South	City of San Jose	City of San Jose	Light Industrial

Figure 2: 2001 Tarob Ct. (Zoning Map)



Analysis:

The proposed Project requires approval of three entitlements and the environmental assessment, as follows:

1. Site Development Permit SD21-0004: To allow of two multi-family buildings, ranging from three to four stories in height, with up to 32 residential units on the 1.22-acre site; and
2. Conditional Use Permit UP21-0005: To allow the condominium use; and
3. Vesting Tentative Map MT21-0001: To establish 32 residential condominium spaces and related common areas and to record site easements; and
4. Environmental Assessment EA21-0002: To review and verify an exemption from further environmental review under CEQA.

Staff reviewed the entitlement applications listed above and found them to be in compliance with the policies, standards, and processes outlined in the City of Milpitas 2040 General Plan, Transit Area Specific Plan (Milpitas Metro Specific Plan), Zoning Ordinance, Milpitas Municipal Code (MMC), and the State Density Bonus Law. The remainder of this agenda report provides specific details regarding each of the requested entitlements.

General Plan Conformance

The General Plan designation for the project site is Milpitas Metro Specific Plan (MMSP), but since the City Council has not formally adopted the MMSP, the TASP development standards currently apply. The intent of both the MMSP and TASP standards is to facilitate development of higher intensity, mixed-use neighborhoods near the Milpitas Transit Center and to encourage walking, biking, and the use of alternative modes of transportation.

As proposed, the Project is consistent with the goals, policies, and standards in the City's General Plan, as set forth in Table 2 below.

Table 2: General Plan Consistency

Policy	Conformance
Policy LU 1-4: <i>Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offers residents of all income levels, age groups and special needs sufficient housing opportunities and choices for locating in Milpitas.</i>	Consistent. The Project provides an additional housing type to meet the needs of various families and residents of all income levels. The Project, as proposed, consists of 32 townhome residential units, ranging from two to three bedrooms. Five of the residential units will be reserved for moderate-income households. The City would prefer to see higher density development at this location.
Policy LU 5-1: <i>Require new development and redevelopment to be compatible, complementary and, where appropriate, well integrated with existing residential areas. Integrate new large-scale development projects into the fabric of the existing community rather than allowing projects to be insular and self-contained, walled off, or physically divided from surrounding uses. Improve connectivity between neighborhoods and services with new development. Tie circulation systems and open spaces into existing streets and open spaces. Reduce unnecessary barriers and improve connections between neighborhoods and services by retrofitting existing development over time as area improvements or redevelopment occurs.</i>	Consistent. The Project, as proposed, is well integrated with the existing residential developments along Lundy Place and Tarob Court, as the project has a similar architectural style, building height, multi-family product, and site layout. Additionally, the project will gain ingress and egress from both Tarob Court and Lundy Place via existing driveway curb cuts, and as a result, the Project will blend seamlessly into the fabric of the existing community. The Project will also be compatible and complementary to future high-density residential development planned for other parcels on Tarob Court which are currently developed with light industrial uses but are zoned for redevelopment as similar high-density residential uses.
Policy LU 5-3: <i>Ensure new development is consistent with specific height limits established within the City's Zoning Ordinance as applied through the zoning district for all properties within the City.</i>	Consistent. The Project meets the height standards by proposing two three to four-story buildings, up to 50 feet in height, in a zoning district that allows a maximum height of 75 feet.

The TASP/MMSP land use designation for the project site is High Density, Transit-Oriented Residential. This designation provides for medium-density residential uses within the Trade Zone/Montague Sub-District. As shown in Table 3 below, the Project is consistent with applicable TASP/MMSP land use policies.

Table 3: TASP/MMSP Consistency

Policy	Conformance
Policy 3.4: <i>Provide a variety of housing types for different types of households, different income levels, different age groups, and different life-styles.</i>	Consistent. The proposed Project will provide various housing types, including two and three-bedroom units for sale at market-rate and five of the 32 units will be for sale to moderate-income individuals or households, consistent with the City's goal of providing housing for various households and income levels. The City would prefer to see higher density development at this location.
Policy 3.17: <i>New streets shall be located as generally shown on the Street System Map, Figure 3-2 within the TASP</i>	Consistent. A portion of the Project's TASP fees will contribute to the new Tarob Court configuration, designed to replace the cul-de-sac with a local street and connection to Sango Court.
Policy 3.2: <i>Affordable housing units should be provided with new housing developments. Determine affordable unit requirements on a project-by project basis, considering the size of the project, the location of the site, and the mix of affordable units in the Midtown Area. Allow housing developments of 12 units or less to pay a fee in lieu of providing affordable units.</i>	Consistent. The Project conforms to the City's Affordable Housing Ordinance and will designate five out of the 32 units, or fifteen percent (15%) of the base number of units, for moderate-income level individuals or households.
Policy 3.3: <i>Affordable housing should be integrated into all residential projects.</i>	Consistent. The Project will designate five residential units for sale to moderate-income individuals or households and the units will be dispersed throughout the project site.

Zoning Conformance

The zoning designation for the project site is Multiple-Family High Density Residential (R3) with a Transit-Oriented Development (-TOD) Overlay. As demonstrated in Tables 4 and 5 below, the Project is consistent with the development standards for the R3-TOD Zoning District and TASP/MMSP area. The affordability provisions of the State Density Bonus Law allow the project to deviate from certain standards. A detailed discussion of the State Density Bonus Law and a summary of the deviations are provided later in this report.

Table 4: Development Standards for the R3-TOD Zoning District

R3-TOD	Standard	Conformance
Density	21-40 dwelling unit/gross acre	Compliant: 25 du/acre
MXD3	Standard	Conformance
Setbacks		Compliant
Front (min / max)	8-15 ft. from the back of sidewalk	15 ft.
Right (South) Side	15 ft. / 20 ft. for over three stories when abutting residential	26 ft.
Left (North) Side	15 ft. / 20 ft. for over three stories when abutting residential	43 ft
Rear	15 ft. / 20 ft. for over three stories when abutting residential	20 ft.
Building Height	Up to 75 ft.	Compliant: 49 ft, 11 in.
Private Open Space	An average of 200 SF of usable open space shall be provided for each dwelling unit. Balconies, porches, or roof decks may be considered usable open space when properly developed for work, play or outdoor living areas. At least thirty (30) percent of required open space shall be contiguous to and provide for private usable open space of the individual dwelling unit. 200 x 32 = 6,400 SF = 0.15 acres Each dwelling unit shall be provided with private open space as follows: - Balconies and porches (above ground level): minimum 60 SF; or - Patios (at ground level): minimum one hundred square feet.	Compliant: Private recreational area: 0.14 acres Private open space (balconies) = 1784 SF/building = 1784 x 2 = 3,568 SF = 0.08 acres Total private open space = 0.22 acres = 299.5 SF/unit Private balconies provided for every unit
Landscaping	A minimum of twenty-five percent (25%) of the total lot area shall be landscaped or recreational open space, exclusive of parking and vehicular traffic area. 25% x 1.22 = 0.31 acres	Compliant: 0.46 acres (37.7%)

In addition, projects located in the TASP/MMSP area must comply with the additional development and design standards outlined in Table 5 below.

Table 5: Additional Development Standards Applicable in the TASP/MMSP

	Standard	Conformance
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awnings may project up to six feet into setback.	Compliant: None proposed.
Building Orientation and Entrances	Building must face the street; and primary building entrances must be oriented toward the street.	Compliant: Buildings face Tarob Court, which is the project's primary street frontage.
Vehicle Parking	Two to Three Bedrooms: 1.6 covered (min), two (2) covered (max).	Compliant: 64 tandem spaces in 32 garages (two/unit)
Bicycle Parking	One space per four housing units, exempting those with private garages; on-street guest racks equivalent to five percent (5%) of parking requirement.	Compliant: 10 public spaces provided plus Project has 32 private garages.
Parking Structure and Parking Lot Location	Parking must be located so that it is not visible from the street.	Compliant: 32 private garage entrances face interior drive aisle.
Parking Access and Curb Cuts	Maximum two curb cuts per lot per street frontage	Compliant: One curb cut along each street frontage.
Tandem Parking	May be allowed with a Conditional Use Permit pursuant to MMC Section 53; maximum 50% of parking required for residential uses may be tandem parking in projects with private individual garages.	Compliant (Under Gov. Code, § 65915(p)(5) under State Density Bonus Law): All residential unit parking is tandem (64 spaces).
Park Acreage Requirements	0.03 acres (after payment of TASP/MMSP fee)	Compliant: 0.14 acres proposed, which includes private recreation areas along the southern end of the site

Subdivision Ordinance

The Project's form, content and dedications of the proposed tract map are consistent with the provisions in Title XI, Chapter 1, Section 4 of the City's Municipal Code, as set forth in the Resolution. Vesting Tentative Maps require approval by the City Council.

Architectural Design

The Project's design concept arranges two multi-family buildings, three to four stories in height, that mirror one another across a central drive aisle. The arrangement preserves ground floor open space and creates a 26-foot wide drive aisle between the buildings. The Project's contemporary architectural design uses stucco, siding, stone tile veneer, and a variety of metal details. Variations in the building colors, materials and planes and protruding balconies provide architectural interest and avoid a boxy appearance.

The building massing is broken up through an alternating painted color blocking treatment of dark green (SW "Dried Thyme"), light grey (SW "Natural Choice"), and steel blue (SW "Needlepoint Navy"). At the ground level, stone tile veneer and metal awnings frame the entry to the units. The garage doors are face the interior drive aisle, while the grand raised entrances face Tarob Court to enhance the public realm of Tarob Court's streetscape. The ground level entrances and private open space areas on the southern end of the property also offers residents the opportunity for out-of-doors leisure, as well as community engagement.

The Project has a similar architectural style to the Parkside project and visually relates to the previously approved three-story townhouses across Tarob Court. Moreover, the Project conforms to the Transit Area design guidelines, which require orientation of the building to the street, well-articulated exterior walls with consistent style and materials, muted colors for primary building walls with richer accent colors and integrated parking.

Figure 3 is a perspective view of the north and west building elevations.

Figure 3: Proposed Project Looking Southeast from Tarob Court



Landscaping (including Tree Removal and Replacement)

The Project includes removal of 34 existing trees, including 21 protected trees, from the project site. Pursuant to MMC Title X, Chapter 2 (*Tree Maintenance and Protection*), the Project will plant two replacement trees for every protected tree that is removed, or 128 new trees planted on the site. Tree species include Chinese Pistache, Magnolias, Lavender Crape Myrtle, and Crabapple. New perimeter landscaping will include various shrubs (Australian Fuchsia, Candy Stripe Bamboo, Fortnight Lily, Lavender, New Zealand Flax), grasses (Reed Grass, Deer Grass, Fountain Grass) and groundcovers (Peach Drift, California Fuchsia, Pink Groundcover Rose) as demonstrated in Figure 4. Vines will also be welded on a wire mesh fence on the southern end of the site.

Figure 4: Landscape Plan



Parkland and Open Space Requirements

TASP requires all new residential developments to provide 3.5 acres of parkland for every 1,000 persons or payment of fees-in-lieu, as required per MMC Section XI-10-6.04 (G) (Park and Open Space Requirements for Residential Uses). Based on the proposed 32 units at the site, the Project would be required to provide 0.28 acres of parkland, or the equivalent to approximately \$777,472.82 in in-lieu fees.

All projects in the TASP are required to pay a Transit Area Development Impact Fee (TADIF), and portion of the TADIF is used for public park and recreation facilities within the TASP area. By paying the TADIF, the applicant receives a credit of \$690,061.12, equivalent to 0.25 acres of parkland. The applicant is obligated to either provide an additional 0.03 acres of public or private recreational space or pay an additional \$87,411.70.

To satisfy this requirement, the applicant proposes to provide 0.12 acres of on-site private recreation space. Each individual unit has a private balcony, totaling 3,568 square feet. The private recreation areas also include a bench, mailbox station, concrete paving and various landscaping, as shown on Sheet L002 of the Project plans (See Attachment 6: Project Plans). By designing these elements into the project, the parkland requirement is met without additional fees. Table 6 outlines this information.

Table 6: Summary of Adherence to Parkland Requirements

2001 Tarob Court Unit Count	32 units
2001 Tarob Court Population Estimate	80 persons
TASP Parkland Requirement	3.5 acres/1,000 people or equivalent fees-in-lieu
Total Parkland Acreage or In-lieu Fee Required	0.28 acres / \$777,472.82
Amount include in Payment of TASP Fees (Acreage/Dollars)	0.25 acres / \$690,061.12
Remaining Parkland Acreage or In-lieu Fee Required	0.03 acres / \$87,441.70
Private Recreation/Open Space Included in the Project	0.12 acres
Balance of Parkland Acreage or In-lieu Fees Due	0.00 acres / \$0

Affordable Housing Ordinance

Pursuant to MMC Section XII-1-3.00, all new residential development projects of ten units or more designed and intended for permanent occupancy are required to construct fifteen percent (15%) of the total number of dwelling units within the development as affordable units, unless subject to an exception set forth in XI-1-4.00. All exceptions require City Council approval.

The Project will reserve five units (or fifteen percent (15%)) as affordable to moderate income households. The Project has been conditioned to execute an agreement imposing appropriate ownership controls on the affordable units.

State Density Bonus Law

To encourage the production of affordable housing, the State Density Bonus Law (Gov. Code § 65915 et seq.) allows developers to receive a density bonus of up to a 50% increase for most projects, depending on the amount of affordable housing provided, and an 80% increase in density for projects that are 100% affordable. The Density Bonus is a state mandate, and any developer who meets the requirements of the state law is entitled to receive the density bonus and other benefits as a matter of right. The City's local Density Bonus Ordinance (MMC Section XI-10-54.15 (F)) mirrors the State requirements.

By providing the required on-site affordable units pursuant to MMC Section XII-I-3.00, the Project is eligible to receive certain waivers under the affordability provisions of the State Density Bonus Law. While the Project is not requesting additional density, it is entitled to up to one concession, unlimited waivers of development standards, and parking standard reductions.

Parking Requirements

Under the TASP, a minimum of 51 and a maximum of 64 resident parking spaces are required for the proposed project, based on bedroom count (TASP Table 5-3: *Minimum Parking Requirements*). The applicant proposes to provide 64 resident spaces, the maximum required. Parking for residents would primarily be provided in individual tandem parking garages oriented towards the internal drive aisle. As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5) permits all onsite parking to be provided through tandem parking or uncovered parking.

The Project also requires ten guest parking spaces, and the applicant proposes to provide nine spaces. Under Government Code Section 65915(p)(1) and MMC Section XI-10-54.15(F)(5), the applicant may request reduced parking standards for the entire development. The reduced parking standards are inclusive of guest parking and handicapped parking and may be tandem or uncovered. The nine guest spaces will be provided as follows:

- Seven (7) along the private driveway;
- One (1) ADA guest spot along the private driveway; and
- One (1) electric vehicle charging spot along the private driveway.

To maintain a consistent streetscape along Tarob Court, the Project will be required to install decorative concrete paving to identify all on-street parking spaces. Table 7 demonstrates the Project's compliance with the parking standards for the R3-TOD Zoning District:

Table 7: Parking Requirements

Number of Units	Number of Bedrooms/Unit	Min/Max Ratio Permitted/Unit	Min/Max No. of Spaces Req'd/Allowed	Spaces Provided	Conforms (Y/N)
32	2-3	1.6/2.0 per unit	51/64	64	Y
Guest	--	20% of total spaces required	10	9	Permitted under State Density Bonus Law
Total:			61	73	Y

Bicycle Parking – For residential uses within the TASP, one space of long-term bicycle parking per every four housing units is required, exempting units with a private garage. As the Project has 32 private garages, no long-term bicycle parking spaces are required.

For guests, the TASP requires short-term bicycle parking spaces equivalent to five percent (5%) of the total automobile spaces required. This equates to three (3) short-term bicycle spaces for guests, and the Project will provide ten bicycle spaces in compliance with the requirement.

Traffic and Access

Access to the Project site is provided by a driveway located at the northern corner off Tarob Court and at the southern corner off Lundy Place. The driveways provide access to an internal twenty-six (26)-foot access drive lane and fire lane, which includes a fire engine/garbage truck remote control gate along the southern corner of the site. There are 32 private residential garages along the central drive aisle. Nine guest parking spaces will

be located along the access drive lane, including one accessible parking space and one electric vehicle parking space. All traffic and access data has been reviewed by Transportation and Fire and is compliant with all applicable requirements.

Development Fees

The Project is subject to the following fees, payable at the time of building permit issuance:

TASP Impact Fee

The TASP/MMSP Impact fee is currently set at \$44,009/unit for residential uses for Fiscal Year 2021-2022. Based on approval for development of 32 units, the estimated Transit Area Specific Plan Development Impact Fee for this project is \$1,408,288 (\$44,009/unit x 32 units). This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The proposed Project will pay the fee at the issuance of building permits.

Parkland Impact Fee

TASP requires all new development to provide 3.5 acres of parkland for every 1,000 persons or payment of fees-in-lieu. Per the parkland section, above, the project has satisfied this requirement. See Table 6 for more information.

Public Art Fee

The Project will comply with the City's Public Art Requirements for Private Development, as set forth in Milpitas Municipal Code Section XI-10-14. This fee is currently set at one-half of one percent of building development costs. The proposed Project will pay the fee based on the construction valuation at the building permit issuance.

Findings for Vesting Tentative Map, Site Development Permit and Conditional Use Permit

A finding is a statement of fact relating to the information that the City Council has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

Vesting Tentative Map (Section XI-1-20.01)

To approve the Major Vesting Tentative Subdivision Map, the following findings must be made pursuant to Milpitas Municipal Code Section XI-1-20.01:

1. *The tentative subdivision map is consistent with the General Plan.*

The General Plan designation for the project site is Milpitas Metro Specific Plan (MMSP), but since the City Council has not formally adopted the MMSP, the TASP development standards currently apply. The intent of both the MMSP and TASP standards is to facilitate development of higher intensity, mixed-use neighborhoods near the Milpitas Transit Center and to encourage walking, biking, and the use of alternative modes of transportation.

The TASP designates this project site as High Density, Transit Oriented Residential (HD-TOR). The intent of this designation is to provide high-density housing at a density range of 21-40 dwelling units/acre. As this Project proposes 25 dwelling units/acre, it is consistent with both the intended land use of the General Plan and the relevant density requirement. The Project site was not identified as a potential site for yielding affordable housing units in the City's Housing Element, as the site was zoned for industrial uses prior to October 2017. Therefore, there is no net loss of affordable housing units.

Further, the tentative subdivision map is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

2. *None of the conditions identified in California Government Code Section 66474 exist, to wit:*

- A. *That the proposed map is not consistent with applicable general and specific plans as specified in Government Code Section 65451.*

As set forth in Finding 1 above, the map proposes the development of the site into 32 residential condominium units at a density of 25 dwelling units/acre. The General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan land use designation applicable to the site (Milpitas Metro Specific Plan (MMSP), and High Density, Transit-Oriented Residential (HD-TOR)) permits residential development at densities of 21 to 40 dwelling units/acre. The map is therefore consistent with the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan.

- B. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

The design and improvement of the subdivision is consistent with the density range of 21-40 dwelling units per acre as permitted by the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan. The proposed density is 25 dwelling units per acre. The proposed Project is also consistent with the Milpitas Metro Specific Plan/Transit Area Specific Plan development standards, including height (maximum of 50 feet proposed, where 75 feet is the maximum allowed), number of vehicular parking spaces (64 vehicular spaces proposed, where a maximum of 64 is allowed), bicycle parking (10 spaces proposed, where 3 are required), building orientation (proposed buildings will face streets, where requirement provides building must face streets).

- C. *That the site is not physically suitable for the type of development.*

The site is surrounded by property designated for high density, transit-oriented residential development under the City's General Plan and zoned for this type of development under the Milpitas Metro Specific Plan/Transit Area Specific Plan. In addition, this site is suitable for the higher density development based on the location, physical attributes, and proposed infrastructure improvements.

- D. *That the site is not physically suitable for the proposed density of development.*

The City Council, through adoption of Resolution No. 8702, has determined that the site is physically suitable for development at the proposed density of 25 dwelling units per acre, insomuch as it has amended the applicable general plan land use designation to High Density, Transit Oriented Residential (HD-TOR), and subsequently Milpitas Metro Specific Plan (MMSP), which currently allows densities of 21-40 dwelling units per acre. The site is also flat and has direct access to adjacent streets (Tarob Court and Lundy Place) to accommodate the proposed density of the development.

- E. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The Project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memos (Attachments 2 and 3). The memo did not find that the Project would be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Project is also located in an urbanized area and previously developed as an industrial building, and therefore, will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

- F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

The Project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memorandums (Attachment 2). The memorandums did not find that the design of the subdivision or type of improvements is likely to cause serious public health problems.

- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

Upon review of the subdivision map, it has been determined that the design of the subdivision or the type of improvements will not conflict with any easements acquired by the public at large, for access through or use of, property within the proposed subdivision. The subdivision does not involve the vacation of easements; however, the existing right-of-way will be abandoned and portions of the area will be retained for a Public Services Utility Easement (PSUE).

Site Development Permit (Section XI-10-57.03 (F))

To approve the Site Development Permit, the following findings must be made pursuant to Milpitas Municipal Code Section XI-10-57.03(F):

- 1. The layout of the site and design of the proposed buildings, structures, and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

The Project's site design is consistent with the MMSP/TASP development standards for the Trade Zone/Montague Sub-district. The project consists of 32 condominium units and associated site amenities on a 1.22-acre site. The building's contemporary architectural design visually relates to and is compatible with the adjacent townhome projects along Tarob Court. The Project also features exterior horizontal blue and green-hued siding. The Project has a strong sense of identity, achieving compatibility and aesthetic harmony with surrounding developments.

- 2. The project is consistent with the Milpitas Zoning Ordinance.*

The Project site is zoned R3 (Multiple-Family, High Density Residential with a Transit Oriented Development (-TOD) Overlay). Residential uses are permitted in the zoning district. As demonstrated in Tables 4, 5 and 7, the Project substantially conforms to the zoning district and meets the intent for this type of project envisioned in this area.

The Project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

- 3. The project is consistent with the Milpitas General Plan.*

The proposed Project and associated use are consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

- 4. The project is consistent with the Transit Area Specific Plan.*

The proposed Project is consistent with the applicable policies and design guidelines of the TASP/MMSP, as demonstrated and outlined in Tables 3 and 5. As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced

parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

Conditional Use Permit (Section XI-10-57.04(F))

To approve the Conditional Use Permit, the following findings must be made pursuant to Milpitas Municipal Code Section XI-10-57.04(F):

1. *The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare.*

The Project will not be detrimental or injurious to property or improvements in the vicinity, nor to the health, safety or general welfare. The Project is consistent with other high density residential projects within the TASP. The condominium Project creates housing opportunities and increases the diversity of housing types in the TASP area

2. *The project is consistent with the Milpitas Zoning Ordinance.*

The Project is consistent with the Zoning Ordinance, as the condominium use is conditionally permitted per MMC Table XI-10-4.02-1. The Project substantially conforms to most of the development standards set forth by the Zoning Ordinance, as discussed in the Zoning Ordinance consistency discussion set out in support of issuing a Site Development Permit.

Moreover, the Project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

3. *The project is consistent with the Milpitas General Plan.*

See General Plan consistency discussion set out above in support of issuing the Vesting Tentative Map.

4. *The project is consistent with the Transit Area Specific Plan.*

See Transit Area Specific Plan consistency set out above in support of issuing the Site Development Permit.

Density Bonus (Section XI-10.54.15(D), (F))

1. *Determination of Maximum Allowable Densities. The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

Based on 15% affordability, with 5 units (15%) reserved for moderate-income households, the proposed Project is eligible for a 5% density bonus. The maximum allowable density in the R3-TOD Zoning District is 40 du/ac, which would yield 42 units on the subject 1.22-acre parcel. The proposed 32-unit development is less than the allowable 5% density bonus. Under the State Density Bonus Law, the applicant is entitled to receive the 5% density bonus as a matter of right.

2. *Unit Type and Location. All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the non-affordable units in terms of appearance, materials and finished quality. The Planning Commission may recommend to the City Council and/or Housing Authority modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.*

This standard is satisfied, as the Project proposes five units to be reserved for moderate-income households. These five three-bedroom units will be dispersed throughout the two multi-family buildings.

3. *Agreement. Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.*

The Project will be conditioned to execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for thirty (30) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. If the City does not grant at least one (1) additional concession or incentive, in addition to a density bonus as specified in Section XI-10-54.15(E), Density Bonus Conditions, of this Chapter, the developer shall agree to, and the City shall ensure continued affordability for a minimum of ten (10) years of all lower or very low-income housing units receiving a density bonus.*

The designated affordable units will be required to remain in place for a minimum of 50 years as stated in the Conditions of Approval and will require a Regulatory Agreement to be recorded over the Project site.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

This finding does not apply to the Project. The Project provides five for-sale units, or fifteen percent of the 32 units, to moderate-income households.

6. *Relation to State. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.*

Any density bonus requirements not specified in the City's Municipal Code shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.

Waivers and Modifications of Development Standards

Pursuant to MMC Section XI-10.54.15(F)(6), the City must grant waivers of development standards if the applicant demonstrates the waiver is necessary to make the affordable housing units economically feasible and can only deny such waiver request if the City makes the findings specified in MMC Section XI-10.54.15(F)(3):

- a. *The concession is not required in order to provide for affordable housing costs as defined in State Health and Safety Section 50052.2 or for rents for the affordable units pursuant to Section XI-10-54.15(D)(5), Standards, of Chapter 10 (Zoning) of the Milpitas Municipal Code.*
- b. *The concession would have a specific adverse impact as defined in State Government Code Section 65589.5(d) (2) upon the public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.*

If findings cannot be made, the proposed waivers must be granted, based on the requirements of the City's Municipal Code and California Government Code Sections 65915.

The proposed deviations for this project (one less guest parking space and tandem parking in all residential garages) would result in actual and identifiable cost savings, and these savings are necessary to provide the level of affordability proposed. Further, none of the deviations would result in any specific, adverse impacts to

public health, safety, the physical environment, or historical resources, so the City has no justification to deny the requested waivers.

Policy Alternatives:

Alternative 1: Deny the applicant's request for a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment.

Pros: Denial of the proposed Project would allow the site to be developed with a different project that meets the City's minimum parking and open space standards without the need for deviations from development standards. A higher density project with adequate parking would generate more impact fees to pay for needed infrastructure.

Cons: Denial of the proposed Project would deprive the City of a housing project and the opportunity to further support affordable housing needs within the region, including the City's Regional Housing Needs Allocation (RHNA). Denial of the Project would also be contrary to the goals and objectives of the State Density Bonus Law and applicable sections of the Milpitas Municipal Code, as well as Senate Bill 330.

Reason not recommended: The City Council has expressed strong support for the development of inclusionary housing. The Project meets most of the City's development regulations and complies with the affordability provisions of the State Density Bonus Law for the deviations requested by the applicant.

Fiscal Impact:

If approved, the applicant will pay the standard TADIF fee, which equals to \$1,461,802.94 (\$1,408,288 + 3.8% Permit Automation Fee). The applicant will be required to pay all building permit fees. The applicant will also pay the Public Art In-lieu fee set at one-half of one percent of building development costs.

California Environmental Quality Act:

This Project is located within the area evaluated as part of the Transit Area Specific Plan Environmental Impact Report (TASP-EIR) (SCH#2006032091) certified by the City Council on June 3, 2008. An earlier environmental assessment (EA19-0002) for a higher density version of the Project was conducted by LSA, on behalf of the City, in accordance with the California Environmental Quality Act (CEQA), as amended, and state and local guidelines implementing CEQA. The environmental assessment conducted by LSA concluded that none of the circumstances necessitating preparation of a subsequent or supplemental EIR are associated with the Project.

The environmental assessment conducted by LSA also concluded that an Addendum to the TASP EIR was the appropriate document to address these modifications rather than a subsequent or supplemental EIR. The Addendum fully addressed all potential impacts associated with this project, and no material changes have been made to the project that would alter the conclusions of the Addendum. The analysis contained in the Environmental Checklist confirmed that the modified project was within the scope of the TASP-EIR and would have no new or more severe significant effects and no new mitigation measures were required.

As a part of this Project application, the applicant submitted a peer reviewed memorandum, dated April 28, 2021, conducted by First Carbon Solutions. The memorandum confirms that the proposed Project is still within the scope of the TASP EIR and will have no new significant or more severe impacts beyond those identified in the 2019 Environmental Checklist and the TASP EIR.

The City conducted an environmental assessment (in the form of a memorandum, dated August 4, 2021) for the proposed Project. LSA prepared a peer review memorandum on behalf of the City. The memorandum found that the Consistency Analysis generally meets the requirements of CEQA and employs sound methods and analysis to develop its conclusions. The proposed Project is still within the scope of the TASP FEIR and the subsequently prepared Categorical Exemptions prepared for a previous version of the Project in 2019 and would not have any new significant or more severe environmental impacts beyond those that have been previously identified. Both memorandums acknowledging the entitlements and consistency with CEQA are attached as Attachments 2 and 3 to the Resolution.

As a separate and independent basis, the Project is exempt from further CEQA review pursuant to CEQA Guidelines Section 15183, which applies to projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified. As a

separate and independent basis, the Project is also exempt from further CEQA review pursuant to CEQA Guidelines Section 15182, because the Project is a residential project that is consistent with the Transit Area Specific Plan. Lastly, the Project is also exempt from further environmental review pursuant to CEQA Guidelines Section 15168, as the Project is within the scope of the TASP program EIR. Moreover, the Project complies with the City's existing zoning, specific plan, community plan, and general plan. Therefore, no further environmental review is required.

Recommendation:

1. Conduct a public hearing, receive public comment, and move to close the hearing;
2. Consider the consistency memorandums to the Addendum to the Transit Area Specific Plan Environmental Impact Report (TASP EIR) and the exemptions in accordance with CEQA; and
3. Adopt a Resolution approving Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map No. MT21-0001, and Environmental Assessment No. EA21-0002 to allow the development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the findings and Conditions of Approval.

Attachments:

- : 1. City Council Resolution
2. Addendum to the Transit Area Specific Plan Environmental Impact Report
 3. Consistency Memorandums by First Carbon Solutions, TJKM, and LAS
 4. Planning Commission Staff report (dated October 27, 2021)
 5. Planning Commission Meeting Minutes for October 27, 2021
 6. Project Plans
 7. Applicant Response to CEQA Memorandums
 8. Public Comment Correspondence

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING SITE DEVELOPMENT PERMIT NO. SD21-0004, CONDITIONAL USE PERMIT NO. UP21-0005, VESTING TENTATIVE MAP NO. MT21-0001, AND ENVIRONMENTAL ASSESSMENT NO. EA21-0002 TO ALLOW DEVELOPMENT OF A 32-UNIT TOWNHOME SUBDIVISION COMPRISED OF TWO MULTI-FAMILY BUILDINGS, UP TO 50 FEET IN HEIGHT (THREE TO FOUR STORIES), WITH TANDEM GARAGES ACCESSED FROM A CENTRAL DRIVE AISLE, AND ASSOCIATED SITE IMPROVEMENTS ON A 1.22-GROSS ACRE SITE LOCATED IN THE MULTI-FAMILY HIGH DENSITY RESIDENTIAL (R3) ZONING DISTRICT AT 2001 TAROB COURT AND MAKING FINDINGS OF CEQA EXEMPTION

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.) (collectively, “CEQA”), the City of Milpitas is the lead agency for the proposed project described below; and

WHEREAS, on June 3, 2008, the City Council of the City of Milpitas certified an Environmental Impact Report (“EIR”) prepared to analyze the environmental impacts associated with the proposed Transit Area Specific Plan (the “TASP EIR,” State Clearinghouse No. 2006032091), and subsequently adopted the Transit Area Specific Plan (the “TASP”); and

WHEREAS, the TASP EIR reviewed the potential environmental impacts associated with the implementation of the TASP, which envisioned the development of 7,109 dwelling units, 287,075 square feet of retail space, 993,843 square feet of office and industrial park space, and 350 hotel rooms; and

WHEREAS, 2001 Tarob Court is located within the TASP planning area; specifically, within the Trade Zone/Montague subdistrict of the TASP; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified has been adopted, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code § 21166 and State CEQA Guidelines § 15162 require additional environmental review; and

WHEREAS, on March 24, 2021, The True Life Companies (the “Applicant”) submitted a preliminary application to the City of Milpitas, invoking California Senate Bill 330 (SB 330), for the approvals necessary to develop a 32-unit condominium residential project at 2001 Tarob Court; and

WHEREAS, on April 30, 2021, the Applicant submitted a formal application for the project (the “Project”). The Project consists of and requires:

- a. Site Development Permit (SD21-0004) to allow the development of two multi-family buildings, ranging from three to four stories in height, with up to 32 residential units on a 1.22-acre site; and
- b. Conditional Use Permit (UP21-0005) to allow the condominium use; and
- c. Vesting Tentative Map (MT21-0001) to establish 32 residential condominium spaces and related common areas and to record site easements; and
- d. Environmental Assessment (EA21-0002) to review and verify an exemption from further environmental review under CEQA.

WHEREAS, the Planning Department completed Environmental Assessment No. EA21-0002 for the Project in accordance with CEQA and recommends that the City Council determine this Project is covered under the program of activities identified in the Transit Area Specific Plan EIR, SCH#2006032091, certified by the City Council on June 3, 2008,

based on the CEQA findings included in this Resolution (the “Addendum” and “Memorandums,” true and correct copies of which are attached hereto and incorporated herein as **Exhibits 2 and 3**); and

WHEREAS, per 14 C.C.R (CEQA Guidelines) Section 15164(b), the Addendum demonstrated and concluded that none of the circumstances necessitating preparation of a supplemental or subsequent EIR, as specified in CEQA Guidelines Sections 15162 or 15163, are present in that: (a) no substantial changes are proposed in the Project which will require major revisions of the TASP EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (b) no substantial changes have occurred with respect to the circumstances under which the Project is being undertaken which will require major revisions in the TASP EIR due to new or substantially more severe significant effects; and (c) no new information of substantial importance, as defined in CEQA Guidelines Section 15162, which was not known and could not have been known at the time the TASP EIR was certified has become available; and

WHEREAS, on August 20, 2019, the City Council approved the Addendum to the TASP EIR; and

WHEREAS, the City Council hereby adopts the Memorandums and makes and accepts as its own the findings set forth in **Exhibits 2 and 3** attached hereto; and

WHEREAS, as separate and independent bases, the City Council hereby finds and determines that the Project is exempt from further CEQA review pursuant to (1) CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning; (2) CEQA Guidelines Section 15182 (Projects Pursuant to a Specific Plan); and (3) CEQA Guidelines Section 15168 (Program EIR); and

WHEREAS, the Planning Commission is an advisory body to the City Council pursuant to Milpitas Municipal Code Section XI-10-64.03 (Consideration of Concurrent Applications), where, as here, due to the application for a vesting tentative map pursuant to Milpitas Municipal Code Section XI-1-20.01, the City Council is the highest review authority for the Project, and, accordingly, all review by other bodies with approval authority over the application shall be in the form of a recommendation to the City Council; and

WHEREAS, on October 27, 2021, the Planning Commission held a duly-noticed public hearing, during which meeting the Planning Commission considered the Environmental Assessment No. EA21-0002, as well as the requested Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, and Vesting Tentative Map No. MT21-0001 for 2001 Tarob Court, heard a presentation from staff, and had the opportunity hear from members of the public; and

WHEREAS, by adoption of Resolution No. 21-022, the Planning Commission recommended the City Council approve Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map No. MT21-0001, and Environmental Assessment No. EA21-0002 for 2001 Tarob Court; and

WHEREAS, the documents and other materials which constitute the record of proceedings upon which the City Council bases the findings contained within this Resolution are available and may be reviewed at Milpitas City Hall, located at 455 E. Calaveras Boulevard, Milpitas, California 95035; and

WHEREAS, on January 18, 2022, the City Council held a duly-noticed public hearing, during which meeting the City Council considered the Environmental Assessment No. EA21-0002, as well as the requested Site Development Permit No. SD21-0004 and Vesting Tentative Map No. MT21-0001 for 2001 Tarob Court, heard a presentation from staff, and had the opportunity hear from members of the public; and

WHEREAS, the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence before it as a whole; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

SECTION 1. Recitals

The City Council has considered the full record before it, which may include, but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and incorporated herein by reference.

SECTION 2. California Environmental Quality Act Findings

The proposed Project is covered under the scope of activities approved under the TASP EIR, SCH#2006032091, which was certified by the Milpitas City Council on June 3, 2008. The EIR included a program of activities including construction of up to 7,109 residential units within the TASP area. The proposed 32 residential units fall within this scope of development activity contemplated in the TASP EIR. An earlier environmental assessment for a higher density version of the Project was prepared by LSA Associates. The environmental assessment confirmed that the earlier version of the Project was within the scope of the TASP EIR. The analysis found that the earlier Project was consistent with the TASP EIR and confirmed that the earlier Project was within the scope of development density considered under the TASP EIR. As part of this Project, a subsequent peer review memorandum (Exhibit 3 to the Resolution), prepared by First Carbon Solutions, confirmed that the Project is still within the scope of the TASP EIR and will have no new significant or more severe impacts beyond those identified in the 2019 Environmental Checklist and TASP EIR. LSA prepared a subsequent environmental assessment, in the form of a memorandum (Exhibit 3 to the Resolution), and found that the Consistency Analysis generally meets the requirements of CEQA. The Project is still within the scope of the TASP FEIR and the subsequently prepared Categorical Exemptions prepared for the previous version of the Project in 2019 and would not have any new significant or more severe environmental impacts beyond those that have been previously identified. Policies and/or mitigation measures required of projects covered under the TASP EIR are included as Conditions of Approval. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15168, 15182, and 15183, the Project is exempt from further review under CEQA.

SECTION 3. Vesting Tentative Map Findings (Section XI-1-20.01)

The City Council makes the following findings based on the evidence in the administrative record in support of Vesting Tentative Map No. MT21-0001:

A. The tentative subdivision map is consistent with the General Plan.

The General Plan designation for the Project site is Milpitas Metro Specific Plan (MMSP), but since the City Council has not formally adopted the MMSP, the TASP development standards currently apply. The intent of both the MMSP and TASP standards is to facilitate development of higher intensity, mixed-use neighborhoods near the Milpitas Transit Center and to encourage walking, biking, and the use of alternative modes of transportation.

The TASP designates this project site as High Density, Transit Oriented Residential (HD-TOR). The intent of this designation is to provide high-density housing at a density range of 21-40 dwelling units/acre. As this Project proposes 25 dwelling units/acre, it is consistent with both the intended land use of the General Plan and the relevant density requirement. The Project site was not identified as a potential site for yielding affordable housing units in the City's Housing Element, as the site was zoned for industrial uses prior to October 2017. Therefore, there is no net loss of affordable housing units.

Further, the tentative subdivision map is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 1 below.

Table 1: General Plan Consistency

Policy	Conformance
Policy LU 1-4: <i>Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offers residents of all income levels, age groups and special needs sufficient housing opportunities and choices for locating in Milpitas.</i>	Consistent. The Project provides an additional housing type to meet the needs of various families and residents of all income levels. The Project, as proposed, consists of 32 townhome residential units, ranging from two to three bedrooms. Five of the residential units will be made affordable to moderate-income households. The City would prefer to see higher density development at this location.
Policy LU 5-1: <i>Require new development and redevelopment to be compatible, complementary and, where appropriate, well integrated with existing residential areas. Integrate new large-scale development projects into the fabric of the existing community rather than allowing projects to be insular and self-contained, walled off, or physically divided from surrounding uses. Improve connectivity between neighborhoods and services with new development. Tie circulation systems and open spaces into existing streets and open spaces. Reduce unnecessary barriers and improve connections between neighborhoods and services by retrofitting existing development over time as area improvements or redevelopment occurs.</i>	Consistent. The Project, as proposed, is well integrated with the existing residential developments along Lundy Place and Tarob Court, as the Project has a similar architectural style, building height, multi-family product, and site layout. Additionally, the Project will gain ingress and egress from both Tarob Court and Lundy Place via existing driveway curb cuts, and as a result, the Project will blend seamlessly into the fabric of the existing community. The project will also be compatible and complementary to future high-density residential development planned for other parcels on Tarob Court which are currently developed with light industrial uses but are zoned for redevelopment as similar high-density residential uses.
Policy LU 5-3: <i>Ensure new development is consistent with specific height limits established within the City's Zoning Ordinance as applied through the zoning district for all properties within the City.</i>	Consistent. The Project meets the height standards by proposing two three to four-story buildings, up to 50 feet in height, in a zoning district that allows a maximum height of 75 feet.

B. None of the conditions identified in California Government Code Section 66474 exist, to wit:

1. That the proposed map is not consistent with applicable general and specific plans as specified in Government Code Section 65451.

As set forth in Section 3(A) above, the map proposes the development of the site into 32 residential condominium units at a density of 25 dwelling units/acre. The General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan land use designation applicable to the site (Milpitas Metro Specific Plan (MMSP), and High Density, Transit-Oriented Residential (HD-TOR)) permits residential development at densities of 21 to 40 dwelling units/acre. The map is therefore consistent with the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan.

2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The design and improvement of the subdivision is consistent with the density range of 21-40 dwelling units per acre as permitted by the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan. The proposed density is 25 dwelling units per acre. The proposed project is also consistent with the Milpitas Metro Specific Plan/Transit Area Specific Plan development standards, including height (maximum of 50 feet proposed, where 75 feet is the maximum allowed), number of vehicular parking spaces (64 vehicular spaces proposed, where a maximum of 64 is allowed), bicycle parking (10 spaces proposed, where 3 are required), building orientation (proposed buildings will face streets, where requirement provides building must face streets).

3. *That the site is not physically suitable for the type of development.*

The site is surrounded by property designated for high density, transit-oriented residential development under the City's General Plan and zoned for this type of development under the Milpitas Metro Specific Plan/Transit Area Specific Plan. In addition, this site is suitable for the higher density development based on the location, physical attributes, and proposed infrastructure improvements.

4. *That the site is not physically suitable for the proposed density of development.*

The City Council, through adoption of Resolution No. 8702, has determined that the site is physically suitable for development at the proposed density of 25 dwelling units per acre, insomuch as it has amended the applicable general plan land use designation to High Density, Transit Oriented Residential (HD-TOR), and subsequently Milpitas Metro Specific Plan (MMSP), which currently allows densities of 21-40 dwelling units per acre. The site is also flat and has direct access to adjacent streets (Tarob Court and Lundy Place) to accommodate the proposed density of the development.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The Project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memorandums (Exhibits 2 and 3 to the Resolution). The Memorandums did not find that the Project would be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Project is also located in an urbanized area and previously developed as an industrial building, and therefore, will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

The Project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memorandums (Exhibits 2 and 3 to the Resolution). The Memorandums did not find that the design of the subdivision or type of improvements is likely to cause serious public health problems.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

Upon review of the subdivision map, it has been determined that the design of the subdivision or the type of improvements will not conflict with any easements acquired by the public at large, for access through or use of, property within the proposed subdivision. The subdivision does not involve the vacation of easements; however, the existing right-of-way will be abandoned and portions of the area will be retained for a Public Services Utility Easement (PSUE).

SECTION 4. Site Development Permit Findings (Section XI-10-57.03(F)(1))

The City Council makes the following findings based on the evidence in the public record in support of Site Development Permit No. SD21-0004:

- A. *The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

The Project's site design is consistent with the MMSP/TASP development standards for the Trade Zone/Montague Sub-district. The Project consists of 32 condominium units and associated site amenities on a 1.22-acre site. The building's contemporary architectural design visually relates to and is compatible with the adjacent townhome projects along Tarob Court. The Project also features exterior horizontal blue and green-hued siding. The Project has a strong sense of identity, achieving compatibility and aesthetic harmony with surrounding developments.

- B. *The Project is consistent with the Milpitas Zoning Ordinance.*

The Project site is zoned R3 (Multiple-Family, High Density Residential with a Transit Oriented Development (-TOD) Overlay). Residential uses are permitted in the zoning district. The proposed residential uses are permitted in the zoning district.

The Project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard. As demonstrated in the Table 2, the Project substantially conforms to the zoning district and meets the intent for this type of project envisioned in this area.

Table 2:
Summary of TASP R3-TOD Development Standards

Standard (R3-TOD)	Requirement	Proposed	Compliance (Y/N)
Density	21-40 du/ac	25 du/ac	Y
Setbacks			
Front (min/max)	8 foot-15 foot (max.) from back of sidewalk	15 feet	
Side	15 foot (min.), 20 foot over three stories when abutting residential	26 – 47 feet	Y
Rear	15 foot (min.), 20 foot over three stories when abutting residential	20-28 feet	
Height	Up to 75 feet	49-feet-11-inches	Y
Private Open Space	An average of 200 SF of usable open space shall be provided for each dwelling unit. Balconies, porches, or roof decks may be considered usable	Private recreational area: 0.14 acres	Y

	open space when properly developed for work, play or outdoor living areas. At least thirty (30) percent of required open space shall be contiguous to and provide for private usable open space of the individual dwelling unit. 200 x 32 = 6,400 SF = 0.15 acres Each dwelling unit shall be provided with private open space as follows: - Balconies and porches (above ground level): minimum 60 SF; or - Patios (at ground level): minimum one hundred square feet.	Private open space (balconies) = 1784 SF/building = 1784 x 2 = 3,568 SF = 0.08 acres Total private open space = 0.22 acres = 299.5 SF/unit Private balconies provided for every unit	Y
Landscaping	A minimum of twenty-five percent (25%) of the total lot area shall be landscaped or recreational open space, exclusive of parking and vehicular traffic area. 25% x 1.22 = 0.31 acres	0.46 acres (37.7%)	Y
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awning may project up to six feet into required setbacks.	None	Y
Building Orientation and Entrances	Building must face the street; and primary building entrances must be oriented toward the street.	Buildings face Tarob Court, which is the project's primary street frontage.	Y
Vehicle Parking	Two to Three Bedrooms: 1.6 covered (min), two (2) covered (max) Guest: 20% of the total spaces required = 10	64 tandem spaces in 32 garages (2 per unit) 9 guest spaces	This is permitted under Gov. Code, § 65915(p)(1) under State Density Bonus Law
Bicycle Parking	One space per four housing units, exempting those with private garages; on-street guest racks equivalent to five percent (5%) of parking requirement.	10 public spaces provided plus project has 32 private garages	Y
Parking Structure and Parking Lot Location	Parking must be located so that it is not visible from the street.	32 private garage entrances face interior drive aisle	Y
Parking Access and Curb Cuts	Maximum two curb cuts per lot per street frontage	One curb cut along each street frontage	Y
Tandem Parking	May be allowed with a Conditional Use Permit pursuant to MMC Section 53, Off-Street Parking Regulations of	All residential unit parking is tandem (64 spaces).	This is permitted under Gov. Code, §

	City's Zoning Ordinance; maximum of fifty percent (50%) of parking required for residential uses may be tandem parking in projects with private individual garages.		65915(p)(5) under State Density Bonus Law
Park Acreage Requirements	0.03 acres (after payment of TASP/MMSP fee)	0.12 acres proposed, which includes private recreation areas along the southern end of the site	Y

C. *The Project is consistent with the Milpitas General Plan.*

The Project is consistent with the Milpitas General Plan in that the project, as proposed and conditioned, conforms to the density and land use envisioned by the Plan. In addition, see the general plan consistency findings set forth in Section 3 above in support of issuance of the Vesting Tentative Map.

D. *The Project is consistent with the Transit Area Specific Plan.*

The proposed Project is consistent with the applicable policies and design guidelines of the TASP/MMSP, as demonstrated and outlined in Tables 2 and 3. As the Project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

Table 3: TASP/MMSP Consistency

Policy	Conformance
<i>Policy 3.4:</i> <i>Provide a variety of housing types for different types of households, different income levels, different age groups, and different lifestyles.</i>	Consistent. The proposed project will provide various housing types, including two and three-bedroom units for sale at market-rate and five of the 32 units will be for sale to moderate-income individuals or households, consistent with the City's goal of providing housing for various households and income levels. The City would prefer to see higher density development at this location.
<i>Policy 3.17:</i> <i>New streets shall be located as generally shown on the Street System Map, Figure 3-2 within the TASP</i>	Consistent. A portion of the project's TASP fees will contribute to the new Tarob Court configuration, designed to replace the cul-de-sac with a local street and connection to Sango Court.
<i>Policy 3.2:</i> <i>Affordable housing units should be provided with new housing developments. Determine affordable unit requirements on a project-by project basis, considering the size of the project, the location of the site, and the mix of affordable units in the Midtown Area. Allow housing developments of 12 units or less to pay a fee in lieu of providing affordable units.</i>	Consistent. The project conforms to the City's Affordable Housing Ordinance and will designate five out of the 32 units, or fifteen percent (15%) of the base number of units, for moderate-income level individuals or households.

Policy	Conformance
Policy 3.3: <i>Affordable housing should be integrated into all residential projects.</i>	Consistent. The project will designate five residential units for sale to moderate-income individuals or households and the units will be dispersed throughout the project site.

SECTION 5. Conditional Use Permit Findings (Section XI-10-57.04(F))

The City Council makes the following findings based on the evidence in the public record in support of Conditional Use Permit No. UP21-0005:

- A. The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare.*

The Project will not be detrimental or injurious to property or improvements in the vicinity, nor to the health, safety or general welfare. The project is consistent with other high density residential projects within the TASP. The condominium project creates housing opportunities and increases the diversity of housing types in the TASP area.

- B. The Project is consistent with the Milpitas Zoning Ordinance.*

The Project is consistent with the Zoning Ordinance, as the condominium use is conditionally permitted per MMC Table XI-10-4.02-1. The project substantially conforms to most of the development standards set forth by the Zoning Ordinance, as discussed in the Zoning Ordinance consistency discussion set out in support of issuing a Site Development Permit.

Moreover, the Project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the Project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

- C. The Project is consistent with the Milpitas General Plan.*

As stated in the Site Development Permit discussion above, the Project implements the range of uses and the density of development set forth in the Milpitas General Plan.

- D. The Project is consistent with the Transit Area Specific Plan.*

As stated in the Site Development Permit discussion above, the Project implements the range of uses, the density of development and the development standards as set forth in the TASP.

SECTION 6: Density Bonus (Section XI-10-54.15(D), (F))

The City Council hereby finds that the Project complies with the requirements necessary to qualify for the requested deviations under the State Density Bonus Law and Milpitas Municipal Code Section XI-10-54.15, and, as such, the City Council hereby makes the following findings based on the evidence in the public record:

- 1. Determination of Maximum Allowable Densities. The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

Based on 15% affordability, with 5 units (15%) reserved for moderate-income households, the proposed Project is eligible for a 5% density bonus. The maximum allowable density in the R3-TOD Zoning District is 40 du/ac, which would yield 42 units on the subject 1.22-acre parcel. The proposed 32-unit development is less than the allowable 5% density bonus. Under the State Density Bonus Law, the applicant is entitled to receive the 5% density bonus as a matter of right.

2. *Unit Type and Location. All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the non-affordable units in terms of appearance, materials and finished quality. The Planning Commission may recommend to the City Council and/or Housing Authority modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.*

This standard is satisfied, as the Project proposes five units to be reserved for moderate-income households. These five three-bedroom units will be dispersed throughout the two multi-family buildings.

3. *Agreement. Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.*

The Project will be conditioned to execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for thirty (30) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. If the City does not grant at least one (1) additional concession or incentive, in addition to a density bonus as specified in Section XI-10-54.15(E), Density Bonus Conditions, of this Chapter, the developer shall agree to, and the City shall ensure continued affordability for a minimum of ten (10) years of all lower or very low-income housing units receiving a density bonus.*

The designated affordable units will be required to remain for a minimum of 50 years as stated in the Conditions of Approval and will require a Regulatory Agreement to be recorded over the Project site.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

This finding does not apply to the Project. The Project provides five for-sale units, or fifteen percent of the 32 units, to moderate-income households.

6. *Relation to State. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.*

Any density bonus requirements not specified in the City's Municipal Code shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.

Waivers and Modifications of Development Standards

In accordance with Government Code Section 65915 and MMC Section XI-10.54.15(F)(6), the City must grant waivers of development standards if the applicant demonstrates the waiver is necessary to make the affordable housing units economically feasible and can only deny such waiver request if the City makes the findings specified in MMC Section XI10.54.15(F)(3) based on substantial evidence:

- a. *The concession is not required in order to provide for affordable housing costs as defined in State Health and Safety Section 50052.2 or for rents for the affordable units pursuant to Section XI-10- 54.15(D)(5), Standards, of Chapter 10 (Zoning) of the Milpitas Municipal Code.*
- b. *The concession would have a specific adverse impact as defined in State Government Code Section 65589.5(d) (2) upon the public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.*

If findings cannot be made, the requested waivers must be granted, based on the requirements of the Municipal Code and California Government Code Section 65915.

The City does not have substantial evidence to demonstrate that the proposed modifications to the development standards as described in the Table 2 above would fail to result in actual and identifiable cost savings, and/or that these savings are unnecessary to provide the level of affordability proposed. Moreover, the City has no substantial evidence that any of the requested concessions or waivers would result in any specific, adverse impacts to public health, safety, the physical environment, or historical resources. Accordingly, the City Council hereby approves such requested waivers.

SECTION 7. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held incorrect, invalid, illegal, or unenforceable, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed each section, subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared incorrect, invalid, illegal, or unenforceable.

SECTION 8. City Council Approval

The City Council hereby approves Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map No. MT21-0001, and Environmental Assessment No. EA21-0002, based on the above findings and subject to the Conditions of Approval attached hereto and incorporated herein as **Exhibit 1**.

PASSED AND ADOPTED this 18th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Wendy Wood, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

EXHIBIT '1'

CONDITIONS OF APPROVAL 2001 TAROB COURT RESIDENTIAL DEVELOPMENT

**SITE DEVELOPMENT PERMIT NO. SD21-0004
CONDITIONAL USE PERMIT NO. UP21-0005
VESTING TENTATIVE MAP NO. MT21-0001
ENVIRONMENTAL ASSESSMENT NO. EA21-0002**

GENERAL CONDITIONS

1. General Compliance: The Permittee and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. This **SITE DEVELOPMENT PERMIT SD21-0004, CONDITIONAL USE PERMIT UP21-0005, VESTING TENTATIVE MAP MT21-0001, and ENVIRONMENTAL ASSESSMENT EA21-0002** and associated permits noted above (collectively "Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed.
2. Effective Date: Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the City Council approved this Permit.
3. Acceptance of Permit: Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
 - a. Acceptance of this Permit by Permittee; and
 - b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.
4. Modifications to project. Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission, in accordance with the Zoning Ordinance. **(P)**
5. Conditions of Approval. As part of the issuance of building permits, the Permittee shall include within the first four pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the Project. **(P)**
6. Written Response to Conditions. The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. **(ALL)**
7. Permit Expiration: Pursuant to Section XI-10-64-06 of the Milpitas Municipal Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Municipal Code, an activity permitted by this Permit shall be deemed to have commenced when the Project:
 - a. Completes a foundation associated with the Project; or
 - b. Dedicates any land or easement as required from the zoning action; or

- c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner. **(ALL)**
8. Time Extension: Pursuant to Section XI-10-64.07 of the Milpitas Municipal Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**
9. Project Job Account: If at the time of application for building permit there is a project job account balance due to the City for recovery of review fees or consultant time, including City Attorney time, the review of permits will not be initiated until the balance is paid in full. **(P/E)**
10. Notice: Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the Permittee may file a protest has begun under California Government Code Section 66020(d)(1). **(ALL)**
11. Cost and Approval: Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the Project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. **(ALL)**
12. Conditions: Each and every condition set forth in this Exhibit shall apply to the Project and continue to apply to the Project so long as the Project is operating under the permits and approvals in this Resolution. **(ALL)**
13. Compliance with Laws: The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state and federal laws, rules, regulations, guidelines, requirements and policies. **(CAO/P/E/B)**
14. Indemnification: The project applicant, and its heirs, successors, and assigns, shall indemnify, defend with counsel of the City's reasonable choosing, and hold harmless City and its City Council, its boards and commissions, officials, officers, employees, and agents (the "Indemnified Parties") from and against any third party claim, action, or proceeding against City and/or the Indemnified Parties to attack, review, set aside, void, or annul the City's approval of the Project, including adoption of Site Development Permit No. SD21-0004 and Vesting Tentative Map MT21-0001, and including any environmental determination made therefore. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, reasonable attorneys' fees, and other reasonable expenses incurred in connection with such claim, action, causes of action, suit or proceeding. The applicant shall pay to the City upon demand or, as applicable, on a monthly basis to counsel of City's reasonable choosing, amounts owed pursuant to the indemnification requirements prescribed in this condition, provided each such demand or monthly payment request includes reasonably detailed back-up documentation, including invoices and/or receipts, as applicable, for all amounts to be paid. Notwithstanding the foregoing, City shall have the right to redact invoices and/or receipts as necessary to preserve attorney-client privilege. City shall promptly notify the project applicant of any claim, action, or proceeding and shall engage in reasonable efforts to cooperate in the defense. If City fails to so promptly notify the project applicant, or if City fails to engage in reasonable efforts to cooperate in the defense, then the project applicant's indemnification obligations as set forth in this condition of approval shall thereafter terminate. The project applicant shall not be required to pay or perform any settlement unless the settlement is approved by the project applicant. **(CA)**
15. Certificate of Insurance: Permittee shall provide certificate of insurance and name City as an additional insured in its insurance policies for the Project.
16. Revocation, Suspension, Modification: This Permit may be suspended, revoked or modified in accordance with Section XI-10-63.06 of the Milpitas Municipal Code.

17. Severability: If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding and fully enforceable.
18. Compliance with Fire Department and California Fire Code: The project shall comply with the requirements of the Milpitas Fire Department and the California Fire Code, as adopted by the City and stated per Fire Memorandum, dated August 4, 2021. Changes to the site plan and/or buildings requires review and approval by the Fire Department. **(F)**
19. Compliance with Building Department and California Building Code. The Project shall comply with the requirements of the Building, Safety and Housing Department and the California Building Code (CBC) as adopted by the City and stated per Building Memorandum, dated May 13, 2021. Changes to the site plan and/or building(s) requires review and approval by the Building, Safety and Housing Department. **(B)**
20. Development in Conformance with Approved Plans: Permittee shall develop the approved Project in conformance with the plans dated September 10, 2021 and approved by the City Council on January 18, 2022, in accordance with these Conditions of Approval. Any deviation from the approved site plan, elevations, materials, colors, landscape plan or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review, and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**

PLANNING AND HOUSING CONDITIONS

21. Landscape: All approved landscaping shall be permanently maintained and replaced with substantially similar plant material as necessary to provide a permanent, attractive and effective appearance. **(P)**
22. Street Lights: Permittee shall provide street lighting along all street frontages subject to the review and approval of the Planning Division. Permittee shall likewise install pedestrian scale lights along all public and private street frontages. The Permittee shall submit a photometric plan to determine appropriate light levels with submittal of on-site improvement plans. **(P)**
23. Parking: Parking shall be provided as depicted on the Site Plan approved by the City Council and shall consist of the following:
 - a. RESIDENT: 32 individual tandem garages to provide a total 64 parking spaces.
 - b. GUEST: A total of 9 guest spaces are to be provided in the internal driveway. **(P)**
24. Bicycle Racks: A minimum of ten (10) short-term bicycle parking spaces shall be installed on the site. **(P)**
25. Trees: The project will remove 34 trees and replace with 128 trees, in conformance with the plans approved by City Council on January 18, 2022. **(P)**
26. Public Art Requirement: Permittee shall comply with the City's Public Art Requirements for Private Development, as set forth in Milpitas Municipal Code Section XI-10-14. Fee shall be no less than one-half of one percent of building development costs and shall be payable at time of building permit issuance. **(P)**
27. Affordable Housing Requirement: Permittee shall comply with the City's Affordable Housing Ordinance, as set forth in Milpitas Municipal Code Section XI-1-3.00. All new residential development projects of ten units or more designed and intended for permanent occupancy shall construct 15 percent of the total number of dwelling units within the development as affordable units, unless otherwise remedied by the City Council. **(H)**

28. Agreement. Prior to final building inspection and occupancy for a project containing affordable units, the Permittee shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation. **(H)**
29. Density Bonus: Permittee shall provide 32 residential units, with 5 of the units designated as affordable. The Project may have the following deviations as permitted under Gov. Code, § 65915(p)(1):
- Allow tandem parking for all 32 private individual garages.
 - Reduction of 1 required guest parking space. **(P)**

PLANNING & BUILDING PROJECT-RELATED TASP MITIGATION MEASURES & REQUIRED PROJECT DESIGN FEATURES

Biological Resources (TASP Policy 5.26)

30. Nesting Birds: To mitigate impacts on non-listed special-status nesting raptors and other nesting birds, a qualified biologist will survey the site for nesting raptors and other nesting birds within 14 days prior to any ground disturbing activity or vegetation removal. Results of the surveys will be forwarded to the U.S. Fish and Wildlife Services (USFWS) and CDFG (as appropriate) and, on a case-by-case basis, avoidance procedures adopted. These can include construction buffer areas (several hundred feet in the case of raptors) or seasonal avoidance. However, if construction activities occur only during the non-breeding season between August 31 and February 1, no surveys will be required. **(P)**

Noise (TASP Policy 5.10))

31. Noise Insulation: Prior to issuance of any building permit, Permittee shall demonstrate that the Project will meet the required 45 dBA maximum interior noise standard.

Air Quality (TASP Policy 5.16)

32. Dust Control Emissions: During the construction of the Project, Permittee shall comply with all of the following:
- All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas and unpaved roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand or other loose material off the site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day or more often if determined necessary by City Engineer or designee. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 MPH.
 - All roadways, driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. **(B)**
33. ROG Emissions: Prior to issuance of any building permit, Permittee shall develop, submit and obtain approval from the City of a plan to reduce ROG emissions by 17 percent or greater during the architectural coating phase of the

construction. Acceptable measures to achieve this goal include, but are not limited to, using paint that contains 125 grams per liter of VOC or less, the use of pre-fabricated building materials, or a combination of both. The plan shall be implemented as approved by the City. **(B)**

Cultural Resources (TASP Policies 5.34 and 5.35)

34. Archeological Monitoring: Any future ground disturbing activities, including grading, in the Transit Area shall be monitored by a qualified archaeologist to ensure that the accidental discovery of significant archaeological materials and/or human remains is handled according to CEQA Guidelines §15064.5 regarding discovery of archeological sites and burial sites, and Guidelines §15126.4(b) identifying mitigation measures for impacts on historic and cultural resources (see Public Resources Code §§21083.2, 21084.1). In the event that buried remains are encountered, work shall be halted in the immediate area and the Santa Clara County coroner and the City of Milpitas Department of Planning and Department of Building shall be immediately contacted to determine the nature of the remains and related appropriate mitigation plan. If remains are determined to be of Native American origin, the coroner will then contact the Native American Heritage Commission (NAHC), which will in turn contact the appropriate Most Likely Descendent (MLD). The MLD will then have the opportunity to make a recommendation for the respectful treatment of the Native American remains and related burial goods. **(P/B)**
35. Paleontological Monitoring: All grading plans for development projects involving ground displacement shall include a requirement for monitoring by a qualified paleontologist to review underground materials recovered. In the event fossils are encountered, work in the area shall be halted and the City of Milpitas Department of Planning and Department of Building shall be immediately contacted to determine the nature of the remains and related appropriate mitigation plan. A qualified paleontologist shall evaluate the fossils, and steps needed to photo-document or to recover the fossils shall be taken. **(P/B)**

ENGINEERING CONDITIONS

PRIOR TO CONSTRUCTION PLAN SUBMITTALS

*The following conditions shall be met **prior to** any detailed construction plan check submittals (Building or Engineering, except demolition and rough grade plans), unless otherwise approved by the Director of Engineering/City Engineer. City reserves the right to reject any plan check submittal if any of the following conditions are not met. **(E)***

36. Modifications: The Site Development Plan dated September 10, 2021 is subject to change during the plan check stage based upon City's previous comments and conditions stated herein.
37. Solid Waste and Recycling Handling Plan: Permittee shall submit final Solid Waste and Recycling Handling Plan based upon City's previous comments for City's review and approval by the Engineering Department. The subject Plan shall show calculations of waste generation volumes and how materials will be transferred from the waste generation areas to the trash enclosure/external collection point; demonstrate how recycling shall have a separately maintained process from garbage handling; demonstrate how compost shall have a separately maintained process from garbage handling; address other requirements such as waste generation and property management responsibility for bin management and litter control; and procure sufficient service frequency.
38. Recycle Water Cross-Connection Specialist: In order to comply with the California Code of Regulations Title 17 and 22, and for timely plan approval by the California State Water Resources Control Board/Division of Drinking Water as well as by the South Bay Water Recycling, Permittee must hire a certified cross-connection specialist for their consultation as to irrigation water system design and construction phasing. The name and contact information of the certified cross-connection specialist shall be provided on all landscape submittal plans.
39. Submittal Requirements: Permittee to ensure that all plan check submittals are in accordance with City's submittal check list for each construction permit type, including but not limited to, payment of permit fees and/or fee deposit at the time of the submittal.

40. Project Job Account/Fee Deposit: Permittee shall open a new PJ account as a deposit to cover the costs for Engineering Department's services for review and inspection of the project. The amount shall be determined based on the public improvement cost estimates as prepared by the Permittee's engineer.

PRIOR TO FINAL MAP APPROVAL/RECORDATION

*The following conditions shall be addressed during the final map plan check process and shall be met **prior to** any final approval/recordation (except demolition permit and rough grade permit), unless otherwise approved by the Director of Engineering/City Engineer. (E)*

41. Dedication on the Final Map: Permittee shall dedicate necessary emergency vehicle access easements, public service utility easements, street easements, public access easement and other public easements deemed necessary for the project.
42. Abandonment/Quitclaim Easements: Permittee shall abandon/quit claim existing easements that are in conflict with or unnecessary for the project.
43. Partial Street Vacation: This project is subject to and contingent upon partial vacation on Tarob Court.
44. Easements on the Final Map: Permittee shall depict all existing easements to remain based upon current preliminary title report and depict new easements on the final map.
45. Concurrent Off-site Plan Reviews: Permittee shall submit separate off-site improvement plans for City's review and approval by the Engineering Department.
46. Street Name Approval: Permittee shall obtain approval from the City Council for all new street names based upon recommendation from the Planning Commission and City guidelines.
47. Utility Company Approval: Permittee shall obtain approval documentation from utility companies (PG&E, AT&T, Comcast) for abandonment of existing and dedication of new public service utilities easements.
48. Covenant, Conditions & Restrictions (CC&Rs): Permittee shall provide CC&Rs for City's review and approval for perpetual maintenance of private roadways, private utilities, stormwater management facilities in accordance with a separately recorded Stormwater Management Facilities Operation and Maintenance Agreement. There shall be provisions in the CC&Rs to retain a recycled water site supervisor with annual re-certification report to the City's Public Works Department.
49. Subdivision Improvement Agreement and Securities: Permittee shall execute a Subdivision Improvement Agreement and provide improvement securities in accordance with MMC Title XI, Section 17, and submit all other supplemental documents as stipulated in the Improvement Agreement (such as certificate of insurance).
50. Annexation to the Community Facilities District: Permittee shall submit an executed petition affirmatively consenting to annex the subject property to the Community Facilities District (CFD) 2008-1, and agree to pay the special taxes levied by the CFD 2008-1 for the purpose of maintaining the public services. The CFD annexation process shall be completed prior to final map approval. Permittee shall comply with all rules, regulations, policies and practices established by the State Law and/or by the City with respect to the CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents. This condition of approval is nonseverable from the Permit and invalidation or limitation of this condition invalidates the Permit, condition 14 notwithstanding.
51. Easement Acquisition for Pedestrian Path: Permittee shall acquire a Public Sidewalk and Service Utility Easement (PSSUE) where proposed sidewalks or walkways encroach onto private properties, or present an alternative path that doesn't encroach onto private property will be required prior to the issuance of the building site improvement permit

PRIOR TO OFF-SITE PLAN APPROVAL/ENCROACHMENT PERMIT ISSUANCE

*The following conditions shall be addressed as part of the off-site improvement plan review and shall be met **prior to** encroachment permit issuance, unless otherwise approved by the Director of Engineering/City Engineer. (E)*

52. Coordination with other Projects: Permittee shall coordinate with City of San Jose obtain encroachment permits for any work within their jurisdiction.
53. Public Improvement Design Standards: All public improvements shall be designed and constructed in accordance with all applicable public improvement design standards, including but not limited to:
- a. Milpitas Design Guidelines: (<http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/design-guidelines/>);
 - b. Standard details and specifications: (<http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/standard-details-and-specifications/>);
 - c. Transit Area Specific Plan design guidelines: (http://www.ci.milpitas.ca.gov/_pdfs/engDesignGuidelines/en_dg_vi_transitAreaSpecific.pdf); and
 - d. Americans with Disabilities Act (ADA) requirements, where applicable.
54. Sanitary Sewer Calculations: Permittee shall submit a completed “Sewer Needs Questionnaire” form and sanitary sewer calculations to justify lateral size design, allocation of discharge for each of the lateral, and impact to the existing main. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.
55. Storm Drain Design: Permittee shall submit storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full, without surcharging the main line pipe, and to be reviewed and approved by the Engineering Department.
56. Domestic Water and Fire Service Calculations: Permittee shall submit potable water and fire service calculations to confirm adequacy of lateral size, pressure and flow, to be reviewed and approved by the Engineering Department and Fire Department. Hydraulic modeling analysis by the City and paid by the Permittee may be required as needed. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.
57. Specific Improvements: In addition to standard public improvements required under Milpitas Municipal Code (MMC) Title XI, Chapter 1, Section 7, Permittee shall install other specific improvements listed below including incidental improvements as required by the City as part of the encroachment permit.
- a) Installation of separate water service tap and meter for each of the following services: residential and irrigation.
 - b) Installation of separate utility service lines (domestic water, fire service, sanitary sewer) for residential and non-residential.
 - c) Installation of radio-transmitted water meters with a meter antenna, any repeaters or transmitters as needed with dedicated power supplies at no cost to the City at locations acceptable to the City to ensure accurate and timely reception of meter readings. Permittee shall execute a recorded instrument providing dedicated space, access rights and dedicated power supplies to the City for operation/maintenance/repair/replacement of subject radio antenna.
 - d) Installation of half street width asphalt concrete grind and overlay with as needed base repair along the project street frontage on Tarob Court and Lundy Avenue to the City Engineer’s satisfaction.
 - e) Installation of new street trees along the project frontage. The locations, spacing of trees and tree species shall be in compliance with applicable City standards and details.
58. Abandonment of Existing City Utilities: Permittee shall cap, abandon or remove any unused existing public utilities based upon City’s Abandonment Notes and to the City’s satisfaction.

59. Relocation and Adjustment of Existing Public Utilities: Permittee shall relocate and/or adjust existing public utilities as needed that are in conflict with the proposed improvements.
60. Water Service Agreement: Permittee shall complete a water service agreement to obtain water service.
61. Wet Utility Separation Requirements: A minimum one (1) foot vertical separation, and 10 foot horizontal separation is required between water and sewer/storm. Please ensure all horizontal and vertical separations meet the CCR title 22 requirements.
62. Recycled Water: Per the TASP Area Specific Plan, new developments shall include recycled water lines for irrigation.
63. Encroachment Permit: Prior to any work in the public right-of-way and/or public easement, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Engineering Department.
64. Pothole Encroachment Permit: Due to multiple new utility service connections on Tarob Court, Lundy Place and any other public place where work will take place. Permittee shall pothole and verify all potential utility crossing conflict as part of the public improvement plan during the design stage.

PRIOR TO BUILDING PERMIT ISSUANCE

*The following conditions shall be addressed during the building plan check process and shall be met **prior to** any building permit issuance (except demolition permit and rough grade permit), unless otherwise approved by the Director of Engineering/City Engineer. (E)*

65. Final Map Recordation: Permittee shall record the final map.
66. Easements on the Building Permit Plans: Permittee shall depict all existing easements to remain based upon current preliminary title report and depict new easements on applicable building permit plans.
67. Stormwater Facility Operation & Maintenance Plan: Permittee shall incorporate design details into applicable construction plans in accordance with City approved Storm Water Control Plan (SWCP). Permittee shall also submit Stormwater Facility Operation & Maintenance Plan that describes operation and maintenance procedures needed to ensure that treatment Best Management Practices (BMPs) and other storm water control measures continue to work as intended and do not create a nuisance (including vector control).
68. Stormwater Management Facilities O&M Agreement: Permittee shall execute and record a Stormwater Management Facilities Operation and Maintenance (O&M) Agreement associated with the SWCP O&M Plan, including perpetual maintenance of treatment areas/units, as reviewed and accepted by the Engineering Department. The subject O&M Agreement shall be referenced in the CC&Rs, if applicable.
69. Water Supply and Force Majeure. The City reserves the right to suspend the issuance of building permits in case of an emergency declaration of water supply in the case of a major catastrophic event that restricts City's assurance to provide water supply.
70. Recycle Water Approval: Permittee shall use recycled water for landscape irrigation purpose. Permittee shall comply with California Code of Regulations (CCR), Title 22, Division 4, Chapter 3, titled "*Water Recycling Criteria*", CCR, Title 17, Division 1, Chapter 5, Subchapter 1 titled "*Drinking Water Supply*" and all other recycled water regulations as listed under the publication titled "*California Department of Public Health Regulations Related to Recycled Water June 18, 2014*". Permittee shall obtain approval from the California State Water Resources Control Board/Division of Drinking Water, South Bay Water Recycling and the City for recycled water design, including but not limited to on-site irrigation design, based upon South Bay Water Recycling Guidelines and City of Milpitas Supplemental Guidelines. All landscape plants shall be compatible with recycled water.

71. Water Efficient Landscapes: Permittee shall comply with Milpitas Municipal Code Title VIII, Chapter 5 (Water Efficient Landscapes) for landscape design, including but not limited to, providing separate water meters for domestic water service and irrigation service and providing applicable landscape documentation package.
72. Solid Waste, Compost, and Recycling Facility Design: Permittee shall comply with all applicable City and CA State SB1383 design guidelines/details associated with haul route, turning radius, vertical and horizontal clearance, staging area, storage area, etc.
73. Recycling Report Prior to Demolition Permit Issuance: Permittee shall submit Part I of a Recycling Report on business letterhead to the Building Department, for forwarding to the Engineering Department for review and approval. The report shall describe the following resource recovery activities:
- What materials will be salvaged.
 - How materials will be processed during demolition.
 - Intended locations or businesses for reuse or recycling.
 - Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.
- Permittee shall make every effort to salvage materials for reuse and recycling, and shall comply with the City's demolition and construction debris recycling ordinance.
74. Recycling Report Prior to Building Permit Issuance: Permittee shall submit Part II of the Recycling Report to the Building Department, for forwarding to the Engineering Department. Part II of the Recycling Report shall be supported by copies of weight tags and/or receipts of "end dumps." Actual reuse, recycling and disposal tonnage amounts (and estimates for "end dumps") shall be submitted to the Building Department for approval by the Engineering Department prior to inspection by the Building Department.
75. Flood Plain Management: This project is in the Flood Zone "AO" with 1' average flood depth, therefore, Permittee shall comply with all applicable flood protection criterion required by the Federal Emergency Management Agency (FEMA) and MMC Title XI, Chapter 15. Permittee shall also submit a Flood Study for the Project demonstrating, to the satisfaction of the City Engineer, that the proposed development has no adverse impact to the surrounding flood plain within the Special Flood Hazard Area (SFHA) and to the flood carrying capacity of the area. The study should include cumulative effects of existing and proposed developments demonstrating the combined effects will not increase the water surface elevation of the Base Flood Elevation (BFE) more than one foot at any point. For the AO Flood Zone, the flood study is required to establish the BFE, and set the building elevation accordingly. The flood study shall be consistent with the requirements in accordance with Title 44 of the Code of Federal Regulations by establishing a hydraulic model and HEC-RAS. The study shall clearly identify the lowest floor elevation as being either the bottom of garage, bottom of first floor residential units, bottom of elevator pit, etc. and shall be completely elevated out of the SFHA.
76. Mailboxes: The Permittee shall coordinate with US Postal Services regarding placement of required mailboxes. Mailbox location shall not be on public street frontages and shall be approved by City and US Postal Services prior to building permit issuance. Mailbox locations shall be shown on the improvement plans and Permittee shall submit a letter to the City's Land Development Engineering Section from the Post Master approving the location of the mailbox. Structures to protect mailboxes may require Building, Engineering and Planning Department review.
77. Stormwater Control Plan: Permittee shall submit City approved final Stormwater Control Plan (SWCP) that complies with the latest Municipal Regional Stormwater NPDES Permit, including Low Impact Development (LID) Section C3.c.i.(2)(b) measures for harvesting and reuse, infiltration, or evapo-transpiration, for City's review and approval by the Engineering Department.

78. Photometric Analysis: Permittee shall submit streetlight photometric analysis for City’s review and approval by the Engineering Department along Tarob Court and Lundy Place, that meet the Illuminating Engineering Society of North America (IESNA), RP8, for roadway and sidewalk lighting standards and City standard design guidelines.

79. Development Fees: Permittee shall pay the following development fees. The following fees, listed in items “a” through “g” shall be paid at the fee rate in effect as of March 25, 2021, apart from those fees subject to increase resulting from an automatic annual adjustment based on an independently public cost index that is referenced in the ordinance or resolution establishing the fee. The exact fee amount shall be determined at the time of building permit fee payment.

- a. Transit Area Specific Plan fee at \$44,009/unit for residential uses. Based on approval for development of 32 units, the estimated Transit Area Specific Plan Development Impact Fee for this project is \$1,408,288 (\$44,009/unit x 40 units). TASP fees shall be paid prior to building permit issuance.
- b. Parkland:
 1. The project is required to dedicate 0.28 acres of parkland, equivalent to \$777,472.82 fees-in-lieu.
 2. The park portion of the TASP fee is valued at \$690,061.12, equivalent to 0.25 acres. This will be applied to the project parkland requirement.
 3. The applicant will receive credit for 0.12 acres of private recreation space on site. Upon demonstration of provision of this private recreation space to the satisfaction of the Director of Planning or his/her designee, no additional parkland fees will be due, per table below.

2001 Tarob Court Unit Count	32
2001 Tarob Court Population Estimate	80 persons
TASP Parkland Requirement	3.5 acres/1,000 people or equivalent fees-in-lieu
PARKLAND ACREAGE DUE/FEE EQUIVALENT	0.28 acres/\$777,472.82
Amount Satisfied Through TASP Fees (Acreage/Dollars)	0.25 acres/\$690,061.12
REMAINING DELTA TO BE SATISFIED (Acreage/Dollars)	0.03 acres/\$87,411.70
Private Recreation Acreage Approved by City	0.12 acres
TOTAL ACREAGE/FEEES PROVIDED	0.28 acres
REMAINING ACREAGE/FEE REQUIREMENT TO BE MET	0.0 acres/\$0
BALANCE OF PARKLAND ACREAGE/FEEES DUE	0.0 acres/\$0

- c. Storm water connection fee at \$16,771/acre for residential and \$21,562/acre for commercial.
- d. Water connection fee at \$1,164/unit for residential and \$5.97/gpd for commercial, based upon increased water usage.
- e. Sewer connection fee at \$1,406/unit for residential and \$8.52/gpd for commercial, based upon increased average wastewater flow.
- f. 3.8% of applicable fees in accordance with City Resolution No. 8969 as Permitting Automation Fee.

- g. FEMA Flood Zone Designation Letter fee in the amount of \$100.00 each. (If needed)

DURING CONSTRUCTION

*The following conditions shall be complied with at all times **during** the construction phase of the project, unless otherwise approved by the Director of Engineering/City Engineer. (E)*

80. Dewatering: If dewatering is needed during construction, Permittee shall obtain a Short-Term Industrial Wastewater Permit from the San Jose/Santa Clara Water Pollution Control Plant for discharging the groundwater to a sanitary sewer system.
81. On-site Recycle Water Coordination: Permittee's cross-connection specialist shall coordinate the phasing of the construction; facilitate the cross-connection testing in order to minimize the impact for occupied buildings during cross-connection testing; sign-off before the water meter set; coordinate on-site construction inspection; complete the site inspection; fill out required paperwork/questionnaire; and provide them to the City for forwarding to South Bay Water Recycling. Developer shall notify SBWR 7 days in advance to schedule attendance of SBWR inspector during Cross-connection Test.
82. Prohibition of Potable Water Usage: Permittee shall use recycled water for construction purposes, including dust control and compaction. Permittee shall comply with MMC VIII-6-5.00 and 6-6.00 where potable water usage is prohibited, unless otherwise approved by the City Council.
83. Construction Staging and Employee Parking: Permittee shall place all construction related materials, equipment, and arrange construction workers parking on-site and not located in the public right-of-ways or public easements.
84. Water Shut-down Plan: Permittee shall provide a water shut-down plan at least seven days in advance of the shut-down in coordination with the Engineering Inspector, and notify affected property owners/tenants when cut-in tee(s) is/are required.

PRIOR TO FIRST OCCUPANCY

*The following conditions shall be met **prior to** first building occupancy on either lot, unless otherwise approved the Director of Engineering/City Engineer.*

85. Completion of Public Improvements: Permittee shall complete all public improvements, including but not limited to improvements along Tarob Court and Lundy Place as shown on City approved plans.
86. LOMR-F: Permittee shall submit the FEMA approved LOMR-F for each unit/building associated with the requested occupancy, if project is located in the SFHA.
87. Elevation and/or Flood Proofing Certificate: Permittee's civil engineer shall submit Elevation and/or Flood Proofing Certificate for the lowest finished floor elevation of each building for City record.
88. Landscape Certificate of Completion: Permittee shall submit a Certificate of Substantial Completion that complies with the Milpitas Municipal Code Water Efficient Landscapes ordinance.
89. Certificate of Cross-Connection: Permittee shall ensure that the cross-connection specialist complete the required recycled water construction inspection checklist, cross connection test results and any special inspection checklist as required by the South Bay Recycling Program <http://www.sanjoseca.gov/index.aspx?NID=1595> and forward them to the City.
90. Record Drawings: Permittee shall submit record drawings in AutoCAD, Tiff, and PDF formats for City records. Record drawings shall include all public improvements. Additionally, if the project uses recycled water, the permittee shall also submit record drawings of on-site irrigation facilities.

91. Private Job (PJ) Balance: Permittee shall pay for any remaining balance from the Private Job deposit.

LEGEND

P = Planning Department

B = Building Department

E = Engineering Department

F = Fire Department

CAO = City Attorney's Office

ALL = All Reviewing Departments

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Permittee/Property Owner

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the Project property on the terms and conditions set forth in this resolution.

Dated: _____

Signature of Permittee

EXHIBIT 2

**ADDENDUM TO THE TRANSIT AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT
REPORT**

EXHIBIT 3

CONSISTENCY MEMORANDUMS BY FIRST CARBON SOLUTIONS, TJKM, AND LSA

MEMORANDUM

DATE: June 14, 2019

To: Lillian Hua, Associate Planner, City of Milpitas

FROM: Theresa Wallace, AICP, Principal
Matthew Wiswell, Project Manager

SUBJECT: California Environmental Quality Act (CEQA) Exemption Memo for the 2001 Tarob Court Project, Milpitas, California

This memorandum and attachments provide a description of the proposed 2001 Tarob Court Project (project) and substantial evidence to confirm that the project is exempt from further environmental analysis per Section 15168(c) of the California Environmental Quality Act (CEQA). The approximately 1.22-acre project site is located at 2001 Tarob Court in Milpitas, Santa Clara County. The proposed project would involve demolition of the existing building and concrete pavements on the site and construction of 40 residential units and associated parking, open space, and landscaping.

Attachment A provides a description of the proposed project. This attachment includes a description of the project location, existing site characteristics, the proposed project, and required approvals and entitlements. The City of Milpitas (City) is the CEQA lead agency for the proposed project.

The responses in the environmental checklist (included in Attachment B to this memo) prepared for the project demonstrate for each CEQA topic that because the proposed project was evaluated and impacts were mitigated to the degree possible as part of the Transit Area Specific Plan Final Environmental Impact Report (TASP FEIR), no additional CEQA review is required. CEQA Guidelines Section 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. The responses contained in the checklist confirm that the project was considered within the scope of the evaluation within the TASP FEIR and no new impacts were identified and no new mitigation measures are required.

The City can approve the 2001 Tarob Court Project as being within the scope of the Transit Area Specific Plan covered by the TASP FEIR and no new environmental document for the purposes of CEQA clearance is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the 2001 Tarob Court Project is exempt from further review under CEQA. This analysis finds that a Notice of Exemption may be prepared for the project and filed with the Santa Clara County Clerk.

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ATTACHMENT A
PROJECT DESCRIPTION

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ATTACHMENT A PROJECT DESCRIPTION

The following describes the proposed 2001 Tarob Court Project (project) that would include construction of a four-story building with a total of 40 residential units. The project site is located within the planning area for the Milpitas Transit Area Specific Plan (TASP).¹ In addition to the description of the proposed project itself, this section includes a summary description of the proposed project's location and existing site characteristics and required approvals and entitlements. The City of Milpitas (City) is the lead agency for review of the proposed project under the California Environmental Quality Act (CEQA). As demonstrated in Attachment B, the proposed project is Categorically Exempt from further environmental review pursuant to section 15168(c) of the CEQA Guidelines and is within the scope of the certified Milpitas Transit Area Specific Plan Project Final Environmental Impact Report² (TASP FEIR).

PROJECT SITE

The following section describes the location and site characteristics for the project site and provides a brief overview of the existing land uses within and in the vicinity of the site.

Location and Surrounding Land Uses

The project site is located in the southern portion of the City of Milpitas, just north of the border with the City of San José. The approximately 1.22-acre project site is located at 2001 Tarob Court (Assessor's Parcel Number [APN] 086-036-034). The project site is located within a light industrial area of Milpitas that is predominantly developed with commercial office parks and other buildings for industrial and commercial uses. The project site is bordered to the north by Tarob Court, to the east by Lundy Place, and to the west and south by commercial and light industrial uses. The project site is in close proximity to the Great Mall shopping center in Milpitas, approximately 0.5 miles north of the project site.

Regional vehicular access to the project site is provided by Interstate 880 (I-880) located to the west and Interstate 680 (I-680) located east of the project site. The future Bay Area Rapid Transit (BART) Milpitas station is currently under construction and will be co-located with the Montague Valley Transportation Authority (VTA) light rail station, approximately 0.1 mile northeast of the project site. Figure 1 shows the site's regional and local context. Figure 2 shows an aerial of the existing site and surrounding land uses.

Site Characteristics and Current Site Conditions

The project site is currently developed with an approximately 16,463-square-foot, free standing office/light-industrial building. The project site includes a public utility easement that wraps around the project site from the southern corner along Lundy Place, where it is 40 feet in width, to the

¹ Milpitas, City of, 2008. *Milpitas Transit Area Specific Plan*. June. Amended December 2011.

² Milpitas, City of, 2008. *Milpitas Transit Area Specific Plan Final Environmental Impact Report*. May.

northern corner along Tarob Court, where it tapers down and varies from 4 feet to 10 feet in width. According to the Federal Emergency Management Agency (FEMA), the project site is located in a Zone AO Special Flood Hazard Area due to the proximity of East Penitencia Creek.³ Pedestrian and vehicular access to the project site is via Lundy Avenue and Tarob Court.

Existing General Plan and Zoning

The project site is designated Multi-Family Residential High Density (MFH) within the City's General Plan.⁴ The project site is located within the TASP Planning Area, and is within the Multi-Family Residential High Density with a Transit-Oriented Development (TOD) Overlay (R3-TOD) TASP zoning district.

MILPITAS TRANSIT AREA SPECIFIC PLAN

In 2008, the City of Milpitas adopted the Milpitas TASP as a guide for development and redevelopment of its light industrial corridor near the future Milpitas BART and current VTA station. The goals of the TASP are to create an attractive and livable neighborhood within walking distance of the future Milpitas BART and VTA light rail transit stations and to transform the older, light industrial area into a residential and commercial area that would meet demand for housing, offices, and shopping in the Bay Area. Milpitas designated the TASP to accommodate substantial growth, minimize impacts on local roadways, and reduce urban sprawl at the periphery of the region.

The TASP identifies subdistricts within the planning area, each having its own policies related to street design, land use, building height, setbacks, parks and building design. The project site is located within the Trade Zone/Montague subdistrict. The Trade Zone/Montague subdistrict is identified as being an attractive residential district with ample green space that would serve transit users as it is located directly adjacent to the BART station and VTA light rail.

Environmental impacts associated with implementation of the TASP were evaluated in the Final Environmental Impact Report (TASP FEIR). The TASP FEIR, certified in 2008, evaluates the environmental impacts of approximately: 1) 7,100 units of residential development; 2) 18,000 new residents; 3) 4,200 new jobs; 4) 1.0 million square feet of office space; 5) 285,000 square feet of retail space; and 6) 175,000 square feet of hotels.

³ Federal Emergency Management Agency, 2009. FEMA Flood Map Service Center (map). Website: msc.fema.gov/portal/search?AddressQuery=2001%20Tarob%20Court%2C%20Milpitas#searchresultsanchor (accessed June 14, 2019).

⁴ Milpitas, City of, 1994. *City of Milpitas General Plan*. December.

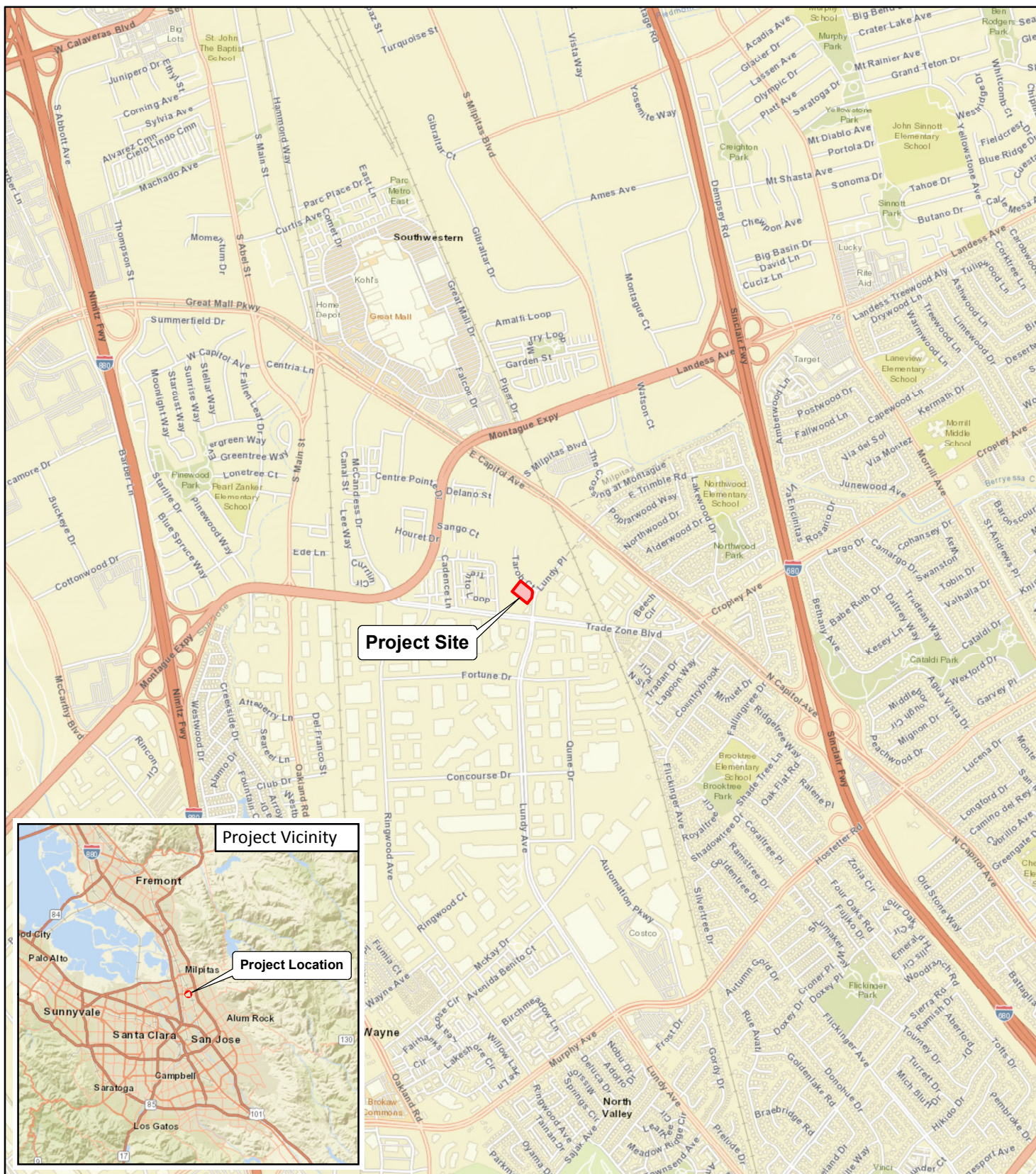


FIGURE 1

LSA



0 1000 2000
Feet

SOURCE: Esri World Street Map (c)2019.

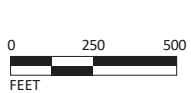
I:\MLP1903\GIS\Maps\Figure 1_Project Location and Regional Vicinity Map.mxd (4/24/2019)

2001 Tarob Court Project
Project Location and Regional Vicinity Map



FIGURE 2

LSA



SOURCES: GOOGLE EARTH, 8/9/18; LSA, 2019.

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2001 Tarob Court Project
Aerial Photograph of Project Site and Surrounding Land Use

PROPOSED PROJECT

This section provides a description of the residential development project proposed for the project site as identified in the materials provided by the True Life Companies (the project applicant) dated May 2019. The project applicant proposes to demolish the existing building and pavements on the site, and construct a four-story building with a total of 40 residential units as well as associated landscaping and open space, parking and circulation, and infrastructure improvements. Figure 3 depicts the proposed site plan for the project.

The TASP FEIR evaluated the environmental impacts associated with implementation of the TASP within which the proposed project would be located. Table AA shows the housing units and population assumptions evaluated within the TASP FEIR, the number of approved units and under construction units and inclusion of the proposed project. As shown, the development associated with the proposed project is within the amount of growth evaluated and cleared within the TASP FEIR.

Table AA: Existing and Proposed Housing Units and Population within the TASP Area

	Evaluated Within the TASP FEIR	Approved	Proposed Project	Remaining Development Available
Housing Units	7,109 ^a	6,875 ^b	40	234
Population	17,915 ^a	17,325 ^b	100 ^b	590 ^b

Source: Lillian Hua, Associate Planner, City of Milpitas (April 2019).

^a Milpitas, City of, 2008. Final Transit Area Specific Plan EIR.

^b Estimated population associated with approved units, under construction units, and the proposed project was determined by using the residents per unit evaluated within the TASP FEIR (17,915 residents/7,109 units = 2.52 residents per unit).

Residential Development

The proposed project would result in the construction of 40 residential apartment units within three stories above a single-story parking garage, at a density of 32.8 dwelling units per acre. The unit mix would consist of 18 two-bedroom units ranging in size from 1,277 to 1,470 square feet, and 22 three-bedroom units ranging in size from 1,482 to 1,520 square feet. Six of the units would be designated as below market rate units. Figures 4 through 6 depict conceptual floor plans for the proposed project.

The proposed project would consist of a single building with residential units surrounding an open-air courtyard located above a ground floor parking garage. As shown in Figure 4, the ground floor would include an approximately 180-square-foot residential lobby at the northern corner of the courtyard in the center of the project site. As shown on Figure 5, an approximately 1,704-square-foot terrace would be located on the second floor at the northern end of the building. In addition, each of the residential floors would include private storage units. As noted above, the proposed building would consist of four floors and would be approximately 55 feet in height. Conceptual building elevations are shown in Figures 7 and 8.

Open Space and Landscaping

The proposed project would include a total of 0.44 acres of common open space and landscaped areas. A total of approximately 0.30 acres would consist of private common open area space for use by project residents. As shown in Figure 3, private open space would consist of the interior courtyard on the ground level of the proposed building and a walking path and landscaping along the southern portion of the building, including within the existing public utility easement. The interior courtyard would include seating areas and landscaping that would be screened from the parking garage by a dense row of columnar bamboo around each side. A designated walkway would connect the interior courtyard with the walking path and landscaping mentioned above. The remaining 0.14 acres of open space on the project site would consist of landscaped areas generally located in the northern portion of the site. A conceptual landscape plan is shown in Figure 9.

Access, Circulation, and Parking

Access to the project site would be provided by a driveway from Tarob Court at the northern corner of the project site. The driveway would provide access to an internal 26-foot access drive lane and fire lane, which would include a fire engine/garbage truck turnaround that would connect to the ground-level internal parking garage. The parking garage would provide 60 automobile parking spaces, including 27 compact parking spaces and one accessible parking space. An additional 14 automobile parking spaces would be provided along the access drive lane, including two compact spaces, one accessible parking space, and one electric vehicle parking space.

Utilities and Infrastructure

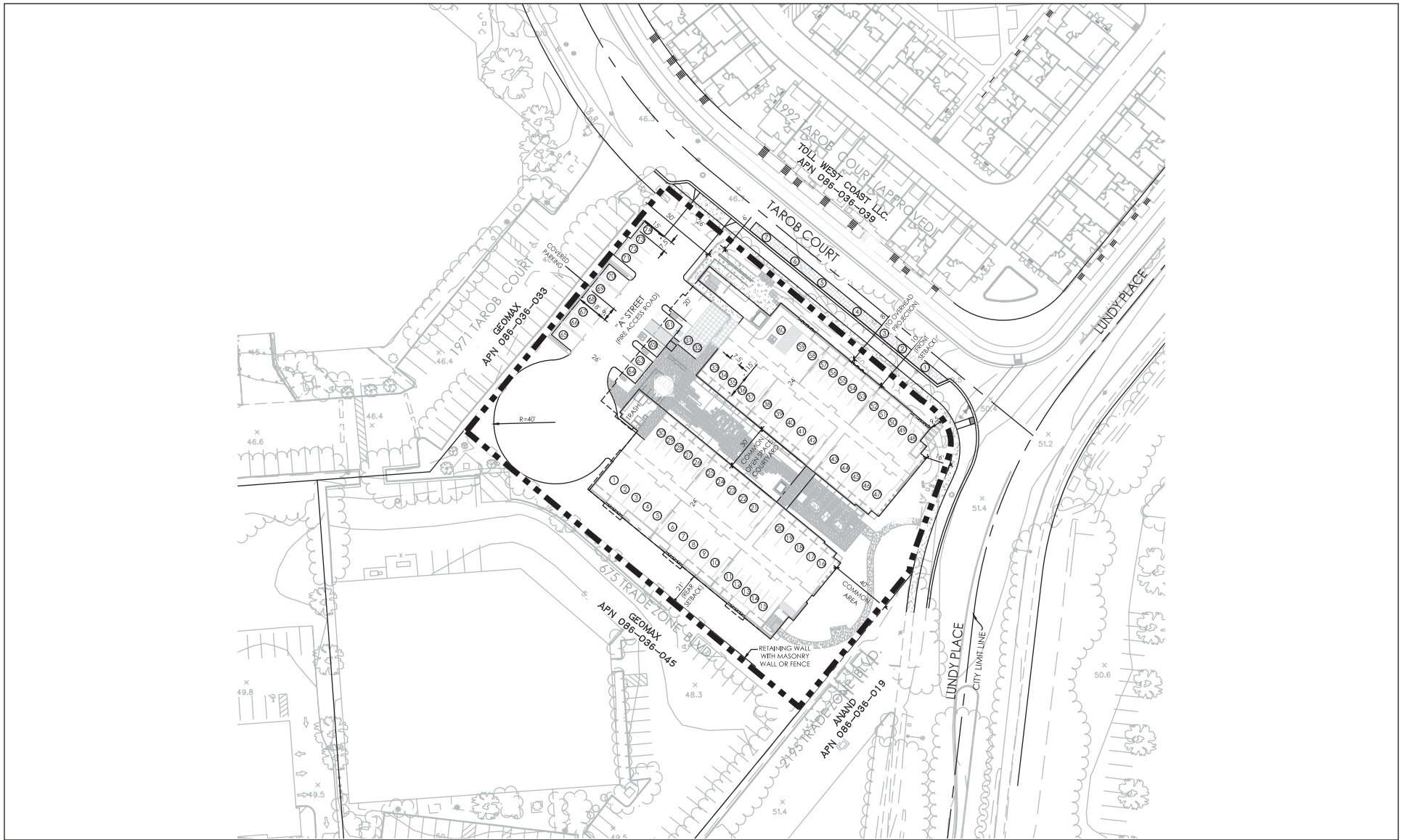
The project site is located in an urban area and is currently served by existing utilities, including: water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. The majority of existing utilities within the boundary of the project site would be removed. Existing and proposed utility connections are discussed below.

Water

Water service in the City of Milpitas is provided by the Santa Clara Valley Water District (SCVWD). The proposed project includes the removal of all existing utilities within the project site. New water 8-inch lines within the project site would connect to existing service connections and the existing 12-inch main located within Tarob Court.

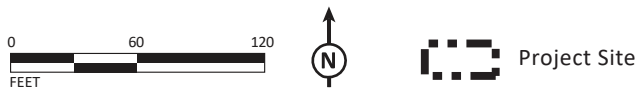
Wastewater

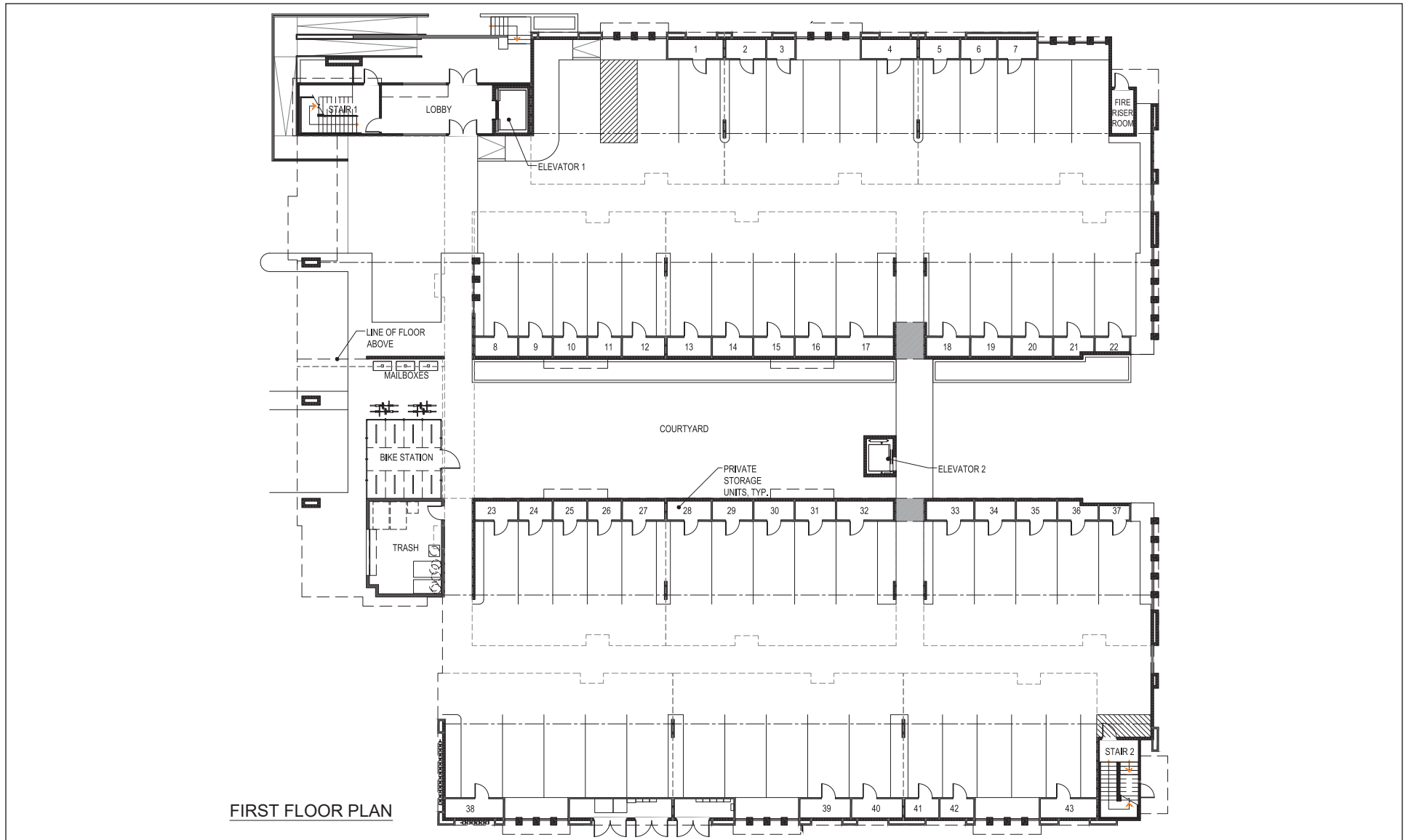
The San José/Santa Clara Water Pollution Control Plant (WPCP) provides wastewater treatment for Milpitas. The City of Milpitas maintains existing sanitary sewer lines within the vicinity of the site, including an 8-inch line located along Tarob Court. The proposed project includes the installation of a new on-site 8-inch wastewater line that would connect to the City's existing line.



LSA

FIGURE 3





LSA

FIGURE 4

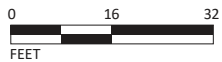




FIGURE 5

LSA

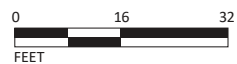
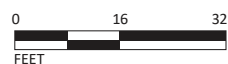




FIGURE 6

LSA





North Elevation



West Elevation

LSA

FIGURE 7

NOT TO SCALE

SOURCES: TRUE LIFE; SDG ARCHITECTS, MARCH 2019.

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2001 Tarob Court Project
Conceptual Elevations - North and West



South Elevation



East Elevation

LSA

FIGURE 8

NOT TO SCALE

SOURCES: TRUE LIFE; SDG ARCHITECTS, MARCH 2019.

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2001 Tarob Court Project
Conceptual Elevations - South and



FIGURE 9

LSA

0 20 40
FEET



TREE MATRIX	
TOTAL EXISTING TREES ON SITE:	34
TOTAL EXISTING TREES TO BE REMOVED:	34
TOTAL PROPOSED NEW TREES:	40

SOURCES: TRUE LIFE; R3 STUDIOS; SDG ARCHITECTS, MARCH 2019.

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2001 Tarob Court Project
Conceptual Landscape

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Stormwater

The proposed project would connect to the existing 12-inch municipal storm drain located at the northwest corner of the project site. The proposed project would include pervious pavers throughout the interior access driveway.

Electricity and Natural Gas

Electricity and natural gas services to the site are provided by Pacific Gas and Electric Company (PG&E). Existing underground utility connections and gas mains provide electricity and gas to the project site. The project includes removal of all existing utilities and would require the construction of new electricity and gas connections to serve the project. New electrical lines (servicing the project only) would be installed underground and connect to the existing joint trench box in the northern corner of the project site.

Demolition, Grading, and Construction

Development of the project would result in the demolition of the existing structure and pavement. A total of approximately 1,410 cubic yards of soils would be excavated and exported from the project site, and approximately 5,600 cubic yards would be filled on the project site to raise the site by approximately 4.5 feet to comply with the City's Flood Ordinance and create a level pad.

Construction of the proposed project is anticipated to occur over approximately 16 months, starting in April 2020 and ending in August 2021.

AMENDMENTS AND PERMITS

The following approvals and permits would be required for development of the proposed project:

- Site Development Permit
- Demolition Permit
- Building Permit
- Tentative Map

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ATTACHMENT B

**ENVIRONMENTAL CHECKLIST
PURSUANT TO CEQA GUIDELINES SECTION 15168**

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ATTACHMENT B
ENVIRONMENTAL CHECKLIST
PURSUANT TO CEQA GUIDELINES SECTION 15168

CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. This checklist confirms that the 2001 Tarob Court Project is within the scope of the Transit Area Specific Plan¹ Final Environmental Impact Report² (TASP FEIR) and will have no effects and no new mitigations are required, and as such, the City can approve the 2001 Tarob Court Project as being within the scope of the TASP and covered by its FEIR and no new environmental document is required. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15168, the 2001 Tarob Court Project is exempt from further review under CEQA.

1. AESTHETICS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

Scenic Vistas

The project site is not located within a scenic watershed or along a State Scenic Highway or other scenic highway. Flat topography and existing urban development constrain scenic vistas in the vicinity of the project site. Intermittent views of the Milpitas foothills to the northeast are available from the project site only when viewed from the northern edge of the project site. No on-site parks, open space lands or public lands adjacent to or in the vicinity of the proposed project have views of the foothills.

¹ Milpitas, City of, 2008a. *Milpitas Transit Area Specific Plan*. June. Amended December 2011.

² Milpitas, City of, 2008b. *Milpitas Transit Area Specific Plan Final Environmental Impact Report*. May.

Furthermore, as described in the TASP FEIR, the City's visual resources are outside of the TASP Area. Additionally, the proposed project would be required to comply with TASP policies and design standards related to scenic vistas. Therefore, the impacts associated with the proposed project would not result in new impacts to scenic vistas or substantially increase the severity of the less-than-significant impacts to scenic vistas identified in the TASP FEIR.

Scenic Resources

The only scenic resources located within the TASP Area are street trees located on McCandless Drive, approximately 0.5 miles west of the project site. There are no scenic resources located on the project site. Additionally, the City's Tree and Planting Ordinance (Ord. 201.1) protects significant trees and heritage trees throughout the City. Therefore, the impacts associated with the proposed project would not result in new impacts to scenic resources or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Visual Character

The TASP aims at improving the existing aesthetic value of the TASP Area and calls for new parks, trails, landscape buffers, and other design policies that would result in the enhancement of the visual character of the TASP Area. The TASP includes specific design standards to create a unified appearance to the TASP Area, consistent setbacks, landscaped buffers, street trees, and parks, which the TASP FEIR analyzed. The proposed project would conform to these design standards by providing street landscaping and landscaped setback areas.

The TASP allows buildings in the R3-TOD district up to 75 feet in height and requires a density of 21-40 dwelling units per acre. The proposed project would include construction of a four-story building that would be approximately 55 feet in height with a density of approximately 33 dwelling units per acre. Therefore, the proposed project would meet the building height limits and density standards set for in the TASP design standards, and would not conflict with zoning or other regulations governing scenic quality.

Light and Glare

Redevelopment of the TASP Area would result in the introduction of new sources of light and glare on the project site. As discussed in the TASP FEIR, development standards and policies would limit new sources of light and glare in the TASP Area. To minimize potential light and glare impacts, the proposed project would implement and be consistent with TASP development standards that address street and outdoor lighting. Therefore, the proposed project would not create impacts related to light and glare that would be new or more significant than those analyzed in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- Development Standard: Utilities shall be underground or in subsurface conduits and accessible.

Conclusion

The TASP FEIR adequately evaluated the potential aesthetic impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

The TASP FEIR did not analyze impacts to agricultural resources as the TASP Area is urban without any agricultural or forest land uses in the area or vicinity. The project site, located within the TASP Area, is also not used for agriculture. The Santa Clara County Important Farmland 2012 map designates lands within the TASP Area, including the project site, as "Urban and Built-Up Land." Thus, the TASP and the proposed project would have no impacts on agriculture or forestry resources.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was

certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The TASP FEIR adequately evaluated the agriculture and forestry impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	New Potentially Significant Impact	New Mitigation Required	Less Than Significant Impact	No New Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

Discussion

Clean Air Plan Consistency

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards.

The Bay Area Air Quality Management District (BAAQMD) guidelines were referenced to determine if a project would conflict with or obstruct implementation of an applicable air quality plan, which for the TASP FEIR was the 2005 Bay Area Ozone Strategy.³ In forecasting future stationary and mobile source emissions and preparing the regional air quality plan, the BAAQMD uses growth projections prepared by ABAG. The BAAQMD based its 2005 Bay Area Ozone Strategy on population projections in the 2003 ABAG Projections.⁴ The TASP FEIR found that population increases in the City are anticipated to exceed population increases accounted for by the 2003 ABAG Projections, thus resulting in a significant and unavoidable impact (Impact 3.6-1) related to consistency with the applicable federal Environmental Protection Agency (EPA) Clean Air Plan.

³ Bay Area Air Quality Management District, 2006. *Bay Area 2005 Ozone Strategy*.

⁴ Association of Bay Area Governments, 2003. *Projections 2003*.

The BAAQMD's current Clean Air Plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017. The 2017 Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The 2017 Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas emissions to protect the climate. Consistency with the Clean Air Plan can be determined if the project does the following: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

The proposed project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. Implementation of the TASP includes policies that address transportation and land use that are consistent with the Clean Air Plan. TASP Policy 3.21 would provide continuous pedestrian sidewalks and safe bike routes throughout the TASP Area; Policy 3.22 encourages walking and biking routes to schools and major destinations; and Policy 3.33 requires new development within the TASP Area to provide incentives for alternative modes of transit, which support the Clean Air Plan. The proposed project would develop high-intensity, transit oriented residential development and would result in a building density at the project site that is similar to what was evaluated in the TASP FEIR. In addition, the population and housing units included in the proposed project would fall within the total development anticipated by the TASP FEIR, as mentioned in Section 10, Land Use and Planning. Therefore, implementation of the proposed project would not substantially increase population, vehicle trips, or VMT.

The TASP FEIR identified measures to reduce air emissions such as encouraging the use of pedestrian walkways and bikes, and designing streets for slower speeds, but concluded that air quality impacts would be significant and unavoidable. The project would implement the TASP measures and would not increase the previously-identified impacts. Thus conclusions about compliance with the Clean Air Plan in the TASP FEIR remain applicable to the project.

Regional Air Pollutant Emissions

The TASP FEIR indicates that the development of projects under the TASP could further contribute to non-attainment of air quality standards. The TASP FEIR also identified that buildout of the TASP could place sensitive land uses (land uses that could house sensitive receptors) near local intersections or roadways associated with air pollutant emissions that exceed (worsen) State or federal ambient air quality standards.

The 2001 Tarob Court Project would result in redevelopment of the site with new residential uses, similar to what the TASP envisioned. The new uses would result in mobile air quality impacts from increased vehicle trips to and from the project site and air quality impacts such as emissions generated from the use of landscaping equipment and consumer products. Emission estimates for operation of the project were calculated using CalEEMod. Model results are shown in Table BA.

The results shown in Table BA indicate that the proposed project would not exceed the significance criteria for annual ROG, NO₂, PM₁₀ or PM_{2.5} emissions; therefore, implementation of the proposed project would not have a significant effect on regional air quality and mitigation would not be

required. Therefore, the proposed project would not result in any new or more significant regional or local air quality impacts than described and evaluated in the TASP FEIR.

Table BA: Project Operational Emissions

	ROG	NO _x	PM ₁₀	PM _{2.5}
Pounds Per Day				
Area Source Emissions	1.1	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	0.1	<0.1	<0.1
Mobile Source Emissions	0.3	1.2	0.5	0.1
Total Emissions	1.5	1.3	0.5	0.2
BAAQMD Thresholds	54.0	54.0	82.0	54.0
Exceed Threshold?	No	No	No	No
Tons Per Year				
Area Source Emissions	0.2	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	<0.1	<0.1	<0.1
Mobile Source Emissions	0.1	0.2	0.1	<0.1
Total Emissions	0.3	0.2	0.1	<0.1
BAAQMD Thresholds	10.0	10.0	15.0	10.0
Exceed Threshold?	No	No	No	No

Source: LSA (April 2019).

Construction-Related Impacts

Construction activities would cause temporary adverse effects on local air quality. Construction activities such as earthmoving, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water-based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases immediately after its application. Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when, and if, underlying materials are exposed to the atmosphere. The effects of construction activities would be increased dustfall and locally elevated levels of particulate matter downwind of construction activity.

The TASP FEIR determined that construction of projects associated with the TASP would be less than significant with compliance with the BAAQMD's basic construction mitigation measures and TASP policies.

Construction emissions were estimated for the project using the California Emissions Estimator Model (CalEEMod) version 2016.3.2, consistent with BAAQMD recommendations. Construction of the proposed project is anticipated to occur over approximately 16 months, starting in April 2020 and ending in August 2021. Construction-related emissions are presented in Table BB. CalEEMod output sheets are included in Appendix A.

Table BB: Project Construction Emissions in Pounds Per Day

Project Construction	ROG	NO _x	Exhaust PM ₁₀	Fugitive Dust PM ₁₀	Exhaust PM _{2.5}	Fugitive Dust PM _{2.5}
Average Daily Emissions	2.5	10.8	0.5	0.7	0.5	0.3
BAAQMD Thresholds	54.0	54.0	54.0	BMP	82.0	BMP
Exceed Threshold?	No	No	No	No	No	No

Source: LSA (April 2019).

As shown in Table BB, construction emissions associated with the project would be less than significant for ROG, NO_x, PM_{2.5}, and PM₁₀ exhaust emissions. Therefore, construction of the proposed project would result in similar construction-related, short-term air quality impacts as those impacts identified in the TASP FEIR. The BAAQMD requires the implementation of the BAAQMD's Basic Construction Mitigation Measures to reduce construction fugitive dust impacts to a less-than-significant level. These recommendations will be included in the conditions of approval for the proposed project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly-visible sign shall be posted with the telephone number and person to contact at the City of Milpitas regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of these project conditions of approval, construction of the proposed project would result in similar construction-related, short-term air quality impacts as those impacts identified in the TASP FEIR. In addition, implementation of TASP Policy 5.16 would reduce construction-related air quality impacts; therefore, the proposed project would also not result in any new or more significant construction-related air quality impacts than were evaluated in the TASP FEIR. This impact would remain less than significant.

Localized Carbon Monoxide Impacts

The TASP FEIR identified that implementation of the TASP would have the potential to affect carbon monoxide concentrations along surface streets and near stagnation points such as major highways and heavily traveled and congested roadways. This increase in traffic would not only add more vehicles on the road but the increased congestion would cause existing non-project traffic to travel at slower, more polluting speeds. The TASP FEIR evaluated CO concentrations based on the BAAQMD's methodology for manual calculation of CO concentrations to estimate the impact of project traffic on existing and future carbon monoxide concentrations at intersections in and around the TASP Area.

The TASP FEIR found that background carbon monoxide levels are projected to be significantly lower in 2030 due to improvements in the automobile fleet, attrition of older, high-polluting vehicles, and improved fuel mixtures. Despite the addition of project and cumulative traffic, carbon monoxide concentrations at the intersections would decrease from existing to TASP buildout conditions (2030). This would be due to the beneficial effects of ongoing State and federal vehicle emissions reductions programs, which are expected to continue to generate reductions in average vehicle emissions of carbon monoxide per vehicle-mile-traveled for the foreseeable future. Therefore, the TASP FEIR determined that long-term increase in traffic due to development pursuant to the TASP would not violate any air quality standard or contribute to an existing or projected air quality violation in the vicinity of the planning area.

As discussed above, the proposed project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. The proposed project would develop high-intensity, transit oriented residential development and would result in a building density at the project site that is similar to what was evaluated in the TASP FEIR. In addition, the population and housing units included in the proposed project would fall within the total development anticipated by the TASP FEIR, as mentioned in Section 11, Land Use and Planning. Therefore, implementation of the proposed project would not substantially increase vehicle trips and would not generate more vehicle trips than evaluated in the TASP FEIR. Therefore, impacts related to localized carbon monoxide would remain less than significant.

Local Community Risk and Hazard Impacts to Sensitive Receptors

The TASP FEIR identified a variety of pollutant or toxic air emissions, such as diesel exhaust and those from dry cleaning facilities, in addition to emissions that could be released from construction projects and operations associated with proposed projects. TASP Policy 5.23 requires project sponsors to inform future and/or existing sensitive receptors of any potential health impacts resulting from nearby sources of dust, odors, or toxic air contaminants, and where mitigation cannot

reduce these impacts. As identified in the TASP FEIR, this information could be disseminated through rental agreements, real property disclosure statements, and/or mailed notices to existing residents and property owners; and would include, but would not be limited to: location of dry cleaners, proximity to diesel emission from trucks and passenger vehicles, and light duty industrial operations.

Policy 5.25 requires an analysis of the impact on future sensitive receptors located within 500 feet of active rail lines or roadways if traffic exceeds 100,000 vehicles per day. The future Bay Area Rapid Transit (BART) and Montague Valley Transportation Authority (VTA) light rail is located approximately 750 feet northeast of the project site and would not generate harmful emissions at this distance. The roadways within 500 feet of the proposed project are Tarob Court, Lundy Place, and Trade Zone Boulevard; traffic on these roadways would not exceed 100,000 vehicles per day and therefore no further analysis is required. The proposed project does not include additional TAC sources in the project site; therefore implementation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Objectionable Odors

The TASP FEIR did not address potential odor impacts for the proposed project. The project would not include any activities or operations that would generate objectionable odors and, once operational, the project would not be a source of odors. Therefore, the project would not create objectionable odors affecting a substantial number of people. The proposed project would not increase impacts beyond those evaluated in the TASP FEIR and would have a less-than-significant impact related to odors.

Applicable Mitigation

Construction of the project would result in the temporary generation of fugitive dust emissions. Implementation of the project conditions of approval would ensure that construction of the proposed project would result in a less-than-significant impact. No new mitigation measures would be required.

Applicable Policies

General Plan Policies

- *Policy 3.d-G-2: Provide adequate bicycle parking and end-of trip support facilities for bicyclists at centers of public and private activity.*
- *Policy 3.d-I-9: Require developers to make new projects as bicycle and pedestrian “friendly” as feasible, especially through facilitating pedestrian and bicycle movements within sites and between surrounding activity centers.*
- *Policy 3.d-I-10: Encourage developer contributions toward pedestrian and bicycle capital improvement projects and end-of-trip support facilities.*

- *Policy 3.d-I-14: Include evaluation of bicycle facility needs in all planning applications for new developments and major remodeling or improvement projects.*
- *Policy 3.d-I-15: Encourage new and existing developments to provide end-of-trip facilities such as secure bicycle parking, on-site showers and clothing storage lockers, etc.*
- *Policy 2.b-I-2: Consider locating housing in close proximity to industrial developments where they can be served by existing city services and facilities.*

TASP Policies

- *Policy 3.21: Provide continuous pedestrian sidewalks and safe bike travel routes throughout the entire Transit Area and within development projects. New development shall install sidewalks per the street design standards in Chapter 5 [of the Specific Plan]. The City and/or private property owner shall install sidewalks in areas where they currently do not exist, and where new development is not anticipated during the Plan timeframe. City staff will review individual development applications to ensure that adequate pedestrian facilities are provided and are consistent with the Transit Area Plan's pedestrian improvements.*
- *Policy 3.22: Private development shall be encouraged to provide direct walking and biking routes to schools and major destinations, such as parks and shopping, through their property.*
- *Policy 3.27: Every resident of the Transit Area shall be able to safely walk and bike to the BART and VTA light rail stations. As projects are constructed, make sure that all the routes are continuous and designed to be attractive and safe for pedestrians.*
- *Policy 3.33: Require new development within the Transit Area to facilitate the use of alternative modes of transportation through programs such as carpool parking, the VTA's EcoPass Program, shuttles to transit stations and lunchtime destinations, assistance to regional and local ridesharing organizations, alternative work schedules, telecommuting, etc. Establish a Transportation Demand Management (TDM) program for this purpose, as described in Policy 3.16.*
- *Policy 5.23: Require project sponsors to inform future and/or existing sensitive receptors (such as day care facilities, schools, nursing homes) of any potential health impacts resulting from nearby sources of dust, odors, or toxic air contaminants, and where mitigation cannot reduce these impacts.*
- *Policy 5.24: Allow only natural gas fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves. Conventional open-hearth fireplaces shall not be permitted.*
- *Policy 5.16: During review of specific development proposals made to the City, sponsors of individual development projects under the Specific Plan shall implement the BAAQMD's approach to dust abatement. This calls for "basic" control measures that should be implemented at all construction sites, "enhanced" control measures that should be implemented in addition to the basic control measures at construction sites greater than four acres in area, and "optional"*

control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reason, may warrant additional emissions reductions (BAAQMD, 1999).

- *Policy 5.25: For new residential development that is proposed within 500 feet of active rail lines where vehicles emit diesel exhaust, or roadways where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles per day, will, as part of its CEQA review, include an analysis of toxic air contaminants (which includes primarily diesel particulate matter (DPM)). If the results show that the carcinogenic human health risk exceeds the 10 people in a million standard for carcinogenic human health impacts established by the BAAQMD, the City may require upgraded ventilation systems with high efficiency filters, or other equivalent mechanisms, to minimize exposure of future residents.*

Conclusion

With implementation of the project conditions of approval, the proposed project would not result in significant air quality impacts. In addition, with implementation of the applicable TASP and General Plan Policies, the 2001 Tarob Court project would not create any new or worsening air quality impacts.

4. BIOLOGICAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Less Than Significant Impact	No New Impact
Would the project:				
e. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
f. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
g. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
h. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
i. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
j. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Protected Plants and Wildlife

As described in the TASP FEIR, the area covered by the TASP consists of land previously altered by development. The majority of the TASP Area is covered in vacant industrial lots that have been previously developed and abandoned with structures that are partially or entirely dismantled, resulting in lots with compacted soils and ruderal (plants growing among refuse) habitats. With the exception of burrowing owls, the TASP FEIR determined that there is minimal potential for special-status species to occur due to the history of development in the TASP Area.

The only record of special-status species occurring in the area is for burrowing owls. The TASP FEIR notes that development of vacant and ruderal lots could result in a loss of burrowing owls or their nests. According to the TASP FEIR, TASP Policy 5.26 would reduce potential impacts to burrowing owls to a less-than-significant level. This policy would require preconstruction surveys, buffers during breeding season, and relocation by a qualified biologist in consultation with the California Department of Fish and Wildlife (CDFW) during the non-breeding season in conformance with all

necessary State and federal permits. With implementation of this policies, the proposed project would not result in impacts related to protected plants and wildlife that are new or more significant than those analyzed in the TASP FEIR.

Riparian Habitat

As described in the TASP FEIR, the project site is located in proximity to two drainages: Lower Penitencia Creek and east channel of Penitencia Creek. While these drainages lack high-quality riparian habitat, patches of riparian habitat exist. New development in the TASP Area could result in loss or degradation of this habitat. However, as noted in Attachment A, Project Description, the project site is not located directly adjacent to either drainage and vegetation is limited to ornamental trees, shrubs, and grasses and does not contain any riparian habitat. Therefore, the project site does not support State or federal jurisdictional habitat areas or other sensitive natural communities. Therefore, the proposed project would not create impacts related to riparian habitat that are new or more significant than those analyzed in the TASP FEIR.

Federally Protected Wetlands

As the TASP FEIR states, Penitencia Creek and the east channel of Penitencia Creek and their tributaries receive protection under Section 404 of the Clean Water Act. Wetlands associated with these drainage features also potentially receive protection under Section 404.

The TASP has specific design guidelines, including setbacks that would reduce direct impacts on creeks within the TASP Area. TASP Policy 5.29 requires setbacks from creeks to be a minimum 25 feet from top of bank or from a maintenance road, if one exists. However, as noted above, the project site is not located directly adjacent to either of the drainages within the proximity of the site. The proposed project would conform to the setback requirements and other design standards provided in the TASP, and therefore would not create impacts related to wetlands that are new or more significant than those analyzed in the TASP FEIR.

Wildlife Movement Corridors

As the TASP FEIR states, nesting habitat for non-listed special-status raptor species occurs in and near the TASP Area. Many bird species use the existing ornamental trees for cover, nesting, or stop-over locations during migration, especially with the availability of water from the drainages within the TASP Area. Removal of large, mature trees can cause direct mortality to nesting birds and their young and construction disturbance can cause nest abandonment resulting in indirect loss to avian species. Raptors also could potentially use large and/or mature trees in the TASP Area for nesting. Raptors and other common birds and their nests and eggs are protected under California Department of Fish and Game Code 3503.5. The proposed project would implement TASP Policy 5.27 which would require a qualified biologist to conduct a survey that would be considered by the U.S. Fish and Wildlife Service (USFWS) and CDFW as appropriate, on a case-by-case basis in certain conditions, to determine whether a project would require avoidance procedures. Implementation of General Plan Policies 4.b-I-4 and 4.b-I-5 and TASP Policy 5.27 would reduce potential impacts to nesting raptors and other birds to less-than-significant levels. The proposed project would conform to the above policies and therefore would not create impacts related to migrating wildlife that are new or more significant than those analyzed in the TASP FEIR.

Mature Trees

The TASP FEIR does not contain a comprehensive tree survey. The TASP FEIR recognizes that the impacts of the high intensity, transit-oriented redevelopment of the area would require removal of many trees. The loss of protected trees would be a significant impact (Impact 3.8-3) that would require compensation per the City ordinances. There are 34 trees located on the project site, none of which are protected or qualify for Heritage or Specimen status. The proposed project would result in the removal of all of the trees on the project site and the planting of approximately 40 new trees. Therefore, the proposed project would not create impacts related to mature trees that are new or more significant than those analyzed in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 5.26: For any project sites that are either undeveloped or vacant and support vegetation, or project sites which are adjacent to such land, a pre-construction survey shall be conducted by a qualified biologist within 30 days of the onset of construction. This survey shall include two early morning surveys and two evening surveys to ensure that all owl pairs have been located. If preconstruction surveys undertaken during the breeding season (February 1st through July 31st) locate active nest burrows, an appropriate buffer around them (as determined by the project biologist) shall remain excluded from construction activities until the breeding season is over. During the non-breeding season (August 15th through January 31st), resident owls may be relocated to alternative habitat. The relocation of resident owls shall be according to a relocation plan prepared by a qualified biologist in consultation with the California Department of Fish and Game (CDFG). This plan shall provide for the owl's relocation to nearby lands possessing available nesting habitat. Suitable development-free buffers shall be maintained between replacement nest burrows and the nearest building, pathway, parking lot, or landscaping. The relocation of resident owls shall be in conformance with all necessary state and federal permits.*
- *Policy 5.27: To mitigate impacts on non-listed special-status nesting raptors and other nesting birds, a qualified biologist will survey the site for nesting raptors and other nesting birds within 14 days prior to any ground disturbing activity or vegetation removal. Results of the surveys will be forwarded to the U.S. Fish and Wildlife Service (USFWS) and CDFG (as appropriate) and, on a case-by-case basis, avoidance procedures adopted. These can include construction buffer areas (several hundred feet in the case of raptors) or seasonal avoidance. However, if construction activities occur only during the non-breeding season between August 31 and February 1, no surveys will be required.*

- *Policy 5.29: Per Figure 5-23 G and Tables 5-1 and 5-2 [of the Specific Plan], a minimum 25 foot setback from the top of bank of any creek or drainage channel, or from a maintenance road if one exists, shall be provided.*

Conclusion

The TASP FEIR adequately evaluated the biological resources impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

5. CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion

Historic Resources

The project site is fully developed with a light-industrial building. The existing structure is not considered a significant historic resource under the State or federal standards for historic resources. The only historic resource in the TASP Area that is listed in the City's Register of Cultural Resources is the Old Ford Motor Assembly Plant now known as the Great Mall, which is located approximately 0.6 miles north of the project site. Therefore, the proposed project would not result in impacts to buildings that are historic resources.

Prehistoric and Historical Archaeological Resources

No archaeological resources have been identified on the project site. However, as noted in the TASP FEIR, the TASP Area is considered sensitive for archaeological resources. One Native American archaeological resource, CA-SCL-593, and a prehistoric archaeological site are located adjacent to the TASP Area. Previous archaeological studies suggest that there could be an archeological complex in and around these sites that might extend into the TASP Area. The TASP FEIR also determined that there is a moderate to high likelihood that unrecorded Native American cultural resources exist on sites within the TASP Area due to early settlements along Penitencia Creek.

While subsurface cultural resources are not anticipated to be encountered with demolition and grading of the site, there is a chance that construction activities could affect previously-unidentified

archaeological resources on the project site. The TASP FEIR identifies Policy 5.34 to reduce the impacts to previously unidentified archeological resources to a less-than-significant level through construction monitoring, and if remains are found, temporary halting of construction until development of a mitigation plan and its implementation. This measure applies to the project site, the same as it applies to the TASP.

Implementation of Policy 5.34 from the TASP would reduce impacts to previously unidentified archeological resources to a less-than-significant level. Implementing the proposed project would not lead to new or more severe impacts to archaeological resources that would occur beyond those already identified in the TASP FEIR.

Disturbance of Human Remains

All development within the TASP Area must conform to State laws pertaining to the discovery of human remains. If human remains of Native American origin are discovered during project construction, the developer and/or Planning Department would be required to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission.

Sections 21083.2 and 21084.1 of the Public Resources Code state that if any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until required conditions are met. This requirement would be applicable and would reduce impacts to potential human remains to a less-than-significant level. These potential impacts would not exceed those already identified in the TASP FEIR, and the project would not result in any new or more significant impacts to cultural resources beyond those identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

Pursuant to CEQA Guidelines 15064.5 (f), if potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Santa Clara County and other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and locational information to the California Historical Resources Information Center Office (Northwest Information Center). The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet the CEQA

standards of significance, construction shall proceed. However, if the archaeologist determines that further information is needed to evaluate significance, the Planning Department staff shall be notified and a data recovery plan shall be prepared.

All future development in the TASP Area will be in accordance with State laws pertaining to the discovery of human remains. Accordingly, if human remains of Native American origin are discovered during project construction, the developer and/or the Planning Department would be required to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (PRC Sec. 5097). Sections 21083.2 and 21084.1 of the PRC states that if any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The Santa Clara County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- If the remains are of Native American origin,
 - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98, or
 - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission

TASP Policies

- *Policy 5.32: See this policy in Section 4, Biological Resources.*
- *Policy 5.34: Any future ground disturbing activities, including grading, in the Transit Area shall be monitored by a qualified archaeologist to ensure that the accidental discovery of significant archaeological materials and/or human remains is handled according to CEQA Guidelines § 15064.5 regarding discovery of archeological sites and burial sites, and Guidelines §15126.4(b) identifying mitigation measures for impacts on historic and cultural resources. (Reference CEQA § 21083.2, 21084.1.) In the event that buried cultural remains are encountered, construction will be temporarily halted until a mitigation plan can be developed. In the event that human remains are encountered, the developer shall halt work in the immediate area and contact the Santa Clara County coroner and the City of Milpitas. The coroner will then contact the Native American Heritage Commission (NAHC) which will in turn contact the appropriate Most Likely Descendent (MLD). The MLD will then have the opportunity to make a recommendation for the respectful treatment of the Native American remains and related burial goods.*

Conclusion

The TASP FEIR adequately evaluated the potential cultural resources impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

6. ENERGY

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion

The TASP evaluated energy in Section 3.12 Greenhouse Gases and Climate Change.

The TASP FEIR determined that buildout under the TASP would increase the total demand for electrical energy in the Transit Area. If current trends continue, total consumption of electrical energy would increase from 10 million to 169 million kilowatt hours (kWh), an increase of 159 million kWh of electrical power. The TASP FEIR found that reductions in GHG emissions associated with on-going energy efficient building standards are expected to achieve a reduction of 3 million metric tons of carbon dioxide equivalents Statewide by 2020. The TASP EIR indicated that emission reductions associated with existing energy efficient appliance standards are expected to result in a reduction of an additional 7 million metric tons of carbon dioxide equivalent emissions by 2020.

The TASP FEIR found that implementation of the TASP policies and other State requirements at the local level would reduce projected GHG emissions from electrical generation, which would ensure that the additional energy that homes and businesses consume will not impede achievement of the statewide reduction in emissions mandated by the California Climate Solutions Act of 2006. Therefore, the impact of increased energy consumption in the TASP was considered to be less than significant.

Construction-Period Energy Use

The anticipated construction schedule assumes that the proposed project would be built over 16 months. The proposed project would require demolition, grading, site preparation, and building activities during construction.

Construction of the proposed project would require energy for the manufacture and transportation of building materials, preparation of the site for demolition and grading activities, and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for

these activities. In order to increase energy efficiency on the site during project construction, the project would restrict equipment idling times to 5 minutes or less and would require construction workers to shut off idle equipment, as required by the BAAQMD Basic Construction Mitigation Measures. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant, and no mitigation would be required.

Operational Energy Use

Energy use consumed by the proposed project would be associated with natural gas use, electricity consumption, and fuel used for vehicle trips associated with the project. Energy and natural gas consumption was estimated using default energy intensities by building type in CalEEMod. In addition, the proposed buildings would be constructed to CALGreen standards, which was included in CalEEMod. Electricity and natural gas usage estimates associated with the proposed project are shown in Table BC.

In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. Based on the CalEEMod analysis, the proposed project would result in approximately 236,657 vehicle miles traveled (VMT) per year. The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.0 mpg in 2015.⁵ Therefore, using the USEPA fuel economy estimates for 2015, the proposed project would result in the consumption of approximately 10,757 gallons of gasoline per year. Table BC, below, shows the estimated potential increased electricity and natural gas demand associated with the proposed project.

Table BC: Estimated Annual Energy Use of Proposed Project

Land Use	Electricity Use (kWh per year)	Natural Gas Use (therms per year)	Gasoline (gallons per year)
Residential	164,960	346	10,575
Parking Structure	46,560	0	0
Parking Lot	1,960	0	0
Open Space/Landscaping	0	0	0
Total	213,480	346	10,575

Source: LSA (May 2019).

As shown in Table BC, the estimated potential increased electricity demand associated with the proposed project is 213,480 kWh per year. In 2017, California consumed approximately 288,614 gigawatt-hours (GWh) or 288,614,000,000 kWh.⁶ Of this total, Santa Clara County consumed 17,189

⁵ U.S. Department of Transportation, 2017. "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: www.bts.gov/archive/publications/national_transportation_statistics/table_04_23 (accessed June 14, 2019).

⁶ California Energy Commission, 2017. Energy Consumption Data Management Service. Electricity Consumption by County. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed June 14, 2019).

GWh or 17,189,540,000 kWh.⁷ Therefore, electricity demand associated with the proposed project would be less than 0.01 percent of Santa Clara County's total electricity demand.

In addition, as shown in Table BC, the estimated potential increased natural gas demand associated with the proposed project is 346 therms per year. In 2017, California consumed approximately 12,571 million therms or 12,571,000,000 therms, while Santa Clara County consumed approximately 445 million therms or approximately 445,979,800 therms.⁸ Therefore, natural gas demand associated with the proposed project would be less than 0.01 percent of Santa Clara County's total natural gas demand.

In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. As shown above in Table 3, vehicle trips associated with the proposed project would consume approximately 44,369 gallons of gasoline per year. In 2015, vehicles in California consumed approximately 15.1 billion gallons of gasoline.⁹ Therefore, gasoline demand generated by vehicle trips associated with the proposed project would be a minimal fraction of gasoline and diesel fuel consumption in California.

The proposed project would locate future residents within walking distance of public transportation, jobs, restaurants, and services. Implementation of the TASP includes policies that address transportation and land use. TASP Policy 3.21 would provide continuous pedestrian sidewalks and safe bike routes throughout the TASP Area; Policy 3.22 encourages walking and biking routes to schools and major destinations; and Policy 3.33 requires new development within the TASP Area to provide incentives for alternative modes of transit. The proposed project would develop high-intensity, transit oriented residential development. Therefore, the proposed project would support the ability to use alternative modes of transportation, would promote initiatives to reduce vehicle trips and vehicle miles traveled, and would increase the use of alternate means of transportation, which would allow for a decreased dependence on nonrenewable energy resources.

In addition, the proposed project would be constructed to CALGreen standards, which would help to reduce energy and natural gas consumption. Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Impacts would be less than significant.

Conflict or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and

⁷ Ibid.

⁸ California Energy Commission, 2017. Energy Consumption Data Management Service. Gas Consumption by County. Website: www.ecdms.energy.ca.gov/gasbycounty.aspx (accessed June 14, 2019).

⁹ California Energy Commission, 2017. California Gasoline Data, Facts, and Statistics. Website: www.energy.ca.gov/almanac/transportation_data/gasoline (accessed June 14, 2019).

increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission (ZE) vehicles and their infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The CEC recently adopted the 2017 Integrated Energy Policy Report.¹⁰ The 2017 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2017 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2017 Integrated Energy Policy Report. Thus, as shown above, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant. Therefore, the proposed project would not result in new or more severe impacts related to energy efficiency than were identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

¹⁰ California Energy Commission, 2017. *2017 Integrated Energy Policy Report*. California Energy Commission. Publication Number: CEC-100-2017-001-CMF.

Applicable Policies

TASP Policies

- *Policy 5.4: New commercial or institutional buildings, or tenant improvements to commercial, industrial or institutional buildings shall follow the provisions of the City's future Green Building Ordinance. In the absence of any ordinance, all new projects should be encouraged to incorporate green building measures.*
- *Policy 5.5: Coordinate with Santa Clara County and other regional agencies to establish and implement new local regulations and standards related to greenhouse gas emissions simultaneously across the region.*

By working together at the regional level, no one jurisdiction would bear the burden of being the first to adopt new regulations.

- *Policy 5.6: Require the use of Energy Star appliances and equipment in new residential and commercial development, and new City facilities.*
- *Policy 5.7: Require at least 50 percent of all new residential development to be pre-wired for optional photovoltaic roof energy systems and/or solar water heating.*
- *Policy 5.8: Incorporate cost-effective energy conservation measures into all buildings being constructed by the City in the Transit Area, including construction, operations and maintenance. These measures can include but are not limited to:*
 - *Energy efficient light fixtures, including solar powered systems, for streetscapes, parks, and public buildings which have limited glare and spillover;*
 - *Automatic lighting systems in public buildings and offices; and*
 - *Life-cycle costing of capital projects so that the environmental, societal, and economic costs are evaluated over the project's long-term operation.*
- *Policy 5.9: Establish a program to support energy efficiency in new private development and facilitate environmentally sensitive construction practices by:*
 - *Establishing an incentive program for projects with energy-efficient design, such as expedited permit processing;*
 - *Promoting use of products that are durable and allow efficient end-of-life disposal (recyclable);*
 - *Requiring demolition permits for structures and/or pavement exceeding 7,500 square feet to submit a report on recycled materials;*

- Promoting the purchase of locally or regionally available materials; and
- Promoting the use of cost-effective design.

Conclusion

The TASP FEIR adequately evaluated the potential impacts related to energy resulting from the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

7. GEOLOGY AND SOILS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
c. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☐	☒
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
d. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
e. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
f. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
g. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
h. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

Discussion

The information presented in this section is based on data and findings provided in the Geotechnical Investigation¹¹ prepared for the proposed project and geologic reports and maps by the United States Geological Survey (USGS), California Geological Survey (CGS), and others, as available.

¹¹ Cornerstone Earth Group, 2017. *Preliminary Geotechnical Investigation for the Tarob Court Residential Development*. November 13.

Seismicity and Seismic Hazards

Fault Rupture. Fault rupture is generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., within the past 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Earthquake Fault Zone to the project site is the Crosley Fault, which is located approximately 2 miles northeast of the project site.^{12,13} No known active or potentially active faults exist on the project site.¹⁴ Therefore, the impacts associated with the proposed project would not result in new impacts related to fault rupture or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Ground Shaking. There are multiple active faults that have the potential to generate very strong ground shaking at the project site. These faults include the Monte-Vista Shannon Fault, located 1.9 miles southwest; Hayward Fault, the southeast extension of which is located approximately 2.2 miles northeast; the Calaveras Fault, located about 5.8 miles northeast; and the San Andreas Fault, located about 15 miles southwest.¹⁵

The Working Group on California Earthquake Probabilities and the USGS have predicted a 63 percent probability of a 6.7 magnitude (M_w , or Moment Magnitude)¹⁶ or greater earthquake in the Bay Area region between 2007 and 2036, and a 7 percent chance California will experience an 8.0 magnitude earthquake in the next 30 years. The risk of ground shaking impacts is reduced through adherence to the design and materials standards set forth in building codes.

The City of Milpitas requires projects to comply with the 2016 California Building Code (Title 24, California Code of Regulations),¹⁷ which provides for stringent construction requirements on projects in areas of high seismic risk based on numerous inter-related factors. It is acknowledged that seismic hazards cannot be completely eliminated, even with implementation of advanced building practices. However, the seismic design standards of the California Building Code are intended to prevent catastrophic building failure in the most severe earthquakes currently anticipated. Therefore, consistent with the findings of the TASP FEIR, compliance with the 2016 California Building Code (CBC), which is required by both the City and the State, the proposed

¹² California Geological Survey, 2004. Earthquake Zones of Required Investigation, Milpitas Quadrangle. Available online at: gmw.conservation.ca.gov/SHP/EZRIM/Maps/MILPITAS_EZRIM.pdf (accessed June 14, 2019).

¹³ California Geological Survey, 2010. Fault Activity Map of California, 2010. Website: maps.conservation.ca.gov/cgs/fam (accessed March May 14, 2019).

¹⁴ Cornerstone Earth Group, 2017, op. cit.

¹⁵ Ibid.

¹⁶ Moment magnitude (M_w) is now commonly used to characterize seismic events as opposed to Richter Magnitude. Moment magnitude is determined from the physical size (area) of the rupture of the fault plane, the amount of horizontal and/or vertical displacement along the fault plane, and the resistance to rupture of the rock type along the fault.

¹⁷ Milpitas, City of. Code of Ordinances, Title II, Chapter 3.

project would not result in new impacts related to ground shaking or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Seismic-Related Ground Failure and Liquefaction. The potential for different types of ground failure to occur during a seismic event is discussed below.

Liquefaction Potential. Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. These soils lose strength during ground shaking. Due to the loss of strength, the soil may move both horizontally and vertically. In areas where sloping ground or open slope faces are present, this mobility can result in lateral spreading. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that are relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy.

The project site is located in an area that has been identified by the CGS as being susceptible to seismically-induced liquefaction.¹⁸ The intent of the CGS mapping of areas susceptible to earthquake-induced liquefaction is to ensure that geotechnical consultants consider possible liquefaction hazards and perform appropriate site-specific characterization and mitigation of liquefaction hazards as outlined in the State's guiding document for seismic hazard analysis, Special Publication 117A (SP117A).¹⁹ The Geotechnical Investigation prepared for the project, as required by the Seismic Hazard Mapping Act and CBC, addresses potential liquefaction related hazards. The Geotechnical Investigation indicates the potential for liquefaction triggering at the project site is low to very low, and that the potential liquefaction induced settlement of thin, discontinuous sand layers could result in ground surface settlement less than 0.25 inches. As discussed in SP117A, different movement for level ground sites over deep soil sites will be up to about two-thirds of the total settlement between independent foundation elements. Therefore, the Geotechnical Investigation concluded that different settlement beneath a typical residential foundation is likely to be negligible.

In addition, the Geotechnical Investigation provides site preparation (e.g., grading and fill placement) and foundation design recommendations that account for potential liquefaction induced settlement. During the design review process, the City would ensure that geotechnical recommendations are incorporated into the project designs, which would reduce potential impacts related to liquefaction. Therefore, the proposed project would not create impacts related to liquefaction that would be new or more significant than those analyzed in the TASP FEIR.

Lateral Spreading. Lateral spreading, the horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face, is typically associated with liquefaction of subsurface layer(s) near the bottom of an exposed slope. The project site is approximately 770 feet southwest of a man-made, unlined drainage channel for Penitencia Creek. Due to the distance to the site and the fact that soils encountered during explorations are mostly clays and not susceptible to liquefaction, and

¹⁸ Cornerstone Earth Group, 2017, op. cit.

¹⁹ California Geological Survey, 2008. *Special Publication 117A, Guidelines for Evaluating and Mitigating Seismic Hazards in California*. Revised and Re-adopted September 11.

therefore, the potential for lateral spreading would be low.²⁰ As a result, the proposed project would not create impacts related to lateral spreading that would be new or more significant than those analyzed in the TASP FEIR.

Seismic Settlement. Seismic settlement (also referred to as cyclic densification) can occur when non-saturated, cohesionless sand or gravel soil is densified by earthquake vibrations. A medium dense sand layer (likely undocumented fill) that is potentially susceptible to cyclic densification was encountered above the groundwater table in one boring location at the project site. The soil encountered at the other exploration locations is sufficiently clayey to resist cyclic densification. The anticipated total and differential ground settlement due to cyclic densification is on the order of half-an-inch, and would be less where the sand is removed or reworked for foundation construction.²¹ The Geotechnical Investigation provides site preparation (e.g., grading and fill placement) and foundation design recommendations that account for potential liquefaction induced settlement.²² During the design review process, the City would ensure that geotechnical recommendations are incorporated into the project designs, which would reduce potential impacts related to cyclic densification. Therefore, the proposed project would not create impacts related to seismic settlement that would be new or more significant than those analyzed in the TASP FEIR.

Landslides. The proposed project is located in a relatively flat area and is therefore not likely to be affected by landslides. In addition, the project site is not located in an area mapped by CGS as being susceptible to earthquake-induced landslides.²³ Therefore, the proposed project would not create impacts related to landslides that would be new or more significant than those analyzed in the TASP FEIR.

Erosion/Loss of Top Soil

The redevelopment of the project site would involve construction activities such as grading and excavation, which could result in temporary soil erosion when the disturbed soils are exposed to wind or rainfall. Because the proposed project would involve over an acre of land disturbance, it would be required to comply with the State Water Resources Control Board's Construction General Permit, which requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). Policy 5.33 of the TASP also requires construction projects that disturb 1 or more acres to prepare a SWPPP. The SWPPP would include erosion control best management practices that would minimize erosion during construction. Upon completion of construction, the project site would be covered with structures, pavement, and landscaping and would not include areas of exposed soil. Therefore, the proposed project would not create impacts related to erosion that would be new or more significant than those analyzed in the TASP FEIR.

²⁰ Cornerstone Earth Group, 2017, op. cit.

²¹ Ibid.

²² Ibid.

²³ California Geological Survey, 2004, op. cit.

Unstable and Expansive Soils

Unstable Soil. As previously discussed above, the project site would not be subject to liquefaction, lateral spreading, or landslides. In addition, the design and construction of the project in accordance with geotechnical recommendations would ensure these impacts would be less than significant. The proposed project would not create impacts related to unstable soil that would be new or more significant than those analyzed in the TASP FEIR.

Subsidence/Soil Collapse. Subsidence can result from the removal of subsurface water resulting in either gradual depression or catastrophic collapse of the ground surface. The proposed project would not utilize groundwater at the project site. Dewatering may be required in isolated areas of the project site during construction. Construction-related dewatering would not be expected to result in subsidence or soil collapse as the dewatering would be temporary, localized, and affect only the uppermost water-bearing zone. Therefore, the proposed project would not create impacts related to subsidence or soil collapse that would be new or more significant than those analyzed in the TASP FEIR.

Expansive Soils. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The changes in soils volume can result in substantial cosmetic and structural damage to buildings and hardscape developed over expansive soils. These effects can be mitigated by moisture conditioning the expansive soil, placing non-expansive fill below slabs and foundations, designing foundations and slabs to resist ground movements associated with volume changes, supporting foundations below the zone of severe moisture change, and/or limiting moisture changes in the surficial soils by using positive drainage away from the building as well as limiting landscape watering.

The Geotechnical Investigation found that highly expansive surficial clays blanket the project site. To reduce the potential for damage to the planned structures and pavement, the Geotechnical Investigation recommends that slabs-on-grade should be supported on a layer of non-expansive fill and shallow footings should extend below the zone of seasonal moisture fluctuation. In addition, geotechnical recommendations were provided for site preparation, grading, selection/placement of engineered fill, and the design of concrete pavement, flexible asphalt pavement, drainage and landscaping, and foundation systems which account for the presence of highly expansive soil.²⁴ During the design review process, the City would ensure that geotechnical recommendations are incorporated into the project designs, which would reduce potential impacts related to expansive soils. Therefore, the proposed project would not create impacts related to expansive soils that would be new or more significant than those analyzed in the TASP FEIR.

Septic Tanks/Wastewater Disposal

Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would have no impact related to septic tanks or alternative waste water disposal systems.

²⁴ Cornerstone Earth Group, 2017, op. cit.

Paleontological Resources

There is the potential to encounter unidentified fossils during construction of new development. Since fossils are considered to be nonrenewable resources, such impacts would be considered significant. Adverse impacts on paleontological resource could occur when earthwork activities such as mass excavation cut into geological formations, or depths below the soil layer, which is generally 6 feet deep. The TASP FEIR determined that project-specific evaluation, monitoring during construction, temporary suspension of grading, fossil recovery in the event fossils are discovered, as identified in TASP Policy 5.35 would reduce the potential impact to such resources to less-than-significant levels. Implementing the proposed project would not lead to new or more severe impacts to paleontological resources that would occur beyond those already identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy 5.a-I-3: Require projects to comply with the guidelines prescribed in the City's Geotechnical Hazards Evaluation manual.*

TASP Policies

- *Policy 5.33: Require construction projects that disturb one or more acres to prepare a SWPPP that, when properly implemented, would reduce or eliminate impacts on surface water quality during construction.*
- *Policy 5.35: All grading plans for development projects involving ground displacement shall include a requirement for monitoring by a qualified paleontologist to review underground materials recovered. In the event fossils are encountered, construction shall be temporarily halted. The City's Planning Department shall be notified immediately, a qualified paleontologist shall evaluate the fossils, and steps needed to photo-document or to recover the fossils shall be taken. If fossils are found during construction activities, grading in the vicinity shall be temporarily suspended while the fossils are evaluated for scientific significance and fossil recovery, if warranted.*

Conclusion

The TASP FEIR adequately evaluated the potential impacts related to geology and soils resulting from the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

8. GREENHOUSE GAS EMISSIONS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

The TASP FEIR found that the primary sources of greenhouse gas (GHG) emissions related to urban development in the TASP Area are anticipated to continue to be from combustion of fossil fuels by motor vehicles and from electric power generation. Short-term impacts are anticipated from construction activity that would occur during the implementation of the TASP. Since the GHG emission rate is related to growth, the TASP promotes policies that reduce energy consumption and fuel usage by encouraging development patterns that would reduce the vehicles miles traveled (VMT) per capita and proposes a variety of actions and policies that can reduce emissions to less-than-significant levels.

The TASP FEIR found that the rate of increase in VMT would be less than the rate of increase in population due to the mixed-use and transit area nature of new development proposed under the TASP. The TASP FEIR found that while the population is expected to increase significantly in the area, a large percentage of that population would use transit options made available to them which in turn would reduce vehicle use. The TASP FEIR also found that the increase in VMT will not prevent the reduction of Statewide GHG emissions to 1990 levels.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects.

The TASP FEIR analyzed the potential GHG emissions that would result from buildout of the TASP. The TASP was designed to provide residential uses in proximity to retail and commercial uses and to transit, such as the BART station, to minimize the use of vehicles and generation of VMT. TASP policies also encourage the development of pedestrian friendly streets and bikeways to promote alternative forms of transportation. The proposed project would incorporate the TASP policies by: providing continuous pedestrian sidewalks and safe bike travel routes, consistent with Policy 3.21; providing direct walking routes to schools and major destinations such as retail developments consistent with Policy 3.22; encouraging children to walk to school by providing safe routes consistent with Policy 3.23; and providing bikeways and bike storage and providing parking areas

that encourage carpooling and use of low emission vehicles consistent with TASP Policies 3.28, 3.31, 3.33 and 3.34. The TASP FEIR concluded that implementation of these measures would reduce impacts from GHG emissions for the TASP to less-than-significant levels. As the proposed project would remain in compliance with these policies, the project's impact on GHG emissions would also be less than significant.

Regarding electricity consumption, the TASP FEIR found that the increase in total demand for electrical energy as a result of the TASP would be reduced to less-than-significant levels by requiring compliance with State, local, and TASP energy efficiency policies. These policies (outlined below) will ensure that the additional energy that homes and businesses consume would not impede achievement of the Statewide reduction in emissions mandated by the California Climate Solutions Act of 2006 and will ensure that the impact of increased energy consumption in the TASP Area would be less than significant. Additionally, the proposed project would encourage and support energy efficiency and green building techniques that would reduce energy-related GHG emissions, similar to the previously approved TASP FEIR.

GHG emissions estimates for the proposed project were calculated using CalEEMod and the results are shown in Table BD below.

Table BD: Operational GHG Emissions

Emissions Source Category	Operational Emissions (Metric Tons per Year)				Percent of Total Project Emissions
	CO ₂	CH ₄	N ₂ O	CO ₂ e	
Area	0.5	<0.1	0.0	0.5	0
Energy	50.3	<0.1	<0.1	50.6	30
Mobile	105.7	<0.1	0.0	105.8	62
Waste	3.7	0.2	0.0	9.3	5
Water	3.4	0.1	<0.1	5.6	3
Total Operational				171.8	100
BAAQMD Threshold				1,100	-
Exceed?				No	-

Source: LSA (May 2019).

As shown in Table BD above, the proposed project would not exceed BAAQMD thresholds. Therefore, implementation of the proposed project would not result in an increase in GHG emissions beyond those analyzed in the TASP FEIR and impacts would remain less than significant.

The TASP FEIR did not include an evaluation of the project's compliance with the City's 2013 Climate Action Plan which was not in place at the time the EIR was certified. The Climate Action Plan includes GHG reduction goals, policies, and actions for new and existing development projects. The proposed project includes transit oriented development in addition to the TASP policies listed below, which are consistent with the Climate Action Plan's transportation and land use goals. Therefore, the project would be in conformance with the City's Climate Action Plan.

The 2001 Tarob Court Project adheres to the building guidelines of the TASP, is consistent with the Milpitas Climate Action Plan, and promotes reductions in GHG emissions through high-density development in close proximity to transit. To reduce energy usage, the project would incorporate green building measures in compliance with CALGreen standard building measures for residential buildings and Title 24 requirements. Additionally, the proposed project would include a total of 0.44 acres of common open space and landscaped areas, following the City's standards, which would help offset GHG emissions. The proposed project would result in no new or more severe impacts related to GHG emissions than analyzed in the TASP FEIR and further analysis is not required.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 3.16: Establish and implement a travel demand management (TDM) program in order to encourage alternate modes of travel and thereby reduce automobile trips. Establish a funding mechanism to pay for the costs of the program, including the cost of a transportation coordinator to administer the program. The program would include a ride-matching program, coordination with regional ride-sharing organizations, and provision of transit information; and could also include sale of discounted transit passes and provision of shuttle service to major destinations.*
- *Policy 3.21: See this policy in Section III, Air Quality.*
- *Policy 3.22: See this policy in Section III, Air Quality.*
- *Policy 3.23: Encourage children to walk or bike to school by expanding existing safe walking and bicycling routes to schools into the Transit Area.*
- *Policy 3.28: Provide continuous bicycle circulation through the project site and to adjacent areas by closing existing gaps in bicycle lanes and bicycle routes, per Figure 3-5 [of the Specific Plan].*
- *Policy 3.31: Require provision of bicycle and pedestrian facilities such as weather protected bicycle parking, direct and safe access for pedestrians and bicyclists to adjacent bicycle routes and transit stations, showers and lockers for employees at the worksite, secure short-term parking for bicycles, etc.*
- *Policy 3.33: See this policy in Section III, Air Quality.*
- *Policy 5.6: Require the use of Energy Star appliances and equipment in new residential and commercial development, and new City facilities.*

- *Policy 5.7: Require at least 50 percent of all new residential development to be pre-wired for optional photovoltaic roof energy systems and/or solar water heating.*
- *Policy 5.8: Incorporate cost-effective energy conservation measures into all buildings being constructed by the City in the Transit Area, including construction, operations and maintenance. These measures can include but are not limited to:*
 - *Energy efficient light fixtures, including solar powered systems, for streetscapes, parks, and public buildings which have limited glare and spillover;*
 - *Automatic lighting systems in public buildings and offices; and*
 - *Life-cycle costing of capital projects so that the environmental, societal, and economic costs are evaluated over the project's long-term operation.*

Conclusion

The TASP FEIR adequately evaluated the potential impacts associated with greenhouse gas resulting from the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

9. HAZARDS AND HAZARDOUS MATERIALS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Discussion**Transport, Use, Storage, and Disposal of Hazardous Materials**

The proposed project would result in demolition of the existing structure on the project site and construction of a new residential apartment building. The proposed land use would not involve transport, use, or disposal of significant quantities of hazardous materials. Generally, small quantities of hazardous materials such as paints and cleaning products would be used for routine maintenance. Therefore, a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials would not occur and potential impacts related to operational use of hazardous materials would be less than significant.

During project construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. Consistent with the findings of the TASP FEIR, due to mandatory compliance with federal, State, and local regulations, potential impacts associated with future hazardous material use, transport, and disposal are considered less than significant and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Release of Hazardous Materials and Risk of Upset

The public and/or the environment could be affected by the release of hazardous materials from the project site into the environment, by 1) exposing workers and/or the public to potentially contaminated soil, groundwater, and vapors during construction and/or operation of the project; or 2) exposing workers and/or the public to hazardous building materials (e.g., polychlorinated biphenyls [PCBs], lead paint, asbestos) during demolition of the existing structure.

A Preliminary Soil, Soil Vapor, and Ground Water Quality Evaluation (Soil Evaluation) involving sampling and analysis of soil, groundwater, and soil vapor was performed for the project site to evaluate potential environmental concerns identified at the site, including the potential presence of residual pesticides from past agricultural land use, past use and storage of hazardous materials at the project site, and potential presence of naturally occurring asbestos and elevated metal concentrations.²⁵

The soil quality data does not indicate the previous on-site activities significantly impacted soil quality at the locations sampled. Arsenic was detected at a concentration above its typical background concentration in one sample. However, this sample was collected at a depth of approximately 9 ½ to 10 feet and from what appeared to be undisturbed native soil. This arsenic detection likely reflects natural background variations.

Slightly elevated cobalt, chromium, and nickel concentrations were detected; however, these detected concentrations were below their respective residential screening criteria. Therefore, these do not appear to pose a significant human health risk concern for future commercial redevelopment. In addition, naturally occurring asbestos was not detected above laboratory reporting limits. Total chromium concentrations that were 10 times above its Soluble Threshold Limit Concentration (STLC) regulatory value. Disposal facilities typically require STLC testing for soil with total concentrations that exceed 10 times the STLC value. If this soil will require off-site disposal at a landfill or other facility during development, further testing may be required to properly determine its waste classification prior to landfill acceptance.

Total DDT was detected in one sample at a concentration exceeding its Total Threshold Limit Concentration (TTLC) regulatory value. This detection appears isolated as the other Total DDT concentrations were detected below the TTLC. Additional sampling would be conducted to determine if the excavation and stockpiling activities effect the Total DDT concentration. In addition, the detected DDD, DDE, and DDT concentrations were below their respective residential screening levels, and therefore are not expected to pose a significant health risk.

Policy 5.20 of the TASP was developed to address potential hazardous materials that could impact human health and require remediation of contaminated sites, and Policy 5.22 of the TASP requires a Risk Management Plan (RMP) to be developed for sites with known contamination issues (see the applicable TASP Policies listed below). In accordance with the requirements of Policy 5.20 of the TASP, the project applicant would be required to work with the appropriate agencies to ensure the

²⁵ Cornerstone Earth Group, 2018. *Preliminary Soil, Soil Vapor, and Ground Water Quality Evaluation for 2001 Tarob Court, Milpitas, California*. January 9.

project site to resolve issues related to contamination that could potentially impact future land uses in the project area. Because there is known contamination on the project site, compliance with Policy 5.22 of the TASP would require preparation of an RMP for the project to protect the health and safety of construction workers and the public.

Based on the age of the structure on the project site (constructed in 1982 after the 1978 ban on lead-based paint), the presence of lead-based paint is considered unlikely; however, it is possible that hazardous building materials such as asbestos-containing materials (ACMs) could be present in the structure. As indicated in the Code of Federal Regulations Title 16, Chapter II, Section 1303.3, the use of lead paint on industrial and commercial buildings is exempt from the ban on lead paint; therefore, lead paint may be present on the structure on the project site. Other hazardous building materials that could be present include PCB-containing materials and equipment, and mercury containing devices (e.g., fluorescent light bulbs and mercury switches).

Policy 5.21 of the TASP addresses hazardous materials that may be present in existing buildings such as asbestos, PCB's, or lead. The project would also be required to comply with Section 19827.5 of the California Health and Safety Code, which requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. Also required is full compliance with Title 17 and Title 8 of the California Code of Regulations, which includes work practice standards related to the evaluation and abatement of lead.

Consistent with the findings of the TASP FEIR, continued compliance with applicable local, State, and federal regulations and TASP policies, as provided below, would reduce potential exposure of people and the environment to hazardous materials associated with development of a contaminated property and demolition of older structures to a less-than significant level and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Emission of Hazardous Materials within 0.25 miles of a School

Stratford School, a private elementary school, is located at 341 Great Mall Parkway, approximately 1,500 feet north of the project site.²⁶ According to the TASP FEIR, it is possible that an elementary or K-8 school would be constructed in the vicinity of Houret Drive and McCandless Drive, which is approximately a quarter mile west of the project site. No other schools were identified within a quarter mile of the project site.²⁷

The project would not involve the handling of acutely hazardous materials. As discussed above, the project would not handle significant quantities of hazardous materials during operation. Consistent with the findings of the TASP FEIR, due to mandatory compliance with federal, State, and local regulations, potential impacts associated with routine hazardous material use, transport, and disposal during construction are considered less than significant. Compliance with TASP policies, as provided below, and cleanup of the hazardous materials releases at the project site under the

²⁶ California Department of Education, 2019. California School Directory. Website: www.cde.ca.gov/schooldirectory (accessed on June 14, 2019).

²⁷ Ibid.

oversight of the Regional Water Board, as discussed above, would ensure that potential impacts related to hazardous emissions from demolition of the existing building and development of a contaminated property would be a less-than significant and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Hazardous Materials Site Pursuant to Government Code Section 65962.5

Although the project site is known to be impacted by releases of hazardous materials, the project site is not included on a list of hazardous materials release sites compiled pursuant to Government Code Section 65962.5. Compliance with TASP policies, as provided below, and cleanup of the hazardous materials releases at the project site under the oversight of the Regional Water Board, as discussed above, would ensure that potential impacts related to development of a contaminated property would be a less than significant, and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Aviation Hazards

The project site is located approximately 3 miles northeast of the San Jose International Airport. The project site is not located within the Airport Safety Zones or Airport Influence Area of the San Jose International Airport,²⁸ and is not located in the vicinity of a private air strip. Therefore, the project would not result in aviation-related hazards due to proximity to an airport and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Emergency Response or Evacuation Plan

The proposed project would comply with standard City regulations related to the provision of adequate access for emergency vehicles and secure evacuation routes. The project would not alter the existing street network; therefore, consistent with the findings of the TSP FEIR, the project would not impact the implementation of established emergency response/evacuation plans and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Wild Fire

The project site is located within a highly urbanized area that is not susceptible to wildfires. Therefore, the project would not result in impacts related to wildfires and the proposed project would not result in any new or more severe impacts than those analyzed in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

²⁸ Santa Clara County Airport Land Use Commission, 2016. *Comprehensive Land Use Plan, Santa Clara County, Norma Y. Mineta San Jose International Airport*. May 25.

Applicable Policies

TASP Policies

- *Policy 5.20: Property owners shall work with the City of Milpitas Fire Department, the Santa Clara County Department of Environmental Health (SCCDEH), the California Department of Toxic Substances Control (DTSC), and/or the State Water Resources Control Board (SWRCB), whichever has jurisdiction, to resolve issues related to contamination that could potentially impact future land uses in the project area. The lateral and vertical extent of contamination shall be determined, remediation activities completed, and land use restrictions implemented, as necessary, prior to the issuance of development permits on parcels with known contamination.*
- *For parcels with known contamination, appropriate human health risk assessments (HHRAs) shall be conducted based on proposed land uses by a qualified environmental professional. The HHRAs shall compare maximum soil, soil gas, and groundwater concentrations to relevant environmental screening levels (ESLs) and evaluate all potential exposure pathways from contaminated groundwater and soil. Based on the findings of the HHRAs, if appropriate, engineering controls and design measures shall be implemented to mitigate the potential risk of post-development vapor intrusion into buildings.*
- *For parcels with no identified contamination, a Phase I study shall be completed to review potential for ground water, soil, or other contamination related to previous land uses. If any potential for contamination is determined to exist that could adversely affect human health for residential uses, a Phase II level analysis shall be conducted per City, State, and Federal requirements. If contamination is found to exist, procedures for contaminated sites as described in the paragraph above shall be followed.*
- *Policy 5.21: Project applicants shall submit information to the City regarding the presence of asbestos-containing building materials, PCBs, and lead-based paint in existing buildings proposed for demolition, additions, or alterations. The information shall be verified prior to the issuance of demolition permits by the City of Milpitas Building Inspection Division for any existing structures or buildings in the project area. If it is found that painted surfaces contain lead-based paint and/or the structures contain asbestos-containing building materials, measures to ensure the safe demolition of site structures shall be incorporated into the project Demolition Plan. The Demolition Plan shall address both onsite and offsite chemical and physical hazards. Prior to demolition, hazardous building materials associated with lead-based paint and asbestos containing building materials shall be removed and appropriately disposed of in accordance with all applicable guidelines, laws, and ordinances. The demolition of buildings containing asbestos would require retaining contractors who are licensed to conduct asbestos abatement work and notifying the Bay Area Air Quality Management District (BAAQMD) ten days prior to initiating construction and demolition activities. Regarding lead-based paint, Cal-OSHA regulates all worker exposure during construction activities associated with lead-based paint. The Cal-OSHA-specified method of compliance includes respiratory protection, protective clothing, housekeeping, hygiene facilities, medical surveillance, and training.*

- *Policy 5.22: At sites with known contamination issues, a Risk Management Plan (RMP) shall be prepared to protect the health and safety of construction workers and site users adjacent to construction activities. The RMP shall include engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction site and to reduce hazards outside of the construction site. The RMP shall address the possibility of encountering subsurface hazards and include procedures to protect workers and the public. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and permits. Protocols for the handling, transport, and disposal of both known and previously unidentified hazardous materials that may be encountered during project development shall be specified. If prescribed exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with OSHA regulations. Finally, the RMP shall also include procedures for the use, storage, disposal, of hazardous materials used during construction activities to prevent the accidental release of these materials into the environment during construction.*

Conclusion

The TASP FEIR adequately evaluated the potential hazards and hazardous materials impacts of the proposed project. Therefore, potential impacts would be less-than-significant and additional mitigation is not required.

10. HYDROLOGY AND WATER QUALITY

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	☒
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv. Impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion**Water Quality Standards**

Construction. Construction and demolition activities of the proposed project would involve site disturbance, grading, and excavation of soil, which could result in temporary erosion and movement of sediments into the storm drain system, particularly during precipitation events. The potential for chemical releases is present at most construction sites due to the use of paints, solvents, fuels, lubricants, and other hazardous materials associated with heavy construction equipment. Once released, these hazardous materials could be transported to nearby surface waterways in stormwater runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters. The release of sediments and other pollutants during construction and demolition could adversely affect water quality in receiving waters.

The proposed project would disturb greater than 1 acre of land, and therefore would be required to obtain coverage under the Construction General Permit (State Water Board Order 2009-0009-DW).²⁹

²⁹ State Water Resources Control Board Division of Water Quality, 2009. *Construction General Permit Fact Sheet*. 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ.

On-site construction activities subject to the Construction General Permit include clearing, grading, excavation, and soil stockpiling. The Construction General Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. A SWPPP identifies all potential pollutants and their sources, including erosion, sediments, and construction materials and must include a list of Best Management Practices (BMPs) to reduce the discharge of construction-related stormwater pollutants. A SWPPP must include a detailed description of controls to reduce pollutants and outline maintenance and inspection procedures. Typical sediment and erosion BMPs include protecting storm drain inlets, establishing and maintaining construction exits and perimeter controls to avoid tracking sediment off-site onto adjacent roadways. A SWPPP also defines proper building material staging and storage areas, paint and concrete washout areas, describes proper equipment/vehicle fueling and maintenance practices, measures to control equipment/vehicle washing and allowable non-stormwater discharges, and includes a spill prevention and response plan. Policy 5.33 of the TASP also requires construction projects that disturb 1r more acres to prepare a SWPPP.

Temporary dewatering may be required during construction activities involving excavation. Dewatering effluent may have high turbidity and could contain contaminants. Turbid and/or contaminated groundwater could cause degradation of the receiving water quality if discharged directly to storm drains or surface water without treatment. The discharge of dewatering effluent would be subject to permits from the City of San Jose (which manages and operates the San Jose-Santa Clara Regional Wastewater Facility which treats wastewater from the project site) or the Regional Water Board, depending if the discharge were to the sanitary sewer or storm drain system, respectively. The Construction General Permit allows the discharge of dewatering effluent if the water is properly filtered or treated, using appropriate technology. If the dewatering activity is deemed by the Regional Water Board not to be covered by the Construction General Permit, then the discharger could potentially prepare a Report of Waste Discharge, and if approved by the Regional Water Board, be issued site-specific Waste Discharge Requirements (WDRs) under National Pollutant Discharge Elimination System (NPDES) regulations. If it is infeasible to meet the requirements of the Construction General Permit, acquire site-specific WDRs, or meet the City of San Jose's sewer discharge requirements, the construction contractor would be required to transport the dewatering effluent off-site for treatment and disposal.

Required compliance with State and local regulations regarding stormwater and dewatering during construction would not result in new impacts and would not substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Operation. Because the project would replace over 10,000 square feet of existing impervious surface area, the project would be required to comply with Provision C.3 requirements of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP).³⁰ The project would result in alteration of over 50 percent of the existing impervious surface of the project site, and therefore all new and replaced impervious surfaces would require treatment under the MRP. Provision C.3 of the MRP requires implementation of low impact development (LID) source control,

³⁰ San Francisco Bay Regional Water Quality Control Board, 2015. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit No. CAS612008, November 19.

site design, and stormwater treatment for regulated projects. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. Policy 5.34 of the TASP also requires construction projects that disturb 1 or more acres to prepare a Stormwater Control Plan.

The LID stormwater controls for the proposed project would include permeable pavement, bio-retention areas, self-treating landscape areas, mechanical treatment (filtration) of runoff from asphalt pavement, and treatment of runoff using flow through planters.

Consistent with the findings of the TASP FEIR, continued compliance with applicable regulations, as described above, and TASP policies, as provided below, would not result in new impacts or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Deplete Groundwater Supplies

Dewatering may be performed during construction activities involving excavation. If performed, construction-related dewatering would be temporary and limited to areas of excavation on the project site and would not substantially contribute to depletion of groundwater supplies.

Operation of the proposed project would not involve dewatering or the use of groundwater as potable water, because potable water would be supplied to the project site by the City. The project would decrease the amount of impervious surfaces compared to the existing condition; however, as discussed in Section 7. Geology and Soils, above, impermeable membranes and sub-drains would be required to be installed below much of the proposed impervious surfaces due to the highly expansive and low permeability clay which is present throughout the project site. While the installation of impermeable membranes and sub-drains below much of the proposed impervious surfaces would prevent rainwater from infiltrating the subsurface and recharging groundwater, the majority of the project site is currently covered by impermeable surfaces; therefore the proposed project would not impede the recharge of groundwater compared to the existing condition. As a result, the proposed project would not result in new impacts to groundwater resources or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Drainage Pattern and Surface Run-Off

The project would not alter the course of a stream or river. Consistent with the findings of the TASP FEIR, compliance with applicable regulations and TASP policies, as described above and listed below, would ensure that changes to drainage patterns would result in less-than-significant impacts related to erosion and siltation.

The TASP FEIR determined that stormwater runoff would decrease with the buildout of the TASP Area, including the project site. The addition of more landscaped areas and parks would allow more precipitation to infiltrate into the ground compared with the current condition of nearly complete

coverage of impervious pavement. The TASP FEIR determined that none of the existing stormwater drainage pipelines would require expansion.

Developers are required to fund a Storm Drainage Plan for each subdistrict within the TASP Area that includes measures to reduce runoff pollutants and control pollutant sources to the maximum extent practical. Full compliance with the Santa Clara County National Pollution Discharge Elimination System (NPDES) permit guidelines for stormwater discharges and General Plan Policy 4.d.-G-1 would ensure that long-term water quality impacts would not be significant.

Flooding and Dam Failure Inundation

The project site is not located within a dam failure inundation area.³¹ The project site is located in an area protected from flooding by a levee along Berryessa Creek to the northeast of the project site; however, this levee does not provide protection from a 100-year flood.³² The project would not alter levees or dams, therefore the project would not result in flooding impacts related to dam failure or increase the likelihood of levee failure. Potential impacts of the project related to redirecting flood flows from potential levee failure along Berryessa Creek are discussed below.

The project site is located in an area designated as “Special Flood Hazard Areas Subject to Inundation By the 1 percent Annual Chance Flood” Zone AO on the current Flood Insurance Rate Map (FIRM) published by the Federal Emergency Management Agency (FEMA).³³ The Zone AO designation indicates areas that are subject to inundation by the 1-percent-annual-chance flood (also known as a 100-year flood) event with an established base flood elevation³⁴ or depth, and the flood depth at project site is indicated to be 1-foot.

TASP Policy 6.1 requires projects to minimize damage associated with flooding events and comply with regulations stipulated by FEMA and the National Flood Insurance Program. TASP Policy 6.2 requires new development within a FEMA-designated flood hazard zone to follow the City’s construction standards for such areas, as currently laid out in Section XI-15 ‘Floodplain Management Regulations’ of the Milpitas Municipal Code.

As noted in Attachment A, Project Description, the proposed project would raise the site by approximately 4.5 feet to comply with FEMA requirements to remove the project from the floodplain. The project would be required to apply for a Conditional Letter of Map Revision (CLOMR-F) and Letter of Map Revision (LOMR-F) based on area removal or structure removal from the effective FEMA floodplain and subsequently comply with all City floodplain ordinances.

Consistent with the findings of the TASP FEIR, the project would be required to comply with the TASP policies, which include compliance with FEMA requirements and the City of Milpitas Municipal

³¹ Milpitas, City of, 1994. *General Plan, Chapter 5 – Seismic and Safety Element*.

³² Federal Emergency Management Agency, 2009. FEMA Flood Map Service Center (map). Website: msc.fema.gov/portal/search?AddressQuery=2001%20Tarob%20Court%2C%20Milpitas#searchresultsanchor (accessed June 14, 2019).

³³ Ibid.

³⁴ Base flood elevation is the regulatory requirement for the elevation or flood proofing of structures.

Code. Therefore, the proposed project would not result in new impacts related to flooding or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Inundation by Seiche, Tsunami, or Mudflow

The project site is not located in an area mapped by the California Emergency Management Agency as susceptible to tsunami inundation.³⁵ The project site is not located near or downgradient from water bodies (e.g., lakes or reservoirs) that could produce seiches. Seiches are not considered a hazard in the San Francisco Bay based on the basin geometry and dimensions.³⁶ The project site and surrounding topography is relatively flat and therefore the proposed project would not result in impacts related to mudflows (a type of landslide that occurs on slopes). Therefore, the proposed project would not result in new impacts related to inundation by tsunami, seiche, or mudflow or substantially increase the severity of impacts than those analyzed in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *4.d-G-1: Protect and enhance the quality of water resources in the Planning Area.*
- *4.d-I-1: Continue implementing the NPDES requirements of the Regional Water Board – this is implemented through Chapter 16 of the City's Zoning Ordinance.*

TASP Policies

- *Policy 5.33: Require construction projects that disturb one or more acres to prepare a SWPPP that, when properly implemented, would reduce or eliminate impacts on surface water quality during construction.*
- *Policy 5.34: Require construction projects that disturb one or more acres to prepare a Stormwater Control Plan, as stipulated in Provision C.3 of the Santa Clara County NPDES permit for stormwater discharges.*
- *Policy 6.1: Minimize damage associated with flooding events and comply with regulations stipulated by FEMA and the National Flood Insurance Program.*

³⁵ California Emergency Management Agency, 2009. Tsunami Inundation Map for Emergency Planning, Milpitas Quadrangle, July 31.

³⁶ Borrero, et al., 2006. *Numerical Modeling of Tsunami Effects at Marine Oil Terminals in San Francisco Bay*. Report prepared for: Marine Facilities Division of the California State Lands Commission. June 8.

- *Policy 6.2: New development within a FEMA-designated flood hazard zone must follow the City's construction standards for such areas, as currently laid out in Section XI-15 'Floodplain Management Regulations' of the Milpitas Municipal Code.*
- *Policy 6.3: New development must maintain the Transit Area's urban design standards. In particular, first floor commercial space must be within two feet of the elevation of the public sidewalk.*
- *Policy 6.4: Provide storm drain infrastructure to adequately serve new development and meet City standards.*
- *Policy 6.5: Ensure that runoff in storm drains does not lower water quality within or outside of the Transit Area by implementing BMPs in new developments within the Transit Area.*

Conclusion

The TASP FEIR adequately evaluated the potential hydrology and water quality impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

11. LAND USE AND PLANNING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

Divide an Established Community

Projects that have the potential to physically divide an established community include projects such as new freeways and highways, major arterials, streets, and railroad lines. The proposed project would develop a new residential use on the project site within the TASP Area that currently contains a light-industrial use and surface parking. The proposed project would provide public access by including public sidewalks throughout the project site that connect with the existing sidewalks along Tarob Court and Lundy Place. Bicycle and vehicle access would be provided by via Tarob Court as well. Therefore, the proposed project would not inhibit public connectivity, and would not physically divide a community. This impact would be less than significant and would be no more severe than analyzed in the TASP FEIR.

Conformance with Land Use Plans

The purpose of the TASP is to transition former industrial sites to primarily residential and commercial uses adjacent to nearby transit. Upon certification of the TASP FEIR, the City of Milpitas adopted amendments to the General Plan and Zoning Ordinance to ensure consistency between the planning documents. The TASP FEIR evaluated these new land use designations and associated policies and determined that impacts of the land use classifications and density of development conceived under the TASP would be less than significant. As described in the Project Description (Attachment A), the proposed project would be consistent with the existing land use and zoning designations for the project site.

The TASP requires that all projects proposed within the TASP Area are subject to a Site and Architectural Review in accordance with Chapter 42 of the City's Zoning Ordinance. Projects must demonstrate compliance with the TASP, including the Development Standards and Design Guidelines. In order to approve a project or variance, the City must find that "The proposed project conforms to the intent and the specific requirements of the TASP, including the Development Standards and Design Guidelines." As stated above, the proposed project would be consistent with the existing land use and zoning designations of the project site. The development associated with the proposed project is within the amount of growth evaluated and cleared within the TASP FEIR and is compatible with existing and future residential uses in the vicinity of the project site. Therefore, the density and intensity of the proposed project would not result in any new or more significant impacts regarding conformance with land use plans than those already identified in the TASP FEIR.

Land Use Compatibility

At buildout, the TASP assumes the overall urban design and development standards associated with changes to land use and zoning would contribute to fewer incompatible land uses in the TASP Area. Land uses proposed by the TASP are more compatible with the existing and proposed adjacent residential and commercial uses. In addition, the heights and densities of higher density residential and commercial uses will provide a transition toward lower density housing. Over the planning horizon, residential uses will be built in an existing industrial area. Therefore incompatible uses may be temporarily adjacent to each other until complete buildout. The TASP also includes a number of development standards to minimize potential impacts of incompatible land uses, such as setbacks, and building location and placement policies and standards. The full set of development standards can be found in Chapter 5 of the TASP. With implementation of these self-mitigating policies and standards in the TASP, the TASP FEIR concluded that no mitigation measures would be required to address potential land use impacts.

The proposed project would conform to the TASP policies as well as the development standards provided in Chapter 5 of the TASP. The proposed project would include land uses addressed by the TASP and would not result in any land use compatibility impacts that would be more severe than those analyzed in the TASP FEIR. Therefore, the proposed project would not conflict with established or planned land uses.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 3.8: Allow contiguous developments to build at higher or lower residential densities, so long as their average density falls between the designated minimum and maximum.*
- *Policy 3.9: Maintain the Midtown Plan's gross floor area policy, which excludes all areas of a building devoted to parking from FAR calculations.*
- *Policy 3.38: The open space requirements of the Midtown Milpitas Specific Plan (Policy 3.2.4) shall apply to the entire area of the Transit Area Specific Plan.*
- *Policy 5.16: See policy in Section 3, Air Quality.*
- *Policy 5.17: In all rental and sale agreements, provide disclosures to future residents about all surrounding industrial uses, including UPRR train tracks and operations and the permanent rights of such industrial uses to remain. Describe potential impacts including but not limited to: noise, groundborne and airborne vibration, odors, and use of hazardous materials.*
- *Policy 5.18: Day care facilities, schools, nursing home, and other similar sensitive receptors shall be located away from sites which store or use hazardous materials, in accordance with State and City standards. Adequate buffers to protect occupants of these sensitive uses shall be provided, including but not limited to walls, fences, landscaping, large building setbacks and additional exit routes over and above minimum code requirements.*
- *Policy 5.19: Require the installation of temporary buffers-fences, walls or vegetation-when residential uses are developed adjacent to existing industrial uses. The type of buffer must be reviewed and approved by the City Planning Department. The temporary buffers may be removed if and when the adjacent site is redeveloped as a non-industrial use.*

Conclusion

The TASP FEIR adequately evaluated the potential land use impacts of the proposed project. Therefore, potential impacts would be less-than-significant and additional mitigation is not required.

12. MINERAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

The entire TASP Area, including the project site, is located in a developed urban area that does not have mineral exploration or extraction occurring in the vicinity. In addition, the TASP Area is not designated as containing mineral resource deposits of regional importance. As such the proposed project as well as the TASP would have no impacts on mineral resources.

13. NOISE

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion**Construction-Period Impacts**

The proposed project would be consistent with the buildout projected for the TASP, and would implement the policies identified in the TASP FEIR to reduce potential noise impacts to less-than-significant levels. Construction of the project would adhere to the noise standards and requirements set forth in the City's Municipal Code and General Plan. The project would implement the measures identified in the TASP for addressing noise, including providing disclosures to future residents per

Policy 5.17, and requiring temporary buffers if residents are placed next to existing industrial uses per Policy 5.19.

As described in the TASP FEIR, construction noise impacts would vary depending on proximity to sensitive receptors, the presence of intervening barriers, and the number, types, and duration of construction equipment used. Compliance with the General Plan and TASP policies would ensure that construction noise impacts would be less than significant.

The City's Noise Abatement Ordinance would restrict construction hours to between 7:00 a.m. and 7:00 p.m. The City's General Plan Policy 6-I-13 would minimize construction noise impacts by restricting the hours of operation, technique, and equipment used. Additionally, TASP Policy 5.15 requires that construction noise be mitigated to the extent feasible to reduce exposure of sensitive receptors.

The proposed project would not result in any new or more significant construction-period noise impacts than were described in the TASP FEIR. Implementation of the Noise Ordinance, the City of Milpitas General Plan, and the TASP, as included in the TASP FEIR, would reduce construction noise impacts to a less-than-significant level.

Groundborne Vibration Impacts

Construction activities are known sources of groundborne vibration. Vibration impacts could occur during construction of the proposed project, which would require the use of heavy excavation equipment, and the possible use of pile-driving equipment. To determine potential construction vibration impacts, an impact evaluation is described below.

When assessing annoyance from groundborne noise, vibration is typically expressed as root mean square (rms) velocity in units of decibels of 1 micro-inch per second. Vibration levels, different from noise levels, are written as vibration velocity decibels (VdB). However, construction vibration impacts on building structures are generally assessed in terms of peak particle velocity (PPV). Therefore, for purposes of this analysis, project-related impacts are expressed in terms of PPV.

Typical groundborne vibration levels measured at a distance of 25 feet from heavy construction equipment in full operation, such as vibratory rollers, range up to approximately 0.210 PPV. Based on the Federal Transit Administration (FTA) data, large bulldozers generate 0.089 PPV at 25 feet and small bulldozers generate 0.003 PPV at 25 feet. Loaded trucks generate 0.076 PPV at 25 feet, an impact pile driver generates 0.644 PPV at 25 feet, and a sonic pile driver generates 0.170 PPV at 25 feet. Except for the impact driver, these vibration levels would not be expected to cause damage to residential buildings of typical northern California construction.

As stated in the TASP FEIR, the proposed project would develop residential uses and therefore could expose sensitive receptors to unacceptable levels of groundborne vibration, specifically from operation of the VTA light rail line and BART trains along the proposed BART expansion into the TASP Area. The nearest proposed residential uses would be approximately 750 feet from the future BART/VTA light rail line.

The Santa Clara Valley Transit Authority's BART Expansion SEIR indicated that vibration impacts at existing receptors in the Planning Area and within 100 feet of the proposed tracks would be mitigated to a less-than-significant level (less than the 72 VdB significance threshold for frequent events affecting Category 2 land uses) by either using a floating slab track or by using tire derived aggregate under ballasted track.³⁷ As this mitigation would reduce vibration at the source, future residential uses proposed along the BART alignment would also experience less than significant vibration impacts. In addition, TASP Policies 5.13 and 5.14 would ensure that vibration levels within buildings would be less than the FTA criteria.

Therefore, the proposed project would not result in any new or more significant groundborne vibration impacts than were described in the TASP FEIR. In addition, implementation of TASP policies would reduce potential groundborne vibration impacts on future or existing sensitive receptors to less-than-significant levels.

Land Use Compatibility

The TASP FEIR requires implementation of TASP Policy 5.10 which requires new development in the TASP Area to adhere to the standards and guidelines in the Milpitas General Plan that govern noise levels, which would include implementation of General Plan Policies 6-I-2 through 6-I-16. Policy 6-I-2 requires an acoustical analysis for projects located within a "conditionally acceptable" or "normally unacceptable" exterior noise exposure area and require mitigation measures to reduce noise to acceptable levels.

The proposed project would result in an increase in people living close to transit stations which could expose sensitive receptors to higher noise levels from train and future BART activity. The noise environment at the project site is dominated by vehicle traffic noise on Trade Zone Boulevard and rail noise associated with the future BART/VTA light rail and Union Pacific Railroad. Figure 3.7-3 of the TASP FEIR shows the projected noise levels at plan buildout. Based on Figure 3.7-3, the project site is not within the 60 dB noise contours for BART or roadway noise and is within the 60 dB noise contours for the Union Pacific Railroad noise.

Based on the City's noise and land use compatibility standards, as shown in Figure 3.7-2 of the TASP FEIR, this noise level would be considered normally acceptable for multi-family residential land uses, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements. Therefore, the proposed project would meet the City's land use compatibility standards for multi-family residential land uses. The proposed project would be required to install mechanical ventilation under General Plan Policy 6-I-5 so that windows can remain closed, which would ensure the project would comply with interior noise standards. Based on standard exterior to interior noise attenuation rates, with windows closed the interior noise level of 45 dBA DNL would be met. Therefore, the proposed project would not result in any impacts that would be more severe than those analyzed in the TASP FEIR.

³⁷ Transportation Authority, Santa Clara Valley, 2010. *BART Silicon Valley Environmental Impact Report*. November.

Stationary Noise Source Impacts

The City of Milpitas prohibits disturbing noise that increases the noise exposure level by three dB over the local daytime ambient noise level measured from the property line of the noise source, or more than 65 dB measured from the property line of the noise source, whichever is more restrictive. At night, the City of Milpitas prohibits any disturbing noise that is audible during the hours of 10:00 p.m. to 7:00 a.m. from a distance of 50 feet from the property line of the noise source or from a distance of 100 feet from any nonstationary noise source. It shall also be prima facie violation if any disturbing noise is audible during the hours of 7:01 a.m. to 9:59 p.m. from a distance of 100 feet from the property line of the noise source or any nonstationary noise source.

The intent of the Code is to regulate noise produced by noise-generating land uses on noise-sensitive land uses, not to regulate sounds produced by one noise-sensitive residential property upon another noise-sensitive residential property. The project site is currently developed with an office/light-industrial building. Residential land uses typically generate lower noise levels than industrial and commercial land uses. The proposed project is a residential land use and would not be considered as a significant source of noise within the community that could adversely affect other nearby residential land uses. Intermittent audible sounds produced by the proposed residential project would primarily be associated with human voices, vehicles, and mechanical ventilation equipment. Such intermittent sounds would be expected in a residential area and would result in a less-than-significant impact. Therefore, the proposed project would not increase stationary source noise impacts above those analyzed in the TASP FEIR.

Aircraft Noise Source Impacts

According to the City's current and projected noise contours for San José International Airport, the project site is not within an area exposed to aircraft noise levels greater than 60 dB CNEL. Therefore, per TASP FEIR analysis, aircraft noise would have no impact on the project site.

Traffic Noise Impacts

A significant noise impact would occur if traffic generated by the project would substantially increase noise levels at sensitive receptors in the project vicinity. A substantial increase would occur if the DNL exposure at residential land uses increases by more than 3 dB or exceeds 65 dB at the residential property line, whichever is more restrictive.

Impact 3.7-1 of the Milpitas Transit Area Specific Plan identified a less-than-significant traffic noise impact upon existing and future residential land uses assuming the buildout of the Specific Plan project. The proposed project is a small subset of the Specific Plan project; therefore, the proposed project would also result in a less-than-significant impact with regard to traffic noise increases in the community. The project would not result in a doubling of traffic volumes, which would be required for existing noise levels to increase by more than 3 dBA DNL. Further, the relatively low number of project trips would not be expected to produce traffic noise levels exceeding 65 dBA DNL at nearby residential receptors; therefore, the impact is considered less than significant.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy 6-G-1: Maintain land use compatibility with noise levels similar to those set by State guidelines.*
- *Policy 6-G-2: Minimize unnecessary, annoying, or injurious noise.*
- *Policy 6-I-2: Require an acoustical analysis for projects located within a conditionally acceptable or normally unacceptable exterior noise exposure area. Require mitigation measures to reduce noise to acceptable levels.*
- *Policy 6-I-3: Prohibit new construction where the exterior noise exposure is considered clearly unacceptable for the use proposed.*
- *Policy 6-I-4: Where actual or projected rear yard and exterior common open space noise exposure exceeds the normally acceptable levels for new single-family and multifamily residential projects, use mitigation measures to reduce sound levels in those areas to acceptable levels.*
- *Policy 6-I-5: All new residential development (single family and multifamily) and lodging facilities must have interior noise levels of 45 dB DNL or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels.*
- *Policy 6-I-6: Assist in enforcing compliance with noise emissions standards for all types of vehicles, established by the California Vehicle Code and by federal regulations, through coordination with the Milpitas Police Department, Santa Clara County Sheriff's Department, and the California Highway Patrol.*
- *Policy 6-I-9: Enforce the provisions of the City of Milpitas Noise Ordinance and the use of established truck routes.*
- *Policy 6-I-13: Restrict the hours of operation, technique, and equipment used in all public and private construction activities to minimize noise impact. Include noise specifications in requests for bids and equipment information.*

TASP Policies

- *Policy 5.10: New development in the Transit Area shall adhere to the standards and guidelines in the Milpitas General Plan that govern noise levels. The particular policies of note are Policies 6-I-1 through 6-I-16.*
- *Policy 5.11: Construct masonry walls to buffer residential uses from BART and UPRR train tracks. These walls will be constructed by residential developers. They may be located within the landscaped buffer along the tracks*
- *Policy 5.13: Apply the FTA groundborne vibration criteria (presented in Table 5-5) as review criteria for development projects in the vicinity of vibration sources such as BART trains and heavy rail trains.*
- *Policy 5.14: Project applicants shall conduct a vibration impact analysis for any sites adjacent to or within 300 feet of active UPRR and BART alignments to demonstrate that interior vibration levels within all new residential development (single family and multifamily) and lodging facilities would be at acceptable levels. If needed, require mitigation measure to reduce vibration to acceptable levels.*
- *Policy 5.15: Prior to issuance of building permits, applicants shall demonstrate that noise exposure to sensitive receptors from construction activities has been mitigated to the extent feasible pursuant to the City's Noise Abatement Ordinance. Mitigation may include a combination of techniques that reduce noise generated at the source, increase the noise insulation of the receptor or increase the noise attenuation rate as noise travels from the source to the receptor.*
- *Policy 5.17: In all rental and sale agreements, provide disclosures to future residents about all surrounding industrial uses, including UPRR train tracks and operations, and permanent rights of such industrial uses to remain. Describe potential impacts including but not limited to: noise, groundborne and airborne vibration, odors, and use of hazardous materials.*
- *Policy 5.18: Day care facilities, schools, nursing homes, and other similar sensitive receptors shall be located away from sites which store or use hazardous materials, in accordance with State and City standards. Adequate buffers to protect occupants of these sensitive uses shall be provided, including but not limited to walls, fences, landscaping, large building setbacks, and additional exit routes over and above minimum code requirements.*
- *Policy 5.19: Require the installation of temporary buffers—fences, walls, or vegetation—when residential uses are developed adjacent to existing industrial uses. The type of buffer must be reviewed and approved by the City Planning Department. The temporary buffers may be removed if and when an adjacent site is redeveloped as a non-industrial use.*

Conclusion

The TASP FEIR adequately evaluated the potential noise impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

14. POPULATION AND HOUSING

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

The proposed land use changes and policy revisions under the TASP (which includes the project site) were initiated in order to develop high-intensity, transit-oriented residential and commercial redevelopment on under-utilized industrial land around existing light rail stations and the future BART station in Milpitas. Promoting such high intensity development around transit stations is a key transportation goal for the Bay Area and would meet regional objectives.

The TASP FEIR evaluated potential environmental impacts associated with approximately 7,100 residential units and 18,000 new residents within the TASP Area. The TASP FEIR assumes that the population growth is concentrated in this area and that the TASP would increase the City's housing stock by 39 percent and its population by 28 percent based on 2006 estimates from the California Department of Finance.³⁸

The proposed project would include the development of the project site with a high-density residential building with up to 40 residential apartment units. The proposed project would directly generate a permanent population increase in the area. The proposed project would not displace a residential population or existing housing, as the existing structure on the project site contains light-industrial uses. Similarly, the proposed project would not result in an expansion of urban services, nor would it open additional undeveloped land for future growth. The proposed project would facilitate the reuse of underutilized land in an existing urban setting that is well served by transit facilities and services. In addition, the population and housing units included in the proposed project would fall within the total development anticipated by the TASP FEIR, as mentioned in Section 10, Land Use and Planning. Therefore, the proposed project would not result in new or more significant population growth and/or housing impacts than were analyzed and described in the TASP FEIR.

³⁸ Milpitas, City of, 2008b, op. cit.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The TASP FEIR adequately evaluated the potential population and housing impacts of the proposed project. Therefore, potential impacts would be less-than-significant and additional mitigation is not required.

15. PUBLIC SERVICES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

Discussion

Fire and Police Protection

The project applicant would construct the proposed project in conformance with current building codes, which require features to reduce potential fire hazards. The Milpitas Police Department would also review project design to ensure that it incorporates appropriate safety features to minimize criminal activity.

As discussed in the TASP FEIR, full buildout of the development approved in the TASP Area, including the proposed project, would incrementally increase the need for fire and police protection services, which would create the need for additional staffing or resources, and a new fire station in the TASP Area. The TASP FEIR states that given that the TASP Area anticipated population of 18,000 new residents, there would be a need for at least one and possibly two new fire companies. Future development of new fire or police facilities in the TASP Area would require supplemental project-specific environmental review.

The TASP presents unique operational issues for the Milpitas Fire Department due to its high density residential and mixed-use structures. The increase in population, business, and vehicular traffic resulting from the buildout of the TASP Area will increase the demand in service levels and has the potential to impact response times, as well as presenting challenges to Fire Department vehicle access and firefighting operations. To maintain current levels of service, an increase in staffing and equipment will be necessary. A “standards-of-cover” analysis should be conducted to determine the precise impact on the Fire Department’s staffing, equipment, and any required facility enhancements. In addition, the Milpitas Fire Department would need to write an addendum to the City’s emergency management plan to address the development of the TASP Area.

As the TASP FEIR states, the buildout of the TASP Area, including the project site would require an increase in Police Department staffing to maintain current levels of service. The City currently provides a ratio of 0.9 police officers per 1,000 residents. The City estimates that an additional 0.5 police officers would be needed to maintain service levels.

The proposed project would follow policies that would reduce Fire and Police Department impacts due to TASP development to less-than-significant levels. The proposed project would not result in any new or more significant impacts to fire or police protection service beyond those identified in the TASP FEIR.

Schools

The proposed project would develop 40 residential units within the TASP Area, which would directly increase the demand for school facilities. The closest schools to the project site are Northwood Elementary and Morrill Middle School within the Berryessa Union School District and Independence High School within the East Side Union High School District. The TASP FEIR determined that buildout of the TASP, including the project site, would contribute significantly to an exceedance of school district capacity for Milpitas Unified School District and East Side Union High School District, but that Berryessa Union School District has adequate capacity for future students generated as a result of the TASP. As such, the TASP FEIR determined that the impacts of the TASP Area buildout on school facilities would be significant and unavoidable.

Polices in the General Plan and TASP would reduce the impact and include coordination with the school districts to update their comprehensive facilities plans, update school fees for developers, and consider joining use agreements for potential shared facilities. The proposed project would conform to the above policies, including TASP Policy 4.76. Impacts to schools are significant and unavoidable and the proposed project would not affect this conclusion as the number of proposed residential units and resulting students is within the amount evaluated in the TASP FEIR. The proposed project would not result in any new or more significant school impacts beyond those identified in the TASP FEIR.

Parks

Given that the TASP Area is transitioning from industrial to residential and that there are no public parks located nearby, new parks would need to be developed in the TASP Area. Since Milpitas is largely built out, no large new parks are likely to be established. Public parks in the TASP Area come

in three forms: Parks/Plazas, Linear Parks, and Landscape Buffers. The City has previously adopted a public park ratio of 2.0 acres per 1,000 residents for the Midtown Specific Plan. The TASP FEIR states that while this ratio already applies to all but 12 percent of the TASP Area, the application of this ratio can be considered to provide an adequate level of parks and open space for its residents. This policy would require approximately 35.8 acres of public park space in the TASP Area.

The TASP FEIR identifies several policies and standards that require parks to be built as designated – thereby ensuring that impacts on parkland and facilities would be less than significant.

The proposed project would conform to the TASP policies. The proposed project would provide a total of 0.44 acres of private common open space for use by project residents. As described in Attachment A, Project Description, a total of approximately 0.30 acres of private common open space for use by project residents would be provided. This would consist of the interior courtyard on the ground level of the proposed building and a walking path and landscaping along the southern portion of the building, including within the existing public utility easement. The interior courtyard would include seating areas and landscaping that would be screened from the parking garage by a dense row of columnar bamboo around each side. A designated walkway would connect the interior courtyard with the walking path and landscaping mentioned above. The remaining 0.14 acres of open space on the project site would consist of landscaped areas generally located in the northern portion of the site. Therefore, the proposed project would not result in any new or more significant impacts to park facilities beyond those identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy 2.c-I-1: Continue working with Milpitas Unified School District (MUSD), Berryessa Union High School District, and East Side Union School District in its update of the comprehensive facilities plan and to ensure adequate provision of school facilities.*
- *Policy 2.c-I-3: Work with MUSD, Berryessa Union High School District, and East Side Union School District to monitor statutory changes and modify school fees when necessary to comply with statutory changes. Following this policy will permit the MUSD to update school fees for developers to cover the cost of constructing a new school and expanding Milpitas High School.*
- *Policy 5.c-I-1 Maintain a response time of four minutes or less for all urban service areas.*

TASP Policies

- *Policy 3.38: See policy in Section 10, Land Use and Planning.*
- *Policy 3.41: Park land dedication and in-lieu fees required of new development.*
- *Policy 3.43: New development must pay for the construction of public parks and streets surrounding the parks (or half streets if bordering an adjacent development site).*
- *Policy 3.55: Complete a Trail Loop connecting the whole Transit area.*
- *Policy 3.56: Connections shall be created along Montague Expressway with overhead bridges or undercrossings to create a continuous trail network; allow pedestrians and bicyclists to cross safely; and connect neighborhoods, schools, and parks.*
- *Policy 5.3: All streets (private and public) shall be consistent with the street sections in Chapter 5 of the TASP and shall meet any additional Milpitas Fire Department fire apparatus design requirement for access and firefighting operations.*
- *Policy 6.43: Coordinate with the affected school districts on facilities needed to accommodate new students and define actions the City can take to assist or support them in their efforts.*
- *Policy 6.46: The City and the school districts located in the Specific Plan area should consider entering into a joint use agreement, allowing public use of a new school's playfields when not in use by students, and public use of rooms in the school building for community meetings and events. Any new school site should include outdoor active recreation facilities, which would be counted toward the TASP's public parks requirement. The school building should include facilities that can be accessed and used for community events.*
- *Policy 6.50: The Fire Department shall conduct a 'standards of cover' analysis to determine the Transit Plan's precise impact on the department's staffing and equipment, and any required facility needs. Identify and evaluate potential sites for an expanded or new fire station near the Transit Area if the standards of cover analysis determines it is warranted.*
- *Policy 6.51: Additional fire department staff will be hired, equipment purchased and facilities built to provide an adequate level of service – as determined by City Council – for the residents, workers, and visitors of the Transit Area. New equipment and facilities shall be funded by the Community Facilities District fee and new staff paid from the City's General Fund.*
- *Policy 6.52: If a new fire station is built to meet the service needs of the Transit Area, it must be sited and developed in such a way to not create substantial adverse physical impacts or significant environmental impacts.*
- *Policy 6.53: The Fire Department shall update the City's emergency and disaster response plans to take the location and type of new development and future traffic levels, into account.*

- *Policy 6.54: Additional police staff will be hired and equipment purchased to provide an adequate level of service – as determined by City Council – for residents, workers and visitors of the of the Transit Area. New equipment shall be funded by the Community Facilities District fee and new staff paid from the City's General Fund.*

Conclusion

The TASP FEIR adequately evaluated the potential public services impacts of the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

16. RECREATION

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

As discussed above in Section 15, Public Services, the proposed project would provide a total of 0.44 acres of private common open space for use by project residents. These spaces would consist of consist of the interior courtyard on the ground level of the proposed building and a walking path and landscaping along the southern portion of the building, including within the existing public utility easement. The interior courtyard would include seating areas and landscaping that would be screened from the parking garage by a dense row of columnar bamboo around each side. A designated walkway would connect the interior courtyard with the walking path and landscaping mentioned above. The remaining 0.14 acres of open space on the project site would consist of landscaped areas generally located in the northern portion of the site. Therefore, the proposed project would not result in any new or more significant impacts to existing neighborhood or regional park facilities beyond those identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 3.38: See policy in Section X, Land Use and Planning.*
- *Policy 3.40: Locate and size parks as shown on Figure 3-6, Parks, Public Spaces, and Trails [of the Specific Plan]. Minor adjustments to the location of parks may be necessary to facilitate a better site plan, respond to site specific constraints, or to accommodate phasing of a project. Smaller parks may be combined to form a larger neighborhood park within the same subdistrict as long as there is no reduction in park area. Complete elimination or relocation of a park outside of a subdistrict requires an amendment to the Specific Plan. If a school is located on a site designated as a park, it may be counted as a park if a joint use agreement is established to allow public use of open space and buildings for recreation purposes after school hours and on weekends. If no such joint use agreement is established, an alternative park site shall be designated.*
- *Policy 3.41 and 3.43: See policies in Section 15, Public Services.*
- *Policy 3.45: Private development within the Transit Area must meet the private open space requirements on a project-by-project basis.*
- *Policies 3.55 and 3.56: See policies in Section 15, Public Services.*

Conclusion

The TASP FEIR adequately evaluated the potential recreation impacts of the proposed project. Therefore, potential impacts would be less-than-significant and additional mitigation is not required.

17. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No New Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

Discussion

This section compares traffic impacts from the proposed project with impacts identified in the TASP FEIR. A Traffic Operations Report (Traffic Study) was conducted for the proposed project, and is

included in Appendix B.³⁹ Unless otherwise noted, the analysis in this section is based on the findings of the Traffic Study.

Trip Generation

The magnitude of traffic produced by a new development and the locations where that traffic would appear were estimated using a three-step process: 1) trip generation; 2) trip distribution; and 3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site was estimated for the AM and PM peak hours. As part of the project trip distribution step, an estimate was made of the directions to and from which the project trips would travel. In the project trip assignment step, the project trips were assigned to specific streets and intersections in the study area.

Through empirical research, data has been collected that correlate to common land uses and their propensity for producing traffic. Thus, for the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development. The trip generation estimates for the proposed project are based on rates obtained from the Institute of Transportation Engineers' (ITE) publication Trip Generation, 10th Edition.⁴⁰

As stated previously, the project site is occupied by an office/industrial building that is currently in operation. Trips generated by existing uses on site can be credited against the proposed residential development. Based on AM and PM peak hour driveway counts conducted in May 2019, the existing land uses generate 11 AM peak hour trips and 12 PM peak hour trips. After applying these existing trip credits, the proposed project would generate 9 net AM peak hour trips and 14 net PM peak hour trips, as shown in Table BE.

Table BE: Project Trip Generation Estimates

	Size	Unit ^a	AM Peak Hour				PM Peak Hour			
			Rate	In	Out	Total	Rate	In	Out	Total
Proposed Use										
Multi-Family Housing ^b	40	DU	0.50	5	15	20	0.65	17	9	26
Existing Use										
Office/Light-Industrial ^c	16	ksf	–	9	2	11	–	3	9	12
Overall Net Project Trips				-4	13	9	–	14	0	14

Source: Hexagon Transportation Consultants, Inc. (2019).

^a DU = dwelling units; ksf = 1,000 square feet

^b Based on Fitted Curved Equations for Multifamily Housing (Low-Rise, Land Use Code 220), ITE, Trip Generation, 10th Edition.

^c Based on AM and PM peak hour driveway counts conducted on May 2, 2019.

The trip distribution pattern for the proposed project was estimated based on the TASP, of which the proposed development would be a part of. Trips were assigned to the roadway network in

³⁹ Hexagon Transportation Consultants, Inc., 2019. *Traffic Operations Report for 2001 Tarob Court, Milpitas, CA*. May 28.

⁴⁰ Institute of Transportation Engineers, 2017. *Trip Generation Manual, 10th Edition*.

accordance with the TASP trip distribution for residential uses. Existing Plus Project traffic conditions are represented by existing traffic volumes plus project trips on the existing roadway network.

Background condition traffic volumes were estimated based on a list of approved and pending developments obtained from the City of Milpitas and the City of San Jose. Approved and pending project-generated traffic volumes were added to existing traffic volumes to estimate background conditions. Project trips from the site were added to background traffic volumes to estimate background plus project conditions.

Intersection Level of Service Impacts

The Traffic Study includes an analysis of AM and PM peak hour traffic conditions at the following study intersections and site driveway:

1. Lundy Avenue and Trade Zone Boulevard;
2. Lundy Avenue and Tarob Court (unsignalized); and
3. Project Driveway and Tarob Court.

Traffic conditions at the study intersections were evaluated using level of service (LOS). LOS is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. The signalized intersection of Lundy Avenue and Trade Zone Boulevard is under the jurisdiction of City of San Jose. The City of San Jose utilizes TRAFFIX software and the Highway Capacity Manual (HCM) 2000 methodology to evaluate intersection operations. The HCM methodology evaluates intersection operations on the basis of average delay time for all vehicles at the intersection. This average delay can then be correlated to a level of service. In San Jose, the minimum acceptable level of service is LOS D, and project impacts at signalized intersections occur when:

1. The level of service at an intersection drops below its LOS standard when project traffic is added; or
2. An intersection that is operating worse than its level of service standard under no project conditions has an increase in critical delay of four or more seconds AND the demand-to-capacity ratio (V/C) is increased by more than 0.01 when project traffic is added.

The exception to this threshold is when the addition of project traffic reduces the amount of average delay for critical movements (i.e. the change in average delay for critical movements is negative). In this case, the threshold is when the project increases the V/C value by 0.01 or more.

A significant impact at a signalized intersection is said to be satisfactorily mitigated when measures are implemented that would restore intersection levels of service to an acceptable LOS or restore the intersection to operating levels that are better than no project conditions.

The Traffic Study calculated intersection LOS with net new traffic generated by the proposed project. The result of the intersection LOS calculations for Existing Conditions and Existing Plus

Project are shown in Table BF, and the results of the Background No Project, and Background Plus Project conditions are presented in Table BG.

Table BF: Existing Plus Project Intersection Level of Service Summary

Intersection	Control	Peak Hour	Count Date	LOS Standard	Existing		Existing Plus Project			
					Avg Delay ^a (sec/veh)	LOS	Avg Delay ^a (sec/veh)	LOS	Increase in	
1. Lundy Ave and Trade Zone Blvd	Signal	AM	5/2/19	D	30.3	C	32.2	C	3.5	0.045
		PM	5/2/19	D	41.8	D	44.0	D	4.10	0.048
2. Lundy Ave and Tarob Ct	SSSC ^b	AM	5/2/19	N/A	4.8/8.9	A	5.2/8.7	A	N/A	N/A
		PM	5/2/19	N/A	6.2/8.6	A	6.4/8.6	A	N/A	N/A
3. Project Driveway and Tarob Ct	SSSC ^b	AM	5/2/19	N/A	1.2/8.4	A	2.1/8.4	A	N/A	N/A
		PM	5/2/19	N/A	1.3/8.5	A	2.3/8.5	A	N/A	N/A

Source: Hexagon Transportation Consultants, Inc. (2019).

^a Signalized intersection level of service is based on the Highway Capacity Manual (HCM) methodology, using average control delay for the entire intersection.

^b Side Street Stop Controlled intersection. Delays are reported for both the overall average delay/the approach with highest delay.

^c For the signalized intersection at Lundy Ave and Trade Zone Boulevard, the increase in delay shown here represents increase in critical delay

Table BG: Background Plus Project Intersection Level of Service Summary

Intersection	Control	Peak Hour	Count Date	LOS Standard	Background		Background Plus Project			
					Avg Delay ^a (sec/veh)	LOS	Avg Delay ^a (sec/veh)	LOS	Increase in	
1. Lundy Ave and Trade Zone Blvd	Signal	AM	5/2/19	D	35.4	D	35.6	D	0.0	0.001
		PM	5/2/19	D	44.7	D	44.7	D	0.0	0.000
2. Lundy Ave and Tarob Ct	SSSC ^b	AM	5/2/19	N/A	4.9/8.9	A	5.1/8.9	A	N/A	N/A
		PM	5/2/19	N/A	57/8.8	A	5.9/8.8	A	N/A	N/A
3. Project Driveway and Tarob Ct	SSSC ^b	AM	5/2/19	N/A	0.7/8.6	A	1.3/8.6	A	N/A	N/A
		PM	5/2/19	N/A	0.8/8.7	A	1.4/8.7	A	N/A	N/A

Source: Hexagon Transportation Consultants, Inc. (2019).

^a Signalized intersection level of service is based on the Highway Capacity Manual (HCM) methodology, using average control delay for the entire intersection.

^b Side Street Stop Controlled intersection. Delays are reported for both the overall average delay/the approach with highest delay.

^c For the signalized intersection at Lundy Ave and Trade Zone Boulevard, the increase in delay shown here represents increase in critical delay

As shown in Tables BE and BG above, the results of the LOS analysis show that the signalized intersection at Trade Zone Boulevard and Lundy Avenue would operate at LOS D or better under existing and background conditions with or without the proposed project. According to the City of San Jose LOS standards, the proposed project would therefore have no impacts on intersection LOS.

The study intersections of Lundy Avenue/Tarob Court and Project Driveway/Tarob Court are unsignalized and under the jurisdiction of City of Milpitas. Unlike signalized intersections, which

typically represent constraint points for the roadway network, unsignalized intersections rarely limit the potential capacity of a roadway. The determination of appropriate improvements to unsignalized intersections typically includes a qualitative and quantitative analysis of movement delay, traffic signal warrants, movement traffic volumes, availability of alternate routes, and intersection safety. For this reason, improvements to unsignalized intersections are frequently determined on the basis of professional judgment. The City of Milpitas does not apply significance thresholds to unsignalized intersections. Both unsignalized study intersections are projected to operate at LOS A under existing and background conditions, with or without the proposed project.

An assessment was conducted to determine whether the traffic volumes at the Lundy Avenue/Tarob Court intersection would warrant the installation of a traffic signal. This assessment was based on the Peak Hour Volume Signal Warrant (Warrant #3) described in the California Manual on Uniform Traffic Control Devices (CA MUTCD). This method makes no evaluation of intersection level of service, but simply provides an indication whether peak hour traffic volumes would be sufficient to justify installation of a traffic signal. The signal warrant analysis sheets are included in the Appendix to the Traffic Study. The analysis showed that the peak hour volume warrant would not be satisfied at the Lundy Avenue/Tarob Court intersection under any study scenarios during the AM and PM peak hours.

Vehicle Queuing

A vehicle queuing analysis was conducted for the eastbound left-turn movement at the Trade Zone Boulevard/Lundy Avenue intersection and the northbound left-turn at the Tarob Court/Lundy Avenue intersection. The queuing analysis was conducted for both background and background plus project conditions. Vehicle queues were estimated using a Poisson probability distribution. The basis of the analysis is as follows: 1) the Poisson probability distribution is used to estimate the 95th percentile maximum number of queued vehicles per signal cycle for a particular movement; 2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and 3) the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement. This analysis thus provides a basis for estimating future storage requirements at intersections. The analysis, which is summarized in Table 3 in the Traffic Study, indicates that, with the addition of project traffic, the 95th percentile vehicle queues could be accommodated by the storage provided at the subject locations.

Site Circulation and Access

The project site would be accessed by one driveway on Tarob Court on the west end of the site, about 200 feet west of the intersection at Lundy Place and Tarob Court. The proposed driveway would be located at approximately the same location as the existing driveway on Tarob Court for the existing building at the project site. The width of the driveway entry would be 22 feet, which meets the minimum City standard for driveways. Under project conditions, it is anticipated that this driveway would serve approximately 20 AM peak hour project trips and 26 PM peak hour project trips.

There are existing driveways serving other parcels on Tarob Court adjacent to and opposite of the project frontage. The site driveway does not align with the existing driveway on the opposite side of

Tarob Court, but is offset about 25 feet. There is also another existing driveway beside the site driveway on Tarob Court about 50 feet to the west. The spacing of the site driveway, and its location relative to existing driveways, would be acceptable given the relatively low traffic volumes at the nearby driveways and Tarob Court.

According to the LOS and queuing calculations, the site driveway would operate at LOS A with queues rarely exceeding one or two vehicles during the AM and PM peak hours. The vehicle queues at the site driveway could be accommodated in the storage space provided, and the onsite queues would generally not interfere with traffic operations on Tarob Court and Lundy Avenue.

Pedestrian access to the project site is provided at locations along the frontage on Tarob Court and Lundy Place. Primary pedestrian access is provided via the main entry facing the sidewalks on Tarob Court. Besides the primary access on Tarob Court, there would be walking paths connecting the parking garage with the existing sidewalks on Lundy Place on the east side of the property. New sidewalks with curb extensions would also be installed on the project frontage on Tarob Court, providing a continuous pedestrian pathway to existing sidewalks on Trade Zone Boulevard via Lundy Place. Overall, the network of pedestrian paths and the sidewalk improvements on the project frontages would provide adequate access to the existing sidewalk network in the project vicinity.

In order to accommodate pedestrians, the following would be incorporated into the project via conditions of approval:

- One new ADA-compliant curb ramp should be added at the existing northwest curb return at Tarob Court and Lundy Place (along the project frontage). A striped crosswalk should also be provided when the opposite side of the curb return is upgraded along with the redevelopment of the parcel at 1996 Tarob Court.

The sight distance at the project driveway on Tarob Court was checked and determined to be adequate. Because the project would install a curb extension, which includes adding sidewalks on the Tarob Court frontage, the site driveway would be shifted closer to the centerline of Tarob Court, thereby further improving the sight distance for vehicles exiting the site driveway. As part of the project improvements, the radius of the existing curb return along the project frontage at the Lundy Place/Tarob Court intersection would be reduced. This improvement would help reduce vehicle speeds on Tarob Court, and therefore, improve the sight distance required for vehicles entering and exiting the driveways.

Circulation on-site would consist of an open parking lot and a parking garage on the ground level. Onsite parking areas would be accessed by one site driveway on Tarob Court. Both the open parking lot and parking garage follow a standard 90-degree parking layout. The main parking aisle and the two east-west feeder parking aisles inside the garage would be 26 and 24 feet wide, respectively, which meets the City's standard for 90-degree parking. However, the north-south parking aisle connecting the two east-west parking aisle is not dimensioned. The dimensions of the regular and compact parking spaces are 9 feet by 18 feet and 8 feet by 15 feet, respectively. Both parking space dimensions meet the minimum City standards. However, the widths of the parking garage entrances are not dimensioned.

Upon entering the garage, vehicles would follow the main drive aisle through the open parking lot and arrive at a roundabout at the southern end of the aisle. The two feeder drive aisles, which are connected at right angles to the main drive aisle, would provide access to the parking garage east of the main drive aisle. The ends of the two feeder drive aisles are connected by another drive aisle, forming a U-shape circulation pattern which makes a complete loop around of the parking garage. The layout shows no dead-end aisles.

The last two parking spaces (numbered 67 and 68) in the open parking lot located off the main drive aisle are approximately 20 feet south of the sidewalk on Tarob Court, and approximately 30 feet south of the beginning of the site driveway. Vehicles parked in these spaces would have to back out directly into the main site access aisle, potentially into the line of incoming traffic on the aisle just turning into the site driveway. However, given the low traffic volumes at the site driveway and on Tarob Court, the design would be acceptable.

The site plan shows one elevator at the front lobby that would provide residents access to the parking garage. The sidewalk on Tarob Court would be accessed directly from the front lobby while the sidewalk on Lundy Avenue would be accessed from pedestrian pathways connecting with the parking garage.

A trash collection room would be located adjacent to the roundabout at the southern entrance of the parking garage. The roundabout would have an 80-foot outside diameter and a 26-foot wide lane that would allow turnaround maneuvers of garbage trucks as noted on the site plan. Therefore, garbage trucks would perform their operations onsite within the development.

Given the above, the proposed project would not result in any new or more significant impacts beyond those identified in the TASP FEIR.

Pedestrian, Bicycle, and Transit Facilities

According to the Valley Transit Authority (who administers the Santa Clara County Congestion Management Plan) Transportation Impact Analysis Technical Guidelines, a project would create an impact on pedestrian and bike circulation if: 1) it would reduce, sever or eliminate existing or planned bike/pedestrian access and circulation in the area; 2) it would preclude, modify, or otherwise affect proposed bicycle and pedestrian projects and/or policies identified in the Lead Agency's adopted bicycle/pedestrian plan, or the plans of other agencies such as the Countywide Bicycle Plan or adjacent Cities' bicycle/pedestrian plans; or 3) it would cause a change to existing bike paths such as alignment, width of the trail right of way, or length of the trail.

The project site is located within the TASP. The TASP facilitates the redevelopment of the southern portion of the City that transforms a low-density industrial area to an urban residential and mixed-use district with an emphasis on walkability and bicycling. The plan includes a new street system that promotes walking and biking as the dominant modes for short internal trips, especially with the future Milpitas BART station and VTA light rail system within close proximity to the project site. As part of the Milpitas TASP, a future street connection and pedestrian bridge across Capitol Avenue are planned to connect Tarob Court to Milpitas Boulevard and the new BART station. A proposed

Class III bike route is also planned on Tarob Court to serve this new bicycle access route to the transit center.

As part of project improvements, curb extensions with new sidewalks would be installed along the Tarob Court and Lundy Place project frontages. In addition, the two existing driveways at the project site would be reduced into one new site driveway on Tarob Court, which would reduce the number of potential vehicle-pedestrian conflict points.

The proposed project would generate pedestrian trips to/from transit stops, recreation areas, and employment centers. Overall, the volume of pedestrian trips generated by the project is expected to be relatively low and not exceed the carrying capacity of the sidewalks and crosswalks nearby. U.S. Census data indicate that bicycle trips comprise less than one percent of the total commute mode share in the City of Milpitas. For the proposed project, this would equate to approximately one new bike trip during each of the AM and PM peak hours. The low volume of bicycle trips generated by the project would not exceed the bicycle-carrying capacity of streets surrounding the site, and the increase in bicycle trips would not by itself require new off-site bicycle facilities.

The addition of the project would not remove any existing bike/pedestrian facilities, nor would it preclude any future planned improvements. Because most intersections around the project site are signalized and have very few bike/pedestrian activities, the addition of project traffic would have a negligible effect on walking and biking in the project vicinity. Therefore, the proposed project would not create an adverse impact to bike/pedestrian circulation in the area.

According to the VTA TIA Technical Guidelines, a project would create an impact on transit if: 1) it would generate a demand for additional transit services; or 2) it would cause a permanent or temporary reduction of transit availability or interference with existing transit users, e.g., relocation/closure of a transit stop or vacation of a roadway utilized by transit.

According to the TASP, transit trips would comprise approximately 9 percent of all peak hour trips. For the proposed project, assuming 9 percent of total commute trips would be transit trips, this would generate approximately one new transit trip during the AM peak hour and two new transit trips during the PM peak hour. In addition to commute trips, there would be additional transit trips to nearby schools, parks, and shopping areas. The volume of transit trips generated by the project would not exceed the carrying capacity of the existing transit service to the site.

The addition of the project would not remove any existing transit facilities, nor would it preclude any future planned improvements. As shown in the LOS calculations, the addition of project traffic would have a negligible effect on bus delays the project vicinity. Therefore, based on the VTA Technical Guidelines, the proposed project would not create an adverse impact to transit operations in the area and no improvements to existing transit service frequencies would be necessary in conjunction with the proposed project. Therefore, the proposed project would not result in any new or more significant impacts beyond those identified in the TASP FEIR.

CEQA Guidelines §15064.3

Effective December 28, 2018, the CEQA Guidelines were updated and require the evaluation of vehicle miles transportation (VMT) as the criteria for analyzing transportation impacts for land use projects. As noted in CEQA Guidelines Section 15064.3(c), the provisions of CEQA Guidelines Section 15064.3 shall apply prospectively as described in CEQA Guidelines Section 15007. A lead agency may elect to be governed by the provisions of CEQA Guidelines Section 15064.3 immediately; however, beginning on July 1, 2020, the provisions of this section shall apply Statewide. The City of Milpitas, as lead agency, has not yet elected to be governed by the provisions of CEQA Guidelines Section 15064.3. Therefore, the proposed project would neither conflict nor be inconsistent with CEQA Guidelines Section 15064.3, and there would be no new impact.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 3.12: Preserve adequate right-of-way along Capitol Avenue, Great Mall Parkway, and Montague Expressway to accommodate future regional roadway improvements. Final dimensions of right-of-way acquisition are not yet known. The detailed street sections in Chapter 5 [of the Specific Plan] include notes about right-of-way acquisition, to the extent that information is currently available.*
- *Policy 3.15: Review individual development applications to ensure that adequate street right-of-way, bicycle facilities, pedestrian facilities and landscaping are provided and are consistent with the Transit Area Plan circulation policies and street design standards in Chapter 5 [of the Specific Plan].*
- *Policy 3.16: Establish and implement a travel demand management (TDM) program in order to encourage alternate modes of travel and thereby reduce automobile trips. Establish a funding mechanism to pay for the costs of the program, including the cost of a transportation coordinator to administer the program. The program would include a ride-matching program, coordination with regional ride-sharing organizations, and provision of transit information; and could also include sale of discounted transit passes and provision of shuttle service to major destinations.*
- *Policy 3.17: New streets shall be located as generally shown on the Street System Map, Figure 3-2.*
- *Policy 3.18: New development must dedicate land for new public streets and pay for their construction.*

- *Policy 3.21: Provide continuous pedestrian sidewalks and safe bike travel routes throughout the entire Transit Area and within development projects.*
- *Policy 3.22: Private development shall provide direct walking and biking routes to schools and major destinations, such as parks and shopping, through their property.*
- *Policy 3.28: Provide continuous bicycle circulation through the project site and to adjacent areas by closing existing gaps in bicycle lanes and bicycle routes, per Figure 3-5 [of the Specific Plan]. Gaps exist on Capitol Avenue between Montague Expressway and Trimble Road, and on Trade Zone Boulevard between Montague Expressway and Lundy Place. Capitol Avenue only needs to be re-stripped to add a bike lane. Trade Zone Boulevard generally contains sufficient width to accommodate two travel lanes and bike lanes in each direction; however, the westbound lanes on Trade Zone jog south slightly, so right-of-way acquisition will likely be required to push the curb further north to maintain a consistent section and to add bike lanes. Bike routes should be upgraded to bike lanes as part of any Montague widening project.*
- *Policy 3.29: A Class III bicycle route shall be created on the internal roadways (from the Milpitas Boulevard Extension/Capitol Avenue intersection to Tarob Court) to provide a continuous bicycle connection between Milpitas Boulevard and the existing bicycle lanes on Lundy Street, as indicated on Figure 3-5 [of the Specific Plan].*
- *Policy 3.32: Coordinate with VTA to provide sufficient amenities (such as transit shelters) at all transit stops within the Transit Area.*
- *Policy 6.32: The City shall establish and assess a transportation impact fee program, known as the Regional Traffic Fee, to contribute toward traffic improvements to be undertaken in whole or in part by the County of Santa Clara or City of San Jose. This fee will go toward the East/West Corridor Study, Montague Expressway Widening project, and Calaveras Boulevard (SR 237) Overpass Widening project, as well as other local and regional improvements.*
- *Policy 6.33: The City shall establish and assess a transportation impact fee program to provide improvements to mitigate future traffic operations on the roadway segments within the City of Milpitas. All projects within the Transit Area Plan will be required to pay this fee.*
- *Policy 6.34: The new traffic impact fee program should include fair-share payments toward the following improvement: At the West Calaveras Boulevard/I-880 northbound ramps, convert the northbound center left turn lane to a shared left-turn/right-turn lane. The City of Milpitas will coordinate with Caltrans to implement this improvement.*

- *Policy 6.35: The new traffic impact fee program should include fair-share payments toward the following improvement: At the intersection of Tasman Drive/McCarthy Boulevard, the southbound (McCarthy Boulevard) shared through/right-turn lane will be converted to an exclusive right-turn lane with overlap signal phasing. The southbound right-turn will have a green arrow and enter the intersection at the same time as the eastbound left-turn movement. Eastbound left-turns will be prohibited. The City of Milpitas will implement this improvement.*
- *Policy 6.36: The new traffic impact fee program should include fair-share payments toward the following improvement: Coordinate the traffic signals at the Tasman Drive / I-880 southbound ramps and the Great Mall Parkway/I-880 northbound ramps with one another as well as adjacent intersections, particularly Tasman Drive/Alder Drive, in order to improve operations in the Great Mall Parkway/Tasman Drive corridor north of the Transit Area. The City of Milpitas will coordinate with Caltrans to implement this improvement.*

Conclusion

The TASP FEIR adequately evaluated the transportation impacts of the proposed project. The proposed project would be required to comply with TASP policies related to transportation including traffic impact fees and City of Milpitas 2008 CFD (TASP Area) tax rates. Therefore, the proposed project would not create any new impacts related to transportation and additional mitigation is not required.

18. TRIBAL CULTURAL RESOURCES

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

The only site within the TASP Area that the TASP FEIR identified as potentially eligible for the California Register of Historic Resources is the Great Mall, which is not located within the project site. General Plan Policy 4.f-G-1 would reduce any potential impact to historical and cultural resources to a less-than-significant level. As previously discussed in Section 5, Cultural Resources of this checklist, the TASP FEIR determined that impacts to cultural and historic resources would be reduced to less-than-significant levels with implementation of Policy 5.34 to reduce potential impacts to previously unidentified archeological resources to a less-than-significant level through construction monitoring, and if remains are found, temporary halting of construction until development of a mitigation plan and its implementation. This finding applies to tribal cultural resources. Therefore, the proposed project would not result in any new or more severe impacts to tribal cultural resources than were identified in the TASP FEIR.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

General Plan Policies

- *Policy 4.f-G-1: Preserve existing historical and cultural resources, especially those site where an Historical Park may prove feasible.*

Conclusion

The TASP FEIR adequately evaluated the potential tribal cultural resources impacts for the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

19. UTILITIES AND SERVICE SYSTEMS

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion

Wastewater Treatment Requirements

As the TASP FEIR describes, the City's Main Pump Station has a wet weather capacity between 42 and 45 million gallons per day (mgd) and the City does not expect buildout of the TASP, including the project site, to cause the City's overall wet weather flow to exceed this capacity (TASP Impact 3.11-3).⁴¹ The City plans to make improvements to the Main Sewage Pump Station, not as a result of the buildout of the TASP, but as a result of overdue maintenance and seismic deficiencies. The TASP

⁴¹ Milpitas, City of, 2008b, op. cit.

FEIR determined that the buildout of the TASP would result in an increase in wastewater flow and several new improvement projects to sewer pipelines would be required.

The TASP FEIR also determined buildout of the TASP would create sewer flows that when combined with other cumulative growth and development within the City would exceed the City's contracted capacity at the Water Pollution Control Plant. However, because the proposed project is within the level of development evaluated in the TASP FEIR, it would not result in any new or more severe impacts related to wastewater capacity and infrastructure than those previously analyzed.

Stormwater Drainage Facilities

The TASP would require the development of new storm drainage infrastructure as outlined in the 2001 Storm Drain Master Plan.⁴² The majority of existing utilities within the boundary of the project site, aside from those within the public utility easement, would be removed. The proposed project would include the installation of new storm drain lines on the project site and would connect to the existing 12-inch municipal storm drain located at the northwest corner of the project site. The potential impacts associated with storm drainage facilities from the proposed project would not be greater or more severe than those identified in the TASP FEIR.

Water Supply

The TASP FEIR determined that the buildout of the TASP, including the project site, would increase water demand at buildout by 1.1 mgd. The buildout of the TASP would exceed capacity of the existing turnout delivering water from the SCVWD system during the peak hour demand period. This increase in demand would require improvements to the existing water infrastructure both within the TASP Area and affected pressure zones.

TASP Policy 6.22 would ensure that less-than-significant impacts associated with water supply would occur. The TASP FEIR concluded that this water demand will be adequately served by water supplies from current sources in addition to offsets by the supplies available from the SCVWD, the ability to run emergency wells, and an increased use of recycled water. The TASP provides policies which require the use of recycled water.

The proposed project would conform to TASP policies that would reduce the impact to a less-than-significant level and would not result in greater growth on the project site than anticipated by the TASP FEIR. Impacts of the proposed project would not result in any greater impacts than those identified by the TASP FEIR.

Solid Waste

Buildout of the TASP Area would result in an increase in the amount of solid waste due mainly to the increase in residential uses. The TASP FEIR concluded that there is sufficient capacity in the existing solid waste disposal facilities serving the TASP Area, including the project site, for at least 30 more years. The proposed project would conform to TASP policies and would not result in any new or more severe impacts beyond those identified in the TASP FEIR.

⁴² Milpitas, City of, 2001. *Storm Drain Master Plan*. July.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Applicable Policies

TASP Policies

- *Policy 6.6: Construct the improvements within the Transit Area that were identified in the 2001 Storm Drainage Master Plan, and any other improvements identified in updates to the Master Plan.*
- *Policy 6.13: Provide water supply for the Specific Plan area from the Santa Clara Valley Water District.*
- *Policy 6.16: Reduce water consumption through a program of water conservation measures, such as use of recycled water, water-saving features, and drought-tolerant landscaping.*
- *Policy 6.17: The City of Milpitas will require that water saving devices, as required by the California Plumbing Code, be installed in all residential, commercial, industrial and institutional facilities within the Transit Area. Such devices are capable of reducing the amount of water used indoors, resulting in substantial wastewater flow reductions.*
- *Policy 6.19: Per the Midtown Specific Plan, require new development to include recycled water lines for irrigation.*
- *Policy 6.20: The City of Milpitas will require that recycled water be used to irrigate all parks, plazas, community facilities, linear parks, landscaped front yards and buffer zones. Recycled water may also be used for landscape irrigation on vegetated setbacks and private common areas. The City shall also require, where reasonable and feasible, that commercial uses, schools and non-residential mixed use developments be provided with dual plumbing to enable indoor recycled water use for non-potable uses to the extent feasible.*
- *Policy 6.21: Require existing irrigation users to convert to recycled water when it becomes available.*
- *Policy 6.23: All new development shall participate to the maximum extent practical in solid waste source reduction and diversion programs.*

Conclusion

The TASP FEIR adequately evaluated the potential utilities impacts for the proposed project. Therefore, potential impacts would be less than significant and additional mitigation is not required.

20. WILDFIRE

	New Potentially Significant Impact	New Mitigation Required	Reduced Impact	No New Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Discussion

Since certification of the TASP FEIR, Appendix G of the CEQA Guidelines has been revised to include a separate section for Wildfire. Effective December 28, 2018, CEQA requires the evaluation of wildfire hazards, among other changes. Because the TASP FEIR was certified prior to December 28, 2018, a separate evaluation of wildfire impacts was not included.

However, the Hazards and Hazardous Materials section of the TASP FEIR did determine that there were no Very High Fire Hazard Severity Zones within the TASP Area. In addition, the project site is not located in or near any State responsibility areas. Therefore, the proposed project would not result in any new impacts related to wildfire hazards.

Applicable Mitigation

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the TASP FEIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

Conclusion

The TASP FEIR adequately evaluated the potential impacts related to hazards (and by extension, wildfire) of the proposed project and no new impacts would result.

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APPENDIX A

CALEEMOD OUTPUT SHEETS

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2001 Tarob Court - Bay Area AQMD Air District, Annual

2001 Tarob Court
Bay Area AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Mid Rise	40.00	Dwelling Unit	0.77	40,000.00	114
Unenclosed Parking with Elevator	60.00	Space	0.00	24,000.00	0
Parking Lot	14.00	Space	0.10	5,600.00	0
City Park	0.44	Acre	0.44	19,166.40	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

2001 Tarob Court - Bay Area AQMD Air District, Annual

Project Characteristics - CO2 intensity based on 5-year average, PG&E, 2015

Land Use - The project would include 40 residential units, a parking garage with 60 spaces, an additional 14 onstreet parking spaces, and 0.44 acres of open space/landscaped areas.

Construction Phase - Construction of the proposed project is anticipated to occur over approximately 16 months, starting in April 2020 and ending in August 2021.

Grading - approximately 1,410 cubic yards of soils would be excavated and exported

Demolition - The project would demolish the existing 16,463-square-foot office/light-industrial building

Vehicle Trips - Based on ITE Trip Generation Rates for land use code 220 and 9% transit trip reduction per VTA's Transportation Impact Analysis Guidelines

Water Mitigation -

Energy Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	200.00	250.00
tblConstructionPhase	NumDays	4.00	20.00
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	2.00	20.00
tblConstructionPhase	PhaseEndDate	3/15/2021	8/6/2021
tblConstructionPhase	PhaseEndDate	2/15/2021	6/11/2021
tblConstructionPhase	PhaseEndDate	5/11/2020	6/26/2020
tblConstructionPhase	PhaseEndDate	3/1/2021	7/9/2021
tblConstructionPhase	PhaseEndDate	5/5/2020	5/29/2020
tblConstructionPhase	PhaseStartDate	3/2/2021	7/12/2021
tblConstructionPhase	PhaseStartDate	5/12/2020	6/29/2020
tblConstructionPhase	PhaseStartDate	5/6/2020	6/1/2020
tblConstructionPhase	PhaseStartDate	2/16/2021	6/14/2021

2001 Tarob Court - Bay Area AQMD Air District, Annual

tblGrading	AcresOfGrading	7.50	1.22
tblGrading	AcresOfGrading	10.00	1.22
tblGrading	MaterialExported	0.00	1,410.00
tblLandUse	LotAcreage	1.05	0.77
tblLandUse	LotAcreage	0.54	0.00
tblLandUse	LotAcreage	0.13	0.10
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	6.39	6.05
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	SU_TR	5.86	6.05
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	WD_TR	6.65	6.05
tblVehicleTrips	WD_TR	1.89	0.00

2.0 Emissions Summary

2001 Tarob Court - Bay Area AQMD Air District, Annual

2.1 Overall Construction**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.2031	1.6725	1.2903	2.6200e-003	0.1430	0.0807	0.2236	0.0648	0.0768	0.1416	0.0000	225.6204	225.6204	0.0391	0.0000	226.5973
2021	0.4146	0.9628	0.9420	1.8600e-003	0.0288	0.0451	0.0739	7.7800e-003	0.0434	0.0512	0.0000	158.1868	158.1868	0.0241	0.0000	158.7881
Maximum	0.4146	1.6725	1.2903	2.6200e-003	0.1430	0.0807	0.2236	0.0648	0.0768	0.1416	0.0000	225.6204	225.6204	0.0391	0.0000	226.5973

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.2031	1.6725	1.2903	2.6200e-003	0.1430	0.0807	0.2236	0.0648	0.0768	0.1416	0.0000	225.6202	225.6202	0.0391	0.0000	226.5971
2021	0.4146	0.9628	0.9420	1.8600e-003	0.0288	0.0451	0.0739	7.7800e-003	0.0434	0.0512	0.0000	158.1867	158.1867	0.0241	0.0000	158.7880
Maximum	0.4146	1.6725	1.2903	2.6200e-003	0.1430	0.0807	0.2236	0.0648	0.0768	0.1416	0.0000	225.6202	225.6202	0.0391	0.0000	226.5971

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

2001 Tarob Court - Bay Area AQMD Air District, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	4-6-2020	7-5-2020	0.6488	0.6488
2	7-6-2020	10-5-2020	0.6081	0.6081
3	10-6-2020	1-5-2021	0.6070	0.6070
4	1-6-2021	4-5-2021	0.5470	0.5470
5	4-6-2021	7-5-2021	0.4737	0.4737
6	7-6-2021	9-30-2021	0.2962	0.2962
		Highest	0.6488	0.6488

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.2885	5.5700e-003	0.4254	2.7000e-004		0.0198	0.0198		0.0198	0.0198	1.8236	1.2355	3.0591	3.4000e-003	1.2000e-004	3.1799
Energy	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	50.3060	50.3060	3.1600e-003	9.2000e-004	50.6591
Mobile	0.0646	0.3124	0.7294	2.4800e-003	0.2080	2.3100e-003	0.2103	0.0558	2.1600e-003	0.0580	0.0000	227.1256	227.1256	8.6500e-003	0.0000	227.3418
Waste						0.0000	0.0000		0.0000	0.0000	3.7432	0.0000	3.7432	0.2212	0.0000	9.2735
Water						0.0000	0.0000		0.0000	0.0000	0.8268	3.2345	4.0613	0.0852	2.0600e-003	6.8066
Total	0.3550	0.3339	1.1616	2.8500e-003	0.2080	0.0234	0.2314	0.0558	0.0233	0.0791	6.3936	281.9016	288.2951	0.3216	3.1000e-003	297.2609

2001 Tarob Court - Bay Area AQMD Air District, Annual

2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.1962	3.4400e-003	0.2983	2.0000e-005		1.6400e-003	1.6400e-003		1.6400e-003	1.6400e-003	0.0000	0.4865	0.4865	4.7000e-004	0.0000	0.4983
Energy	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	50.2800	50.2800	3.1600e-003	9.2000e-004	50.6329
Mobile	0.0514	0.2139	0.4253	1.1500e-003	0.0881	1.1400e-003	0.0892	0.0236	1.0600e-003	0.0247	0.0000	105.6893	105.6893	5.1700e-003	0.0000	105.8186
Waste						0.0000	0.0000		0.0000	0.0000	3.7432	0.0000	3.7432	0.2212	0.0000	9.2735
Water						0.0000	0.0000		0.0000	0.0000	0.6615	2.7023	3.3638	0.0682	1.6500e-003	5.5609
Total	0.2495	0.2333	0.7304	1.2700e-003	0.0881	4.0700e-003	0.0922	0.0236	3.9900e-003	0.0276	4.4046	159.1581	163.5627	0.2982	2.5700e-003	171.7843

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	29.72	30.13	37.12	55.44	57.66	82.61	60.18	57.66	82.85	65.06	31.11	43.54	43.27	7.29	17.10	42.21

3.0 Construction Detail**Construction Phase**

2001 Tarob Court - Bay Area AQMD Air District, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	4/6/2020	5/1/2020	5	20	
2	Site Preparation	Site Preparation	5/2/2020	5/29/2020	5	20	
3	Grading	Grading	6/1/2020	6/26/2020	5	20	
4	Building Construction	Building Construction	6/29/2020	6/11/2021	5	250	
5	Paving	Paving	6/14/2021	7/9/2021	5	20	
6	Architectural Coating	Architectural Coating	7/12/2021	8/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 1.22

Acres of Grading (Grading Phase): 1.22

Acres of Paving: 0.1

Residential Indoor: 81,000; Residential Outdoor: 27,000; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,776 (Architectural Coating – sqft)

OffRoad Equipment

2001 Tarob Court - Bay Area AQMD Air District, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	6.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	6.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	6.00	187	0.41
Paving	Paving Equipment	1	8.00	132	0.36
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

2001 Tarob Court - Bay Area AQMD Air District, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	75.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	3	8.00	0.00	176.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	49.00	12.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					8.1000e-003	0.0000	8.1000e-003	1.2300e-003	0.0000	1.2300e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0213	0.2095	0.1466	2.4000e-004		0.0115	0.0115		0.0108	0.0108	0.0000	21.0677	21.0677	5.4200e-003	0.0000	21.2031
Total	0.0213	0.2095	0.1466	2.4000e-004	8.1000e-003	0.0115	0.0196	1.2300e-003	0.0108	0.0120	0.0000	21.0677	21.0677	5.4200e-003	0.0000	21.2031

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3.2 Demolition - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.1000e-004	0.0110	2.2000e-003	3.0000e-005	6.3000e-004	4.0000e-005	6.7000e-004	1.7000e-004	3.0000e-005	2.1000e-004	0.0000	2.8739	2.8739	1.5000e-004	0.0000	2.8776
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.1000e-004	3.1900e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.9000	0.9000	2.0000e-005	0.0000	0.9005
Total	7.4000e-004	0.0113	5.3900e-003	4.0000e-005	1.6600e-003	5.0000e-005	1.7000e-003	4.4000e-004	4.0000e-005	4.9000e-004	0.0000	3.7739	3.7739	1.7000e-004	0.0000	3.7781

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					8.1000e-003	0.0000	8.1000e-003	1.2300e-003	0.0000	1.2300e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0213	0.2095	0.1466	2.4000e-004		0.0115	0.0115		0.0108	0.0108	0.0000	21.0676	21.0676	5.4200e-003	0.0000	21.2030
Total	0.0213	0.2095	0.1466	2.4000e-004	8.1000e-003	0.0115	0.0196	1.2300e-003	0.0108	0.0120	0.0000	21.0676	21.0676	5.4200e-003	0.0000	21.2030

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3.2 Demolition - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.1000e-004	0.0110	2.2000e-003	3.0000e-005	6.3000e-004	4.0000e-005	6.7000e-004	1.7000e-004	3.0000e-005	2.1000e-004	0.0000	2.8739	2.8739	1.5000e-004	0.0000	2.8776
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.1000e-004	3.1900e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.9000	0.9000	2.0000e-005	0.0000	0.9005
Total	7.4000e-004	0.0113	5.3900e-003	4.0000e-005	1.6600e-003	5.0000e-005	1.7000e-003	4.4000e-004	4.0000e-005	4.9000e-004	0.0000	3.7739	3.7739	1.7000e-004	0.0000	3.7781

3.3 Site Preparation - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0533	0.0000	0.0533	0.0290	0.0000	0.0290	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0163	0.1835	0.0771	1.7000e-004		8.2100e-003	8.2100e-003		7.5500e-003	7.5500e-003	0.0000	15.1265	15.1265	4.8900e-003	0.0000	15.2488
Total	0.0163	0.1835	0.0771	1.7000e-004	0.0533	8.2100e-003	0.0616	0.0290	7.5500e-003	0.0366	0.0000	15.1265	15.1265	4.8900e-003	0.0000	15.2488

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3.3 Site Preparation - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542
Total	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0533	0.0000	0.0533	0.0290	0.0000	0.0290	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0163	0.1835	0.0771	1.7000e-004		8.2100e-003	8.2100e-003		7.5500e-003	7.5500e-003	0.0000	15.1265	15.1265	4.8900e-003	0.0000	15.2488
Total	0.0163	0.1835	0.0771	1.7000e-004	0.0533	8.2100e-003	0.0616	0.0290	7.5500e-003	0.0366	0.0000	15.1265	15.1265	4.8900e-003	0.0000	15.2488

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3.3 Site Preparation - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542
Total	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542

3.4 Grading - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0459	0.0000	0.0459	0.0249	0.0000	0.0249	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0135	0.1509	0.0645	1.4000e-004		6.8400e-003	6.8400e-003		6.3000e-003	6.3000e-003	0.0000	12.3896	12.3896	4.0100e-003	0.0000	12.4898
Total	0.0135	0.1509	0.0645	1.4000e-004	0.0459	6.8400e-003	0.0527	0.0249	6.3000e-003	0.0312	0.0000	12.3896	12.3896	4.0100e-003	0.0000	12.4898

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3.4 Grading - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	7.3000e-004	0.0257	5.1700e-003	7.0000e-005	1.4900e-003	8.0000e-005	1.5700e-003	4.1000e-004	8.0000e-005	4.9000e-004	0.0000	6.7441	6.7441	3.5000e-004	0.0000	6.7528
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542
Total	1.0000e-003	0.0259	7.1300e-003	8.0000e-005	2.1200e-003	8.0000e-005	2.2100e-003	5.8000e-004	8.0000e-005	6.6000e-004	0.0000	7.2979	7.2979	3.6000e-004	0.0000	7.3069

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0459	0.0000	0.0459	0.0249	0.0000	0.0249	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0135	0.1509	0.0645	1.4000e-004		6.8400e-003	6.8400e-003		6.3000e-003	6.3000e-003	0.0000	12.3896	12.3896	4.0100e-003	0.0000	12.4898
Total	0.0135	0.1509	0.0645	1.4000e-004	0.0459	6.8400e-003	0.0527	0.0249	6.3000e-003	0.0312	0.0000	12.3896	12.3896	4.0100e-003	0.0000	12.4898

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3.4 Grading - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	7.3000e-004	0.0257	5.1700e-003	7.0000e-005	1.4900e-003	8.0000e-005	1.5700e-003	4.1000e-004	8.0000e-005	4.9000e-004	0.0000	6.7441	6.7441	3.5000e-004	0.0000	6.7528
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.7000e-004	1.9000e-004	1.9600e-003	1.0000e-005	6.3000e-004	0.0000	6.4000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5538	0.5538	1.0000e-005	0.0000	0.5542
Total	1.0000e-003	0.0259	7.1300e-003	8.0000e-005	2.1200e-003	8.0000e-005	2.2100e-003	5.8000e-004	8.0000e-005	6.6000e-004	0.0000	7.2979	7.2979	3.6000e-004	0.0000	7.3069

3.5 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1360	0.9908	0.8836	1.4800e-003		0.0533	0.0533		0.0515	0.0515	0.0000	121.6332	121.6332	0.0226	0.0000	122.1977
Total	0.1360	0.9908	0.8836	1.4800e-003		0.0533	0.0533		0.0515	0.0515	0.0000	121.6332	121.6332	0.0226	0.0000	122.1977

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3.5 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1100e-003	0.0928	0.0233	2.2000e-004	5.2700e-003	4.5000e-004	5.7200e-003	1.5200e-003	4.3000e-004	1.9600e-003	0.0000	21.0503	21.0503	1.0900e-003	0.0000	21.0774
Worker	0.0109	7.7900e-003	0.0806	2.5000e-004	0.0259	1.7000e-004	0.0261	6.9000e-003	1.6000e-004	7.0600e-003	0.0000	22.7276	22.7276	5.5000e-004	0.0000	22.7413
Total	0.0140	0.1006	0.1040	4.7000e-004	0.0312	6.2000e-004	0.0318	8.4200e-003	5.9000e-004	9.0200e-003	0.0000	43.7779	43.7779	1.6400e-003	0.0000	43.8188

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1360	0.9908	0.8836	1.4800e-003		0.0533	0.0533		0.0515	0.0515	0.0000	121.6331	121.6331	0.0226	0.0000	122.1976
Total	0.1360	0.9908	0.8836	1.4800e-003		0.0533	0.0533		0.0515	0.0515	0.0000	121.6331	121.6331	0.0226	0.0000	122.1976

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3.5 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1100e-003	0.0928	0.0233	2.2000e-004	5.2700e-003	4.5000e-004	5.7200e-003	1.5200e-003	4.3000e-004	1.9600e-003	0.0000	21.0503	21.0503	1.0900e-003	0.0000	21.0774
Worker	0.0109	7.7900e-003	0.0806	2.5000e-004	0.0259	1.7000e-004	0.0261	6.9000e-003	1.6000e-004	7.0600e-003	0.0000	22.7276	22.7276	5.5000e-004	0.0000	22.7413
Total	0.0140	0.1006	0.1040	4.7000e-004	0.0312	6.2000e-004	0.0318	8.4200e-003	5.9000e-004	9.0200e-003	0.0000	43.7779	43.7779	1.6400e-003	0.0000	43.8188

3.5 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1051	0.7909	0.7482	1.2800e-003		0.0397	0.0397		0.0383	0.0383	0.0000	105.2976	105.2976	0.0188	0.0000	105.7676
Total	0.1051	0.7909	0.7482	1.2800e-003		0.0397	0.0397		0.0383	0.0383	0.0000	105.2976	105.2976	0.0188	0.0000	105.7676

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3.5 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2100e-003	0.0727	0.0182	1.9000e-004	4.5600e-003	1.6000e-004	4.7200e-003	1.3200e-003	1.5000e-004	1.4700e-003	0.0000	18.0503	18.0503	8.9000e-004	0.0000	18.0725
Worker	8.7200e-003	6.0200e-003	0.0637	2.1000e-004	0.0225	1.5000e-004	0.0226	5.9700e-003	1.4000e-004	6.1100e-003	0.0000	18.9843	18.9843	4.3000e-004	0.0000	18.9949
Total	0.0109	0.0787	0.0819	4.0000e-004	0.0270	3.1000e-004	0.0273	7.2900e-003	2.9000e-004	7.5800e-003	0.0000	37.0346	37.0346	1.3200e-003	0.0000	37.0674

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1051	0.7909	0.7482	1.2800e-003		0.0397	0.0397		0.0383	0.0383	0.0000	105.2975	105.2975	0.0188	0.0000	105.7675
Total	0.1051	0.7909	0.7482	1.2800e-003		0.0397	0.0397		0.0383	0.0383	0.0000	105.2975	105.2975	0.0188	0.0000	105.7675

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3.5 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2100e-003	0.0727	0.0182	1.9000e-004	4.5600e-003	1.6000e-004	4.7200e-003	1.3200e-003	1.5000e-004	1.4700e-003	0.0000	18.0503	18.0503	8.9000e-004	0.0000	18.0725
Worker	8.7200e-003	6.0200e-003	0.0637	2.1000e-004	0.0225	1.5000e-004	0.0226	5.9700e-003	1.4000e-004	6.1100e-003	0.0000	18.9843	18.9843	4.3000e-004	0.0000	18.9949
Total	0.0109	0.0787	0.0819	4.0000e-004	0.0270	3.1000e-004	0.0273	7.2900e-003	2.9000e-004	7.5800e-003	0.0000	37.0346	37.0346	1.3200e-003	0.0000	37.0674

3.6 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	7.7400e-003	0.0774	0.0886	1.4000e-004		4.1500e-003	4.1500e-003		3.8300e-003	3.8300e-003	0.0000	11.7650	11.7650	3.7300e-003	0.0000	11.8582
Paving	1.3000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	7.8700e-003	0.0774	0.0886	1.4000e-004		4.1500e-003	4.1500e-003		3.8300e-003	3.8300e-003	0.0000	11.7650	11.7650	3.7300e-003	0.0000	11.8582

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3.6 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-004	2.8000e-004	2.9200e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8684	0.8684	2.0000e-005	0.0000	0.8689
Total	4.0000e-004	2.8000e-004	2.9200e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8684	0.8684	2.0000e-005	0.0000	0.8689

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	7.7400e-003	0.0774	0.0886	1.4000e-004		4.1500e-003	4.1500e-003		3.8300e-003	3.8300e-003	0.0000	11.7650	11.7650	3.7300e-003	0.0000	11.8582
Paving	1.3000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	7.8700e-003	0.0774	0.0886	1.4000e-004		4.1500e-003	4.1500e-003		3.8300e-003	3.8300e-003	0.0000	11.7650	11.7650	3.7300e-003	0.0000	11.8582

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3.6 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-004	2.8000e-004	2.9200e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8684	0.8684	2.0000e-005	0.0000	0.8689
Total	4.0000e-004	2.8000e-004	2.9200e-003	1.0000e-005	1.0300e-003	1.0000e-005	1.0300e-003	2.7000e-004	1.0000e-005	2.8000e-004	0.0000	0.8684	0.8684	2.0000e-005	0.0000	0.8689

3.7 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.2878					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	0.2899	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

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3.7 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.1000e-004	2.2400e-003	1.0000e-005	7.9000e-004	1.0000e-005	8.0000e-004	2.1000e-004	0.0000	2.1000e-004	0.0000	0.6680	0.6680	1.0000e-005	0.0000	0.6684
Total	3.1000e-004	2.1000e-004	2.2400e-003	1.0000e-005	7.9000e-004	1.0000e-005	8.0000e-004	2.1000e-004	0.0000	2.1000e-004	0.0000	0.6680	0.6680	1.0000e-005	0.0000	0.6684

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.2878					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1900e-003	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576
Total	0.2899	0.0153	0.0182	3.0000e-005		9.4000e-004	9.4000e-004		9.4000e-004	9.4000e-004	0.0000	2.5533	2.5533	1.8000e-004	0.0000	2.5576

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3.7 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.1000e-004	2.2400e-003	1.0000e-005	7.9000e-004	1.0000e-005	8.0000e-004	2.1000e-004	0.0000	2.1000e-004	0.0000	0.6680	0.6680	1.0000e-005	0.0000	0.6684
Total	3.1000e-004	2.1000e-004	2.2400e-003	1.0000e-005	7.9000e-004	1.0000e-005	8.0000e-004	2.1000e-004	0.0000	2.1000e-004	0.0000	0.6680	0.6680	1.0000e-005	0.0000	0.6684

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Density

Increase Diversity

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0514	0.2139	0.4253	1.1500e-003	0.0881	1.1400e-003	0.0892	0.0236	1.0600e-003	0.0247	0.0000	105.6893	105.6893	5.1700e-003	0.0000	105.8186
Unmitigated	0.0646	0.3124	0.7294	2.4800e-003	0.2080	2.3100e-003	0.2103	0.0558	2.1600e-003	0.0580	0.0000	227.1256	227.1256	8.6500e-003	0.0000	227.3418

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	242.00	242.00	242.00	558,925	236,657
City Park	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Unenclosed Parking with Elevator	0.00	0.00	0.00		
Total	242.00	242.00	242.00	558,925	236,657

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Unenclosed Parking with	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

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Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
City Park	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Parking Lot	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Unenclosed Parking with Elevator	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	31.8387	31.8387	2.8100e-003	5.8000e-004	32.0820
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	31.8646	31.8646	2.8100e-003	5.8000e-004	32.1082
NaturalGas Mitigated	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510
NaturalGas Unmitigated	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510

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5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	345578	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510

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5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	345578	1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.8600e-003	0.0159	6.7800e-003	1.0000e-004		1.2900e-003	1.2900e-003		1.2900e-003	1.2900e-003	0.0000	18.4414	18.4414	3.5000e-004	3.4000e-004	18.5510

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5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	165134	24.6283	2.1700e-003	4.5000e-004	24.8165
City Park	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	1960	0.2923	3.0000e-005	1.0000e-005	0.2946
Unenclosed Parking with Elevator	46560	6.9440	6.1000e-004	1.3000e-004	6.9971
Total		31.8646	2.8100e-003	5.9000e-004	32.1082

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5.3 Energy by Land Use - Electricity**Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	164960	24.6023	2.1700e-003	4.5000e-004	24.7904
City Park	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	1960	0.2923	3.0000e-005	1.0000e-005	0.2946
Unenclosed Parking with Elevator	46560	6.9440	6.1000e-004	1.3000e-004	6.9971
Total		31.8387	2.8100e-003	5.9000e-004	32.0820

6.0 Area Detail**6.1 Mitigation Measures Area**

No Hearths Installed

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.1962	3.4400e-003	0.2983	2.0000e-005		1.6400e-003	1.6400e-003		1.6400e-003	1.6400e-003	0.0000	0.4865	0.4865	4.7000e-004	0.0000	0.4983
Unmitigated	0.2885	5.5700e-003	0.4254	2.7000e-004		0.0198	0.0198		0.0198	0.0198	1.8236	1.2355	3.0591	3.4000e-003	1.2000e-004	3.1799

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0288					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1583					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0923	2.1200e-003	0.1271	2.5000e-004		0.0182	0.0182		0.0182	0.0182	1.8236	0.7490	2.5726	2.9300e-003	1.2000e-004	2.6815
Landscaping	9.0800e-003	3.4400e-003	0.2983	2.0000e-005		1.6400e-003	1.6400e-003		1.6400e-003	1.6400e-003	0.0000	0.4865	0.4865	4.7000e-004	0.0000	0.4983
Total	0.2885	5.5600e-003	0.4254	2.7000e-004		0.0198	0.0198		0.0198	0.0198	1.8236	1.2355	3.0591	3.4000e-003	1.2000e-004	3.1799

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6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0288					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1583					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	9.0800e-003	3.4400e-003	0.2983	2.0000e-005		1.6400e-003	1.6400e-003		1.6400e-003	1.6400e-003	0.0000	0.4865	0.4865	4.7000e-004	0.0000	0.4983
Total	0.1962	3.4400e-003	0.2983	2.0000e-005		1.6400e-003	1.6400e-003		1.6400e-003	1.6400e-003	0.0000	0.4865	0.4865	4.7000e-004	0.0000	0.4983

7.0 Water Detail**7.1 Mitigation Measures Water**

Use Reclaimed Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Turf Reduction

Use Water Efficient Irrigation System

Use Water Efficient Landscaping

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	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	3.3638	0.0682	1.6500e-003	5.5609
Unmitigated	4.0613	0.0852	2.0600e-003	6.8066

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	2.60616 / 1.64301	3.7876	0.0852	2.0600e-003	6.5309
City Park	0 / 0.524252	0.2737	2.0000e-005	0.0000	0.2758
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		4.0613	0.0852	2.0600e-003	6.8066

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7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	2.08493 / 1.48108	3.1171	0.0682	1.6500e-003	5.3124
City Park	0 / 0.472582	0.2467	2.0000e-005	0.0000	0.2486
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		3.3638	0.0682	1.6500e-003	5.5609

8.0 Waste Detail**8.1 Mitigation Measures Waste**

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Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	3.7432	0.2212	0.0000	9.2735
Unmitigated	3.7432	0.2212	0.0000	9.2735

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	18.4	3.7350	0.2207	0.0000	9.2534
City Park	0.04	8.1200e-003	4.8000e-004	0.0000	0.0201
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Total		3.7432	0.2212	0.0000	9.2735

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8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	18.4	3.7350	0.2207	0.0000	9.2534
City Park	0.04	8.1200e-003	4.8000e-004	0.0000	0.0201
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
Total		3.7432	0.2212	0.0000	9.2735

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

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Equipment Type	Number
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11.0 Vegetation

2001 Tarob Court - Bay Area AQMD Air District, Summer

2001 Tarob Court
Bay Area AQMD Air District, Summer

1.0 Project Characteristics**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Mid Rise	40.00	Dwelling Unit	0.77	40,000.00	114
Unenclosed Parking with Elevator	60.00	Space	0.00	24,000.00	0
Parking Lot	14.00	Space	0.10	5,600.00	0
City Park	0.44	Acre	0.44	19,166.40	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

2001 Tarob Court - Bay Area AQMD Air District, Summer

Project Characteristics - CO2 intensity based on 5-year average, PG&E, 2015

Land Use - The project would include 40 residential units, a parking garage with 60 spaces, an additional 14 onstreet parking spaces, and 0.44 acres of open space/landscaped areas.

Construction Phase - Construction of the proposed project is anticipated to occur over approximately 16 months, starting in April 2020 and ending in August 2021.

Grading - approximately 1,410 cubic yards of soils would be excavated and exported

Demolition - The project would demolish the existing 16,463-square-foot office/light-industrial building

Vehicle Trips - Based on ITE Trip Generation Rates for land use code 220 and 9% transit trip reduction per VTA's Transportation Impact Analysis Guidelines

Water Mitigation -

Energy Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	200.00	250.00
tblConstructionPhase	NumDays	4.00	20.00
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	2.00	20.00
tblConstructionPhase	PhaseEndDate	3/15/2021	8/6/2021
tblConstructionPhase	PhaseEndDate	2/15/2021	6/11/2021
tblConstructionPhase	PhaseEndDate	5/11/2020	6/26/2020
tblConstructionPhase	PhaseEndDate	3/1/2021	7/9/2021
tblConstructionPhase	PhaseEndDate	5/5/2020	5/29/2020
tblConstructionPhase	PhaseStartDate	3/2/2021	7/12/2021
tblConstructionPhase	PhaseStartDate	5/12/2020	6/29/2020
tblConstructionPhase	PhaseStartDate	5/6/2020	6/1/2020
tblConstructionPhase	PhaseStartDate	2/16/2021	6/14/2021

2001 Tarob Court - Bay Area AQMD Air District, Summer

tblGrading	AcresOfGrading	7.50	1.22
tblGrading	AcresOfGrading	10.00	1.22
tblGrading	MaterialExported	0.00	1,410.00
tblLandUse	LotAcreage	1.05	0.77
tblLandUse	LotAcreage	0.54	0.00
tblLandUse	LotAcreage	0.13	0.10
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	6.39	6.05
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	SU_TR	5.86	6.05
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	WD_TR	6.65	6.05
tblVehicleTrips	WD_TR	1.89	0.00

2.0 Emissions Summary

2001 Tarob Court - Bay Area AQMD Air District, Summer

2.1 Overall Construction (Maximum Daily Emission)**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	2.2463	22.0478	15.2195	0.0294	5.3997	1.1567	6.2211	2.9209	1.0801	3.6765	0.0000	2,753.389 7	2,753.389 7	0.6155	0.0000	2,763.444 4
2021	29.0261	14.9682	14.3954	0.0292	0.4838	0.6896	1.1733	0.1302	0.6657	0.7959	0.0000	2,736.030 4	2,736.030 4	0.4134	0.0000	2,745.585 8
Maximum	29.0261	22.0478	15.2195	0.0294	5.3997	1.1567	6.2211	2.9209	1.0801	3.6765	0.0000	2,753.389 7	2,753.389 7	0.6155	0.0000	2,763.444 4

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	2.2463	22.0478	15.2195	0.0294	5.3997	1.1567	6.2211	2.9209	1.0801	3.6765	0.0000	2,753.389 7	2,753.389 7	0.6155	0.0000	2,763.444 4
2021	29.0261	14.9682	14.3954	0.0292	0.4838	0.6896	1.1733	0.1302	0.6657	0.7959	0.0000	2,736.030 4	2,736.030 4	0.4134	0.0000	2,745.585 8
Maximum	29.0261	22.0478	15.2195	0.0294	5.3997	1.1567	6.2211	2.9209	1.0801	3.6765	0.0000	2,753.389 7	2,753.389 7	0.6155	0.0000	2,763.444 4

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

2001 Tarob Court - Bay Area AQMD Air District, Summer

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	17.5765	0.4019	25.0491	0.0421		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804
Energy	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
Mobile	0.4063	1.6623	4.1560	0.0144	1.1875	0.0127	1.2002	0.3177	0.0119	0.3296		1,456.2190	1,456.2190	0.0527		1,457.5362
Total	17.9930	2.1515	29.2422	0.0570	1.1875	3.1235	4.3110	0.3177	3.1227	3.4404	334.8339	1,721.7997	2,056.6335	0.5188	0.0257	2,077.2654

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034
Energy	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
Mobile	0.3321	1.1530	2.2721	6.6800e-003	0.5028	6.2000e-003	0.5090	0.1345	5.8000e-003	0.1403		676.4867	676.4867	0.0306		677.2518
Total	1.4683	1.2785	5.6241	7.4100e-003	0.5028	0.0315	0.5343	0.1345	0.0311	0.1657	0.0000	793.8320	793.8320	0.0385	2.0400e-003	795.4041

2001 Tarob Court - Bay Area AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	91.84	40.58	80.77	87.00	57.66	98.99	87.61	57.66	99.00	95.19	100.00	53.90	61.40	92.57	92.07	61.71

3.0 Construction Detail**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	4/6/2020	5/1/2020	5	20	
2	Site Preparation	Site Preparation	5/2/2020	5/29/2020	5	20	
3	Grading	Grading	6/1/2020	6/26/2020	5	20	
4	Building Construction	Building Construction	6/29/2020	6/11/2021	5	250	
5	Paving	Paving	6/14/2021	7/9/2021	5	20	
6	Architectural Coating	Architectural Coating	7/12/2021	8/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 1.22**Acres of Grading (Grading Phase): 1.22****Acres of Paving: 0.1****Residential Indoor: 81,000; Residential Outdoor: 27,000; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,776 (Architectural Coating – sqft)****OffRoad Equipment**

2001 Tarob Court - Bay Area AQMD Air District, Summer

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	6.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	6.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	6.00	187	0.41
Paving	Paving Equipment	1	8.00	132	0.36
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

2001 Tarob Court - Bay Area AQMD Air District, Summer

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	75.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	3	8.00	0.00	176.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	49.00	12.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.8103	0.0000	0.8103	0.1227	0.0000	0.1227			0.0000			0.0000
Off-Road	2.1262	20.9463	14.6573	0.0241		1.1525	1.1525		1.0761	1.0761		2,322.312 7	2,322.312 7	0.5970		2,337.236 3
Total	2.1262	20.9463	14.6573	0.0241	0.8103	1.1525	1.9628	0.1227	1.0761	1.1988		2,322.312 7	2,322.312 7	0.5970		2,337.236 3

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.2 Demolition - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0309	1.0742	0.2135	2.9800e-003	0.0655	3.5100e-003	0.0690	0.0180	3.3600e-003	0.0213		319.0438	319.0438	0.0160		319.4428
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0452	0.0274	0.3488	1.0700e-003	0.1068	6.9000e-004	0.1075	0.0283	6.4000e-004	0.0290		106.7010	106.7010	2.5700e-003		106.7652
Total	0.0761	1.1015	0.5623	4.0500e-003	0.1723	4.2000e-003	0.1765	0.0463	4.0000e-003	0.0503		425.7448	425.7448	0.0185		426.2081

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.8103	0.0000	0.8103	0.1227	0.0000	0.1227			0.0000			0.0000
Off-Road	2.1262	20.9463	14.6573	0.0241		1.1525	1.1525		1.0761	1.0761	0.0000	2,322.3127	2,322.3127	0.5970		2,337.2363
Total	2.1262	20.9463	14.6573	0.0241	0.8103	1.1525	1.9628	0.1227	1.0761	1.1988	0.0000	2,322.3127	2,322.3127	0.5970		2,337.2363

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.2 Demolition - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0309	1.0742	0.2135	2.9800e-003	0.0655	3.5100e-003	0.0690	0.0180	3.3600e-003	0.0213		319.0438	319.0438	0.0160		319.4428
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0452	0.0274	0.3488	1.0700e-003	0.1068	6.9000e-004	0.1075	0.0283	6.4000e-004	0.0290		106.7010	106.7010	2.5700e-003		106.7652
Total	0.0761	1.1015	0.5623	4.0500e-003	0.1723	4.2000e-003	0.1765	0.0463	4.0000e-003	0.0503		425.7448	425.7448	0.0185		426.2081

3.3 Site Preparation - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					5.3340	0.0000	5.3340	2.9034	0.0000	2.9034			0.0000			0.0000
Off-Road	1.6299	18.3464	7.7093	0.0172		0.8210	0.8210		0.7553	0.7553		1,667.4119	1,667.4119	0.5393		1,680.8937
Total	1.6299	18.3464	7.7093	0.0172	5.3340	0.8210	6.1550	2.9034	0.7553	3.6587		1,667.4119	1,667.4119	0.5393		1,680.8937

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.3 Site Preparation - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017
Total	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					5.3340	0.0000	5.3340	2.9034	0.0000	2.9034			0.0000			0.0000
Off-Road	1.6299	18.3464	7.7093	0.0172		0.8210	0.8210		0.7553	0.7553	0.0000	1,667.4119	1,667.4119	0.5393		1,680.8937
Total	1.6299	18.3464	7.7093	0.0172	5.3340	0.8210	6.1550	2.9034	0.7553	3.6587	0.0000	1,667.4119	1,667.4119	0.5393		1,680.8937

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.3 Site Preparation - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017
Total	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017

3.4 Grading - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.5892	0.0000	4.5892	2.4909	0.0000	2.4909			0.0000			0.0000
Off-Road	1.3498	15.0854	6.4543	0.0141		0.6844	0.6844		0.6296	0.6296		1,365.7183	1,365.7183	0.4417		1,376.7609
Total	1.3498	15.0854	6.4543	0.0141	4.5892	0.6844	5.2736	2.4909	0.6296	3.1205		1,365.7183	1,365.7183	0.4417		1,376.7609

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.4 Grading - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0726	2.5207	0.5010	7.0000e-003	0.1537	8.2400e-003	0.1620	0.0421	7.8800e-003	0.0500		748.6895	748.6895	0.0375		749.6259
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017
Total	0.1004	2.5375	0.7156	7.6600e-003	0.2195	8.6700e-003	0.2281	0.0596	8.2700e-003	0.0678		814.3516	814.3516	0.0390		815.3275

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.5892	0.0000	4.5892	2.4909	0.0000	2.4909			0.0000			0.0000
Off-Road	1.3498	15.0854	6.4543	0.0141		0.6844	0.6844		0.6296	0.6296	0.0000	1,365.718 3	1,365.718 3	0.4417		1,376.760 9
Total	1.3498	15.0854	6.4543	0.0141	4.5892	0.6844	5.2736	2.4909	0.6296	3.1205	0.0000	1,365.718 3	1,365.718 3	0.4417		1,376.760 9

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.4 Grading - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0726	2.5207	0.5010	7.0000e-003	0.1537	8.2400e-003	0.1620	0.0421	7.8800e-003	0.0500		748.6895	748.6895	0.0375		749.6259
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0278	0.0168	0.2146	6.6000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		65.6621	65.6621	1.5800e-003		65.7017
Total	0.1004	2.5375	0.7156	7.6600e-003	0.2195	8.6700e-003	0.2281	0.0596	8.2700e-003	0.0678		814.3516	814.3516	0.0390		815.3275

3.5 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688		2,001.1595	2,001.1595	0.3715		2,010.4467
Total	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688		2,001.1595	2,001.1595	0.3715		2,010.4467

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.5 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0455	1.3676	0.3262	3.3100e-003	0.0812	6.7000e-003	0.0879	0.0234	6.4100e-003	0.0298		350.0497	350.0497	0.0172		350.4806
Worker	0.1703	0.1031	1.3147	4.0400e-003	0.4025	2.6100e-003	0.4051	0.1068	2.4000e-003	0.1092		402.1805	402.1805	9.6900e-003		402.4228
Total	0.2158	1.4707	1.6409	7.3500e-003	0.4838	9.3100e-003	0.4931	0.1302	8.8100e-003	0.1390		752.2302	752.2302	0.0269		752.9034

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688	0.0000	2,001.1595	2,001.1595	0.3715		2,010.4467
Total	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688	0.0000	2,001.1595	2,001.1595	0.3715		2,010.4467

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.5 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0455	1.3676	0.3262	3.3100e-003	0.0812	6.7000e-003	0.0879	0.0234	6.4100e-003	0.0298		350.0497	350.0497	0.0172		350.4806
Worker	0.1703	0.1031	1.3147	4.0400e-003	0.4025	2.6100e-003	0.4051	0.1068	2.4000e-003	0.1092		402.1805	402.1805	9.6900e-003		402.4228
Total	0.2158	1.4707	1.6409	7.3500e-003	0.4838	9.3100e-003	0.4931	0.1302	8.8100e-003	0.1390		752.2302	752.2302	0.0269		752.9034

3.5 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608		2,001.2200	2,001.2200	0.3573		2,010.1517
Total	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608		2,001.2200	2,001.2200	0.3573		2,010.1517

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.5 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0372	1.2401	0.2924	3.2700e-003	0.0812	2.6900e-003	0.0839	0.0234	2.5700e-003	0.0260		346.7503	346.7503	0.0163		347.1571
Worker	0.1576	0.0921	1.2036	3.8900e-003	0.4025	2.5300e-003	0.4051	0.1068	2.3300e-003	0.1091		388.0602	388.0602	8.6700e-003		388.2770
Total	0.1948	1.3322	1.4960	7.1600e-003	0.4838	5.2200e-003	0.4890	0.1302	4.9000e-003	0.1351		734.8104	734.8104	0.0249		735.4341

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608	0.0000	2,001.2200	2,001.2200	0.3573		2,010.1517
Total	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608	0.0000	2,001.2200	2,001.2200	0.3573		2,010.1517

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.5 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0372	1.2401	0.2924	3.2700e-003	0.0812	2.6900e-003	0.0839	0.0234	2.5700e-003	0.0260		346.7503	346.7503	0.0163		347.1571
Worker	0.1576	0.0921	1.2036	3.8900e-003	0.4025	2.5300e-003	0.4051	0.1068	2.3300e-003	0.1091		388.0602	388.0602	8.6700e-003		388.2770
Total	0.1948	1.3322	1.4960	7.1600e-003	0.4838	5.2200e-003	0.4890	0.1302	4.9000e-003	0.1351		734.8104	734.8104	0.0249		735.4341

3.6 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7739	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830		1,296.8664	1,296.8664	0.4111		1,307.1442
Paving	0.0131					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7870	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830		1,296.8664	1,296.8664	0.4111		1,307.1442

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.6 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0418	0.0244	0.3193	1.0300e-003	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		102.9547	102.9547	2.3000e-003		103.0123
Total	0.0418	0.0244	0.3193	1.0300e-003	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		102.9547	102.9547	2.3000e-003		103.0123

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7739	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830	0.0000	1,296.8664	1,296.8664	0.4111		1,307.1442
Paving	0.0131					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7870	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830	0.0000	1,296.8664	1,296.8664	0.4111		1,307.1442

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.6 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0418	0.0244	0.3193	1.0300e-003	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		102.9547	102.9547	2.3000e-003		103.0123
Total	0.0418	0.0244	0.3193	1.0300e-003	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		102.9547	102.9547	2.3000e-003		103.0123

3.7 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	28.7750					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309
Total	28.9939	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.7 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402
Total	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	28.7750					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309
Total	28.9939	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309

2001 Tarob Court - Bay Area AQMD Air District, Summer

3.7 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402
Total	0.0322	0.0188	0.2456	7.9000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		79.1960	79.1960	1.7700e-003		79.2402

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Density

Increase Diversity

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

2001 Tarob Court - Bay Area AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.3321	1.1530	2.2721	6.6800e-003	0.5028	6.2000e-003	0.5090	0.1345	5.8000e-003	0.1403		676.4867	676.4867	0.0306		677.2518
Unmitigated	0.4063	1.6623	4.1560	0.0144	1.1875	0.0127	1.2002	0.3177	0.0119	0.3296		1,456.2190	1,456.2190	0.0527		1,457.5362

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	242.00	242.00	242.00	558,925	236,657
City Park	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Unenclosed Parking with Elevator	0.00	0.00	0.00		
Total	242.00	242.00	242.00	558,925	236,657

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Unenclosed Parking with	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

2001 Tarob Court - Bay Area AQMD Air District, Summer

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
City Park	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Parking Lot	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Unenclosed Parking with Elevator	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
NaturalGas Unmitigated	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

2001 Tarob Court - Bay Area AQMD Air District, Summer

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Mid Rise	946.789	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

2001 Tarob Court - Bay Area AQMD Air District, Summer

5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Mid Rise	0.946789	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

6.0 Area Detail**6.1 Mitigation Measures Area**

No Hearths Installed

2001 Tarob Court - Bay Area AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034
Unmitigated	17.5765	0.4019	25.0491	0.0421		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1577					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.8675					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	16.4504	0.3637	21.7342	0.0419		3.0855	3.0855		3.0855	3.0855	334.8339	148.2353	483.0691	0.4582	0.0237	501.5770
Landscaping	0.1009	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183		5.9584	5.9584	5.8000e-003		6.1034
Total	17.5765	0.4019	25.0491	0.0420		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804

2001 Tarob Court - Bay Area AQMD Air District, Summer

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1577					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.8675					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1009	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183		5.9584	5.9584	5.8000e-003		6.1034
Total	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034

7.0 Water Detail**7.1 Mitigation Measures Water**

Use Reclaimed Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Turf Reduction

Use Water Efficient Irrigation System

Use Water Efficient Landscaping

8.0 Waste Detail

2001 Tarob Court - Bay Area AQMD Air District, Summer

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

2001 Tarob Court - Bay Area AQMD Air District, Winter

2001 Tarob Court
Bay Area AQMD Air District, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Mid Rise	40.00	Dwelling Unit	0.77	40,000.00	114
Unenclosed Parking with Elevator	60.00	Space	0.00	24,000.00	0
Parking Lot	14.00	Space	0.10	5,600.00	0
City Park	0.44	Acre	0.44	19,166.40	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	64
Climate Zone	4			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	328.8	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

2001 Tarob Court - Bay Area AQMD Air District, Winter

Project Characteristics - CO2 intensity based on 5-year average, PG&E, 2015

Land Use - The project would include 40 residential units, a parking garage with 60 spaces, an additional 14 onstreet parking spaces, and 0.44 acres of open space/landscaped areas.

Construction Phase - Construction of the proposed project is anticipated to occur over approximately 16 months, starting in April 2020 and ending in August 2021.

Grading - approximately 1,410 cubic yards of soils would be excavated and exported

Demolition - The project would demolish the existing 16,463-square-foot office/light-industrial building

Vehicle Trips - Based on ITE Trip Generation Rates for land use code 220 and 9% transit trip reduction per VTA's Transportation Impact Analysis Guidelines

Water Mitigation -

Energy Mitigation -

Mobile Land Use Mitigation -

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	200.00	250.00
tblConstructionPhase	NumDays	4.00	20.00
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	2.00	20.00
tblConstructionPhase	PhaseEndDate	3/15/2021	8/6/2021
tblConstructionPhase	PhaseEndDate	2/15/2021	6/11/2021
tblConstructionPhase	PhaseEndDate	5/11/2020	6/26/2020
tblConstructionPhase	PhaseEndDate	3/1/2021	7/9/2021
tblConstructionPhase	PhaseEndDate	5/5/2020	5/29/2020
tblConstructionPhase	PhaseStartDate	3/2/2021	7/12/2021
tblConstructionPhase	PhaseStartDate	5/12/2020	6/29/2020
tblConstructionPhase	PhaseStartDate	5/6/2020	6/1/2020
tblConstructionPhase	PhaseStartDate	2/16/2021	6/14/2021

2001 Tarob Court - Bay Area AQMD Air District, Winter

tblGrading	AcresOfGrading	7.50	1.22
tblGrading	AcresOfGrading	10.00	1.22
tblGrading	MaterialExported	0.00	1,410.00
tblLandUse	LotAcreage	1.05	0.77
tblLandUse	LotAcreage	0.54	0.00
tblLandUse	LotAcreage	0.13	0.10
tblProjectCharacteristics	CO2IntensityFactor	641.35	328.8
tblVehicleTrips	ST_TR	6.39	6.05
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	SU_TR	5.86	6.05
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	WD_TR	6.65	6.05
tblVehicleTrips	WD_TR	1.89	0.00

2.0 Emissions Summary

2001 Tarob Court - Bay Area AQMD Air District, Winter

2.1 Overall Construction (Maximum Daily Emission)**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	2.2585	22.0806	15.2147	0.0290	5.3997	1.1568	6.2211	2.9209	1.0802	3.6765	0.0000	2,734.286 3	2,734.286 3	0.6161	0.0000	2,749.689 1
2021	29.0280	15.0006	14.3616	0.0288	0.4838	0.6897	1.1734	0.1302	0.6658	0.7959	0.0000	2,696.645 5	2,696.645 5	0.4133	0.0000	2,706.219 6
Maximum	29.0280	22.0806	15.2147	0.0290	5.3997	1.1568	6.2211	2.9209	1.0802	3.6765	0.0000	2,734.286 3	2,734.286 3	0.6161	0.0000	2,749.689 1

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	2.2585	22.0806	15.2147	0.0290	5.3997	1.1568	6.2211	2.9209	1.0802	3.6765	0.0000	2,734.286 3	2,734.286 3	0.6161	0.0000	2,749.689 1
2021	29.0280	15.0006	14.3616	0.0288	0.4838	0.6897	1.1734	0.1302	0.6658	0.7959	0.0000	2,696.645 5	2,696.645 5	0.4133	0.0000	2,706.219 6
Maximum	29.0280	22.0806	15.2147	0.0290	5.3997	1.1568	6.2211	2.9209	1.0802	3.6765	0.0000	2,734.286 3	2,734.286 3	0.6161	0.0000	2,749.689 1

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

2001 Tarob Court - Bay Area AQMD Air District, Winter

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	17.5765	0.4019	25.0491	0.0421		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804
Energy	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
Mobile	0.3529	1.7486	4.2060	0.0135	1.1875	0.0128	1.2003	0.3177	0.0120	0.3297		1,362.8204	1,362.8204	0.0538		1,364.1653
Total	17.9396	2.2377	29.2922	0.0561	1.1875	3.1236	4.3111	0.3177	3.1228	3.4405	334.8339	1,628.4010	1,963.2349	0.5199	0.0257	1,983.8945

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034
Energy	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
Mobile	0.2798	1.1859	2.5269	6.2500e-003	0.5028	6.3000e-003	0.5091	0.1345	5.9000e-003	0.1404		631.7799	631.7799	0.0328		632.5994
Total	1.4160	1.3114	5.8788	6.9800e-003	0.5028	0.0316	0.5344	0.1345	0.0312	0.1657	0.0000	749.1252	749.1252	0.0407	2.0400e-003	750.7517

2001 Tarob Court - Bay Area AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	92.11	41.40	79.93	87.56	57.66	98.99	87.60	57.66	99.00	95.18	100.00	54.00	61.84	92.17	92.07	62.16

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	4/6/2020	5/1/2020	5	20	
2	Site Preparation	Site Preparation	5/2/2020	5/29/2020	5	20	
3	Grading	Grading	6/1/2020	6/26/2020	5	20	
4	Building Construction	Building Construction	6/29/2020	6/11/2021	5	250	
5	Paving	Paving	6/14/2021	7/9/2021	5	20	
6	Architectural Coating	Architectural Coating	7/12/2021	8/6/2021	5	20	

Acres of Grading (Site Preparation Phase): 1.22

Acres of Grading (Grading Phase): 1.22

Acres of Paving: 0.1

Residential Indoor: 81,000; Residential Outdoor: 27,000; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,776 (Architectural Coating – sqft)

OffRoad Equipment

2001 Tarob Court - Bay Area AQMD Air District, Winter

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	6.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	6.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Grading	Graders	1	6.00	187	0.41
Paving	Paving Equipment	1	8.00	132	0.36
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

2001 Tarob Court - Bay Area AQMD Air District, Winter

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	75.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	3	8.00	0.00	176.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	49.00	12.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Demolition - 2020****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.8103	0.0000	0.8103	0.1227	0.0000	0.1227			0.0000			0.0000
Off-Road	2.1262	20.9463	14.6573	0.0241		1.1525	1.1525		1.0761	1.0761		2,322.312 7	2,322.312 7	0.5970		2,337.236 3
Total	2.1262	20.9463	14.6573	0.0241	0.8103	1.1525	1.9628	0.1227	1.0761	1.1988		2,322.312 7	2,322.312 7	0.5970		2,337.236 3

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.2 Demolition - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0318	1.1005	0.2298	2.9300e-003	0.0655	3.5700e-003	0.0691	0.0180	3.4200e-003	0.0214		313.6851	313.6851	0.0168		314.1042
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0478	0.0338	0.3276	9.9000e-004	0.1068	6.9000e-004	0.1075	0.0283	6.4000e-004	0.0290		98.2885	98.2885	2.4000e-003		98.3486
Total	0.0796	1.1343	0.5574	3.9200e-003	0.1723	4.2600e-003	0.1766	0.0463	4.0600e-003	0.0503		411.9736	411.9736	0.0192		412.4528

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.8103	0.0000	0.8103	0.1227	0.0000	0.1227			0.0000			0.0000
Off-Road	2.1262	20.9463	14.6573	0.0241		1.1525	1.1525		1.0761	1.0761	0.0000	2,322.3127	2,322.3127	0.5970		2,337.2363
Total	2.1262	20.9463	14.6573	0.0241	0.8103	1.1525	1.9628	0.1227	1.0761	1.1988	0.0000	2,322.3127	2,322.3127	0.5970		2,337.2363

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.2 Demolition - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0318	1.1005	0.2298	2.9300e-003	0.0655	3.5700e-003	0.0691	0.0180	3.4200e-003	0.0214		313.6851	313.6851	0.0168		314.1042
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0478	0.0338	0.3276	9.9000e-004	0.1068	6.9000e-004	0.1075	0.0283	6.4000e-004	0.0290		98.2885	98.2885	2.4000e-003		98.3486
Total	0.0796	1.1343	0.5574	3.9200e-003	0.1723	4.2600e-003	0.1766	0.0463	4.0600e-003	0.0503		411.9736	411.9736	0.0192		412.4528

3.3 Site Preparation - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					5.3340	0.0000	5.3340	2.9034	0.0000	2.9034			0.0000			0.0000
Off-Road	1.6299	18.3464	7.7093	0.0172		0.8210	0.8210		0.7553	0.7553		1,667.4119	1,667.4119	0.5393		1,680.8937
Total	1.6299	18.3464	7.7093	0.0172	5.3340	0.8210	6.1550	2.9034	0.7553	3.6587		1,667.4119	1,667.4119	0.5393		1,680.8937

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.3 Site Preparation - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222
Total	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					5.3340	0.0000	5.3340	2.9034	0.0000	2.9034			0.0000			0.0000
Off-Road	1.6299	18.3464	7.7093	0.0172		0.8210	0.8210		0.7553	0.7553	0.0000	1,667.4119	1,667.4119	0.5393		1,680.8937
Total	1.6299	18.3464	7.7093	0.0172	5.3340	0.8210	6.1550	2.9034	0.7553	3.6587	0.0000	1,667.4119	1,667.4119	0.5393		1,680.8937

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.3 Site Preparation - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222
Total	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222

3.4 Grading - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.5892	0.0000	4.5892	2.4909	0.0000	2.4909			0.0000			0.0000
Off-Road	1.3498	15.0854	6.4543	0.0141		0.6844	0.6844		0.6296	0.6296		1,365.7183	1,365.7183	0.4417		1,376.7609
Total	1.3498	15.0854	6.4543	0.0141	4.5892	0.6844	5.2736	2.4909	0.6296	3.1205		1,365.7183	1,365.7183	0.4417		1,376.7609

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.4 Grading - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0746	2.5826	0.5393	6.8800e-003	0.1537	8.3800e-003	0.1621	0.0421	8.0200e-003	0.0502		736.1144	736.1144	0.0393		737.0978
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222
Total	0.1040	2.6034	0.7409	7.4900e-003	0.2195	8.8100e-003	0.2283	0.0596	8.4100e-003	0.0680		796.5996	796.5996	0.0408		797.6200

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.5892	0.0000	4.5892	2.4909	0.0000	2.4909			0.0000			0.0000
Off-Road	1.3498	15.0854	6.4543	0.0141		0.6844	0.6844		0.6296	0.6296	0.0000	1,365.718 3	1,365.718 3	0.4417		1,376.760 9
Total	1.3498	15.0854	6.4543	0.0141	4.5892	0.6844	5.2736	2.4909	0.6296	3.1205	0.0000	1,365.718 3	1,365.718 3	0.4417		1,376.760 9

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.4 Grading - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0746	2.5826	0.5393	6.8800e-003	0.1537	8.3800e-003	0.1621	0.0421	8.0200e-003	0.0502		736.1144	736.1144	0.0393		737.0978
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0294	0.0208	0.2016	6.1000e-004	0.0657	4.3000e-004	0.0661	0.0174	3.9000e-004	0.0178		60.4852	60.4852	1.4800e-003		60.5222
Total	0.1040	2.6034	0.7409	7.4900e-003	0.2195	8.8100e-003	0.2283	0.0596	8.4100e-003	0.0680		796.5996	796.5996	0.0408		797.6200

3.5 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688		2,001.1595	2,001.1595	0.3715		2,010.4467
Total	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688		2,001.1595	2,001.1595	0.3715		2,010.4467

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.5 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0479	1.3829	0.3732	3.2200e-003	0.0812	6.8200e-003	0.0880	0.0234	6.5200e-003	0.0299		341.1927	341.1927	0.0187		341.6588
Worker	0.1802	0.1274	1.2347	3.7200e-003	0.4025	2.6100e-003	0.4051	0.1068	2.4000e-003	0.1092		370.4721	370.4721	9.0600e-003		370.6986
Total	0.2280	1.5103	1.6079	6.9400e-003	0.4838	9.4300e-003	0.4932	0.1302	8.9200e-003	0.1391		711.6647	711.6647	0.0277		712.3574

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688	0.0000	2,001.1595	2,001.1595	0.3715		2,010.4467
Total	2.0305	14.7882	13.1881	0.0220		0.7960	0.7960		0.7688	0.7688	0.0000	2,001.1595	2,001.1595	0.3715		2,010.4467

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.5 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0479	1.3829	0.3732	3.2200e-003	0.0812	6.8200e-003	0.0880	0.0234	6.5200e-003	0.0299		341.1927	341.1927	0.0187		341.6588
Worker	0.1802	0.1274	1.2347	3.7200e-003	0.4025	2.6100e-003	0.4051	0.1068	2.4000e-003	0.1092		370.4721	370.4721	9.0600e-003		370.6986
Total	0.2280	1.5103	1.6079	6.9400e-003	0.4838	9.4300e-003	0.4932	0.1302	8.9200e-003	0.1391		711.6647	711.6647	0.0277		712.3574

3.5 Building Construction - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608		2,001.2200	2,001.2200	0.3573		2,010.1517
Total	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608		2,001.2200	2,001.2200	0.3573		2,010.1517

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.5 Building Construction - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0394	1.2508	0.3361	3.1900e-003	0.0812	2.7800e-003	0.0840	0.0234	2.6600e-003	0.0260		337.9526	337.9526	0.0176		338.3928
Worker	0.1669	0.1137	1.1261	3.5900e-003	0.4025	2.5300e-003	0.4051	0.1068	2.3300e-003	0.1091		357.4730	357.4730	8.0900e-003		357.6752
Total	0.2063	1.3645	1.4622	6.7800e-003	0.4838	5.3100e-003	0.4891	0.1302	4.9900e-003	0.1351		695.4255	695.4255	0.0257		696.0679

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608	0.0000	2,001.2200	2,001.2200	0.3573		2,010.1517
Total	1.8125	13.6361	12.8994	0.0221		0.6843	0.6843		0.6608	0.6608	0.0000	2,001.2200	2,001.2200	0.3573		2,010.1517

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.5 Building Construction - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0394	1.2508	0.3361	3.1900e-003	0.0812	2.7800e-003	0.0840	0.0234	2.6600e-003	0.0260		337.9526	337.9526	0.0176		338.3928
Worker	0.1669	0.1137	1.1261	3.5900e-003	0.4025	2.5300e-003	0.4051	0.1068	2.3300e-003	0.1091		357.4730	357.4730	8.0900e-003		357.6752
Total	0.2063	1.3645	1.4622	6.7800e-003	0.4838	5.3100e-003	0.4891	0.1302	4.9900e-003	0.1351		695.4255	695.4255	0.0257		696.0679

3.6 Paving - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7739	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830		1,296.8664	1,296.8664	0.4111		1,307.1442
Paving	0.0131					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7870	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830		1,296.8664	1,296.8664	0.4111		1,307.1442

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.6 Paving - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0443	0.0302	0.2988	9.5000e-004	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		94.8398	94.8398	2.1500e-003		94.8934
Total	0.0443	0.0302	0.2988	9.5000e-004	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		94.8398	94.8398	2.1500e-003		94.8934

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.7739	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830	0.0000	1,296.8664	1,296.8664	0.4111		1,307.1442
Paving	0.0131					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.7870	7.7422	8.8569	0.0135		0.4153	0.4153		0.3830	0.3830	0.0000	1,296.8664	1,296.8664	0.4111		1,307.1442

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.6 Paving - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0443	0.0302	0.2988	9.5000e-004	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		94.8398	94.8398	2.1500e-003		94.8934
Total	0.0443	0.0302	0.2988	9.5000e-004	0.1068	6.7000e-004	0.1075	0.0283	6.2000e-004	0.0290		94.8398	94.8398	2.1500e-003		94.8934

3.7 Architectural Coating - 2021**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	28.7750					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309
Total	28.9939	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941		281.4481	281.4481	0.0193		281.9309

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.7 Architectural Coating - 2021**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949
Total	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	28.7750					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.2189	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309
Total	28.9939	1.5268	1.8176	2.9700e-003		0.0941	0.0941		0.0941	0.0941	0.0000	281.4481	281.4481	0.0193		281.9309

2001 Tarob Court - Bay Area AQMD Air District, Winter

3.7 Architectural Coating - 2021**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949
Total	0.0341	0.0232	0.2298	7.3000e-004	0.0822	5.2000e-004	0.0827	0.0218	4.8000e-004	0.0223		72.9537	72.9537	1.6500e-003		72.9949

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Density

Increase Diversity

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.2798	1.1859	2.5269	6.2500e-003	0.5028	6.3000e-003	0.5091	0.1345	5.9000e-003	0.1404		631.7799	631.7799	0.0328		632.5994
Unmitigated	0.3529	1.7486	4.2060	0.0135	1.1875	0.0128	1.2003	0.3177	0.0120	0.3297		1,362.8204	1,362.8204	0.0538		1,364.1653

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	242.00	242.00	242.00	558,925	236,657
City Park	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Unenclosed Parking with Elevator	0.00	0.00	0.00		
Total	242.00	242.00	242.00	558,925	236,657

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Unenclosed Parking with	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

2001 Tarob Court - Bay Area AQMD Air District, Winter

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
City Park	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Parking Lot	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789
Unenclosed Parking with Elevator	0.575198	0.040076	0.193827	0.113296	0.016988	0.005361	0.017552	0.025197	0.002581	0.002349	0.005904	0.000881	0.000789

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Install Energy Efficient Appliances

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
NaturalGas Unmitigated	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

2001 Tarob Court - Bay Area AQMD Air District, Winter

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Mid Rise	946.789	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

2001 Tarob Court - Bay Area AQMD Air District, Winter

5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Mid Rise	0.946789	0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Unenclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0102	0.0873	0.0371	5.6000e-004		7.0500e-003	7.0500e-003		7.0500e-003	7.0500e-003		111.3870	111.3870	2.1300e-003	2.0400e-003	112.0489

6.0 Area Detail**6.1 Mitigation Measures Area**

No Hearths Installed

2001 Tarob Court - Bay Area AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034
Unmitigated	17.5765	0.4019	25.0491	0.0421		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1577					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.8675					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	16.4504	0.3637	21.7342	0.0419		3.0855	3.0855		3.0855	3.0855	334.8339	148.2353	483.0691	0.4582	0.0237	501.5770
Landscaping	0.1009	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183		5.9584	5.9584	5.8000e-003		6.1034
Total	17.5765	0.4019	25.0491	0.0420		3.1038	3.1038		3.1038	3.1038	334.8339	154.1937	489.0275	0.4640	0.0237	507.6804

2001 Tarob Court - Bay Area AQMD Air District, Winter

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.1577					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.8675					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.1009	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183		5.9584	5.9584	5.8000e-003		6.1034
Total	1.1261	0.0383	3.3149	1.7000e-004		0.0183	0.0183		0.0183	0.0183	0.0000	5.9584	5.9584	5.8000e-003	0.0000	6.1034

7.0 Water Detail**7.1 Mitigation Measures Water**

Use Reclaimed Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Turf Reduction

Use Water Efficient Irrigation System

Use Water Efficient Landscaping

8.0 Waste Detail

2001 Tarob Court - Bay Area AQMD Air District, Winter

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

APPENDIX B

TRAFFIC OPERATIONS REPORT

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Memorandum

Date: May 28, 2019
To: Mr. Steve Chan, P.E.
From: Brett Walinski, T.E.
Eric Tse, P.E.
Subject: Traffic Operations Report for 2001 Tarob Court, Milpitas, CA

Hexagon Transportation Consultants, Inc. has completed this traffic operations report for the proposed residential development located at 2001 Tarob Court in Milpitas, California. The site location is shown on Figure 1. The existing site is occupied by a 16,463 sq. ft. office/industrial building. The project proposes to demolish the existing building and construct 40 condominium units. Primary access to the site would be provided via a single driveway on the northern portion of the site on Tarob Court. The site plan is shown on Figure 2.

Scope of Study

The purpose of this study is to evaluate the operations at the site driveway and at key intersections near the site. The traffic study includes an analysis of AM and PM peak hour traffic conditions at the following study intersections and site driveway (See Figure 1).

1. Lundy Avenue and Trade Zone Boulevard
2. Lundy Avenue and Tarob Court (unsignalized)
3. Project Driveway and Tarob Court (unsignalized)

The impacts of the project were evaluated during the weekday AM and PM peak hours. The AM peak hour of traffic is typically between 7:00 AM and 9:00 AM and the PM peak hour is typically between 4:00 PM and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average weekday. Traffic conditions were evaluated for the following scenarios:

Scenario 1: *Existing Conditions*. Existing conditions are represented by existing peak-hour traffic volumes on the existing roadway network. Existing traffic volumes were obtained from recent traffic counts conducted in May 2019.

Scenario 2: *Existing Plus Project Conditions*. Project trips from the site were added to existing traffic volumes to estimate existing plus project conditions. Existing plus project conditions were evaluated relative to existing conditions in order to determine potential project impacts.

Scenario 3: *Background Conditions*. A list of approved and pending developments was obtained from the Cities of Milpitas and San Jose (described in greater detail in the subsequent *Intersection Level of Service Analysis* section). Approved and pending project-generated traffic volumes were added to existing traffic volumes to estimate background conditions. The roadway network was assumed to be unchanged from existing conditions for this scenario.

Scenario 4: *Background Plus Project Conditions*. Project trips from the site were added to background traffic volumes to estimate background plus project conditions. Background plus project conditions were evaluated relative to background conditions in order to determine potential project impacts.

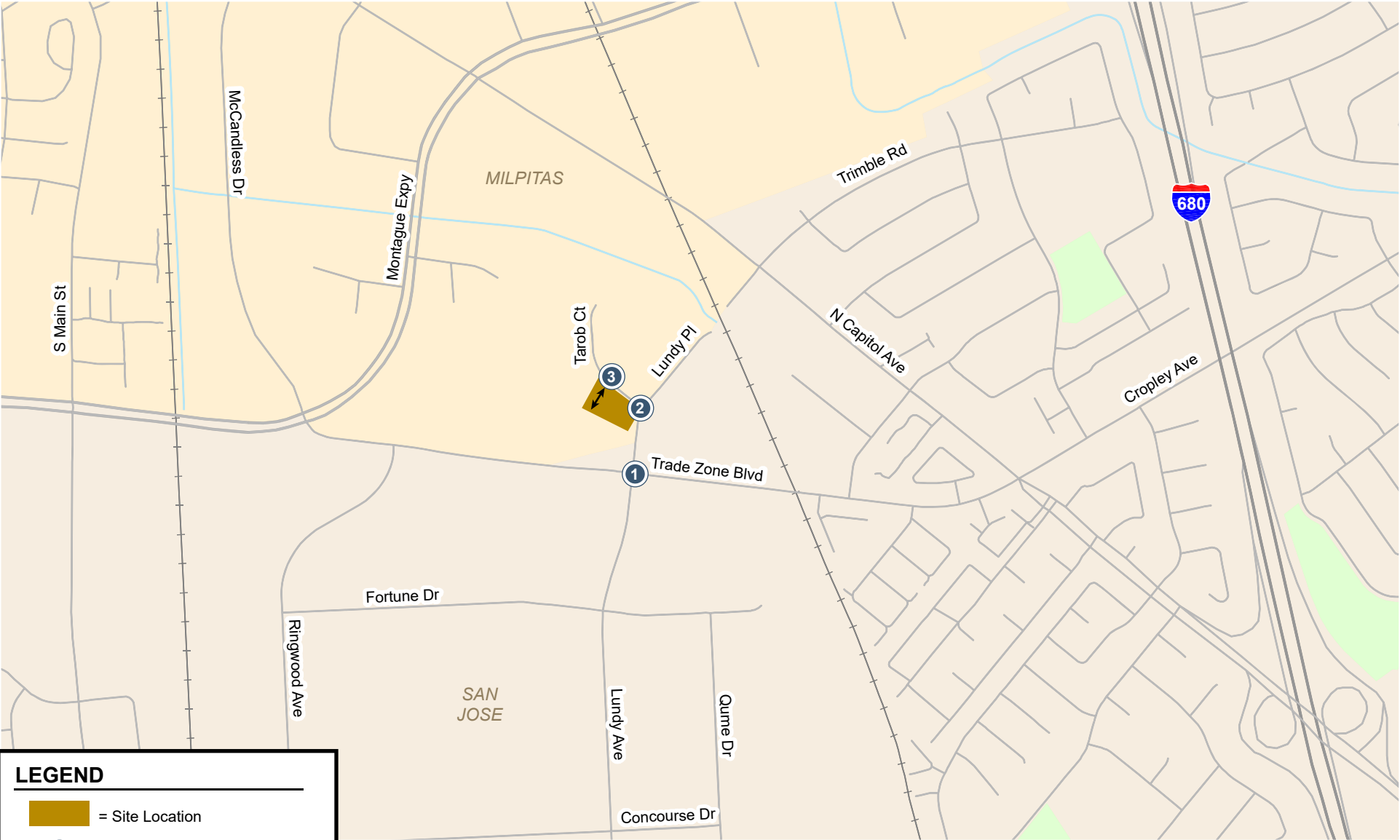
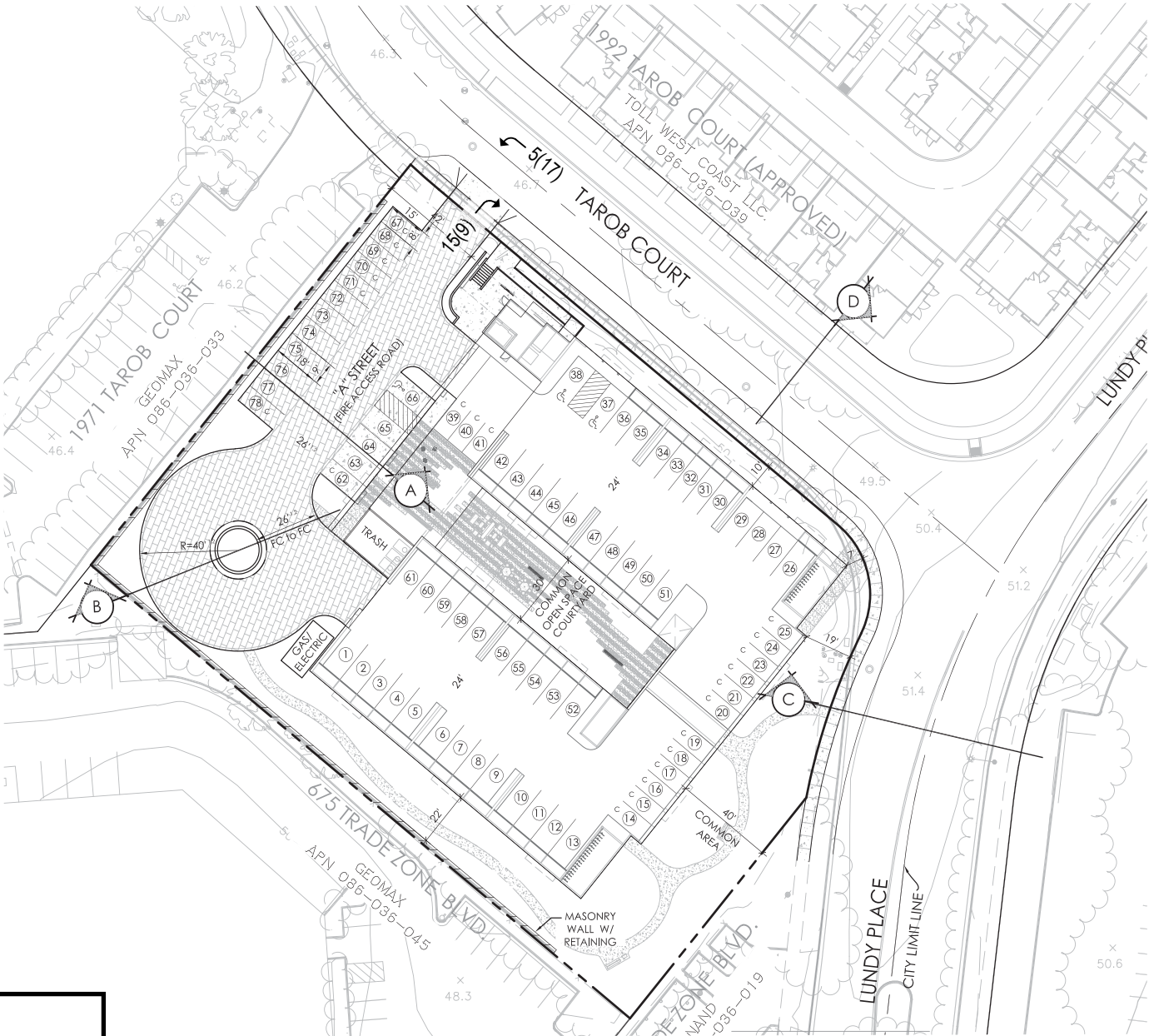


Figure 1
Site Location



LEGEND

XX(XX) = AM(PM) Peak-Hour Gross Trips

Figure 2
Site Plan



A Congestion Management Program (CMP) analysis was not required because the project is estimated to generate fewer than 100 peak-hour trips. This report also includes the following analyses:

- Vehicle queuing analysis at high demand turn movements
- Project site access and circulation evaluation
- Impacts to transit, bikes, and pedestrians

Intersection operations were evaluated using the Highway Capacity Manual (HCM) level of service methodology during the peak hours.

Existing Transportation Setting

Regional access to the project site is provided via Montague Expressway and North Capitol Avenue. Local access to the project site is provided by Lundy Place, Trade Zone Boulevard, and Tarob Court. These roadways are described below.

Lundy Place is a north-south, two-lane roadway extending from the Union Pacific Railroad tracks in the north to Trade Zone Avenue in the south, where it becomes Lundy Avenue. Lundy Place terminates in a cul-de-sac approximately 650 feet north of Tarob Court.

Trade Zone Boulevard is an east-west, four-lane collector street extending from Montague Expressway in the west to Capitol Avenue in the east.

Tarob Court is a two-lane roadway extending west from Lundy Place. It provides access to the office/industrial buildings located to the west of Lundy Place and terminates in a cul-de-sac approximately 800 feet west of Lundy Place. Tarob Court provides direct access to the project site via a single driveway.

Existing bicycle access to the project vicinity is provided primarily via a network of nearby Class II bike lanes and Class III bike routes which are shared with vehicular traffic. Buffered Class II bike lanes are provided along Trade Zone Boulevard from Ringwood Avenue to Lundy Avenue. Conventional Class II bike lanes are present on Lundy Avenue south of Trade Zone Boulevard, McCandless Drive, and East Capitol Avenue. Currently, there are no bike facilities on Lundy Place or on Trade Zone Boulevard between Lundy Avenue and East Capitol Avenue. Existing Class III bike routes are present on Montague Expressway and Trade Zone Boulevard between Montague Expressway and Lundy Avenue.

Majority of the streets in the project vicinity have sidewalks, except the following street sections:

- South side of Trade Zone Boulevard between Montague Expressway and Ringwood Avenue
- Both sides of Trade Zone Boulevard between Lundy Avenue and Autumnvale Drive
- West side of Lundy Place
- Both sides of Tarob Court

The signalized intersection of Trade zone Boulevard and Lundy Avenue has crosswalks on all approaches. There are no crosswalks at the unsignalized intersection of Lundy Place and Tarob Court.



Existing transit service in the area includes VTA buses and VTA light rail. One VTA bus stop is located about 500 feet south of the project site at the intersection of Trade Zone Boulevard and Lundy Avenue and is currently served by two bus routes: Route 77 and Route 831.

Route 77 is a VTA bus line that provides service between Eastridge Transit Center and Great Mall/Main Transit Center via King Road. Route 77 operates between 6:00 AM and 9:00 PM on weekdays, with headways between 15 and 20 minutes. Route 77 also provides weekend service.

Route 831 is an ACE line that provides service between the Great America ACE station and the Lundy Avenue/Commerce Drive intersection. Eastbound service is provided during weekday mornings between 6:00 AM and 9:00 AM with 45 to 60 minutes headways. Westbound service is provided during weekday afternoons between 3:00 PM and 6:00 PM with 45 to 60 minutes headways. No service is provided during weekends.

VTA light-rail runs in the median of Great Mall Parkway/North Capitol Avenue. The closest light rail station (Cropley Station) is located near the Trade Zone Boulevard and North Capitol Avenue intersection, which is only 0.6 miles east of the project site.

In the future, BART service will be provided to the study area. As part of the BART extension to the South Bay, BART will pass through Milpitas, with the Milpitas Station located at the southeast corner of the Great Mall Parkway and Montague Expressway intersection. The station will be located approximately one-half mile north of the project site.

Observed Existing Traffic Conditions

Traffic conditions in the field were observed in order to identify existing operational deficiencies and to confirm the accuracy of calculated levels of service. The purpose of this effort was (1) to identify any existing traffic problems that may not be directly related to intersection level of service, and (2) to identify any locations where the level of service calculation does not accurately reflect level of service in the field. The field observations revealed that the level of service analysis generally reflects actual existing traffic conditions. A summary of the observations is provided below.

Intersection at Lundy Avenue and Trade Zone Boulevard. During the AM peak hour, field observations showed that the queues for the westbound left-turn movement extended past the left-turn lane into the adjacent through lane on Trade Zone Boulevard. However, the long vehicular queues were able to clear in a single cycle. During the PM peak hour, long vehicular queues were observed on eastbound Trade Zone Boulevard. However, the eastbound through movement received adequate green time and all traffic was able to clear in one cycle. It should be noted that the proposed project would not add any trips to either of these movements.



Project Traffic Estimates

The magnitude of traffic produced by a new development and the locations where that traffic would appear were estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site was estimated for the AM and PM peak hours. As part of the project trip distribution step, an estimate was made of the directions to and from which the project trips would travel. In the project trip assignment step, the project trips were assigned to specific streets and intersections in the study area. These procedures are described further in the following paragraphs.

Through empirical research, data has been collected that correlate to common land uses their propensity for producing traffic. Thus, for the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development. The trip generation estimates for the proposed project are based on rates obtained from the Institute of Transportation Engineers' (ITE) publication *Trip Generation*, 10th Edition. Based on trip generation rates for low-rise multi-family housing, the project would generate 20 trips during the AM peak hour and 26 trips during the PM peak hour. The project trip generation estimates are presented in Table 1.

As stated previously, the existing site is occupied by an office/industrial building that is currently in operation. Trips generated by existing uses on site can be credited against the proposed residential development. Based on AM and PM peak hour driveway counts conducted by Hexagon in May 2019, the existing land uses generate 11 AM peak hour trips and 12 PM peak hour trips. After applying these existing trip credits, the proposed project would generate 9 net AM peak hour trips and 14 net PM peak hour trips.

Table 1
Project Trip Generation Estimates

Land Use	Size	Unit	AM Peak Hour				PM Peak Hour			
			Rate	In	Out	Total	Rate	In	Out	Total
Proposed Uses										
Multi-Family Housing ¹	40	DU	0.50	5	15	20	0.65	17	9	26
Existing Use										
Office/Light-Industrial ²	16	ksf		9	2	11		3	9	12
Overall Net Project Trips				-4	13	9		14	0	14
Notes:										
DU - Dwelling Units; ksf - 1,000 square feet										
1. Based on Fitted Curved Equations for Multifamily Housing (Low-Rise, Land Use Code 220), Institute of Transportation Engineers, Trip Generation, 10th Edition.										
2. Based on AM and PM peak hour driveway ay counts conducted on May 2, 2019.										

The trip distribution pattern for the proposed project was estimated based on the City of Milpitas Transit Area Specific Plan (TASP), of which the proposed development would be a part of. Trips were assigned to the roadway network in accordance with the TASP trip distribution for residential uses. The project trip distribution and net project trip assignment are shown on Figure 3.

2001 Tarob Court

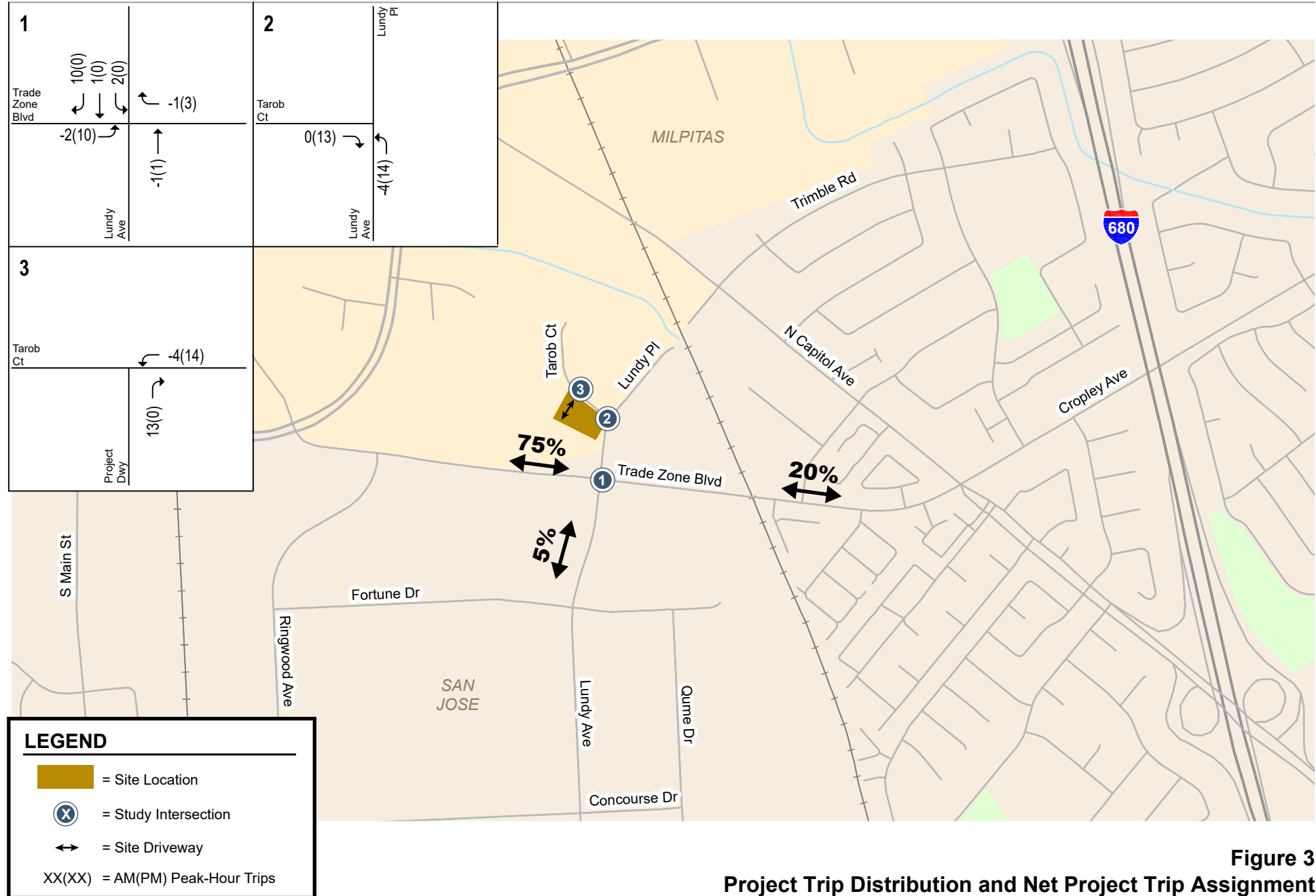


Figure 3
Project Trip Distribution and Net Project Trip Assignment



Intersection Level of Service Analysis

Traffic volumes for existing conditions were determined from existing traffic counts conducted in May 2019. Traffic volumes for background conditions were estimated by adding to the existing traffic volumes the trips generated by approved and pending developments, which were estimated using the following three components:

1. Background growth traffic volumes used in the Tarob Master Plan¹,
2. Nearby development projects, and
3. City of San Jose Approved Trips Inventory.

The traffic volumes for the study scenarios are shown in Figures 4 through 7. The roadway geometries and traffic control at the study intersections were assumed to remain unchanged under all study scenarios.

Traffic conditions at the study intersections were evaluated using level of service (LOS). *Level of Service* is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. The signalized intersection of Lundy Avenue and Trade Zone Boulevard is under the jurisdiction of City of San Jose. The City of San Jose utilizes TRAFFIX software and the Highway Capacity Manual (HCM) 2000 methodology to evaluate intersection operations. The HCM methodology evaluates intersection operations on the basis of average delay time for all vehicles at the intersection. This average delay can then be correlated to a level of service. In San Jose, the minimum acceptable level of service is LOS D, and project impacts at signalized intersections occur when:

1. The level of service at an intersection drops below its LOS standard when project traffic is added; or
2. An intersection that is operating worse than its level of service standard under no project conditions has an increase in critical delay of four or more seconds AND the demand-to-capacity ratio (V/C) is increased by more than 0.01 when project traffic is added.

The exception to this threshold is when the addition of project traffic reduces the amount of average delay for critical movements (i.e. the change in average delay for critical movements is negative). In this case, the threshold is when the project increases the V/C value by 0.01 or more.

A significant impact at a signalized intersection is said to be satisfactorily mitigated when measures are implemented that would restore intersection levels of service to an acceptable LOS or restore the intersection to operating levels that are better than no project conditions

The results of the intersection level of service analysis are summarized in Table 2. The level of service calculation sheets are included in Appendix B. The results show that the signalized intersection at Trade Zone Boulevard and Lundy Avenue would operate at LOS D or better under existing and background conditions with or without the proposed project. According to City of San Jose level of service standards, the project would therefore have no impacts on intersection level of service.

¹ Focused Transportation Impact Analysis for the Tarob Master Plan in Milpitas, California, dated December 16, 2016 by Fehr and Peers.

2001 Tarob Court

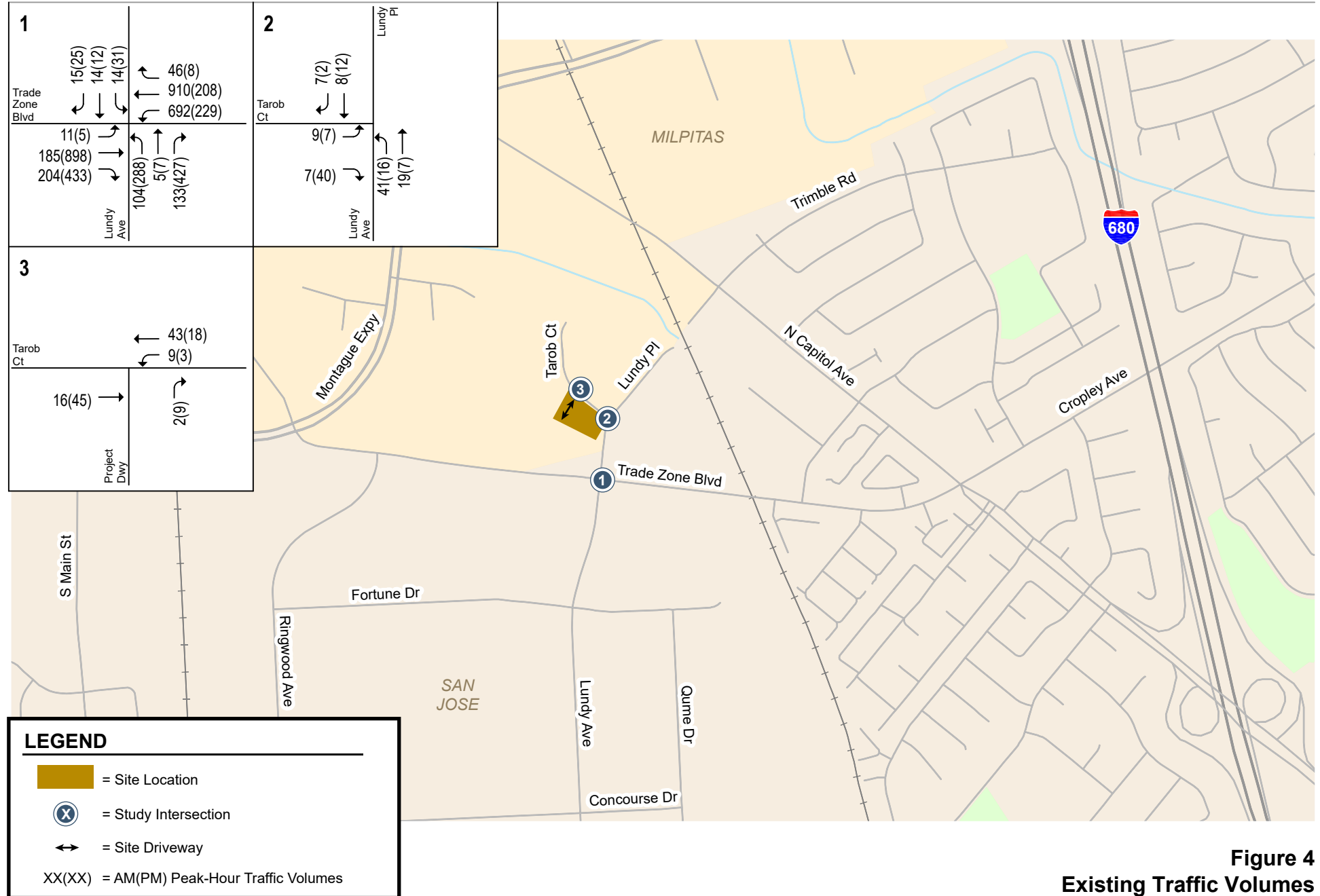


Figure 4
Existing Traffic Volumes

2001 Tarob Court

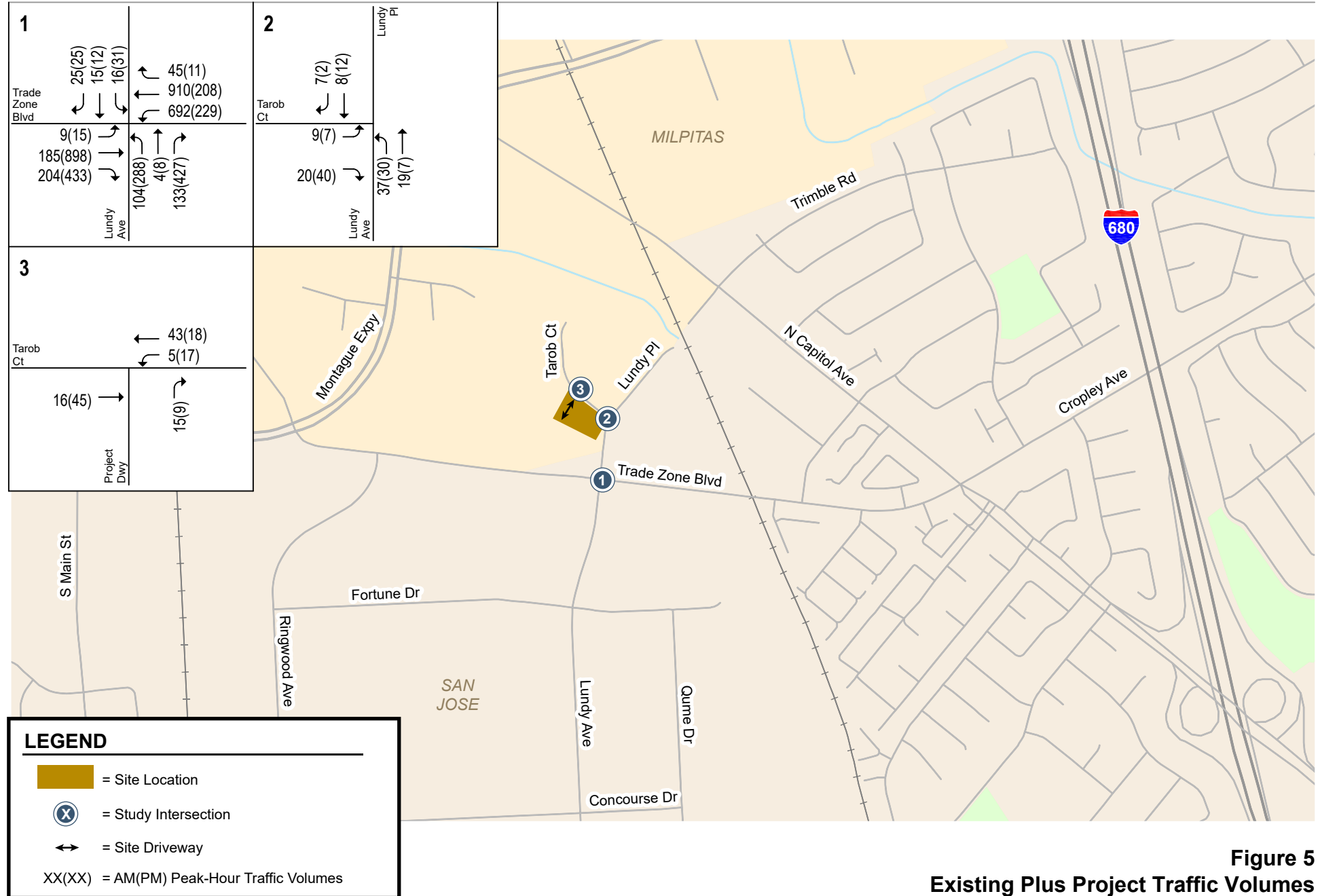


Figure 5
Existing Plus Project Traffic Volumes

2001 Tarob Court

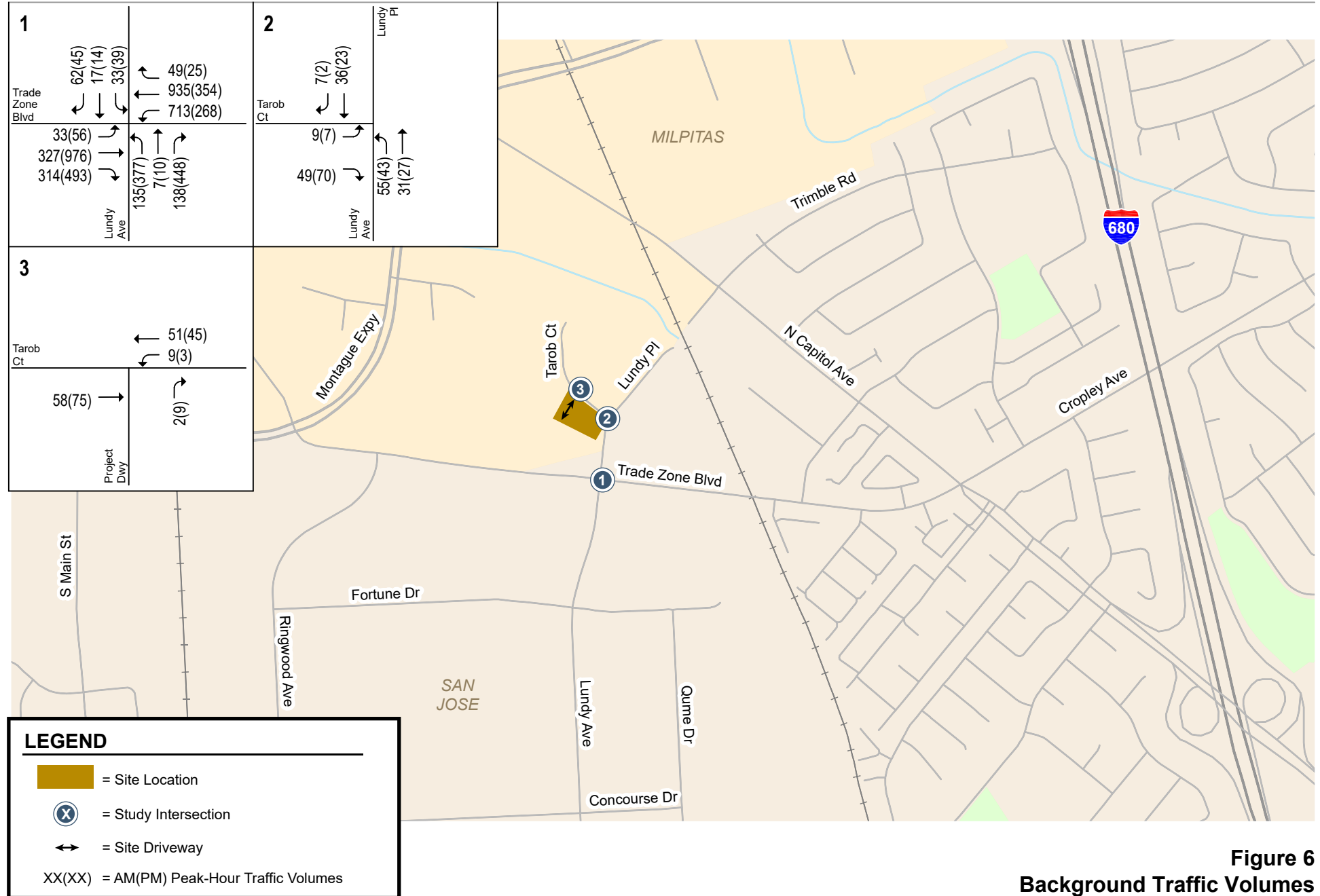


Figure 6
Background Traffic Volumes

2001 Tarob Court

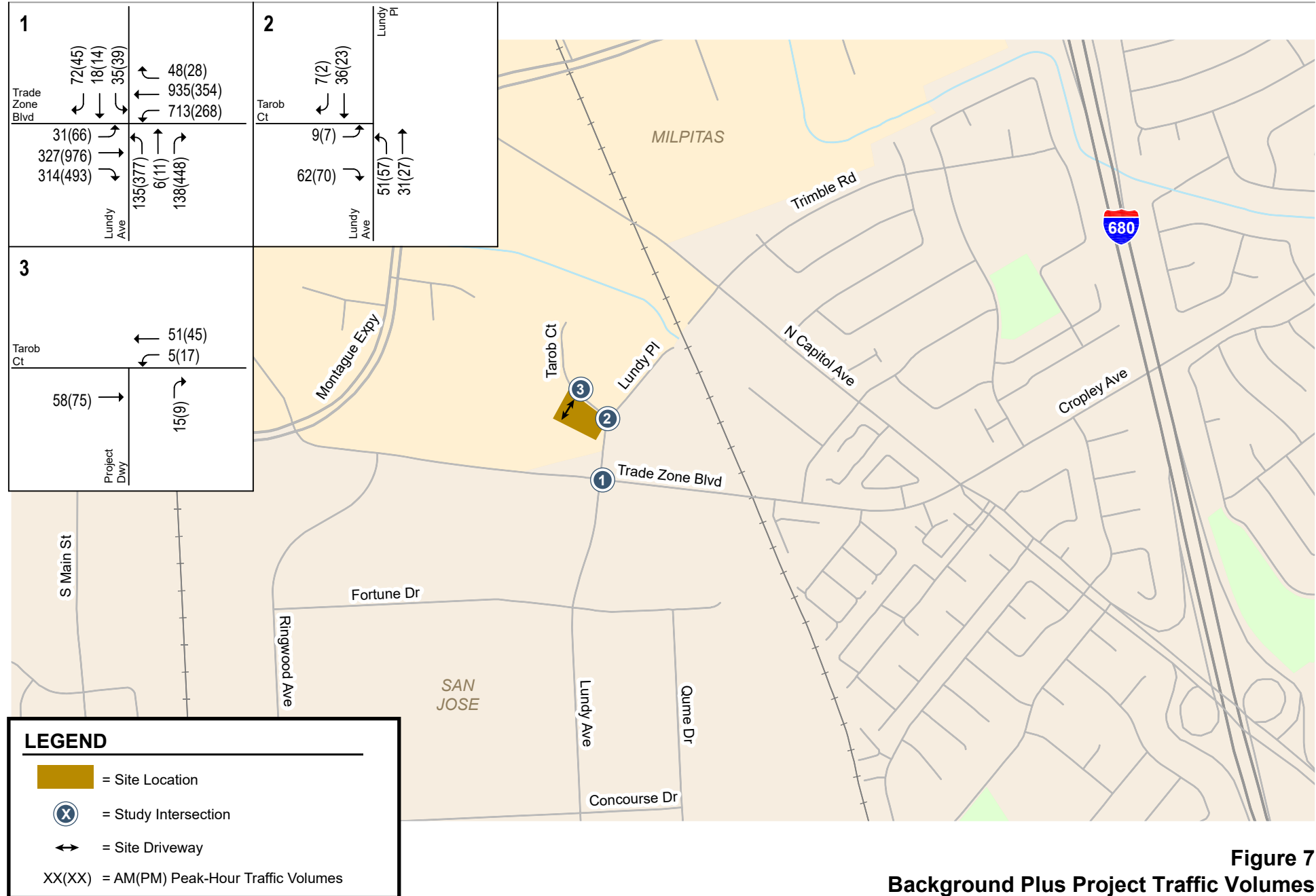


Table 2
Intersection Level of Service Summary

Intersection	Control	Peak Hour	Count Date	LOS Standard	Existing		Existing + Project				Background		Background + Project			
					Avg Delay ¹	LOS	Avg Delay ¹		Increase in		Avg Delay ¹	LOS	Avg Delay ¹		Increase in	
					(sec/veh)		(sec/veh)	LOS	Delay ³	V/C	(sec/veh)		(sec/veh)	LOS	Delay ³	V/C
1. Lundy Ave and Trade Zone Blvd	Signal	AM	05/02/19	D	30.3	C	32.2	C	3.50	0.045	35.4	D	35.6	D	0.0	0.001
		PM	05/02/19	D	41.8	D	44.0	D	4.10	0.048	44.7	D	44.7	D	0.0	0.000
2. Lundy Ave and Tarob Ct	SSSC ²	AM	05/02/19	N/A	4.8/8.9	A	5.2/8.7	A	N/A	N/A	4.9/8.9	A	5.1/8.9	A	N/A	N/A
		PM	05/02/19	N/A	6.2/8.6	A	6.4/8.6	A	N/A	N/A	5.7/8.8	A	5.9/8.8	A	N/A	N/A
3. Project Driveway and Tarob Ct	SSSC ²	AM	05/02/19	N/A	1.2/8.4	A	2.1/8.4	A	N/A	N/A	0.7/8.6	A	1.3/8.6	A	N/A	N/A
		PM	05/02/19	N/A	1.3/8.5	A	2.3/8.5	A	N/A	N/A	0.8/8.7	A	1.4/8.7	A	N/A	N/A
¹ Signalized intersection level of service is based on the Highway Capacity Manual (HCM) methodology, using average control delay for the entire intersection.																
² Side Street Stop Controlled intersection. Delays are reported for both the overall average delay / the approach with highest delay.																
³ For the signalized intersection at Lundy Ave. and Trade Zone Blvd., the increase in delay shown here represents increase in critical delay.																



The study intersections of Lundy Avenue/Tarob Court and Project Driveway/Tarob Court are unsignalized and under the jurisdiction of City of Milpitas. Unlike signalized intersections, which typically represent constraint points for the roadway network, unsignalized intersections rarely limit the potential capacity of a roadway. The determination of appropriate improvements to unsignalized intersections typically includes a qualitative and quantitative analysis of movement delay, traffic signal warrants, movement traffic volumes, availability of alternate routes, and intersection safety. For this reason, improvements to unsignalized intersections are frequently determined on the basis of professional judgment. The City of Milpitas does not apply significance thresholds to unsignalized intersections. Both unsignalized study intersections are projected to operate at LOS A under existing and background conditions, with or without the proposed project.

An assessment was conducted to determine whether the traffic volumes at the Lundy Avenue/Tarob Court intersection would warrant the installation of a traffic signal. This assessment was based on the Peak Hour Volume Signal Warrant (Warrant #3) described in the *California Manual on Uniform Traffic Control Devices (CA MUTCD)*. This method makes no evaluation of intersection level of service, but simply provides an indication whether peak hour traffic volumes would be sufficient to justify installation of a traffic signal. The signal warrant analysis sheets are included in the Appendix. The analysis showed that the peak hour volume warrant would not be satisfied at the Lundy Avenue/Tarob Court intersection under any study scenarios during the AM and PM peak hours.

Vehicle Queuing Analysis

A vehicle queuing analysis was conducted for the eastbound left-turn movement at the Trade Zone Boulevard/Lundy Avenue intersection and the northbound left-turn at the Tarob Court/Lundy Avenue intersection. The queuing analysis was conducted for both background and background plus project conditions. Vehicle queues were estimated using a Poisson probability distribution. The basis of the analysis is as follows: (1) the Poisson probability distribution is used to estimate the 95th percentile maximum number of queued vehicles per signal cycle for a particular movement; (2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and (3) the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement. This analysis thus provides a basis for estimating future storage requirements at intersections. The results of this analysis are summarized below and in Table 3 for the AM and PM peak hours. The analysis indicates that, with the addition of project traffic, the 95th percentile vehicle queues could be accommodated by the storage provided at the subject locations.



Table 3
Vehicle Queuing Analysis

	Trade Zone Blvd and Lundy Ave EB Left Turn	Lundy Place and Tarob Ct NB Left Turn
Measurement		
<u>Background (AM)</u>		
Cycle/Delay ¹ (sec)	116	7.4
Volume (vph)	33	55
Avg. Queue (veh)	1.1	0.1
Avg. Queue (ft.) ²	27	3
95th %. Queue (veh)	3	1
95th %. Queue (ft.) ²	75	25
Storage	130	125
Adequate (Y/N)	Y	Y
<u>Background (PM)</u>		
Cycle/Delay ¹ (sec)	116	7.3
Volume (vph)	56	43
Avg. Queue (veh)	1.8	0.1
Avg. Queue (ft.) ²	45	2
95th %. Queue (veh)	4	1
95th %. Queue (ft.) ²	100	25
Storage	130	125
Adequate (Y/N)	Y	Y
<u>Background + Project (AM)</u>		
Cycle/Delay ¹ (sec)	116	7.4
Volume (vph)	31	51
Avg. Queue (veh)	1.0	0.1
Avg. Queue (ft.) ²	25	3
95th %. Queue (veh)	3	1
95th %. Queue (ft.) ²	75	25
Storage	130	125
Adequate (Y/N)	Y	Y
<u>Background + Project (PM)</u>		
Cycle/Delay ¹ (sec)	116	7.3
Volume (vph)	66	57
Avg. Queue (veh)	2.1	0.1
Avg. Queue (ft.) ²	53	3
95th %. Queue (veh)	5	1
95th %. Queue (ft.) ²	125	25
Storage	130	125
Adequate (Y/N)	Y	Y
¹ Vehicle queue calculations based on signal cycle length for signalized intersections and average movement delay for unsignalized intersections. ² Assumes 25 feet per vehicle queued		



Impacts to Transit, Bikes, and Pedestrians

According to the VTA (Santa Clara County CMP) Transportation Impact Analysis Technical Guidelines, a project would create an impact on pedestrian and bike circulation if: (1) it would reduce, sever or eliminate existing or planned bike/pedestrian access and circulation in the area; (2) it would preclude, modify, or otherwise affect proposed bicycle and pedestrian projects and/or policies identified in the Lead Agency's adopted bicycle/pedestrian plan, or the plans of other agencies such as the Countywide Bicycle Plan or adjacent Cities' bicycle/pedestrian plans; or (3) it would cause a change to existing bike paths such as alignment, width of the trail ROW, or length of the trail.

The project site is located within the City of Milpitas Transit Area Specific Plan (TASP). The plan oversees the redevelopment of the southern portion of the City that transforms a low-density industrial area to an urban residential and mixed-use district with an emphasis on walkability and bicycling. The plan includes a new street system that promotes walking and biking as the dominant modes for short internal trips, especially with the future Milpitas BART station and VTA light rail system within close proximity to the project site. As part of the Milpitas TASP, a future street connection and pedestrian bridge across Capitol Avenue are planned to connect Tarob Court to Milpitas Boulevard and the new BART station. A proposed Class III bike route is also planned on Tarob Court to serve this new bicycle access route to the transit center.

As part of project improvements, curb extensions with new sidewalks would be installed along the Tarob Court and Lundy Place project frontages. In addition, the two existing driveways at the project site will be reduced into one new site driveway on Tarob Court, which would reduce the number of potential vehicle-pedestrian conflict points.

The proposed project would generate pedestrian trips to/from transit stops, recreation areas, and employment centers. Overall, the volume of pedestrian trips generated by the project is expected to be relatively low and not exceed the carrying capacity of the sidewalks and crosswalks nearby. U.S. Census data indicate that bicycle trips comprise less than one percent of the total commute mode share in the City of Milpitas. For the proposed project, this would equate to approximately one new bike trip during each of the AM and PM peak hours. The low volume of bicycle trips generated by the project would not exceed the bicycle-carrying capacity of streets surrounding the site, and the increase in bicycle trips would not by itself require new off-site bicycle facilities.

The addition of the project would not remove any existing bike/pedestrian facilities, nor would it preclude any future planned improvements. Because most intersections around the project site are signalized and have very few bike/pedestrian activities, the addition of project traffic would have a negligible effect on walking and biking in the project vicinity. Therefore, the proposed project would not create an adverse impact to bike/pedestrian circulation in the area.

According to the VTA TIA Technical Guidelines, a project would create an impact on transit if: (1) it would generate a demand for additional transit services; or (2) it would cause a permanent or temporary reduction of transit availability or interference with existing transit users, e.g., relocation/closure of a transit stop or vacation of a roadway utilized by transit.

According to the Milpitas TASP, transit trips would comprise approximately 9% of all peak hour trips. For the proposed project, assuming 9 percent of total commute trips would be transit trips, this would generate approximately 1 new transit trip during the AM peak hour and 2 new transit trips during the PM peak hour. In addition to commute trips, there will be additional transit trips to nearby schools, parks, and shopping areas. The volume of transit trips generated by the project would not exceed the carrying capacity of the existing transit service to the site.

The addition of the project would not remove any existing transit facilities, nor would it preclude any future planned improvements. As shown in the LOS calculations, the addition of project traffic would have a negligible effect on bus delays the project vicinity. Therefore, based on the VTA Technical Guidelines, the proposed project would not create an adverse impact to transit operations in the area and no



improvements to existing transit service frequencies would be necessary in conjunction with the proposed project.

Site Access

This site access and circulation review is based on the site plan (dated October 2018) provided to Hexagon (see Figure 2). The site would be accessed by one driveway on Tarob Court on the west end of the property, about 200 feet west of the intersection at Lundy Place and Tarob Court. The proposed site driveway would be located at approximately the same location as the existing driveway on Tarob Court for the existing building at the project site. The width of the site driveway entry is 22 feet, which meets the minimum City standard for driveways. Under project conditions, it is anticipated that this driveway would serve approximately 20 AM peak hour project trips and 26 PM peak hour project trips. The project condition traffic volumes at the site driveway are shown on Figure 2.

There are existing driveways serving other parcels on Tarob Court adjacent to and opposite of the project frontage. The site driveway does not align with the existing driveway on the opposite side of Tarob Court, but is offset about 25 feet. There is also another existing driveway beside the site driveway on Tarob Court about 50 feet to the west. The spacing of the site driveway, and its location relative to existing driveways, are acceptable given the relatively low traffic volumes at the nearby driveways and Tarob Court.

According to the level of service and queuing calculations, the site driveway would operate at LOS A with queues rarely exceed one or two vehicles during the AM and PM peak hours. The vehicle queues at the site driveway could be accommodated in the storage space provided, and the onsite queues would generally not interfere with traffic operations on Tarob Court and Lundy Avenue.

Pedestrian access to the project site is provided at locations along the frontage on Tarob Court and Lundy Place. Primary pedestrian access is provided via the main entry facing the sidewalks on Tarob Court. Besides the primary access on Tarob Court, there would be walking paths connecting the parking garage with the existing sidewalks on Lundy Place on the east side of the property. As mentioned previously, new sidewalks with curb extensions will also be installed on the project frontage on Tarob Court, providing a continuous pedestrian pathway to existing sidewalks on Trade Zone Boulevard via Lundy Place. Overall, the network of pedestrian paths and the sidewalk improvements on the project frontages provide adequate access to the existing sidewalk network in the project vicinity.

Recommendation 1: To accommodate pedestrians, the project should consider adding one new ADA-compliant curb ramp at the existing northwest curb return at Tarob Court and Lundy Place (along the project frontage). A striped crosswalk is also recommended when the opposite side of the curb return would be upgraded with a new curb ramp along with the redevelopment of the parcel at 1996 Tarob Court.

Currently, the Tarob Court approach at the Tarob Court/Lundy Place intersection is yield controlled. If the striped crosswalk described above were to be added, the Tarob Court approach should also be converted to a stop-controlled approach in order to improve safety for crossing pedestrians.

The sight distance at the project driveway on Tarob Court was checked and determined to be adequate. Because the project would install a curb extension, which includes adding sidewalks on the Tarob Court frontage, the site driveway would be shifted closer to the centerline of Tarob Court, thereby further improving the sight distance for vehicles exiting the site driveway. As part of the project improvements, the radius of the existing curb return along the project frontage at the Lundy Place/Tarob Court intersection would be reduced. This improvement would help reduce vehicle speeds on Tarob Court, and therefore, improve the sight distance required for vehicles entering and exiting the driveways.

Recommendation 2: Prior to final design, the placement of any landscaping, monuments, and signs within the sight triangles of the site driveway should be reviewed by Public Works staff to ensure adequate corner sight distance.



Recommendation 3: As a result of the proposed curb extensions on Tarob Court and Lundy Avenue, the cross-section widths for both streets would be reduced and on-street parking would not be able to be accommodated. Therefore, on-street parking along the project frontages on Tarob Court and Lundy Avenue should be restricted.

Site Circulation

The project site includes an open parking lot and a parking garage on the ground level. Onsite parking areas would be accessed by one site driveway on Tarob Court. Both the open parking lot and parking garage follow a standard 90-degree parking layout. The main parking aisle and the two east-west feeder parking aisles inside the garage are 26 and 24 feet wide, respectively, which meets the City's standard for 90-degree parking. However, the north-south parking aisle connecting the two east-west parking aisle is not dimensioned. The dimensions of the regular and compact parking spaces are 9 feet by 18 feet and 8 feet by 15 feet, respectively. Both parking space dimensions meet the minimum City standards. However, the widths of the parking garage entrances are not dimensioned.

Upon entering the garage, vehicles would follow the main drive aisle through the open parking lot and arrive at a roundabout at the southern end of the aisle. The two feeder drive aisles, which are connected at right angles to the main drive aisle, would provide access to the parking garage east of the main drive aisle. The ends of the two feeder drive aisles are connected by another drive aisle, forming a U-shape circulation pattern which makes a complete loop around of the parking garage. The layout shows no dead-end aisles.

Recommendation 4: Because the proposed site plan is conceptual, prior to final design, the design and layout of the parking garage, drive aisles and driveways, should be reviewed by Public Works staff.

The last two parking spaces (numbered 67 and 68) in the open parking lot located off the main drive aisle are approximately 20 feet south of the sidewalk on Tarob Court, and approximately 30 feet south of the beginning of the site driveway. Vehicles parked in these spaces would have to back out directly into the main site access aisle, potentially into the line of incoming traffic on the aisle just turning into the site driveway. However, given the low traffic volumes at the site driveway and on Tarob Court, the design is acceptable.

The site plan shows one elevator at the front lobby that would provide residents access to the parking garage. The sidewalk on Tarob Court would be accessed directly from the front lobby while the sidewalk on Lundy Avenue would be accessed from pedestrian pathways connecting with the parking garage. No bicycle parking facilities are shown on the site plan.

Recommendation 5: The project applicant should demonstrate that adequate short term and long term bicycle parking is provided in accordance with City of Milpitas parking code requirements.

A trash collection room is located adjacent to the roundabout at the southern entrance of the parking garage. The roundabout has a 80-foot outside diameter and a 26 feet wide lane that would allow turnaround maneuvers of garbage trucks as noted on the site plan. Therefore, garbage trucks would perform their operations onsite within the development. The site plan does not show a designated loading area for delivery trucks.

Recommendation 6: The project should indicate on the site plan loading locations for delivery trucks.



Conclusions & Recommendations

The impacts of the proposed project were evaluated in accordance with the procedures and guidelines specified by the City of Milpitas. The analysis resulted in the following key findings:

- The proposed project would not result in any level of service impacts to the study intersections.
- The proposed project would not result in any queuing storage deficiencies at the study intersections.
- The project would not create any impacts on pedestrian, bike, or transit facilities.

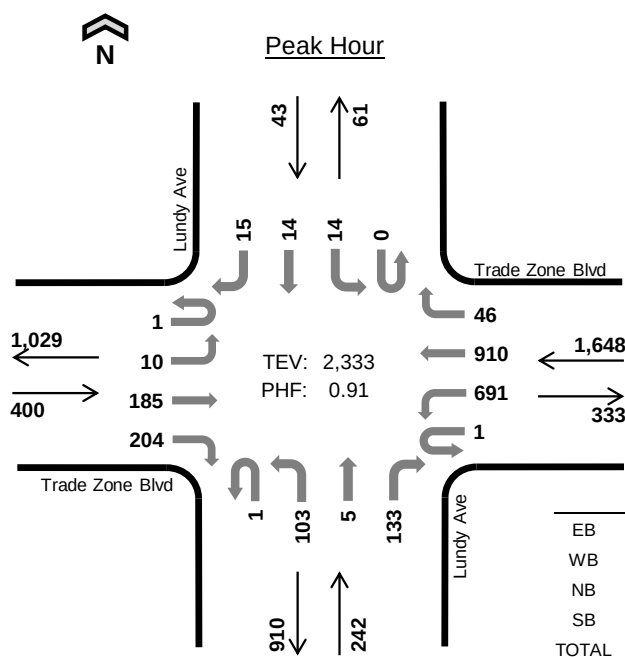
The analysis also produced the following recommendations:

- To accommodate pedestrians, the project should consider adding one new ADA-compliant curb ramp along the project frontage curb return at the Tarob Court and Lundy Place intersection. A striped crosswalk is also recommended when the opposite side of the curb return would be upgraded with a new curb ramp along with the redevelopment of the parcel at 1996 Tarob Court.
- Prior to final design, the placement of any landscaping, monuments, and signs within the sight triangles of the site driveway should be reviewed by Public Works staff to ensure adequate corner sight distance.
- As a result of the proposed curb extensions on Tarob Court and Lundy Place, the cross-section widths for both streets would be reduced and on-street parking would not be able to be accommodated. Therefore, on-street parking along the project frontages on Tarob Court and Lundy Place should be restricted.
- Because the proposed site plan is conceptual, prior to final design, the design and layout of the parking garage, drive aisles and driveways, should be reviewed by Public Works staff.
- The project applicant should demonstrate that adequate short term and long term bicycle parking is provided in accordance with City of Milpitas parking code requirements.
- The project should indicate on the site plan loading locations for delivery trucks.

APPENDIX

Traffic Counts

Lundy Ave Trade Zone Blvd



Two-Hour Count Summaries

Interval Start		Trade Zone Blvd				Trade Zone Blvd				Lundy Ave				Lundy Ave				15-min Total	Rolling One Hour
		Eastbound				Westbound				Northbound				Southbound					
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM		1	2	43	27	0	46	207	9	0	27	3	29	0	1	1	3	399	0
7:15 AM		0	7	36	40	0	76	216	13	0	15	1	25	0	0	0	3	432	0
7:30 AM		0	5	46	39	0	102	207	7	0	36	0	34	0	0	0	3	479	0
7:45 AM		0	1	43	54	0	135	214	14	0	22	2	33	0	4	0	2	524	1,834
8:00 AM		0	3	40	44	0	140	225	13	0	27	2	42	0	2	2	3	543	1,978
8:15 AM		0	2	41	45	1	176	249	9	1	21	0	25	0	3	3	3	579	2,125
8:30 AM		0	2	48	57	0	184	217	6	0	21	2	26	0	3	2	5	573	2,219
8:45 AM		1	3	56	58	0	191	219	18	0	34	1	40	0	6	7	4	638	2,333
Count Total		2	25	353	364	1	1,050	1,754	89	1	203	11	254	0	19	15	26	4,167	0
Peak Hour	All	1	10	185	204	1	691	910	46	1	103	5	133	0	14	14	15	2,333	0
	HV	0	2	2	12	0	4	10	11	0	8	1	3	0	7	1	7	68	0
	HV%	0%	20%	1%	6%	0%	1%	1%	24%	0%	8%	20%	2%	-	50%	7%	47%	3%	0

Note: Two-hour count summary volumes include heavy vehicles but exclude bicycles in overall count.

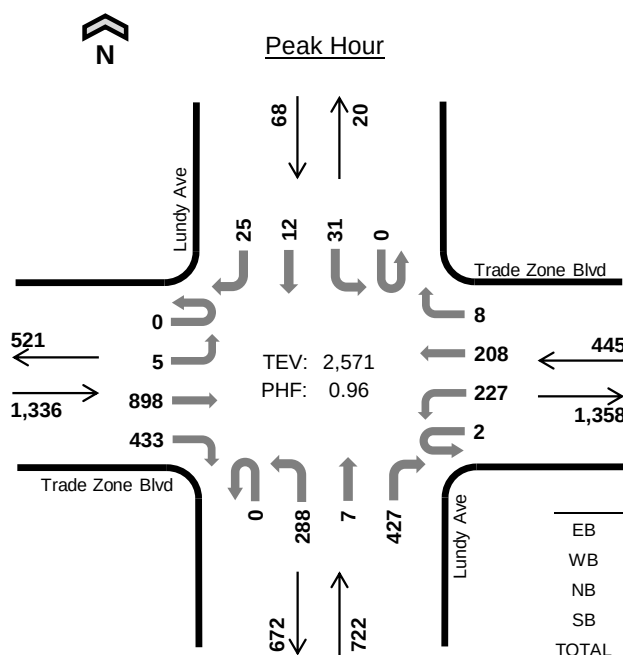
Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
7:00 AM	4	2	3	1	10	0	0	0	0	0	0	0	0	0	0
7:15 AM	3	2	3	1	9	0	0	0	0	0	1	0	0	2	3
7:30 AM	4	5	5	1	15	1	0	0	0	1	0	1	1	0	2
7:45 AM	4	8	3	2	17	0	0	0	0	0	0	0	0	0	0
8:00 AM	4	7	1	2	14	0	1	0	0	1	0	0	0	0	0
8:15 AM	3	4	3	3	13	0	2	0	0	2	0	0	0	1	1
8:30 AM	5	6	3	5	19	0	0	0	0	0	0	0	0	2	2
8:45 AM	4	8	5	5	22	2	1	1	0	4	0	0	0	0	0
Count Total	31	42	26	20	119	3	4	1	0	8	1	1	1	5	8
Peak Hour	16	25	12	15	68	2	4	1	0	7	0	0	0	3	3

Two-Hour Count Summaries - Heavy Vehicles																		
Interval Start	Trade Zone Blvd				Trade Zone Blvd				Lundy Ave				Lundy Ave				15-min Total	Rolling One Hour
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM	0	1	2	1	0	0	2	0	0	1	0	2	0	0	0	1	10	0
7:15 AM	0	2	0	1	0	0	1	1	0	1	0	2	0	0	0	1	9	0
7:30 AM	0	0	1	3	0	1	3	1	0	5	0	0	0	0	0	1	15	0
7:45 AM	0	0	3	1	0	1	3	4	0	1	0	2	0	2	0	0	17	51
8:00 AM	0	0	1	3	0	2	1	4	0	1	0	0	0	2	0	0	14	55
8:15 AM	0	1	1	1	0	0	3	1	0	2	0	1	0	1	1	1	13	59
8:30 AM	0	1	0	4	0	1	3	2	0	1	1	1	0	2	0	3	19	63
8:45 AM	0	0	0	4	0	1	3	4	0	4	0	1	0	2	0	3	22	68
Count Total	0	5	8	18	0	6	19	17	0	16	1	9	0	9	1	10	119	0
Peak Hour	0	2	2	12	0	4	10	11	0	8	1	3	0	7	1	7	68	0

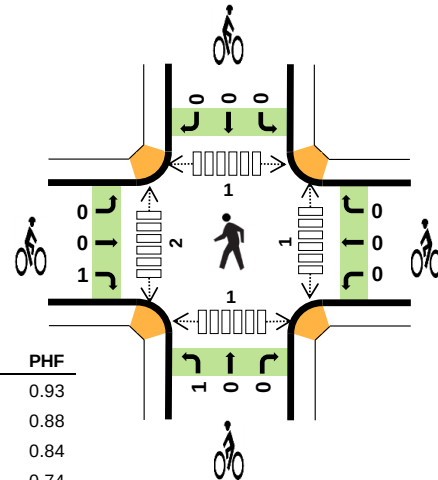
Two-Hour Count Summaries - Bikes																		
Interval Start	Trade Zone Blvd			Trade Zone Blvd			Lundy Ave			Lundy Ave			15-min Total	Rolling One Hour				
	Eastbound			Westbound			Northbound			Southbound								
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT						
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
7:30 AM	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0			
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1			
8:00 AM	0	0	0	0	1	0	0	0	0	0	0	0	1	2	2			
8:15 AM	0	0	0	0	2	0	0	0	0	0	0	0	2	4	4			
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3			
8:45 AM	0	0	2	1	0	0	0	0	1	0	0	0	4	7	7			
Count Total	0	0	3	1	3	0	0	0	1	0	0	0	8	0	0			
Peak Hour	0	0	2	1	3	0	0	0	1	0	0	0	7	0	0			

Note: U-Turn volumes for bikes are included in Left-Turn, if any.

Lundy Ave Trade Zone Blvd



Date: 05-02-2019
Count Period: 4:00 PM to 6:00 PM
Peak Hour: 5:00 PM to 6:00 PM



Two-Hour Count Summaries

Interval Start		Trade Zone Blvd				Trade Zone Blvd				Lundy Ave				Lundy Ave				15-min Total	Rolling One Hour
		Eastbound				Westbound				Northbound				Southbound					
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
4:00 PM		0	4	176	93	0	47	36	3	0	51	1	89	0	6	5	8	519	0
4:15 PM		0	4	214	100	0	49	42	2	0	63	3	91	0	4	4	8	584	0
4:30 PM		1	2	248	102	0	60	47	2	0	65	0	102	0	7	1	2	639	0
4:45 PM		1	4	230	106	0	41	58	1	1	64	0	102	0	6	1	4	619	2,361
5:00 PM		0	1	186	105	0	54	47	3	0	97	2	117	0	15	3	4	634	2,476
5:15 PM		0	2	241	116	1	45	46	1	0	51	0	95	0	10	5	8	621	2,513
5:30 PM		0	0	226	118	0	63	62	1	0	80	2	104	0	4	2	7	669	2,543
5:45 PM		0	2	245	94	1	65	53	3	0	60	3	111	0	2	2	6	647	2,571
Count Total		2	19	1,766	834	2	424	391	16	1	531	11	811	0	54	23	47	4,932	0
Peak Hour	All	0	5	898	433	2	227	208	8	0	288	7	427	0	31	12	25	2,571	0
	HV	0	1	4	11	0	2	2	0	0	8	0	1	0	0	0	2	31	0
	HV%	-	20%	0%	3%	0%	1%	1%	0%	-	3%	0%	0%	-	0%	0%	8%	1%	0

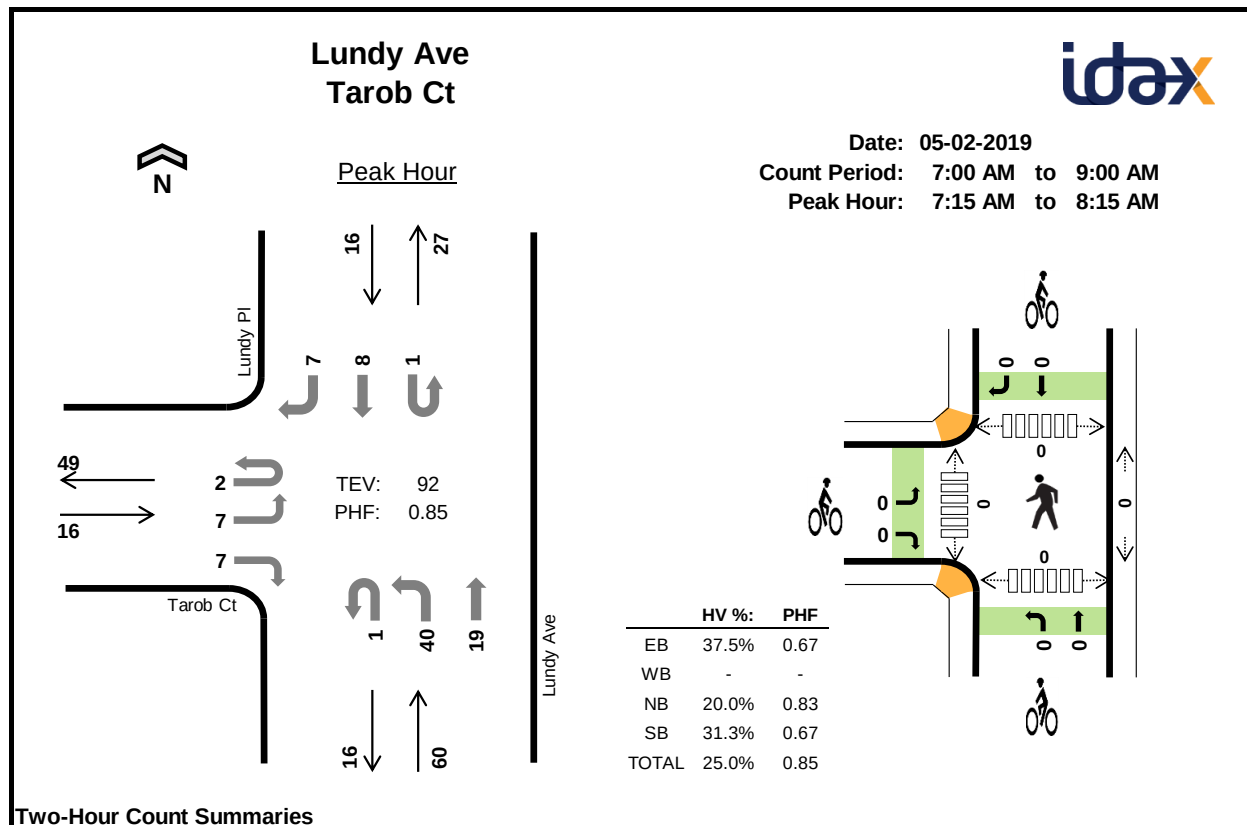
Note: Two-hour count summary volumes include heavy vehicles but exclude bicycles in overall count.

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
4:00 PM	4	1	7	1	13	0	0	0	0	0	0	0	0	0	0
4:15 PM	5	2	3	2	12	0	0	0	0	0	0	0	0	0	0
4:30 PM	7	4	2	0	13	0	0	0	0	0	0	0	0	0	0
4:45 PM	2	3	4	1	10	0	0	0	0	0	0	0	0	0	0
5:00 PM	6	2	2	0	10	0	0	0	0	0	0	0	0	0	0
5:15 PM	5	2	3	0	10	1	0	0	0	1	1	1	0	0	2
5:30 PM	0	0	1	1	2	0	0	1	0	1	0	1	0	1	2
5:45 PM	5	0	3	1	9	0	0	0	0	0	0	0	1	0	1
Count Total	34	14	25	6	79	1	0	1	0	2	1	2	1	1	5
Peak Hour	16	4	9	2	31	1	0	1	0	2	1	2	1	1	5

Two-Hour Count Summaries - Heavy Vehicles																		
Interval Start	Trade Zone Blvd				Trade Zone Blvd				Lundy Ave				Lundy Ave				15-min Total	Rolling One Hour
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
4:00 PM	0	0	0	4	0	0	0	1	0	6	0	1	0	0	0	1	13	0
4:15 PM	0	0	2	3	0	0	2	0	0	2	0	1	0	0	0	2	12	0
4:30 PM	0	1	2	4	0	3	0	1	0	1	0	1	0	0	0	0	13	0
4:45 PM	0	0	0	2	0	0	3	0	0	4	0	0	0	0	0	1	10	48
5:00 PM	0	0	2	4	0	1	1	0	0	2	0	0	0	0	0	0	10	45
5:15 PM	0	0	1	4	0	1	1	0	0	2	0	1	0	0	0	0	10	43
5:30 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	2	32
5:45 PM	0	1	1	3	0	0	0	0	0	3	0	0	0	0	0	1	9	31
Count Total	0	2	8	24	0	5	7	2	0	21	0	4	0	0	0	6	79	0
Peak Hour	0	1	4	11	0	2	2	0	0	8	0	1	0	0	0	2	31	0

Two-Hour Count Summaries - Bikes																		
Interval Start	Trade Zone Blvd			Trade Zone Blvd			Lundy Ave			Lundy Ave			15-min Total	Rolling One Hour				
	Eastbound			Westbound			Northbound			Southbound								
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT						
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
5:15 PM	0	0	1	0	0	0	0	0	0	0	0	0	1	1				
5:30 PM	0	0	0	0	0	0	1	0	0	0	0	0	1	2				
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	2				
Count Total	0	0	1	0	0	0	1	0	0	0	0	0	2	0				
Peak Hour	0	0	1	0	0	0	1	0	0	0	0	0	2	0				

Note: U-Turn volumes for bikes are included in Left-Turn, if any.

**Two-Hour Count Summaries**

Interval Start		Tarob Ct				n/a				Lundy Ave				Lundy Pl				15-min Total	Rolling One Hour
		Eastbound				Westbound				Northbound				Southbound					
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
7:00 AM		0	1	0	2	0	0	0	0	0	8	5	0	0	0	1	1	18	0
7:15 AM		0	2	0	1	0	0	0	0	0	11	7	0	0	0	0	6	27	0
7:30 AM		0	2	0	1	0	0	0	0	0	7	4	0	0	0	1	1	16	0
7:45 AM		1	1	0	2	0	0	0	0	0	13	4	0	1	0	5	0	27	88
8:00 AM		1	2	0	3	0	0	0	0	1	9	4	0	0	0	2	0	22	92
8:15 AM		0	0	0	2	0	0	0	0	0	3	3	0	0	0	5	0	13	78
8:30 AM		0	0	0	2	0	0	0	0	0	8	3	0	0	0	7	2	22	84
8:45 AM		0	1	0	3	0	0	0	0	0	5	6	0	0	0	3	0	18	75
Count Total		2	9	0	16	0	0	0	0	1	64	36	0	1	0	24	10	163	0
Peak Hour	All	2	7	0	7	0	0	0	0	1	40	19	0	1	0	8	7	92	0
	HV	2	2	0	2	0	0	0	0	0	6	6	0	1	0	4	0	23	0
	HV%	100%	29%	-	29%	-	-	-	-	0%	15%	32%	-	100%	-	50%	0%	25%	0

Note: Two-hour count summary volumes include heavy vehicles but exclude bicycles in overall count.

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
7:00 AM	1	0	1	2	4	0	0	0	0	0	0	0	0	0	0
7:15 AM	1	0	3	0	4	0	0	0	0	0	0	0	0	0	0
7:30 AM	2	0	1	0	3	0	0	0	0	0	0	0	0	0	0
7:45 AM	1	0	4	3	8	0	0	0	0	0	0	0	0	0	0
8:00 AM	2	0	4	2	8	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	1	4	5	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	5	8	13	0	0	0	0	0	1	0	0	0	1
8:45 AM	3	0	3	2	8	0	0	0	0	0	0	0	1	0	1
Count Total	10	0	22	21	53	0	0	0	0	0	1	0	1	0	2
Peak Hr	6	0	12	5	23	0	0	0	0	0	0	0	0	0	0

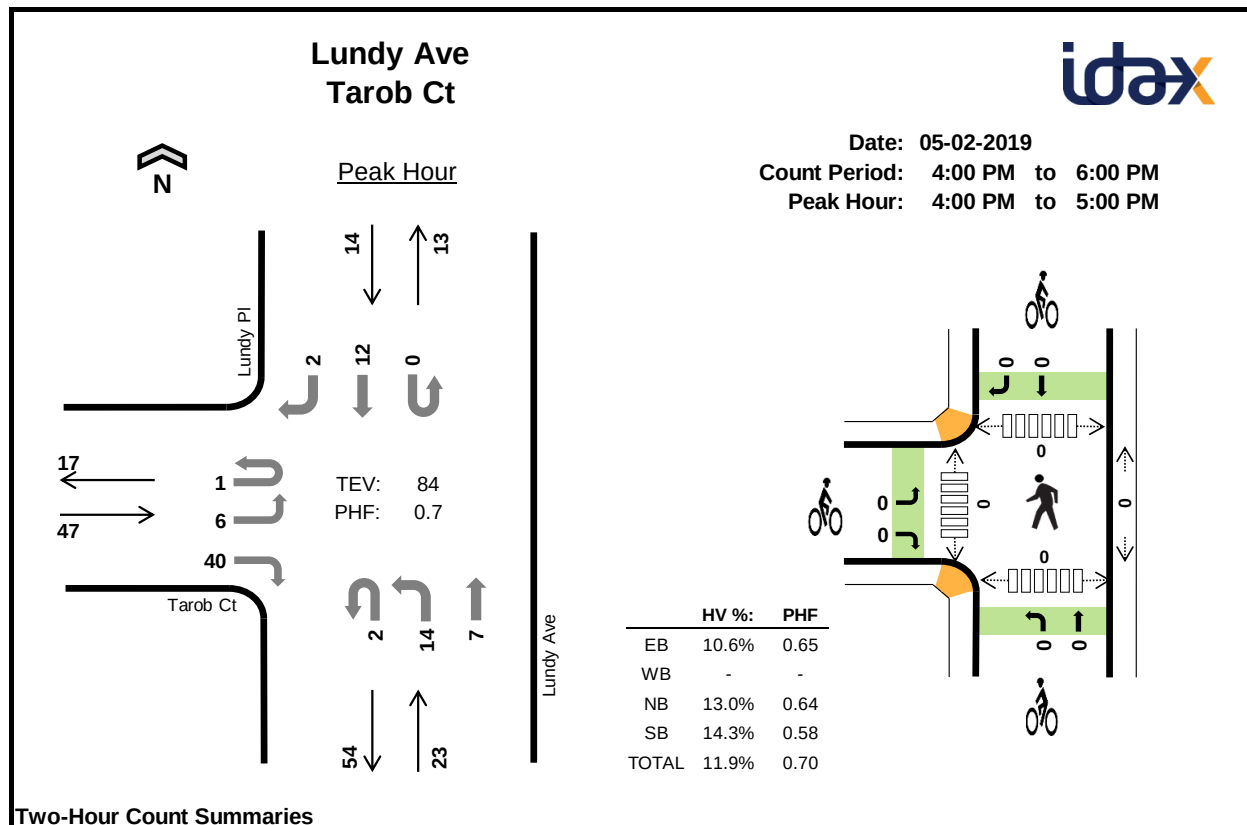
Two-Hour Count Summaries - Heavy Vehicles

Interval Start	Tarob Ct				n/a				Lundy Ave				Lundy Pl				15-min Total	Rolling One Hour	
	Eastbound				Westbound				Northbound				Southbound						
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT			
7:00 AM	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1	4	0
7:15 AM	0	0	0	1	0	0	0	0	0	0	3	0	0	0	0	0	0	4	0
7:30 AM	0	1	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	3	0
7:45 AM	1	0	0	0	0	0	0	0	0	0	1	3	0	1	0	2	0	8	19
8:00 AM	1	1	0	0	0	0	0	0	0	0	1	3	0	0	0	2	0	8	23
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	4	0	5	24
8:30 AM	0	0	0	0	0	0	0	0	0	0	2	3	0	0	0	6	2	13	34
8:45 AM	0	1	0	2	0	0	0	0	0	0	0	3	0	0	0	2	0	8	34
Count Total	2	4	0	4	0	0	0	0	0	0	9	13	0	1	0	17	3	53	0
Peak Hour	2	2	0	2	0	0	0	0	0	0	6	6	0	1	0	4	0	23	0

Two-Hour Count Summaries - Bikes

Interval Start	Tarob Ct			0			Lundy Ave			Lundy Pl			15-min Total	Rolling One Hour
	Eastbound			Westbound			Northbound			Southbound				
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT		
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Count Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Peak Hour	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: U-Turn volumes for bikes are included in Left-Turn, if any.

**Two-Hour Count Summaries**

Interval Start		Tarob Ct				n/a				Lundy Ave				Lundy Pl				15-min Total	Rolling One Hour
		Eastbound				Westbound				Northbound				Southbound					
		UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
4:00 PM		0	3	0	15	0	0	0	0	0	3	4	0	0	0	5	0	30	0
4:15 PM		0	1	0	11	0	0	0	0	1	7	1	0	0	0	2	0	23	0
4:30 PM		0	1	0	6	0	0	0	0	0	3	1	0	0	0	4	2	17	0
4:45 PM		1	1	0	8	0	0	0	0	1	1	1	0	0	0	1	0	14	84
5:00 PM		0	1	0	15	0	0	0	0	1	2	1	0	0	0	4	3	27	81
5:15 PM		1	1	0	13	0	0	0	0	0	3	0	0	0	0	5	1	24	82
5:30 PM		0	0	0	10	0	0	0	0	0	0	2	0	0	0	1	0	13	78
5:45 PM		0	1	0	8	0	0	0	0	1	4	2	0	0	0	1	1	18	82
Count Total		2	9	0	86	0	0	0	0	4	23	12	0	0	0	23	7	166	0
Peak Hour	All	1	6	0	40	0	0	0	0	2	14	7	0	0	0	12	2	84	0
	HV	0	2	0	3	0	0	0	0	0	1	2	0	0	0	1	1	10	0
	HV%	0%	33%	-	8%	-	-	-	-	0%	7%	29%	-	-	-	8%	50%	12%	0

Note: Two-hour count summary volumes include heavy vehicles but exclude bicycles in overall count.

Interval Start	Heavy Vehicle Totals					Bicycles					Pedestrians (Crossing Leg)				
	EB	WB	NB	SB	Total	EB	WB	NB	SB	Total	East	West	North	South	Total
4:00 PM	2	0	1	1	4	0	0	0	0	0	0	0	0	0	0
4:15 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
4:30 PM	1	0	2	1	4	0	0	0	0	0	0	0	0	0	0
4:45 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
5:00 PM	1	0	0	1	2	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
5:30 PM	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	1	1	2	0	0	0	0	0	0	0	0	0	0
Count Total	7	0	4	4	15	0	0	0	0	0	1	0	0	0	1
Peak Hr	5	0	3	2	10	0	0	0	0	0	0	0	0	0	0

Two-Hour Count Summaries - Heavy Vehicles

Interval Start	Tarob Ct				n/a				Lundy Ave				Lundy Pl				15-min Total	Rolling One Hour
	Eastbound				Westbound				Northbound				Southbound					
	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT	UT	LT	TH	RT		
4:00 PM	0	1	0	1	0	0	0	0	0	0	1	0	0	0	1	0	4	0
4:15 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4:30 PM	0	1	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1	0
4:45 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	10
5:00 PM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2	8
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
5:30 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	4
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	2	5
Count Total	0	3	0	4	0	0	0	0	0	0	1	3	0	0	0	2	15	0
Peak Hour	0	2	0	3	0	0	0	0	0	0	1	2	0	0	0	1	10	0

Two-Hour Count Summaries - Bikes

Interval Start	Tarob Ct			0			Lundy Ave			Lundy Pl			15-min Total	Rolling One Hour
	Eastbound			Westbound			Northbound			Southbound				
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT		
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Count Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Peak Hour	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: U-Turn volumes for bikes are included in Left-Turn, if any.

IDAX Data Solutions
19205 - Milpitas - Tarob Court Counts
5/2/2019

	Driveway 1: Lundy Ave			
	In		Out	
Time:	NB L	SB R	EB R	EB L
7:00	1	0	0	0
7:15	1	0	2	0
7:30	1	0	0	0
7:45	1	0	0	0
8:00	0	0	0	0
8:15	1	1	1	0
8:30	0	0	0	0
8:45	0	0	1	0
16:00	0	0	1	0
16:15	0	0	0	0
16:30	0	0	0	0
16:45	1	0	2	0
17:00	1	0	2	0
17:15	0	0	2	0
17:30	0	1	1	0
17:45	1	0	1	0
AM Peak	4	0	2	0
PM Peak	2	1	7	0
Total:	6	1	9	0

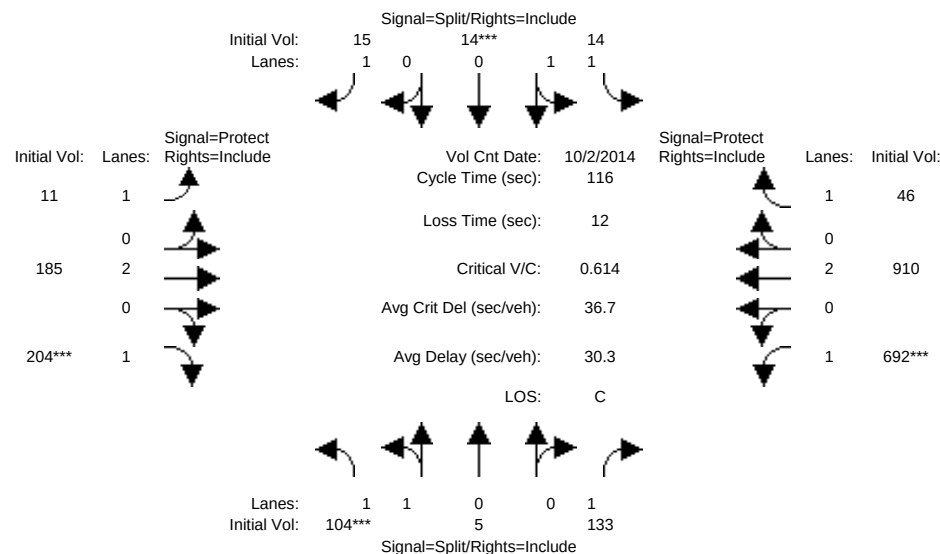
	Driveway 2: Tarob Ct			
	In		Out	
Time:	EB R	WB L	NB R	NB L
7:00	0	0	0	0
7:15	0	4	0	0
7:30	0	0	0	0
7:45	0	1	0	0
8:00	0	0	0	0
8:15	0	0	1	0
8:30	0	0	1	0
8:45	0	1	0	0
16:00	0	0	1	0
16:15	0	0	0	0
16:30	0	0	1	0
16:45	0	0	0	0
17:00	0	0	2	0
17:15	0	0	0	0
17:30	0	0	0	0
17:45	0	0	0	0
AM Peak	0	5	0	0
PM Peak	0	0	2	0
Total:	0	5	2	0

LOS Calculations

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing AM

Intersection #1: LUNDY/TRADE ZONE



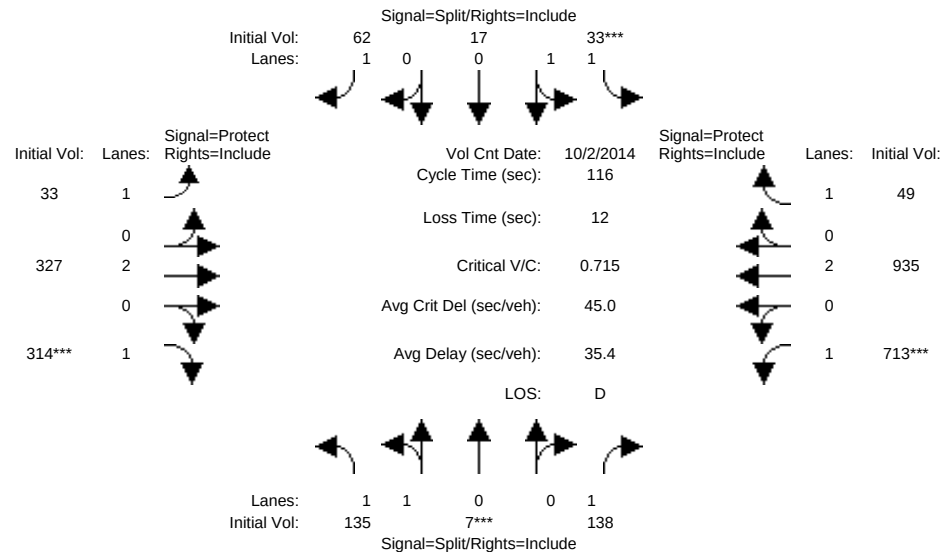
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 7:50-8:50												
Base Vol:	104	5	133	14	14	15	11	185	204	692	910	46
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	104	5	133	14	14	15	11	185	204	692	910	46
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	104	5	133	14	14	15	11	185	204	692	910	46
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	104	5	133	14	14	15	11	185	204	692	910	46
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	104	5	133	14	14	15	11	185	204	692	910	46
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	104	5	133	14	14	15	11	185	204	692	910	46
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.92	0.08	1.00	1.04	0.96	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3352	161	1750	1822	1822	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.03	0.03	0.08	0.01	0.01	0.01	0.01	0.05	0.12	0.40	0.24	0.03
Crit Moves:	***	***	***	***	***	***	***	***	***	***	***	***
Green/Cycle:	0.12	0.12	0.12	0.09	0.09	0.09	0.14	0.16	0.16	0.53	0.55	0.55
Volume/Cap:	0.25	0.25	0.61	0.09	0.09	0.10	0.05	0.31	0.75	0.75	0.44	0.05
Delay/Veh:	47.3	47.3	60.6	49.4	49.4	50.2	43.7	44.8	63.6	26.6	16.2	12.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	47.3	47.3	60.6	49.4	49.4	50.2	43.7	44.8	63.6	26.6	16.2	12.2
LOS by Move:	D	D	E	D	D	D	D	D	E	C	B	B
HCM2kAvgQ:	2	2	6	1	1	1	0	3	9	22	9	1

Note: Queue reported is the number of cars per lane.

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background AM

Intersection #1: LUNDY/TRADE ZONE

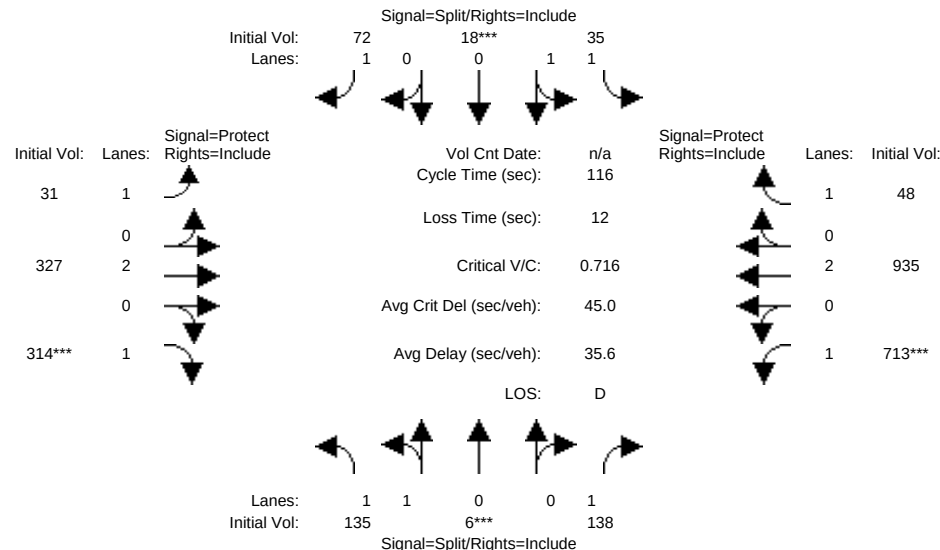


Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 7:50-8:50												
Base Vol:	135	7	138	33	17	62	33	327	314	713	935	49
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	135	7	138	33	17	62	33	327	314	713	935	49
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	135	7	138	33	17	62	33	327	314	713	935	49
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	135	7	138	33	17	62	33	327	314	713	935	49
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	135	7	138	33	17	62	33	327	314	713	935	49
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	135	7	138	33	17	62	33	327	314	713	935	49
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.91	0.09	1.00	1.36	0.64	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3340	173	1750	2374	1223	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.04	0.04	0.08	0.01	0.01	0.04	0.02	0.09	0.18	0.41	0.25	0.03
Crit Moves:	****			****			****			****		
Green/Cycle:	0.11	0.11	0.11	0.09	0.09	0.09	0.14	0.21	0.21	0.49	0.56	0.56
Volume/Cap:	0.37	0.37	0.72	0.16	0.16	0.41	0.14	0.40	0.84	0.84	0.44	0.05
Delay/Veh:	50.5	50.5	70.1	50.2	50.2	58.3	45.1	40.7	63.3	35.5	15.4	11.5
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	50.5	50.5	70.1	50.2	50.2	58.3	45.1	40.7	63.3	35.5	15.4	11.5
LOS by Move:	D	D	E	D	D	E	D	D	E	D	B	B
HCM2kAvgQ:	3	3	7	1	1	3	1	5	14	26	10	1
Note: Queue reported is the number of cars per lane.												

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background + Project AM

Intersection #1: LUNDY/TRADE ZONE



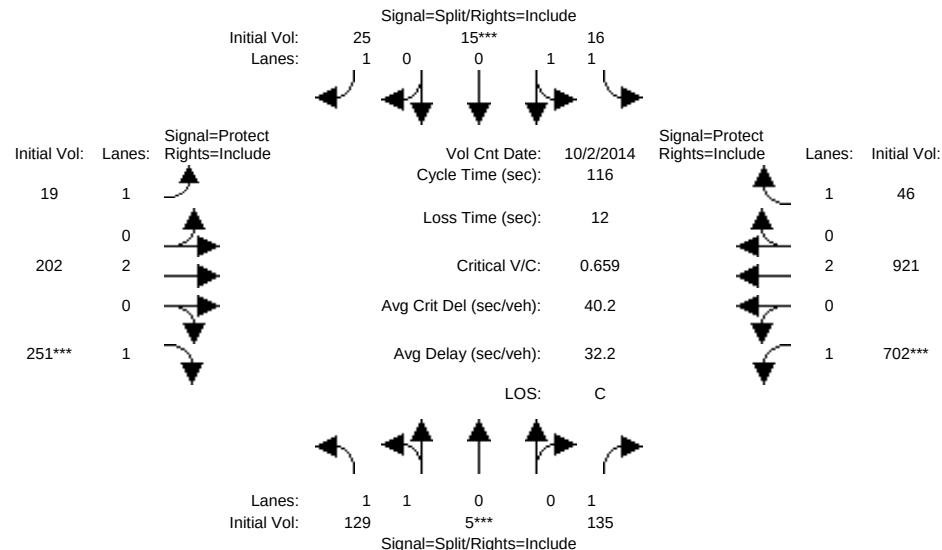
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	135	6	138	35	18	72	31	327	314	713	935	48
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	135	6	138	35	18	72	31	327	314	713	935	48
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	135	6	138	35	18	72	31	327	314	713	935	48
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	135	6	138	35	18	72	31	327	314	713	935	48
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	135	6	138	35	18	72	31	327	314	713	935	48
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	135	6	138	35	18	72	31	327	314	713	935	48
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.92	0.08	1.00	1.36	0.64	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3362	149	1750	2375	1221	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.04	0.04	0.08	0.01	0.01	0.04	0.02	0.09	0.18	0.41	0.25	0.03
Crit Moves:	****			****			****			****		
Green/Cycle:	0.11	0.11	0.11	0.09	0.09	0.09	0.14	0.21	0.21	0.49	0.56	0.56
Volume/Cap:	0.36	0.36	0.72	0.17	0.17	0.48	0.13	0.40	0.84	0.84	0.44	0.05
Delay/Veh:	50.5	50.5	70.1	50.3	50.3	60.9	45.0	40.7	63.3	35.5	15.4	11.5
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	50.5	50.5	70.1	50.3	50.3	60.9	45.0	40.7	63.3	35.5	15.4	11.5
LOS by Move:	D	D	E	D	D	E	D	D	E	D	B	B
HCM2kAvgQ:	3	3	7	1	1	3	1	5	14	26	10	1

Note: Queue reported is the number of cars per lane.

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing+Project AM

Intersection #1: LUNDY/TRADE ZONE



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 7:50-8:50												
Base Vol:	104	4	133	16	15	25	9	185	204	692	910	45
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	104	4	133	16	15	25	9	185	204	692	910	45
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	25	1	2	0	0	0	10	17	47	10	11	1
Initial Fut:	129	5	135	16	15	25	19	202	251	702	921	46
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	129	5	135	16	15	25	19	202	251	702	921	46
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	129	5	135	16	15	25	19	202	251	702	921	46
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	129	5	135	16	15	25	19	202	251	702	921	46
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.93	0.07	1.00	1.07	0.93	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3379	131	1750	1878	1761	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.04	0.04	0.08	0.01	0.01	0.01	0.01	0.05	0.14	0.40	0.24	0.03
Crit Moves:	****			****			****			****		
Green/Cycle:	0.12	0.12	0.12	0.09	0.09	0.09	0.14	0.18	0.18	0.51	0.56	0.56
Volume/Cap:	0.33	0.33	0.66	0.10	0.10	0.17	0.08	0.29	0.79	0.79	0.44	0.05
Delay/Veh:	49.1	49.1	64.5	49.5	49.5	51.5	44.2	42.0	62.7	30.1	15.8	11.9
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	49.1	49.1	64.5	49.5	49.5	51.5	44.2	42.0	62.7	30.1	15.8	11.9
LOS by Move:	D	D	E	D	D	D	D	D	E	C	B	B
HCM2kAvgQ:	3	3	6	1	1	1	1	3	11	23	9	1
Note: Queue reported is the number of cars per lane.												

Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Existing AM

Initial Approach			Intersection			Final Approach		
Initial Vol:	Lanes:	Signal=Stop Rights=Include	Vol Cnt Date: Cycle Time (sec):	Vol Cnt Date: Loss Time (sec):	Critical V/C:	Avg Crit Del (sec/veh):	Avg Delay (sec/veh):	LOS:
9	0		n/a	100				
	0			0				
0	1!			0.025				
	0							
7	0							

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
----- ----- ----- ----- -----																				
Volume Module:																				
Base Vol:	41		19		0	0		8		7	9		0		7	0		0		0
Growth Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
Initial Bse:	41		19		0	0		8		7	9		0		7	0		0		0
Added Vol:	0		0		0	0		0		0	0		0		0	0		0		0
PasserByVol:	0		0		0	0		0		0	0		0		0	0		0		0
Initial Fut:	41		19		0	0		8		7	9		0		7	0		0		0
User Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Volume:	41		19		0	0		8		7	9		0		7	0		0		0
Reduct Vol:	0		0		0	0		0		0	0		0		0	0		0		0
FinalVolume:	41		19		0	0		8		7	9		0		7	0		0		0
----- ----- ----- ----- -----																				
Critical Gap Module:																				
Critical Gp:	4.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				6.4	6.5	6.2	xxxxx	xxxx	xxxxx				
FollowUpTim:	2.2	xxxx	xxxxx		xxxxx	xxxx	xxxxx				3.5	4.0	3.3	xxxxx	xxxx	xxxxx				
----- ----- ----- ----- -----																				
Capacity Module:																				
Cnflct Vol:	15	xxxx	xxxxx		xxxx	xxxx	xxxxx				113	113	12	xxxx	xxxx	xxxxx				
Potent Cap.:	1616	xxxx	xxxxx		xxxx	xxxx	xxxxx				889	781	1075	xxxx	xxxx	xxxxx				
Move Cap.:	1616	xxxx	xxxxx		xxxx	xxxx	xxxxx				871	761	1075	xxxx	xxxx	xxxxx				
Volume/Cap:	0.03	xxxx	xxxx		xxxx	xxxx	xxxx				0.01	0.00	0.01	xxxx	xxxx	xxxx				
----- ----- ----- ----- -----																				
Level Of Service Module:																				
2Way95thQ:	0.1	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx				
Control Del:	7.3	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx				
LOS by Move:	A	*	*		*	*	*				*	*	*	*	*	*				
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	950	xxxxx	xxxx	xxxx	xxxxx				
SharedQueue:	0.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx				
Shrd ConDel:	7.3	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	8.9	xxxxx	xxxxx	xxxx	xxxxx				
Shared LOS:	A	*	*		*	*	*				*	A	*	*	*	*				
ApproachDel:	xxxxxx											8.9				xxxxxx				
ApproachLOS:	*						*					A				*				

Peak Hour Delay Signal Warrant Report

-----|-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	41 19 0	0 8 7	9 0 7	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.9	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=16]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=91]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	41 19 0	0 8 7	9 0 7	0 0 0 0

Major Street Volume: 75
Minor Approach Volume: 16
Minor Approach Volume Threshold: 910

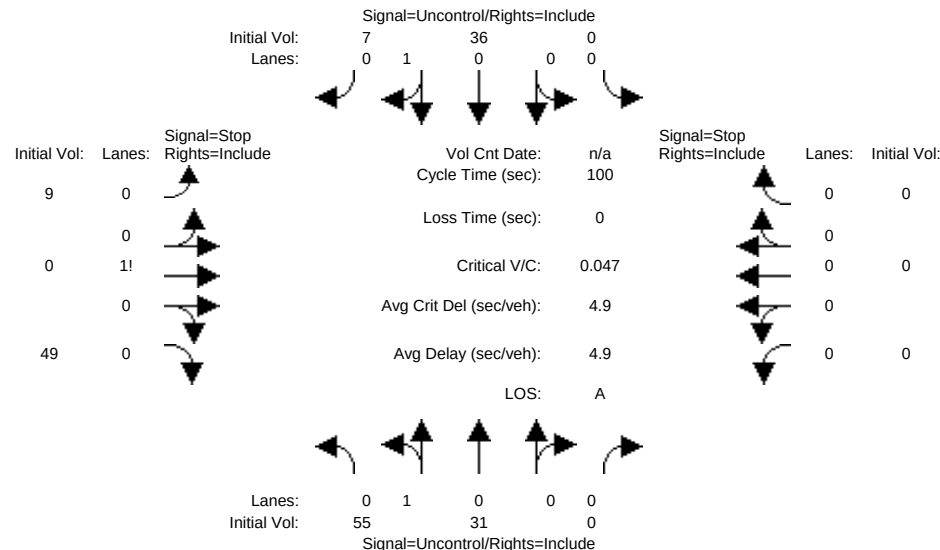
SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Background AM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
----- ----- ----- ----- -----																				
Volume Module:																				
Base Vol:	55		31		0	0		36		7	9		0		49	0		0		0
Growth Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
Initial Bse:	55		31		0	0		36		7	9		0		49	0		0		0
Added Vol:	0		0		0	0		0		0	0		0		0	0		0		0
PasserByVol:	0		0		0	0		0		0	0		0		0	0		0		0
Initial Fut:	55		31		0	0		36		7	9		0		49	0		0		0
User Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Volume:	55		31		0	0		36		7	9		0		49	0		0		0
Reduct Vol:	0		0		0	0		0		0	0		0		0	0		0		0
FinalVolume:	55		31		0	0		36		7	9		0		49	0		0		0
----- ----- ----- ----- -----																				
Critical Gap Module:																				
Critical Gp:	4.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				6.4	6.5	6.2	xxxxx	xxxx	xxxxx				
FollowUpTim:	2.2	xxxx	xxxxx		xxxxx	xxxx	xxxxx				3.5	4.0	3.3	xxxxx	xxxx	xxxxx				
----- ----- ----- ----- -----																				
Capacity Module:																				
Cnflct Vol:	43	xxxx	xxxxx		xxxx	xxxx	xxxxx				181	181	40	xxxx	xxxx	xxxxx				
Potent Cap.:	1579	xxxx	xxxxx		xxxx	xxxx	xxxxx				814	717	1038	xxxx	xxxx	xxxxx				
Move Cap.:	1579	xxxx	xxxxx		xxxx	xxxx	xxxxx				791	691	1038	xxxx	xxxx	xxxxx				
Volume/Cap:	0.03	xxxx	xxxx		xxxx	xxxx	xxxx				0.01	0.00	0.05	xxxx	xxxx	xxxx				
----- ----- ----- ----- -----																				
Level Of Service Module:																				
2Way95thQ:	0.1	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx				
Control Del:	7.4	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx				
LOS by Move:	A	*	*		*	*	*				*	*	*	*	*	*				
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	990	xxxxx	xxxx	xxxx	xxxxx				
SharedQueue:	0.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	0.2	xxxxx	xxxxx	xxxx	xxxxx				
Shrd ConDel:	7.4	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	8.9	xxxxx	xxxxx	xxxx	xxxxx				
Shared LOS:	A	*	*		*	*	*				*	A	*	*	*	*				
ApproachDel:	xxxxxx										8.9					xxxxxx				
ApproachLOS:	*						*				A					*				

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	55 31 0	0 36 7	9 0 49	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.9	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.1]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=58]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=187]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	55 31 0	0 36 7	9 0 49	0 0 0 0

Major Street Volume: 129

Minor Approach Volume: 58

Minor Approach Volume Threshold: 766

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Background + Project AM

Left Side			Center			Right Side		
Initial Vol:	Lanes:	Signal=Stop Rights=Include	Vol Cnt Date: Cycle Time (sec):	Vol Cnt Date: Loss Time (sec):	Vol Cnt Date: Critical V/C:	Avg Crit Del (sec/veh):	Avg Delay (sec/veh):	LOS:
9	0		n/a	100				
	0			0				
0	1!				0.060			
	0					5.1		
62	0						5.1	

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
----- ----- ----- ----- -----																				
Volume Module:																				
Base Vol:	51		31		0	0		36		7	9		0		62	0		0		0
Growth Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
Initial Bse:	51		31		0	0		36		7	9		0		62	0		0		0
Added Vol:	0		0		0	0		0		0	0		0		0	0		0		0
PasserByVol:	0		0		0	0		0		0	0		0		0	0		0		0
Initial Fut:	51		31		0	0		36		7	9		0		62	0		0		0
User Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Volume:	51		31		0	0		36		7	9		0		62	0		0		0
Reduct Vol:	0		0		0	0		0		0	0		0		0	0		0		0
FinalVolume:	51		31		0	0		36		7	9		0		62	0		0		0
----- ----- ----- ----- -----																				
Critical Gap Module:																				
Critical Gp:	4.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				6.4	6.5	6.2	xxxxx	xxxx	xxxxx				
FollowUpTim:	2.2	xxxx	xxxxx		xxxxx	xxxx	xxxxx				3.5	4.0	3.3	xxxxx	xxxx	xxxxx				
----- ----- ----- ----- -----																				
Capacity Module:																				
Cnflct Vol:	43	xxxx	xxxxx		xxxx	xxxx	xxxxx				173	173	40	xxxx	xxxx	xxxxx				
Potent Cap.:	1579	xxxx	xxxxx		xxxx	xxxx	xxxxx				822	724	1038	xxxx	xxxx	xxxxx				
Move Cap.:	1579	xxxx	xxxxx		xxxx	xxxx	xxxxx				801	700	1038	xxxx	xxxx	xxxxx				
Volume/Cap:	0.03	xxxx	xxxx		xxxx	xxxx	xxxx				0.01	0.00	0.06	xxxx	xxxx	xxxx				
----- ----- ----- ----- -----																				
Level Of Service Module:																				
2Way95thQ:	0.1	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx				
Control Del:	7.4	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx				
LOS by Move:	A	*	*		*	*	*				*	*	*	*	*	*				
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	1000	xxxxx	xxxx	xxxx	xxxxx				
SharedQueue:	0.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	0.2	xxxxx	xxxxx	xxxx	xxxxx				
Shrd ConDel:	7.4	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	8.9	xxxxx	xxxxx	xxxx	xxxxx				
Shared LOS:	A	*	*		*	*	*				*	A	*	*	*	*				
ApproachDel:	xxxxxx										8.9					xxxxxx				
ApproachLOS:	*						*				A					*				

Peak Hour Delay Signal Warrant Report

-----|-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	51 31 0	0 36 7	9 0 62	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.9	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.2]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=71]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=196]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	51 31 0	0 36 7	9 0 62	0 0 0 0

Major Street Volume: 125

Minor Approach Volume: 71

Minor Approach Volume Threshold: 774

SIGNAL WARRANT DISCLAIMER

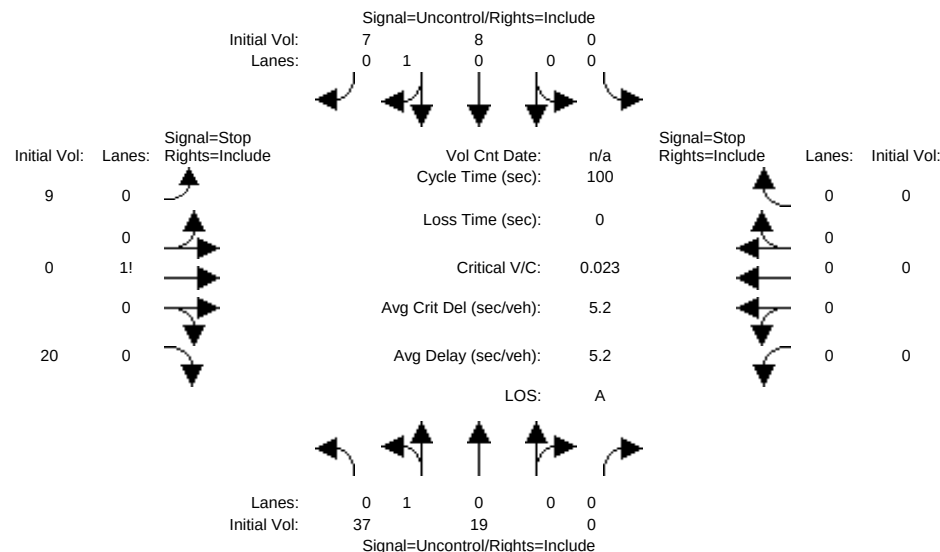
This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Existing+Project AM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	37	19	0	0	8	7	9	0	20	0	0	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	37	19	0	0	8	7	9	0	20	0	0	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	37	19	0	0	8	7	9	0	20	0	0	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	37	19	0	0	8	7	9	0	20	0	0	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	37	19	0	0	8	7	9	0	20	0	0	0
Critical Gap Module:												
Critical Gp:	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	6.4	6.5	6.2	xxxxx	xxxx	xxxxx
FollowUpTim:	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	3.5	4.0	3.3	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflct Vol:	15	xxxx	xxxxx	xxxx	xxxx	xxxxx	105	105	12	xxxx	xxxx	xxxxx
Potent Cap.:	1616	xxxx	xxxxx	xxxx	xxxx	xxxxx	898	789	1075	xxxx	xxxx	xxxxx
Move Cap.:	1616	xxxx	xxxxx	xxxx	xxxx	xxxxx	882	771	1075	xxxx	xxxx	xxxxx
Volume/Cap:	0.02	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	0.00	0.02	xxxx	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	0.1	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Control Del:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	A	*	*	*	*	*	*	*	*	*	*	*
Movement:	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1007	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	0.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	8.7	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	A	*	*	*	*	*	*	A	*	*	*	*
ApproachDel:	xxxxxx			xxxxxx			8.7			xxxxxx		
ApproachLOS:	*			*			A			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	37 19 0	0 8 7	9 0 20	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.7	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.1]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=29]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=100]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	37 19 0	0 8 7	9 0 20	0 0 0 0

Major Street Volume: 71
Minor Approach Volume: 29
Minor Approach Volume Threshold: 925

SIGNAL WARRANT DISCLAIMER

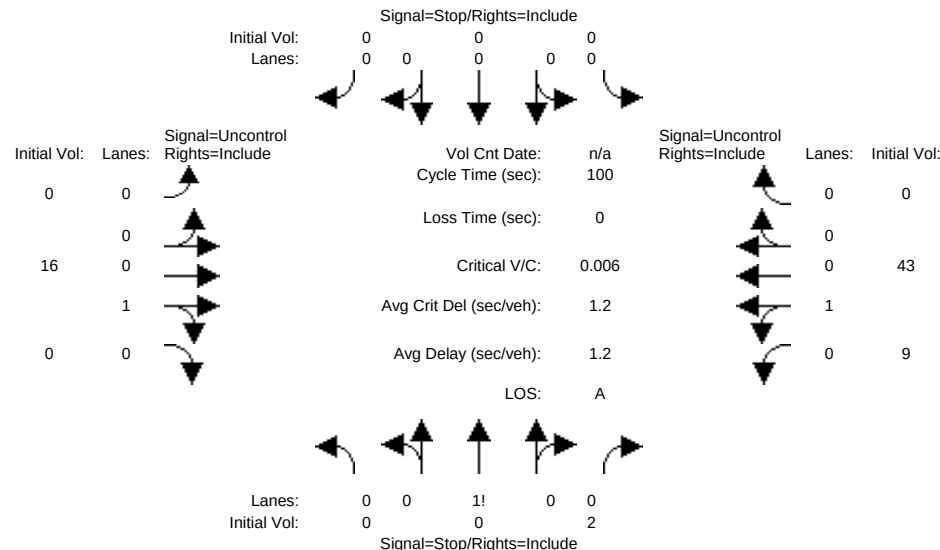
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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Existing AM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	2	0	0	0	0	16	0	9	43	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	2	0	0	0	0	16	0	9	43	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	2	0	0	0	0	16	0	9	43	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	2	0	0	0	0	16	0	9	43	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	2	0	0	0	0	16	0	9	43	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	16	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	16	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	1069	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1615	xxxx	xxxx
Move Cap.:	xxxx	xxxx	1069	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1615	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.00	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.4	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.2	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Shared Queue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.2	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.4			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign				Stop Sign				Uncontrolled				Uncontrolled							
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	2	0	0	0	0	0	0	0	16	0	0	9	43	0	0	0
ApproachDel:	8.4				xxxxxx				xxxxxx				xxxxxx							

-----|-----|-----|-----|-----|

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=2]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=70]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign				Stop Sign				Uncontrolled				Uncontrolled							
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	2	0	0	0	0	0	0	0	16	0	0	9	43	0	0	0

-----|-----|-----|-----|-----|

Major Street Volume: 68

Minor Approach Volume: 2

Minor Approach Volume Threshold: 936

SIGNAL WARRANT DISCLAIMER

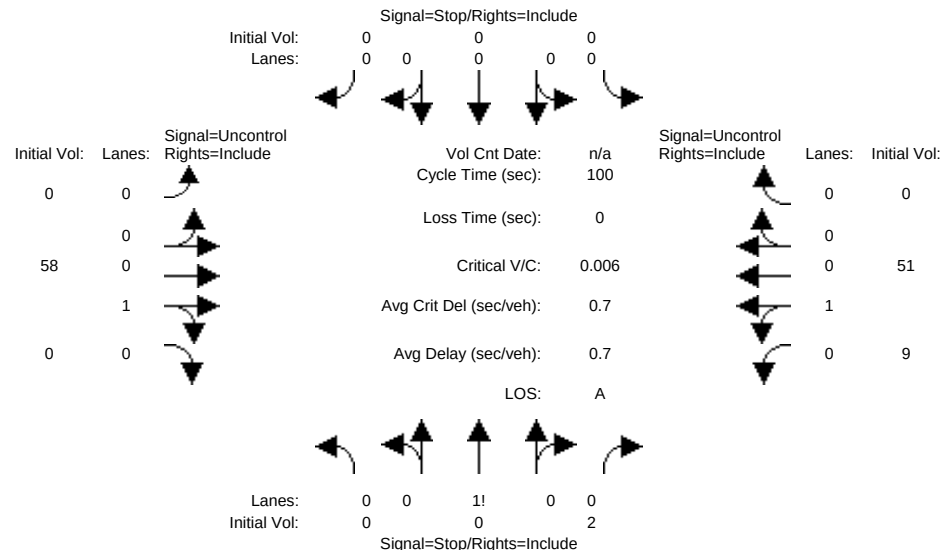
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2001 Tarob Court

Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Background AM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	2	0	0	0	0	58	0	9	51	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	2	0	0	0	0	58	0	9	51	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	2	0	0	0	0	58	0	9	51	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	2	0	0	0	0	58	0	9	51	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	2	0	0	0	0	58	0	9	51	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	58	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	58	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	1014	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1559	xxxx	xxxx
Move Cap.:	xxxx	xxxx	1014	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1559	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.00	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.6	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Shared Queue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.6			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	2		0	0	0	0	0	0	58	0	0		9	51	0	0	
ApproachDel:	8.6					xxxxxx					xxxxxx					xxxxxx				

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=2]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=120]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	2		0	0	0	0	0	0	58	0	0		9	51	0	0	
Major Street Volume:						118														
Minor Approach Volume:						2														
Minor Approach Volume Threshold:						789														

SIGNAL WARRANT DISCLAIMER

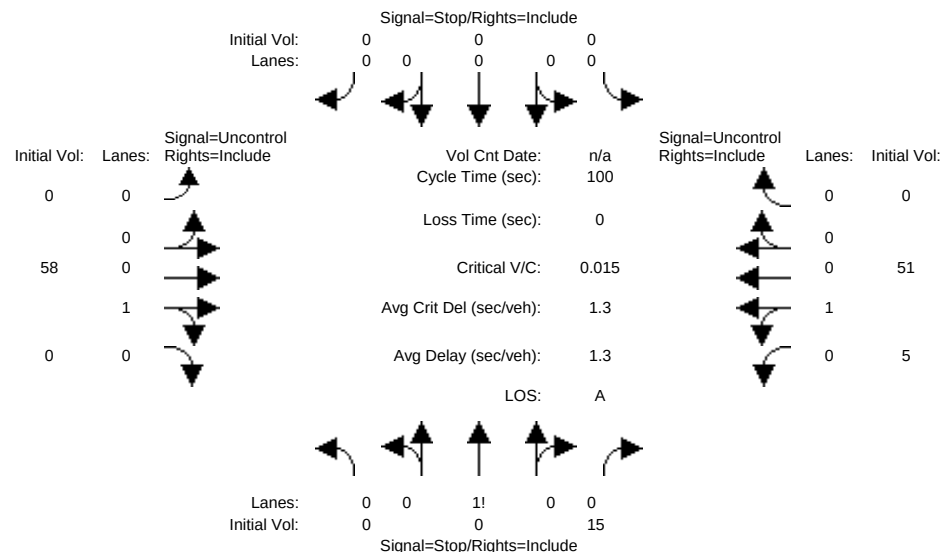
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2001 Tarob Court

Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Background + Project AM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	15	0	0	0	0	58	0	5	51	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	15	0	0	0	0	58	0	5	51	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	15	0	0	0	0	58	0	5	51	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	15	0	0	0	0	58	0	5	51	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	15	0	0	0	0	58	0	5	51	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	58	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	58	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	1014	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1559	xxxx	xxxx
Move Cap.:	xxxx	xxxx	1014	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1559	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.00	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.6	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Shared Queue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.6			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	15		0	0	0	0	0	0	58	0	0		5	51	0	0	
ApproachDel:	8.6					xxxxxx					xxxxxx					xxxxxx				

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=15]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=129]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	15		0	0	0	0	0	0	58	0	0		5	51	0	0	
Major Street Volume:						114														
Minor Approach Volume:						15														
Minor Approach Volume Threshold:						799														

SIGNAL WARRANT DISCLAIMER

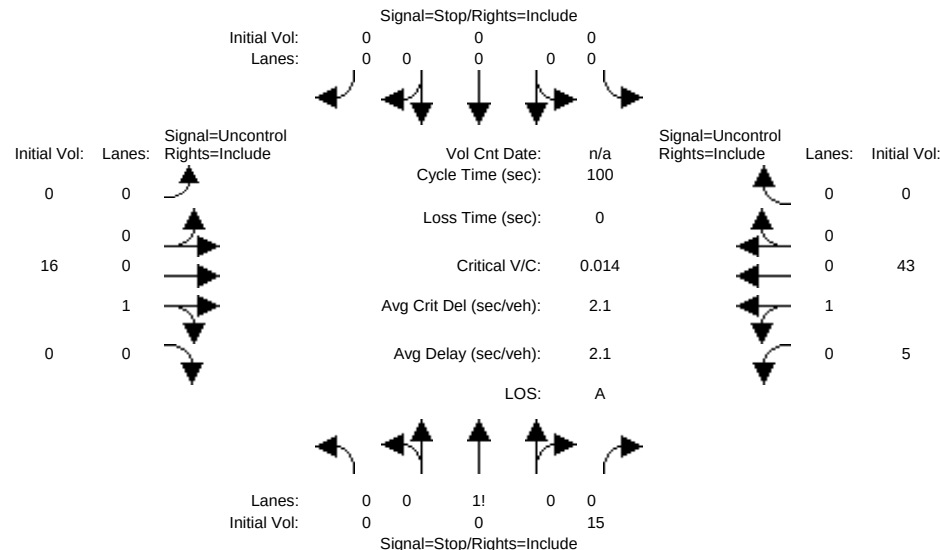
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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Existing+Project AM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	15	0	0	0	0	16	0	5	43	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	15	0	0	0	0	16	0	5	43	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	15	0	0	0	0	16	0	5	43	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	15	0	0	0	0	16	0	5	43	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	15	0	0	0	0	16	0	5	43	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	16	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	16	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	1069	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1615	xxxx	xxxx
Move Cap.:	xxxx	xxxx	1069	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1615	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.00	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.4	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.2	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Shared Queue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.2	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.4			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	15		0	0	0	0	0	0	16	0	0		5	43	0	0	
ApproachDel:	8.4					xxxxxx					xxxxxx					xxxxxx				

-----|-----|-----|-----|-----|
 Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=15]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=79]

FAIL - Total volume less than 650 for intersection
 with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	15		0	0	0	0	0	0	16	0	0		5	43	0	0	

-----|-----|-----|-----|-----|
 Major Street Volume: 64
 Minor Approach Volume: 15
 Minor Approach Volume Threshold: 953

SIGNAL WARRANT DISCLAIMER

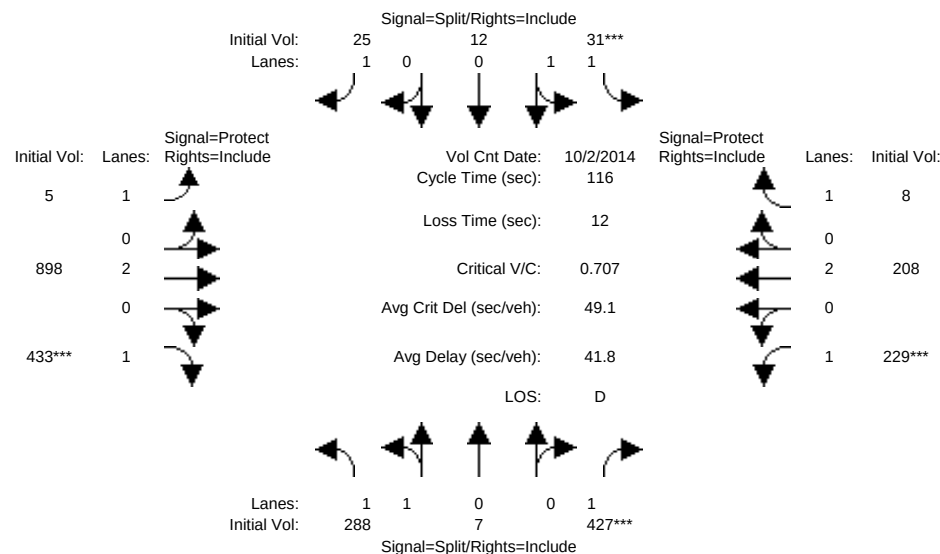
This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing PM

Intersection #1: LUNDY/TRADE ZONE

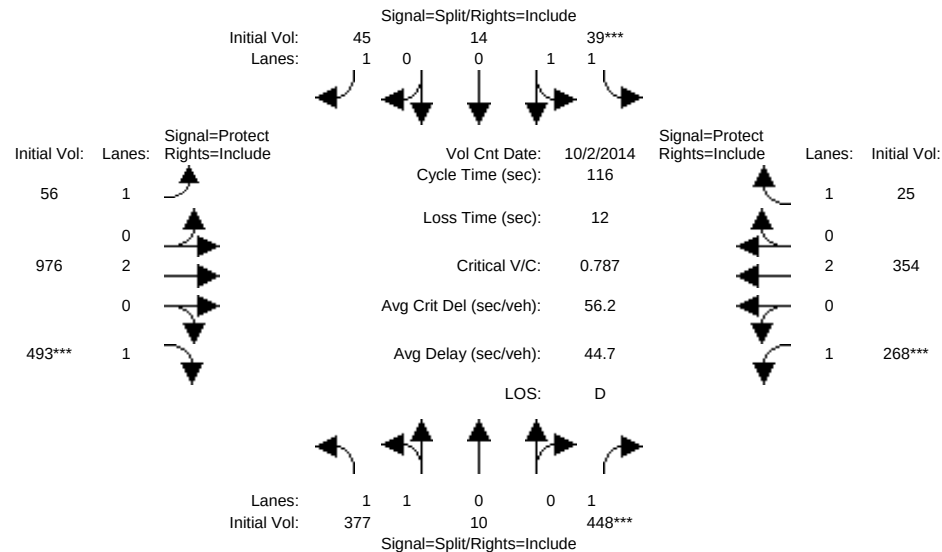


Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 4:50-5:50												
Base Vol:	288	7	427	31	12	25	5	898	433	229	208	8
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	288	7	427	31	12	25	5	898	433	229	208	8
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	288	7	427	31	12	25	5	898	433	229	208	8
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	288	7	427	31	12	25	5	898	433	229	208	8
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	288	7	427	31	12	25	5	898	433	229	208	8
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	288	7	427	31	12	25	5	898	433	229	208	8
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.96	0.04	1.00	1.47	0.53	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3423	83	1750	2580	999	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.08	0.24	0.01	0.01	0.01	0.00	0.24	0.25	0.13	0.05	0.00
Crit Moves:			****	****					****	****		
Green/Cycle:	0.32	0.32	0.32	0.09	0.09	0.09	0.20	0.32	0.32	0.17	0.29	0.29
Volume/Cap:	0.26	0.26	0.77	0.14	0.14	0.17	0.01	0.73	0.77	0.77	0.19	0.02
Delay/Veh:	30.1	30.1	45.5	50.0	50.0	51.5	37.0	38.8	45.1	63.1	31.3	29.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	30.1	30.1	45.5	50.0	50.0	51.5	37.0	38.8	45.1	63.1	31.3	29.4
LOS by Move:	C	C	D	D	D	D	D	D	D	E	C	C
HCM2kAvgQ:	4	4	16	1	1	1	0	15	16	10	3	0
Note: Queue reported is the number of cars per lane.												

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background PM

Intersection #1: LUNDY/TRADE ZONE

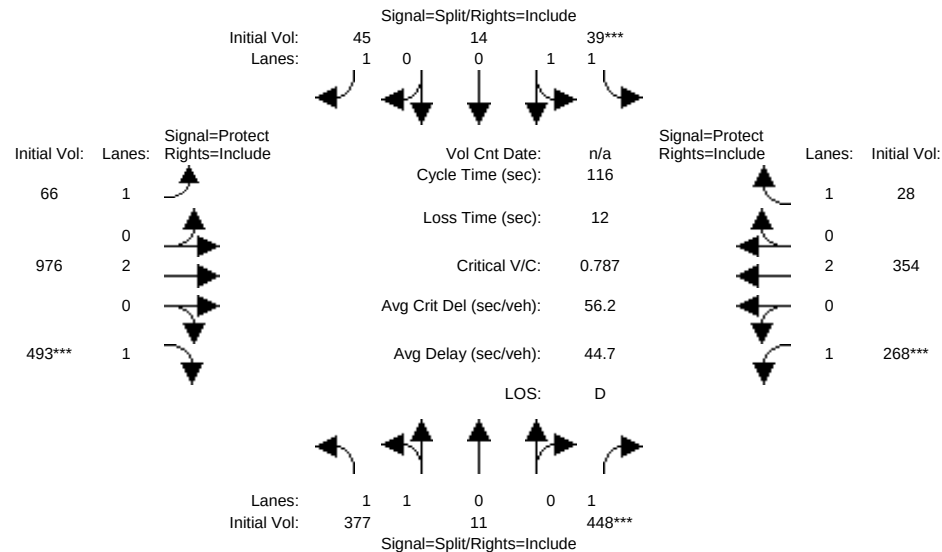


Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 4:50-5:50												
Base Vol:	377	10	448	39	14	45	56	976	493	268	354	25
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	377	10	448	39	14	45	56	976	493	268	354	25
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	377	10	448	39	14	45	56	976	493	268	354	25
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	377	10	448	39	14	45	56	976	493	268	354	25
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	377	10	448	39	14	45	56	976	493	268	354	25
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	377	10	448	39	14	45	56	976	493	268	354	25
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.95	0.05	1.00	1.50	0.50	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3417	91	1750	2630	944	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.11	0.11	0.26	0.01	0.01	0.03	0.03	0.26	0.28	0.15	0.09	0.01
Crit Moves:	****											
Green/Cycle:	0.30	0.30	0.30	0.09	0.09	0.09	0.20	0.33	0.33	0.18	0.31	0.31
Volume/Cap:	0.37	0.37	0.85	0.17	0.17	0.30	0.16	0.78	0.85	0.85	0.30	0.05
Delay/Veh:	32.9	32.9	54.1	50.4	50.4	54.7	39.3	39.8	50.9	70.3	31.1	28.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	32.9	32.9	54.1	50.4	50.4	54.7	39.3	39.8	50.9	70.3	31.1	28.2
LOS by Move:	C	C	D	D	D	D	D	D	D	E	C	C
HCM2kAvgQ:	6	6	19	1	1	2	2	17	20	13	5	1
Note: Queue reported is the number of cars per lane.												

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background + Project PM

Intersection #1: LUNDY/TRADE ZONE

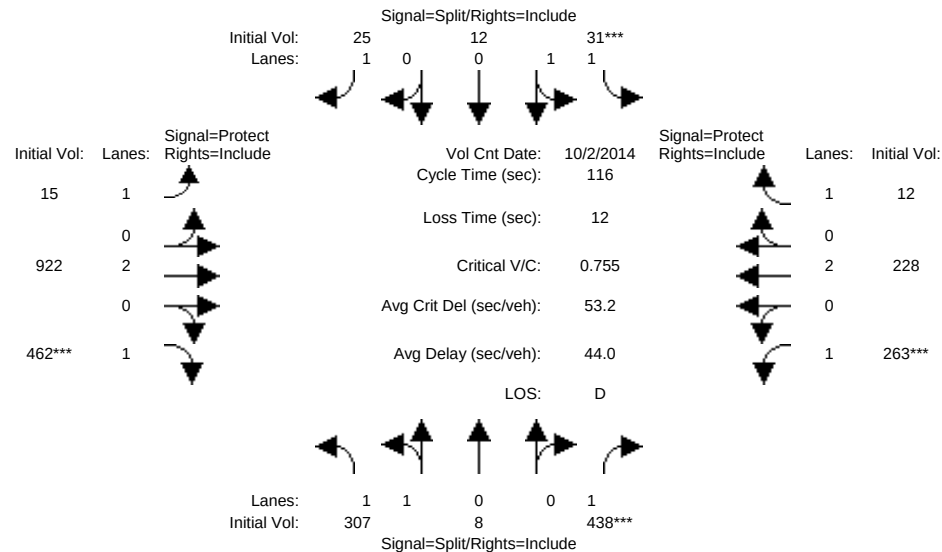


Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	377	11	448	39	14	45	66	976	493	268	354	28
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	377	11	448	39	14	45	66	976	493	268	354	28
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	377	11	448	39	14	45	66	976	493	268	354	28
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	377	11	448	39	14	45	66	976	493	268	354	28
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	377	11	448	39	14	45	66	976	493	268	354	28
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	377	11	448	39	14	45	66	976	493	268	354	28
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.95	0.05	1.00	1.50	0.50	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3408	99	1750	2630	944	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.11	0.11	0.26	0.01	0.01	0.03	0.04	0.26	0.28	0.15	0.09	0.02
Crit Moves:	****			****			****			****		
Green/Cycle:	0.30	0.30	0.30	0.09	0.09	0.09	0.20	0.33	0.33	0.18	0.31	0.31
Volume/Cap:	0.37	0.37	0.85	0.17	0.17	0.30	0.19	0.78	0.85	0.85	0.30	0.05
Delay/Veh:	32.9	32.9	54.1	50.4	50.4	54.7	39.7	39.8	50.9	70.3	31.1	28.3
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	32.9	32.9	54.1	50.4	50.4	54.7	39.7	39.8	50.9	70.3	31.1	28.3
LOS by Move:	C	C	D	D	D	D	D	D	D	E	C	C
HCM2kAvgQ:	6	6	19	1	1	2	2	17	20	13	5	1
Note: Queue reported is the number of cars per lane.												

2001 Tarob Court

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing+Project PM

Intersection #1: LUNDY/TRADE ZONE



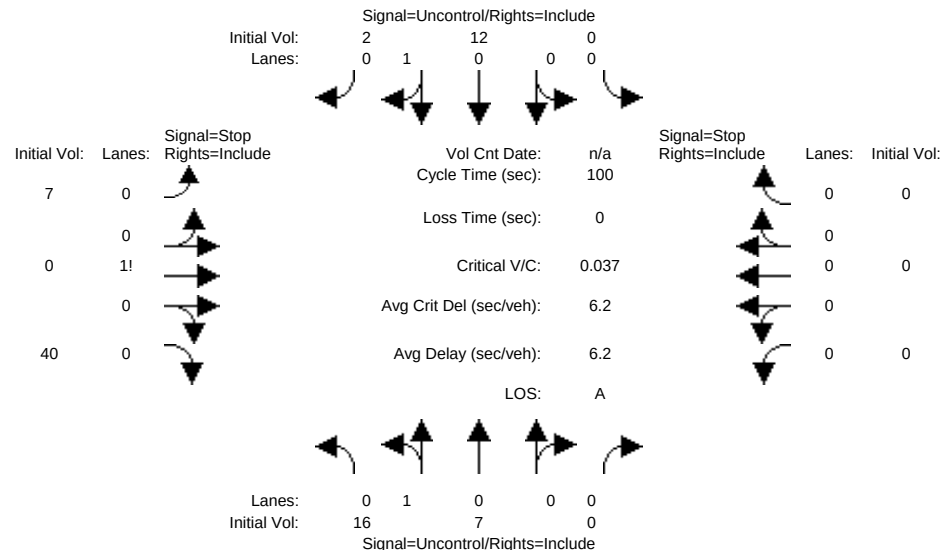
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	10	10	10	10	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module: >> Count Date: 2 Oct 2014 << 4:50-5:50												
Base Vol:	288	8	427	31	12	25	15	898	433	229	208	11
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	288	8	427	31	12	25	15	898	433	229	208	11
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	19	0	11	0	0	0	0	24	29	34	20	1
Initial Fut:	307	8	438	31	12	25	15	922	462	263	228	12
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	307	8	438	31	12	25	15	922	462	263	228	12
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	307	8	438	31	12	25	15	922	462	263	228	12
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	307	8	438	31	12	25	15	922	462	263	228	12
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.95	0.05	1.00	1.47	0.53	1.00	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	3418	89	1750	2580	999	1750	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.09	0.09	0.25	0.01	0.01	0.01	0.01	0.24	0.26	0.15	0.06	0.01
Crit Moves:												
Green/Cycle:	0.31	0.31	0.31	0.09	0.09	0.09	0.21	0.32	0.32	0.18	0.30	0.30
Volume/Cap:	0.29	0.29	0.82	0.14	0.14	0.17	0.04	0.75	0.82	0.82	0.20	0.02
Delay/Veh:	31.5	31.5	50.6	50.0	50.0	51.5	36.9	39.5	48.8	66.0	30.9	28.9
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	31.5	31.5	50.6	50.0	50.0	51.5	36.9	39.5	48.8	66.0	30.9	28.9
LOS by Move:	C	C	D	D	D	D	D	D	D	E	C	C
HCM2kAvgQ:	5	5	18	1	1	1	0	16	19	12	3	0

Note: Queue reported is the number of cars per lane.

2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Existing PM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	16	7	0	0	12	2	7	0	40	0	0	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	16	7	0	0	12	2	7	0	40	0	0	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	16	7	0	0	12	2	7	0	40	0	0	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	16	7	0	0	12	2	7	0	40	0	0	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	16	7	0	0	12	2	7	0	40	0	0	0
Critical Gap Module:												
Critical Gp:	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	6.4	6.5	6.2	xxxxx	xxxx	xxxxx
FollowUpTim:	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	3.5	4.0	3.3	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflct Vol:	14	xxxx	xxxxx	xxxx	xxxx	xxxxx	52	52	13	xxxx	xxxx	xxxxx
Potent Cap.:	1617	xxxx	xxxxx	xxxx	xxxx	xxxxx	962	843	1073	xxxx	xxxx	xxxxx
Move Cap.:	1617	xxxx	xxxxx	xxxx	xxxx	xxxxx	954	835	1073	xxxx	xxxx	xxxxx
Volume/Cap:	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	0.00	0.04	xxxx	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	0.0	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Control Del:	7.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	A	*	*	*	*	*	*	*	*	*	*	*
Movement:	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1054	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	0.0	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	7.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	8.6	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	A	*	*	*	*	*	*	A	*	*	*	*
ApproachDel:	xxxxxx			xxxxxx			8.6			xxxxxx		
ApproachLOS:	*			*			A			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	16 7 0	0 12 2	7 0 40	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.6	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.1]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=47]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=84]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	16 7 0	0 12 2	7 0 40	0 0 0 0

Major Street Volume: 37
Minor Approach Volume: 47
Minor Approach Volume Threshold: 1099

SIGNAL WARRANT DISCLAIMER

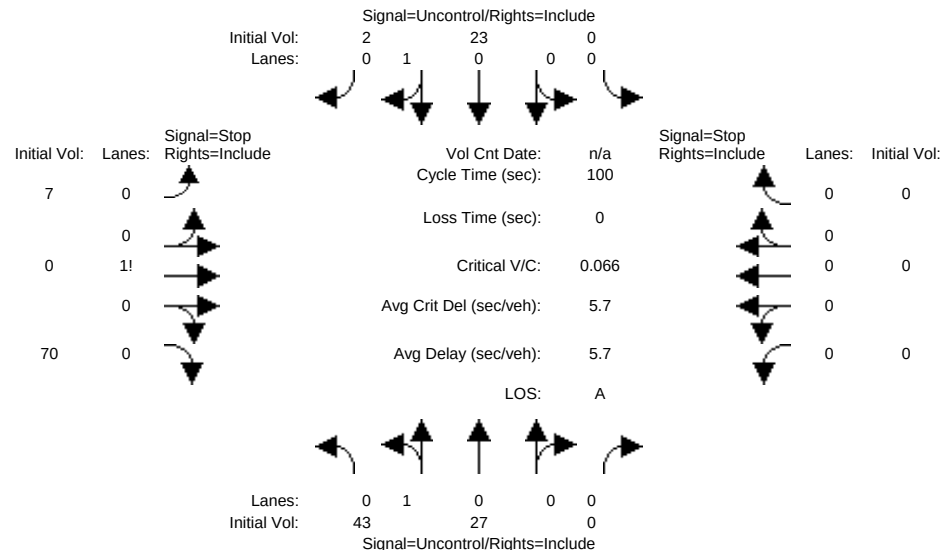
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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Background PM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	43	27	0	0	23	2	7	0	70	0	0	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	43	27	0	0	23	2	7	0	70	0	0	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	43	27	0	0	23	2	7	0	70	0	0	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	43	27	0	0	23	2	7	0	70	0	0	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	43	27	0	0	23	2	7	0	70	0	0	0
Critical Gap Module:												
Critical Gp:	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	6.4	6.5	6.2	xxxxx	xxxx	xxxxx
FollowUpTim:	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	3.5	4.0	3.3	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflct Vol:	25	xxxx	xxxxx	xxxx	xxxx	xxxxx	137	137	24	xxxx	xxxx	xxxxx
Potent Cap.:	1603	xxxx	xxxxx	xxxx	xxxx	xxxxx	861	758	1058	xxxx	xxxx	xxxxx
Move Cap.:	1603	xxxx	xxxxx	xxxx	xxxx	xxxxx	843	737	1058	xxxx	xxxx	xxxxx
Volume/Cap:	0.03	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	0.00	0.07	xxxx	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	0.1	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Control Del:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	A	*	*	*	*	*	*	*	*	*	*	*
Movement:	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1034	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	0.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	0.2	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	8.8	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	A	*	*	*	*	*	*	A	*	*	*	*
ApproachDel:	xxxxxx			xxxxxx			8.8			xxxxxx		
ApproachLOS:	*			*			A			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	43 27 0	0 23 2	7 0 70	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.8	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.2]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=77]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=172]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1! 0 0	0 0 0 0 0
Initial Vol:	43 27 0	0 23 2	7 0 70	0 0 0 0

Major Street Volume: 95
Minor Approach Volume: 77
Minor Approach Volume Threshold: 847

SIGNAL WARRANT DISCLAIMER

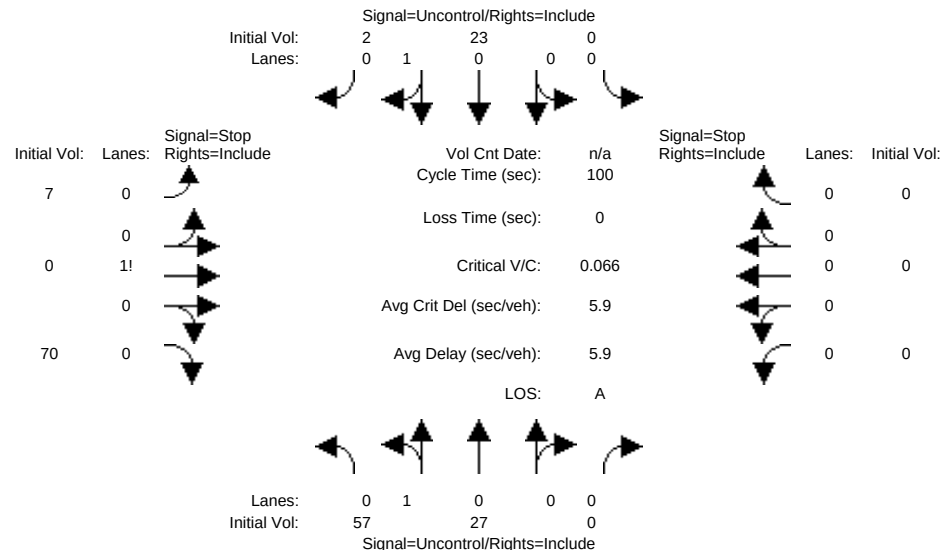
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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Background + Project PM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	57	27	0	0	23	2	7	0	70	0	0	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	57	27	0	0	23	2	7	0	70	0	0	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	57	27	0	0	23	2	7	0	70	0	0	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	57	27	0	0	23	2	7	0	70	0	0	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	57	27	0	0	23	2	7	0	70	0	0	0
Critical Gap Module:												
Critical Gp:	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	6.4	6.5	6.2	xxxxx	xxxx	xxxxx
FollowUpTim:	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx	3.5	4.0	3.3	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflct Vol:	25	xxxx	xxxxx	xxxx	xxxx	xxxxx	165	165	24	xxxx	xxxx	xxxxx
Potent Cap.:	1603	xxxx	xxxxx	xxxx	xxxx	xxxxx	830	731	1058	xxxx	xxxx	xxxxx
Move Cap.:	1603	xxxx	xxxxx	xxxx	xxxx	xxxxx	807	704	1058	xxxx	xxxx	xxxxx
Volume/Cap:	0.04	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	0.00	0.07	xxxx	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	0.1	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Control Del:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	A	*	*	*	*	*	*	*	*	*	*	*
Movement:	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT	LT - LTR - RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1029	xxxxx	xxxx	xxxx	xxxxx
Shared Queue:	0.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	0.2	xxxxx	xxxxx	xxxx	xxxxx
Shrd ConDel:	7.3	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	8.8	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	A	*	*	*	*	*	*	A	*	*	*	*
ApproachDel:	xxxxxx			xxxxxx			8.8			xxxxxx		
ApproachLOS:	*			*			A			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Uncontrolled				Uncontrolled				Stop Sign				Stop Sign							
Lanes:	0	1	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0
Initial Vol:	57		27		0	0		23		2	7		0		70	0		0		0
ApproachDel:	xxxxxx				xxxxxx				8.8				xxxxxx							

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.2]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=77]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=186]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Uncontrolled				Uncontrolled				Stop Sign				Stop Sign							
Lanes:	0	1	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0
Initial Vol:	57		27		0	0		23		2	7		0		70	0		0		0
Major Street Volume:					109															
Minor Approach Volume:					77															
Minor Approach Volume Threshold:					811															

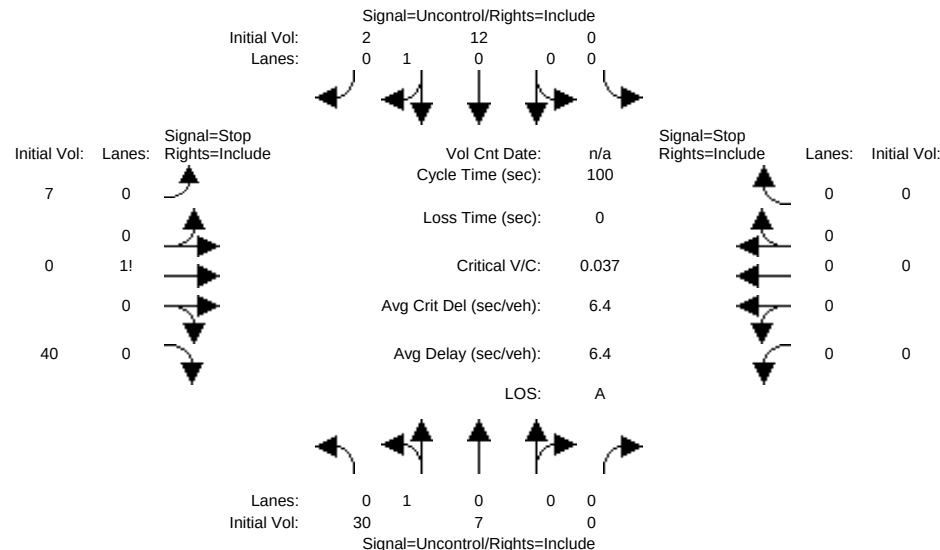
SIGNAL WARRANT DISCLAIMER

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Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Existing+Project PM

Intersection #2: LUNDY/TAROB CT



Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
----- ----- ----- ----- -----																				
Volume Module:																				
Base Vol:	30		7		0	0		12		2	7		0		40	0		0		0
Growth Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
Initial Bse:	30		7		0	0		12		2	7		0		40	0		0		0
Added Vol:	0		0		0	0		0		0	0		0		0	0		0		0
PasserByVol:	0		0		0	0		0		0	0		0		0	0		0		0
Initial Fut:	30		7		0	0		12		2	7		0		40	0		0		0
User Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Volume:	30		7		0	0		12		2	7		0		40	0		0		0
Reduct Vol:	0		0		0	0		0		0	0		0		0	0		0		0
FinalVolume:	30		7		0	0		12		2	7		0		40	0		0		0
----- ----- ----- ----- -----																				
Critical Gap Module:																				
Critical Gp:	4.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				6.4	6.5	6.2	xxxxx	xxxx	xxxxx				
FollowUpTim:	2.2	xxxx	xxxxx		xxxxx	xxxx	xxxxx				3.5	4.0	3.3	xxxxx	xxxx	xxxxx				
----- ----- ----- ----- -----																				
Capacity Module:																				
Cnflct Vol:	14	xxxx	xxxxx		xxxx	xxxx	xxxxx				80	80	13	xxxx	xxxx	xxxxx				
Potent Cap.:	1617	xxxx	xxxxx		xxxx	xxxx	xxxxx				927	814	1073	xxxx	xxxx	xxxxx				
Move Cap.:	1617	xxxx	xxxxx		xxxx	xxxx	xxxxx				914	799	1073	xxxx	xxxx	xxxxx				
Volume/Cap:	0.02	xxxx	xxxx		xxxx	xxxx	xxxx				0.01	0.00	0.04	xxxx	xxxx	xxxx				
----- ----- ----- ----- -----																				
Level Of Service Module:																				
2Way95thQ:	0.1	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx				
Control Del:	7.3	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx				
LOS by Move:	A	*	*		*	*	*				*	*	*	*	*	*				*
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	xxxx	xxxxx		xxxx	xxxx	xxxxx				xxxx	1046	xxxxx	xxxx	xxxx	xxxxx				
SharedQueue:	0.1	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx				
Shrd ConDel:	7.3	xxxx	xxxxx		xxxxx	xxxx	xxxxx				xxxxx	8.6	xxxxx	xxxxx	xxxx	xxxxx				
Shared LOS:	A	*	*		*	*	*				*	A	*	*	*	*				*
ApproachDel:	xxxxxx										8.6					xxxxxx				
ApproachLOS:	*						*				A				*					*

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1 0 0	0 0 0 0 0
Initial Vol:	30 7 0	0 12 2	7 0 40	0 0 0 0
ApproachDel:	xxxxxx	xxxxxx	8.6	xxxxxx

Approach[eastbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.1]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=47]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=98]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 LUNDY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Uncontrolled	Uncontrolled	Stop Sign	Stop Sign
Lanes:	0 1 0 0 0	0 0 0 1 0	0 0 1 0 0	0 0 0 0 0
Initial Vol:	30 7 0	0 12 2	7 0 40	0 0 0 0

Major Street Volume: 51
Minor Approach Volume: 47
Minor Approach Volume Threshold: 1013

SIGNAL WARRANT DISCLAIMER

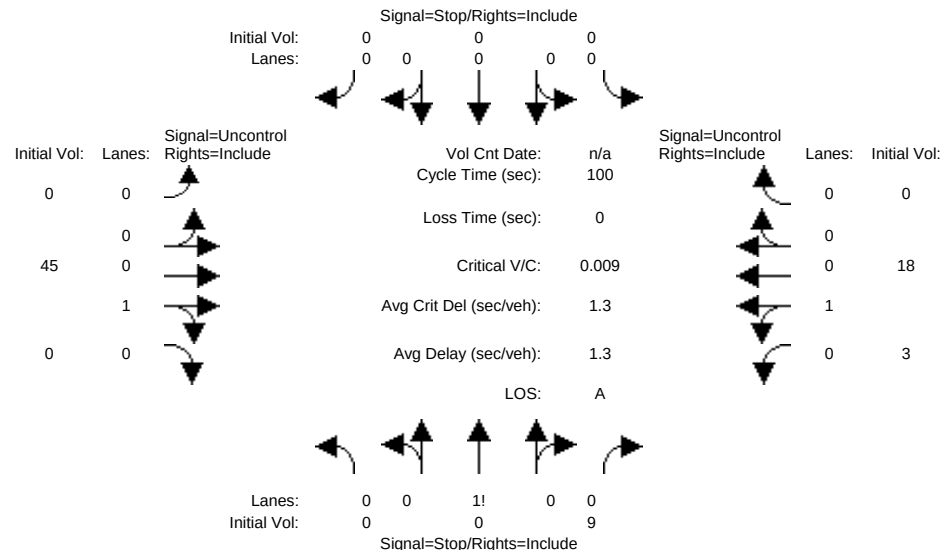
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2001 Tarob Court

Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Existing PM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	9	0	0	0	0	45	0	3	18	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	9	0	0	0	0	45	0	3	18	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	9	0	0	0	0	45	0	3	18	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	9	0	0	0	0	45	0	3	18	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
FinalVolume:	0	0	9	0	0	0	0	45	0	3	18	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	45	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	45	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	1031	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1576	xxxx	xxxx
Move Cap.:	xxxx	xxxx	1031	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1576	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.00	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.5	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
SharedQueue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.3	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.5			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	0	45	0	0	0	3	18	0	0
ApproachDel:	8.5					xxxxxx					xxxxxx					xxxxxx				

-----|-----|-----|-----|-----|

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=9]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=75]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	0	45	0	0	0	3	18	0	0

-----|-----|-----|-----|-----|

Major Street Volume: 66
Minor Approach Volume: 9
Minor Approach Volume Threshold: 944

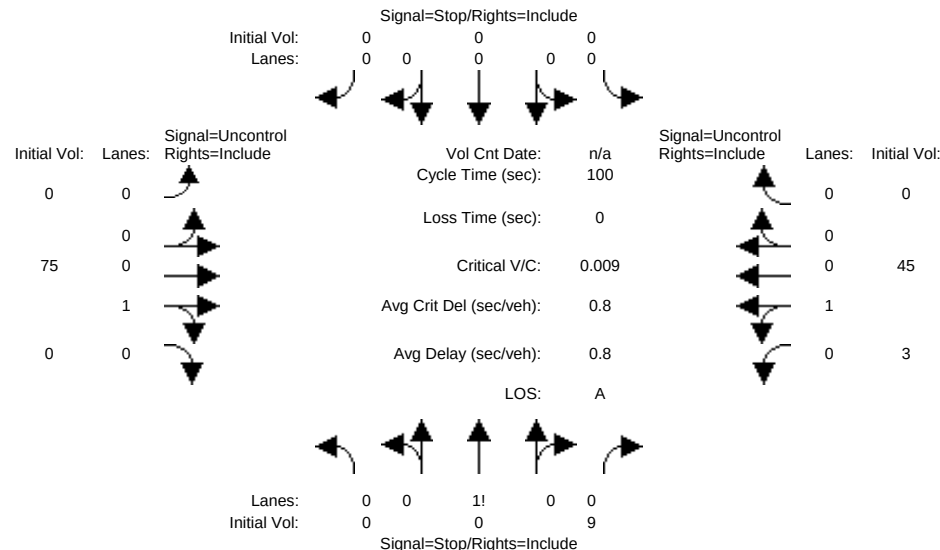
SIGNAL WARRANT DISCLAIMER

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Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Background PM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
----- ----- ----- ----- -----																				
Volume Module:																				
Base Vol:	0		0		9	0		0		0	0		75		0	3		45		0
Growth Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
Initial Bse:	0		0		9	0		0		0	0		75		0	3		45		0
Added Vol:	0		0		0	0		0		0	0		0		0	0		0		0
PasserByVol:	0		0		0	0		0		0	0		0		0	0		0		0
Initial Fut:	0		0		9	0		0		0	0		75		0	3		45		0
User Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Adj:	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00	1.00		1.00		1.00
PHF Volume:	0		0		9	0		0		0	0		75		0	3		45		0
Reduct Vol:	0		0		0	0		0		0	0		0		0	0		0		0
FinalVolume:	0		0		9	0		0		0	0		75		0	3		45		0
----- ----- ----- ----- -----																				
Critical Gap Module:																				
Critical Gp:	xxxxx		xxxx		6.2	xxxxx		xxxx		xxxxx	xxxxx		xxxx		xxxxx	4.1		xxxx		xxxxxx
FollowUpTim:	xxxxxx		xxxx		3.3	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	2.2		xxxx		xxxxxx
----- ----- ----- ----- -----																				
Capacity Module:																				
Cnflct Vol:	xxxx		xxxx		75	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	75		xxxx		xxxxxx
Potent Cap.:	xxxx		xxxx		992	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	1537		xxxx		xxxxxx
Move Cap.:	xxxx		xxxx		992	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	1537		xxxx		xxxxxx
Volume/Cap:	xxxx		xxxx		0.01	xxxx		xxxx		xxxx	xxxx		xxxx		xxxx	0.00		xxxx		xxxx
----- ----- ----- ----- -----																				
Level Of Service Module:																				
2Way95thQ:	xxxx		xxxx		0.0	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	0.0		xxxx		xxxxxx
Control Del:	xxxxx		xxxx		8.7	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	7.3		xxxx		xxxxxx
LOS by Move:	*		*		A	*		*		*	*		*		*	A		*		*
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx	xxxx		xxxx		xxxxxx
SharedQueue:	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	0.0		xxxx		xxxxxx
Shrd ConDel:	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	xxxxxx		xxxx		xxxxxx	7.3		xxxx		xxxxxx
Shared LOS:	*		*		*	*		*		*	*		*		*	A		*		*
ApproachDel:			8.7					xxxxxxx					xxxxxxx					xxxxxxx		
ApproachLOS:			A					*				*			*			*		*

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----| |-----| |-----|

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign				Stop Sign				Uncontrolled				Uncontrolled							
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	75	0	0	0	3	45	0	0	0
ApproachDel:	8.7				xxxxxx				xxxxxx				xxxxxx							

-----|-----|-----|-----|-----|

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=9]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=132]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound				South Bound				East Bound				West Bound							
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign				Stop Sign				Uncontrolled				Uncontrolled							
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	75	0	0	0	3	45	0	0	0

-----|-----|-----|-----|-----|

Major Street Volume: 123

Minor Approach Volume: 9

Minor Approach Volume Threshold: 778

SIGNAL WARRANT DISCLAIMER

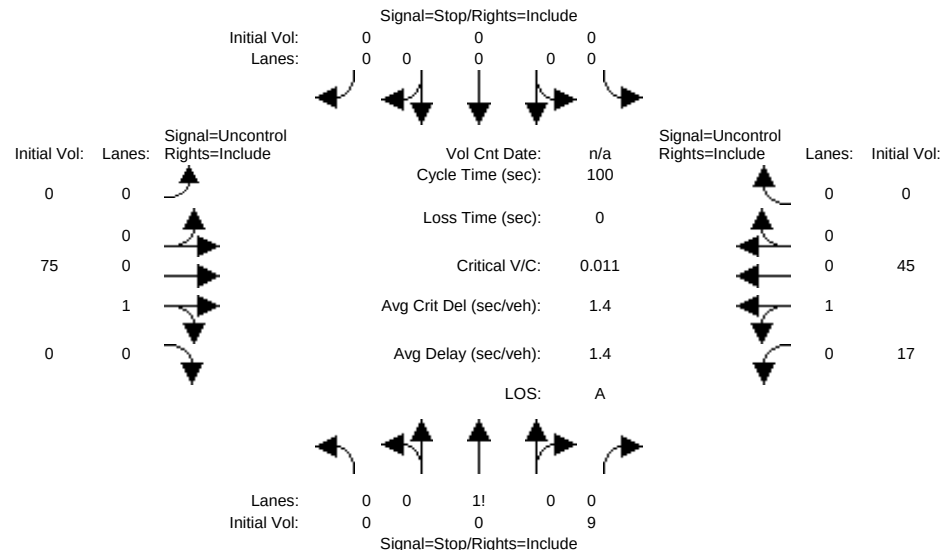
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2001 Tarob Court

Level Of Service Computation Report
 2000 HCM Unsignalized (Future Volume Alternative)
 Background + Project PM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	9	0	0	0	0	75	0	17	45	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	9	0	0	0	0	75	0	17	45	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	9	0	0	0	0	75	0	17	45	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	9	0	0	0	0	75	0	17	45	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	9	0	0	0	0	75	0	17	45	0
Critical Gap Module:												
Critical Gp:	xxxx	xxxx	6.2	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	4.1	xxxx	xxxx
FollowUpTim:	xxxx	xxxx	3.3	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	2.2	xxxx	xxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	75	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	75	xxxx	xxxx
Potent Cap.:	xxxx	xxxx	992	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1537	xxxx	xxxx
Move Cap.:	xxxx	xxxx	992	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	1537	xxxx	xxxx
Volume/Cap:	xxxx	xxxx	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Control Del:	xxxx	xxxx	8.7	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.4	xxxx	xxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Shared Queue:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.0	xxxx	xxxx
Shrd ConDel:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	7.4	xxxx	xxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.7			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	75	0	0	0	17	45	0	0	
ApproachDel:	8.7					xxxxxx					xxxxxx					xxxxxx				

-----|-----|-----|-----|-----|

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=9]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=146]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound					South Bound					East Bound					West Bound				
Movement:	L - T - R					L - T - R					L - T - R					L - T - R				
Control:	Stop Sign					Stop Sign					Uncontrolled					Uncontrolled				
Lanes:	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0
Initial Vol:	0	0	0	0	9	0	0	0	0	0	0	75	0	0	0	17	45	0	0	
Major Street Volume:	137																			
Minor Approach Volume:	9																			
Minor Approach Volume Threshold:	750																			

SIGNAL WARRANT DISCLAIMER

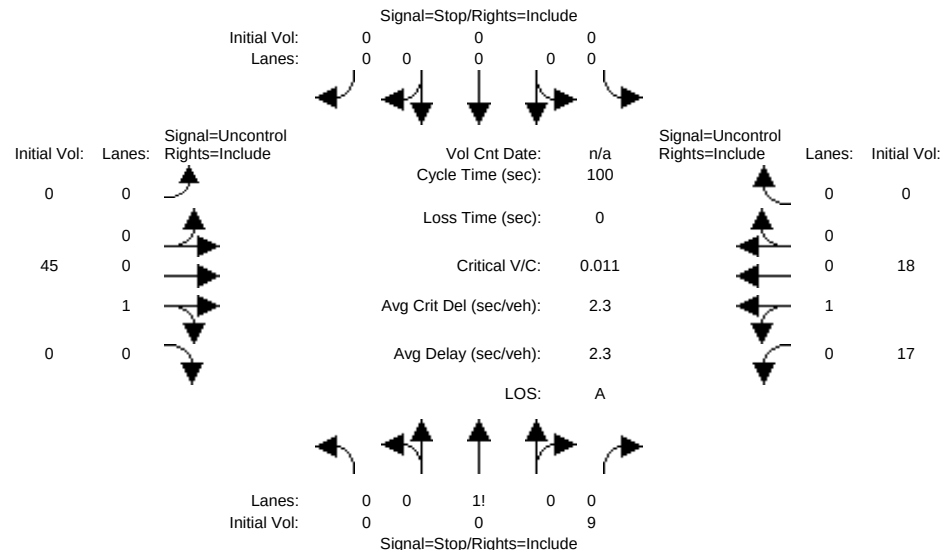
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2001 Tarob Court

Level Of Service Computation Report
2000 HCM Unsignalized (Future Volume Alternative)
Existing+Project PM

Intersection #3: PROJECT DRWY/TAROB CT



Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Volume Module:												
Base Vol:	0	0	9	0	0	0	0	45	0	17	18	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	9	0	0	0	0	45	0	17	18	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	9	0	0	0	0	45	0	17	18	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	9	0	0	0	0	45	0	17	18	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Volume:	0	0	9	0	0	0	0	45	0	17	18	0
Critical Gap Module:												
Critical Gp:	xxxxx	xxxx	6.2	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	4.1	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	3.3	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	2.2	xxxx	xxxxx
Capacity Module:												
Cnflct Vol:	xxxx	xxxx	45	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	45	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	1031	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	1576	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	1031	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	1576	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	0.01	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.01	xxxx	xxxx
Level Of Service Module:												
2Way95thQ:	xxxx	xxxx	0.0	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	0.0	xxxx	xxxxx
Control Del:	xxxxx	xxxx	8.5	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	7.3	xxxx	xxxxx
LOS by Move:	*	*	A	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Shared Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.0	xxxx	xxxxx
Shrd ConDel:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	7.3	xxxx	xxxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	A	*	*
ApproachDel:	8.5			xxxxxx			xxxxxx			xxxxxx		
ApproachLOS:	A			*			*			*		

Note: Queue reported is the number of cars per lane.

Peak Hour Delay Signal Warrant Report

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Stop Sign	Stop Sign	Uncontrolled	Uncontrolled
Lanes:	0 0 0 0 1	0 0 0 0 0	0 0 1 0 0	0 1 0 0 0
Initial Vol:	0 0 0 9	0 0 0 0	0 45 0	17 18 0
ApproachDel:	8.5	xxxxxx	xxxxxx	xxxxxx

-----|-----|-----|-----|-----|

Approach[northbound][lanes=1][control=Stop Sign]

Signal Warrant Rule #1: [vehicle-hours=0.0]

FAIL - Vehicle-hours less than 4 for one lane approach.

Signal Warrant Rule #2: [approach volume=9]

FAIL - Approach volume less than 100 for one lane approach.

Signal Warrant Rule #3: [approach count=3][total volume=89]

FAIL - Total volume less than 650 for intersection
with less than four approaches.

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Peak Hour Volume Signal Warrant Report [Urban]

Intersection #3 PROJECT DRWY/TAROB CT

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound	South Bound	East Bound	West Bound
Movement:	L - T - R	L - T - R	L - T - R	L - T - R
Control:	Stop Sign	Stop Sign	Uncontrolled	Uncontrolled
Lanes:	0 0 0 0 1	0 0 0 0 0	0 0 1 0 0	0 1 0 0 0
Initial Vol:	0 0 0 9	0 0 0 0	0 45 0	17 18 0

-----|-----|-----|-----|-----|

Major Street Volume: 80

Minor Approach Volume: 9

Minor Approach Volume Threshold: 893

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

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Traffic Signal Warrant



Memorandum

Date: April 28, 2021

To: Leah Beniston, Vice President–Entitlements, TTLC Tarob 4, LLC

From: Jason Brandman, Vice President/Director and Phil Ault, Senior Project Manager

Subject: Qualitative Consistency Analysis Summary for the 2001 Tarob Court Project

INTRODUCTION

This memorandum provides a qualitative California Environmental Quality Act (“CEQA”) consistency analysis summary for a 32-unit residential development project (Project) proposed by The True Life Companies (Applicant or TTLC) on a 1.22-acre site located at 2001 Tarob Court (Project Site). The Project Site is located within the planning area for the Milpitas Transit Area Specific Plan (TASP) and is designated as High-Density Transit Oriented Residential (HD-TOR) in both the Milpitas General Plan and the TASP. The Project Site is currently developed with industrial office use. Residential development on the Project Site has been evaluated in previous environmental documents associated with the TASP and a previously approved project on the Project Site, as explained below.

Environmental impacts associated with the implementation of the TASP were evaluated in the Final Environmental Impact Report (TASP EIR) certified in 2008, which included analysis of development of 7,100 units of residential development and 18,000 new residents as relevant to TTLC’s proposed Project. In 2017, TTLC obtained approval from the City of Milpitas (City) of a General Plan Amendment and TASP Amendment modifying the site from Industrial Park (INP) to HD-TOR, and a Zoning Amendment to rezone the Project Site from Industrial Park with Transit Oriented Development Overlay (MP-TOD) to Multiple Family, High Density with Transit Oriented Development Overlay (R3-TOD). The City evaluated the potential environmental impacts associated with the General Plan amendment and TASP Amendment through an Addendum to the 2008 TASP EIR.

In September 2019, TTLC obtained approval of a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment for the development of a 40-unit residential condominium building on the Project Site (2019 Approved Project). The 2019 Project was analyzed for consistency with the TASP EIR, including the 2017 Addendum. LSA Associates prepared a June 2019 Exemption Memo in addition to an Environmental Checklist pursuant to CEQA Guidelines section 15168 documenting the City’s analysis. Based on this analysis, the City approved an Addendum to the TASP EIR for the 2019 Project and also stated as an independent basis for compliance with CEQA, that the 2019 Approved Project was exempt from CEQA review pursuant to Guidelines Section 15182 (Project

Consistent with a Specific Plan), 15183 (Project Consistent with the General Plan), and 15168 (Projects Consistent with a Program EIR).

The current 32-unit Project proposed by TTLC is very similar to the 2019 Approved Project, as summarized in the next section. In order to assess the proposed Project's CEQA impacts, FCS reviewed the TASP EIR, 2017 Addendum, as well as the 2019 Exemption Memo and Environmental Checklist prepared by LSA Associates. This memorandum provides a qualitative consistency analysis confirming that the proposed Project is still within the scope of the TASP EIR, including the 2017 Addenda to the TASP EIR, and the proposed Project will not have any new significant or more severe impacts beyond what was previously identified and evaluated for the 2019 Approved Project.

PROPOSED PROJECT

The Project proposes to develop 32 townhomes consisting of two buildings ranging from 3-4 stories in height with 4, 2-bedroom 2-bath units 1,854 gross square feet in size, 12, 3-bedroom 2-bath units ranging from 1,888 to 1,916 gross square feet, and 16, 3-bedroom, 3-bath units ranging from 2,090 to 2,354 gross square feet. All units will have a tandem 2-car garage. The Project will also provide 9 guest spaces, 10 public bicycle parking spaces, 2 electric vehicle charging spaces, and 2 ADA parking spaces. The Project will gain ingress and egress from both Tarob Court and Lundy Place via both existing driveway curb cuts. The Project Site is approximately 1.2 acres and is currently developed with an industrial office building that is currently in use. The project site is located within a light industrial area of Milpitas that is predominantly developed with commercial office parks and other buildings for industrial and commercial uses with Tarob Court to the north, Lundy Place to the east, and commercial and light industrial land uses to the west and south. The Project site is designated Multi-Family Residential High Density (MFH) Within the City's General Plan.

PROJECT CHANGES

The design changes that are now proposed as part of the Project are summarized in Table 1. The table provides a comparison of the 2019 Approved Project (as analyzed under the Environmental Checklist and Exemption Memo prepared by LSA Associates in June 2019) and the current proposed Project.

Table 1: Project Changes Comparison

Project Component	2019 Approved Project	Current Proposed Project
No. Residential Units	40 condo units	32 attached townhomes
Density (Units/Acre)	31.25 du/ac	25 du/ac
Total Gross Square Footage	92,762 sq. ft.	65,736 sq. ft.
Access	One driveway off Tarob Court	Two driveways—one off Tarob Court and one off Lundy Place
Storm Drain	Off-site storm drain replacement	Not Provided

CONSISTENCY ANALYSIS SUMMARY

This qualitative consistency analysis summary confirms that the proposed Project is still within the scope of the TASP EIR, including the 2017 Addendum, and will not have any new significant or more severe impacts beyond what was identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist prepared by LSA Associates.

Aesthetics

Scenic Vistas

The proposed Project is not located within a scenic viewshed or along a State Scenic Highway or other scenic highway. While intermittent views of the Milpitas foothills to the northeast are available from the Project Site, no on-site parks or open spaces have views of the foothills. The proposed Project would comply with the TASP policies and design standards; therefore, it would neither result in new significant impacts nor substantially increase the severity of impacts related to scenic vistas beyond what was previously identified and analyzed in the TASP EIR, 2017 Addendum to the TASP EIR, and 2019 LSA Exemption Memo and Environmental Checklist.

Scenic Resources

There are no scenic resources located on the Project Site. Therefore, the impacts associated with the proposed Project would not result in new significant impacts to scenic resources or substantially increase the severity of those impacts beyond what was previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Visual Character

The TASP allows buildings in the R3-TOD district up to 75 feet in height and requires a density of 21-40 dwelling units per acre. The proposed Project would include construction of a four-story building that would be approximately 55 feet in height with a density of approximately 25 dwelling units per acre. Therefore, the proposed Project would meet the building height limits and density standards set in the TASP design standards and would not conflict with zoning or other regulations governing scenic quality. Hence, the proposed Project would not result in new significant impacts or increase the severity of impacts to visual character beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Light and Glare

To minimize potential light and glare impacts, the proposed Project would implement and be consistent with TASP development standards that address street and outdoor lighting. Therefore, the proposed Project would not create significant impacts or increase the severity of impacts related to light and glare beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Agriculture and Forestry Resources

The project site is located within the TASP Area, is not used for agriculture, thus, the proposed Project would have no impacts on agriculture or forestry resources. Therefore, the proposed Project would neither result in new significant impacts nor substantially increase the severity of impacts related to agriculture and forestry resources beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Air Quality

Clean Air Act

Since April 19, 2017, the City has been required to adhere to the Bay Area Air Quality Management District's (BAAQMD's) current Clean Air Plan. The proposed Project would adhere to the Clean Air Plan and would not substantially increase population, vehicle trips or VMT. The proposed Project would implement the TASP measures, including provision of continuous pedestrian sidewalks and safe bike routes, encouragement of walking to nearby destinations, and provision of incentives for alternate modes of transportation. The proposed Project would decrease the number of proposed dwelling units compared to the 2019 Approved Project, resulting in a slight decrease in overall project emissions. Therefore, the proposed Project would not result in new significant or more severe impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Regional Air Pollutant Emissions

The proposed Project would still result in redevelopment of the site with new residential uses. The new uses would result in mobile air quality impacts from increased vehicle trips to and from the Project Site and air quality impacts such as emissions generated from the use of landscaping equipment and consumer products. Emission estimates for operation of the 2019 Approved Project indicated that the proposed Project would not exceed the significance criteria for annual ROG, NO₂, PM₁₀, or PM_{2.5} emissions. Since the proposed Project would involve fewer dwelling units and an estimated slight decrease in average daily trips, buildout of the proposed Project would not result in new significant or more severe impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Construction Related Impacts

Construction emissions were analyzed for the 2019 Approved Project and were shown to be less than significant for ROG, NO₂, PM₁₀, or PM_{2.5} emissions. Therefore, construction of the proposed Project would result in similar construction-related, short-term air quality impacts as those impacts identified in the TASP EIR. The proposed Project would implement the BAAQMD's Basic Construction Mitigation Measures, reducing construction fugitive dust impacts to a less-than-significant level. Therefore, the proposed Project would not result in any new significant or more severe construction-related air quality impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Localized Carbon Monoxide Impacts

The proposed Project would decrease the number of proposed dwelling units and would therefore result in an estimated slight decrease in average daily vehicle trips. Therefore, proposed Project would not result in new significant or more severe impacts related to localized carbon monoxide than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Local Community Risk and Hazard Impacts to Sensitive Receptors

Similar to the 2019 Approved Project, none of the changes associated with the proposed Project would include additional TAC sources on the Project Site. Therefore, implementation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations.

Objectionable Odors

Implementation of the changes associated with the proposed Project would not include any activities or operations that would generate objectionable odors and, once operational, the Project would not be a source of odors affecting a substantial number of people. The proposed Project would not result in any new significant or more severe odor impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Biological Resources

Currently, the Project site is developed with light industrial and commercial uses. With implementation of TASP Policy 5.26, buildout of the 2019 Approved Project was shown to not result in impacts related to protected plants and wildlife and would not create impacts related to riparian habitat that are new or more significant than those analyzed in the TASP EIR. With implementation of TASP Policy 5.29, requiring setbacks from creeks to be a minimum of 25 feet from the top of a bank, the 2019 Approved Project was shown to not create impacts related to wetlands that are new or more significant than those analyzed in the TASP EIR. With implementation of TASP Policy 5.27, requiring a qualified biologist to conduct a survey that would be appropriate according to the U.S. Fish and Wildlife Service, the 2019 Approved Project was shown to not create any impacts related to migrating wildlife. The analysis also identified that the 2019 Approved Project would result in the removal of trees on the project site and the planting of approximately 40 new trees.

The proposed Project would be constructed on the same footprint and with the same impacts as the 2019 Approved Project. Moreover, the proposed Project would comply with all the same policies and measures of the TASP EIR and, therefore, would not create any new significant or more severe impacts related to biological resources than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Cultural Resources

The proposed Project would be constructed on the same footprint and with the same impacts as the 2019 Approved Project. The proposed Project would implement Policy 5.34 from TASP, and therefore, the Project would not lead to any new or more severe impacts to archaeological resources that would occur beyond those already identified in the TASP EIR and Addenda. In addition, the proposed Project would still report any discovery of human remains on the Project Site according to Sections 21083.2 and 21084.1 of the Public Resources Code and would therefore not result in any new significant or more severe cultural resource impacts beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Energy

The proposed Project would decrease the number of proposed dwelling units compared to the 2019 Approved Project. Therefore, the proposed Project would result in an estimated slight decrease in overall operational energy consumption. The proposed Project would also result in an estimated slight decrease in average daily vehicle trips compared to the 2019 Approved Project and would therefore result in a slight decrease in gas-related energy consumption. The proposed Project would still implement TASP Policy 3.21 3.22, and 3.33 which would further ensure that operational energy use of the project would be reduced to less than significant levels. In addition, the proposed Project would still be constructed to CALGreen standards, which would help to reduce energy and natural gas consumption. The Project would not result in wasteful, inefficient or unnecessary consumption of energy resources during construction or operation; therefore, no new significant or more severe impacts related to energy efficiency would occur beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Geology and Soils

Similar to the 2019 Approved Project, the proposed Project would still comply with the General Plan Policies and TASP Policies related to geological and soil impacts. The TASP EIR adequately evaluated the potential impacts related to geology and soils resulting from the 2019 Approved Project. The proposed Project would be constructed on the same footprint as the 2019 Approved Project. Therefore, implementation of the proposed Project would result in no new significant or more severe geological or soil resource impacts beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Greenhouse Gas Emissions

Greenhouse gas (GHG) emissions for the 2019 Approved Project were calculated using CALEEMOD. The results showed that the 2019 Approved Project would not exceed the BAAQMD threshold. The proposed Project would decrease the number of proposed dwelling units and would result in an estimated slight decrease in average daily vehicle trips compared to the 2019 Approved Project. Therefore, implementation of the proposed Project would not result in new significant or more severe impacts related to GHG emissions beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Hazards and Hazardous Materials

The previous analysis for the 2019 Approved Project demonstrated that compliance with TASP policies regarding release of hazardous materials and risk of upset, emissions of hazardous materials near a school, and clean-up of hazardous materials at the project site would reduce any impact relating to hazardous materials to less than significant levels. No mitigation was required for aviation hazards, emergency response or evacuation plan, wildfires, or the transport, use, storage, or disposal of hazardous materials.

However, the Tier 1 Environmental Screening Levels (ESLs) were revised in 2019, which resulted in lower screening levels. The benzene concentrations previously detected in the soil, soil vapor, and ground water are above the revised Tier 1 ESLs. It is understood that the applicant desires to enter into an oversight agreement with Santa Clara County Department of Environmental Health (DEH) for further Site assessment work and to evaluate what, if any, soil vapor mitigation measures are required. The applicant will coordinate initial agency oversight activities with the DEH to move to a Phase 2 Site Management Plan. These activities also include completion of the *Application for Regulatory Oversight* form and submittal of all applicable reports to the DEH. The DEH will issue a Remedial Action Agreement after their scoping meeting with the applicant. Once the applicant has executed this agreement, the DEH will issue a directive letter stating what next steps are required for further assessment. With implementation of this Remedial Action Agreement, potential Tier 1 impacts would be reduced to less than significant and the proposed Project would not result in any new significant or more severe hazards or hazardous materials impacts beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Hydrology and Water Quality

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, similar to the previous findings for the 2019 Approved Project, compliance with required state and local regulation and implementation of mitigation regarding stormwater and dewatering during construction and operational use would ensure the proposed Project would not result in any new significant impacts and would not substantially increase the severity of impacts than those identified in the 2019 environmental checklist and the TASP EIR. The operation of the proposed Project would also not involve dewatering or the use of groundwater as potable water, therefore, the buildout of the proposed Project would not result in new significant impacts to groundwater resources or substantially increase the severity of impacts than those identified in the 2019 environmental checklist and the TASP EIR. The proposed Project is not located within a dam failure inundation area and is protected from flooding by a levee along Berryessa Creek northeast of the project. The implementation of the General Plan Policies 4d-G-1 and 4.d-I-1 and TASP Policies 5.33, 5.34, and 6.1 through 6.5, would ensure that long-term water quality impacts would not be significant. The proposed Project would also not result in new significant impacts related to flooding or inundation by seiche, tsunami, or mudflow or substantially increase the severity of impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Land Use and Planning

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, similar to the previous findings for the 2019 Approved Project, the buildout of the proposed Project would not inhibit public connectivity, and would not physically divide a community; therefore, the impact regarding dividing an established community would be less than significant. The proposed project would be consistent with the existing land use and zoning designations of the project site. In addition, the development associated with the proposed Project is within the amount of growth evaluated and cleared within the TASP EIR and is compatible with existing and future residential uses in the vicinity of the Project Site; therefore, the density and intensity of the proposed Project would not result in any new significant or more severe impacts regarding conformance with land use plans and those already identified in the TASP EIR and Addenda. The proposed Project would conform to the TASP policies as well as the development standards provided in Chapter 5 of the TASP. Therefore, the proposed Project would not conflict with the establishment of planned land uses, would include land uses addressed by the TASP and would not result in any new significant or more severe land use compatibility impacts than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Mineral Resources

The entire TASP Area, including the Project Site, is in a developed urban area that does not have mineral exploration or extraction occurring in the vicinity. In addition, the TASP Area is not designated as containing mineral resource deposits of regional importance. The proposed Project lies within the TASP area boundaries, and therefore, the proposed Project would have no impacts on mineral resources previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Noise

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, similar to the previous findings for the 2019 Approved Project, the proposed Project would not result in any new significant or more severe construction-period noise impacts, ground vibration noise impacts, land use compatibility stationary noise source impacts, aircraft noise craft, or traffic noise impacts with implementation of the General Plan and TASP policies previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Population and Housing

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, similar to the previous findings for the 2019 Approved Project, the proposed Project would not result in the displacement of a residential population, the expansion of urban services, or the opening of additional undeveloped land for future growth. Therefore, the proposed Project would not result in new significant or more severe population growth and/or housing impacts than previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Public Services

The proposed Project would follow policies that would reduce Fire and Police Department impacts due to TASP development to less-than-significant levels. The proposed Project would develop 8 fewer dwelling units as the 2019 Approved Project and would therefore not affect the conclusions of the TASP EIR as the number of proposed residential units and resulting students is still within the amount evaluated in the TASP EIR. The proposed Project would also not result in any new significant or more severe impacts to fire or police protection services, school impacts, or impacts on park facilities than those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Recreation

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, the proposed Project would not result in any new significant or more severe impacts to existing neighborhood or regional park facilities beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Transportation/Traffic

The proposed Project would develop 8 fewer dwelling units than the 2019 Approved Project, resulting in an anticipated slight reduction in average daily vehicle trips. Furthermore, the project would improve site access by including an additional EVA only access from Lundy Place. Further analysis is not required, because trip generation less than 100 peak hour trips, per the Valley Transportation Authority Congestion Management Program Transportation Impact Analysis Guidelines and the previous Hexagon report identified the proposed Project would not result in any level of service impacts or queuing storage deficiencies at the study intersections, and impacts to pedestrian, bicycle, or transit facilities. Therefore, the proposed Project would not result in any new significant more severe impacts beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist in regard to site circulation and access, pedestrian, bicycle, and transit facilities. The proposed Project would not be in conflict or be inconsistent with CEQA Guidelines section 15064.3.

Tribal Cultural Resources

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, the proposed Project would not result in any new significant or more severe impacts to tribal cultural resources beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

Utilities and Service Systems

The previous project included an off-site storm drain improvement within the City easement on the 1951 Tarob Court property. No deficiencies have been identified in this line; therefore, the proposed project is not providing the off-site storm drain improvement.

The proposed Project would be constructed on the same footprint and would develop 8 fewer dwelling units as the 2019 Approved Project. Therefore, the proposed Project is within the level of development evaluated in the TASP EIR, it would not result in any new significant or more severe impacts related to wastewater capacity and infrastructure than those identified in the 2019 environmental checklist and the TASP EIR. The proposed project would include the installation of new storm drain line on the project site and would connect to the existing 12-inch municipal storm drain located at the northwest corner of the project site. Therefore, no new significant or more severe impacts beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist would result from the project regarding water supply or solid waste.

Wildfire

The proposed Project would be constructed on the same footprint as the 2019 Approved Project. The Hazards and Hazardous Materials section of the TASP EIR determined that there were no Very High Hazard Severity Zones within the TASP Area. In addition, the project site is not located in or near any State responsibility areas. Therefore, the proposed Project would not result in any new significant or more severe impacts related to wildfire hazards beyond those previously identified for the 2019 Approved Project in the Exemption Memo and Environmental Checklist.

SUMMARY

This consistency analysis summary confirms that the proposed Project is still within the scope of the TASP EIR and will have no new significant or more severe impacts beyond those identified in the 2019 environmental checklist and the TASP EIR.



TECHNICAL MEMORANDUM

Date: April 29, 2021

To: Leah Beniston, Vice President-Entitlements
True Life Companies

From: Chris Kinzel, PE, TE
Vice President

Janice Spuller
Project Manager

Subject: **Peer Review- Traffic Operations Report for 2001 Tarob Court, Milpitas, CA and Trip Generation**

INTRODUCTION

This memorandum provides a summary of TJKM's peer review of the *Traffic Operations Report for 2001 Tarob Court, Milpitas, CA*, dated May 28, 2019, prepared by Hexagon Transportation Consultants (Hexagon Report). The Hexagon Report was prepared as part of the California Environmental Quality Act (CEQA) review for a 40-unit residential condominium project previously proposed by The True Life Companies (TTLC) and approved by the City of Milpitas in September 2019 (2019 Project).

TTLC is now proposing a 32-unit Project at 2001 Tarob Court (Project Site) which is very similar to the 2019 Project. The Project Site is located within the planning area for the Milpitas Transit Area Specific Plan (TASP) and is designated as High-Density Transit Oriented Residential (HD-TOR) in both the Milpitas General Plan and the TASP. The Project Site is currently developed with industrial office use. Residential development on the Project Site has been evaluated in previous environmental documents associated with the TASP and the 2019 Project.

In order to assess the currently proposed Project's traffic impacts, TJKM reviewed the Hexagon Report and also undertook additional quantitative trip generation analysis. This memorandum provides a peer review analysis of the Hexagon Report and confirms that the currently proposed Project will not have any new significant or more severe impacts beyond what was previously identified and evaluated for the 2019 Project.

TRAFFIC OPERATIONS REPORT REVIEW

The project description for the 2019 Project, as detailed in the Hexagon Report, proposed to demolish a 16,463 square feet office/industrial building and construct 40 condominium units.

The Hexagon Report is comprehensive, technically supportable, and well written. The trip generation in the Hexagon Report utilized the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition to determine the trips for the multifamily housing, for low-rise (Code 220). For the existing office/industrial building use, Hexagon conducted a.m. and p.m. peak hour driveway counts in May 2019. For office/light-industrial, the driveway counts showed 11 a.m. peak hour trips and 12 p.m. peak hour trips. Based on this information, Hexagon determined the multi-family dwelling units would generate 20 a.m. peak hour trips and 26 p.m. peak hour trips. The 2019 Project, accounting for the existing industrial/office use, would net a total of nine a.m. peak hour trips and 14 p.m. peak hour trips.

TJKM reviewed the trip generation calculation with the current ITE 10th edition and found the trips for the 2019 Project are slightly lower at 18 a.m. peak hour trips and 22 p.m. peak hour trips, with a net total trips of seven a.m. peak hour, and 12 p.m. peak hour trips. This is nominal and should not affect the traffic operations analysis. Besides the slight discrepancy, TJKM is in agreement with the conclusions and recommendations of the report, and there was no significant impact to the study intersections.

NEW PROJECT TRIP GENERATION

Since the Hexagon Report was completed in 2019, TTLC has proposed a slightly revised development plan for the Project Site, changing from the previous 40 condominium units to 32 townhouse style units. TJKM prepared the following trip generation utilizing ITE Code 221 for mid-rise multifamily units. ITE Code 221 is for mid-rise multi-family units, three to five stories high. The previous Hexagon Report used ITE Code 220 for low-rise multi-family units up to two stories high. TJKM compared the use of the ITE Code 110 for General Light Industrial or the Hexagon Report, which conducted on-site driveway counts. TJKM utilized the ITE the driveway count data from the Hexagon Report for the existing use, however, since Daily trip rates were not available, TJKM utilized the ITE Daily Trip rate for industrial uses. **Table 1**, shows the project trip generation.

Table 1 Proposed Trip Generation

Land Use (ITE Code)	Size		Daily		A.M. Peak				P.M. Peak			
			Rate	Trips	Rate	In	Out	Total	Rate	In	Out	Total
Proposed												
Multifamily Housing, Mid-Rise (221)	32	DU	5.44	174	0.36	3	9	12	0.44	9	5	14
Existing												
Industrial/Office*	16.5	ksf	4.96	82		9	2	11		3	9	12
Net Total Trips				92		-6	7	1		6	-4	2

Notes: DU-Dwelling Units, ksf- Thousand Square feet

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

*- ITE Code 110 rate for Daily Trips were used since the Hexagon Report did not have Daily Rates. Driveway counts from the Hexagon Report were used for a.m. and p.m. peak hour.

The currently proposed project, with 32 dwelling units, will net 92 daily trips, one a.m. peak hour trip and two p.m. peak hour trips. **Table 2** shows a comparison of net trip generation between the Hexagon Report for the 2019 Project (with 40 units) and the proposed project (with 32 units). The 2019 Project had 8 more a.m. and 12 more p.m. peak hour trips, as detailed in the Hexagon Report, than the proposed Project. The reduction in trips for the Project is consistent with the reduction in units from the previous 2019 Project.

Table 2 Project Net Trip Generation Comparison

<i>Project Type</i>	<i>Size</i>	<i>Net Daily Trips</i>	<i>Net A.M Peak Hour</i>	<i>Net P.M Peak Hour</i>
Previous Report (2019 Hexagon Study)				
Multifamily Housing, Low Rise (220)	40 DU	N/A	9	14
Proposed Project				
Multifamily Housing, Mid-Rise (221)	32 DU	92	1	2
Difference			8	12

Further transportation analysis of the 32-unit proposed Project is not required, because it is less than 100 peak hour trips, per the Valley Transportation Authority Congestion Management Program Transportation Impact Analysis Guidelines. In addition, the Hexagon Report identified the 2019 Project would not result in any level of service (LOS) impacts or queuing storage deficiencies at the study intersections, and impacts to pedestrian, bicycle, or transit facilities. Because the proposed Project will generate fewer trips than the 2019 Project, it will also not result in any impacts associated with LOS, queuing, or pedestrian, bicycle, and transit facilities.

MEMORANDUM

DATE: August 4, 2021

To: Lillian VanHua, AICP, Associate Planner, City of Milpitas

FROM: Theresa Wallace, AICP, Principal
Matthew Wiswell, AICP, Planner

SUBJECT: Peer Review of the Qualitative Consistency Analysis Summary for the 2001 Tarob Court Project

The purpose of this peer review is to determine whether the Qualitative Consistency Analysis Summary for the 2001 Tarob Court Project (Consistency Analysis) prepared by First Carbon Solutions dated April 28, 2021 meets the requirements of the California Environmental Quality Act (CEQA). The Consistency Analysis was prepared by First Carbon Solutions under contract with TTLT Tarob 4, LLC, the project applicant for the proposed 2001 Tarob Court Project (proposed project). The City of Milpitas (City) is the Lead Agency.

Based on LSA's review, the Consistency Analysis generally meets the requirements of CEQA and employs sound methods and analysis to develop its conclusions. LSA concurs with the finding that the proposed project is still within the scope of the Final Environmental Impact Report prepared for the Milpitas Transit Area Specific Plan (TASP FEIR) and subsequently prepared Categorical Exemption prepared for a previous version of the 2001 Tarob Court Project in June 2019, and would not have any new significant or more severe environmental impacts beyond those that have been previously identified. However, the following comments are provided to ensure that the Consistency Analysis is complete and adequately addresses the requirements of CEQA.

1. The Hazards and Hazardous Materials section on page 7 should include a discussion of the requirements of TASP Policies 5.20, 5.21, and 5.22. While the discussion on page 7 indicates that the project applicant would comply with these policies by coordinating with the Santa Clara County Department of Environmental Health (SCCDEH) and entering into a Remedial Action Agreement, it should be noted that the potential impacts related to Hazards and Hazardous Materials are addressed by existing TASP policies, and that coordination with SCCDEH and the Remedial Action Agreement are not new mitigation.
2. The Transportation/Traffic section on page 9 should incorporate the findings of the Peer Review-Traffic Operations Report for 2001 Tarob Court, Milpitas CA and Trip Generation Technical Memorandum prepared by TJKM dated April 29, 2021. LSA's transportation planning staff have reviewed this report and concur with the findings.



MILPITAS PLANNING COMMISSION STAFF REPORT

October 27, 2021

APPLICATION:

TRUE LIFE TOWNHOMES – 2001 TAROB COURT – P-SD21-0004, P-UP21-0005, P-MT21-0001, P-EA21-0002. A Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements on a 1.22-gross acre site located in the Multi-Family High Density Residential (R3) Zoning District at 2001 Tarob Court. The project is located within the Transit Area Specific Plan (TASP) area and submitted in accordance with California Senate Bill 330 (Housing Crisis Act of 2019).

RECOMMENDATION:

Staff recommends that the Planning Commission open and close the public hearing, consider the consistency memorandums to the Addendum to the TASP EIR and the exemptions in accordance with CEQA, and adopt Resolution No. 21-022, recommending that the City Council approve Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005, Vesting Tentative Map MT21-0001, and Environmental Assessment No. EA19-0007 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height (three to four stories), with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the Conditions of Approval.

PROJECT LOCATION:

Addresses and Assessor's

Parcel Number (APN):

Area of City:

2001 Tarob Court (086-36-034)

Transit Area Specific Plan (TASP): Trade Zone/Montague Subdistrict

PEOPLE:

Project Applicant:

Leah Beniston, Vice President of Entitlements
The True Life Companies, San Ramon, CA

Consultant(s):

Architect: *SDG Architects, Brentwood, CA*
Civil Engineer: *Wood Rogers Engineering, Pleasanton, CA*
Landscape Architect: *R3 Studios, Oakland, CA*

Property Owner: Scott Menard, TTLC Management LLC

Project Planner: Lillian VanHua, AICP, Acting Senior Planner

LAND USE:

General Plan Designation: MMSP Milpitas Metro Specific Plan

Specific Plan Designation: High-Density Transit Oriented Residential (HD-TOD)

Zoning District: Multiple-Family High Density with Transit Oriented Development Overlay (R3-TOD)

ENVIRONMENTAL:

The Project is consistent with the scope of activities approved under the Transit Area Specific Plan Environmental Impact Report (SCH#2006032091), as demonstrated by the peer review memorandum, dated April 28, 2021. The memorandum confirms that the proposed project is still within the scope of the TASP EIR and will have no new significant or more severe impacts beyond those identified in the 2019 Environmental Checklist and the TASP EIR. As a separate and independent basis, the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR), Section 15182 (Residential Projects Pursuant to a Specific Plan), and Section 15183 (Projects Consistent with a Community Plan or Zoning).

EXECUTIVE SUMMARY

The applicant, The True Life Companies, requests a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to allow the development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height, with tandem garages accessed from a central drive aisle, and associated site improvements on a 1.22-acre site located at 2001 Tarob Court in the Trade Zone/Montague Subdistrict of the Transit Area Specific Plan (TASP) area. The application was submitted in accordance with California Senate Bill 330 (Housing Crisis Act of 2019).

The project proposes a total of 32 townhome condominium units, consisting of two buildings ranging from three to four stories in height with two-bedroom and three-bedroom units. All units will have a tandem two-car garage. Five of the 32 units, or fifteen percent (15%) of the base units, will be affordable to moderate-income households in conformance with the City's Affordable Housing Ordinance. By providing the required on-site affordable units, the project qualifies for certain parking waivers under the affordability provisions of the State Density Bonus Law. Specifically, Government Code Section 65915(p)(5) permits eligible housing projects under the State Density Bonus Law to provide onsite parking through tandem parking or uncovered parking.

The proposed project requires approval of three entitlements, as follows:

1. Site Development Permit SD21-0004: To allow the development of two multi-family buildings, ranging from three to four stories in height, with up to 32 residential units on the 1.22-acre site; and

2. Conditional Use Permit UP21-0005: To allow the condominium use; and
3. Vesting Tentative Map MT21-0002: To establish 32 residential condominium spaces and related common areas and to record site easements; and
4. Environmental Assessment EA21-0002: To review and verify an exemption from further environmental review under CEQA.

Staff reviewed the entitlement applications listed above and found them to be in compliance with the policies, standards, and processes outlined in the City of Milpitas 2040 General Plan, Transit Area Specific Plan (Milpitas Metro Specific Plan), Zoning Ordinance, Milpitas Municipal Code (MMC), and the State Density Bonus Law. Although the project is not requesting a density bonus, by providing the minimum number of required affordable housing units, the project qualifies for parking waivers under the State Density Bonus Law. Staff has reviewed the project for consistency with the affordable housing provisions of the State Density Bonus Law. The balance of this report provides specific details regarding each of the requested entitlements.

Staff recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA and adopt Resolution No. 21-022, recommending approval of the Project to the Milpitas City Council, subject to the conditions of approval included in as Exhibit 1 within the above-referenced resolution.

BACKGROUND

History

The project site is currently occupied by a 16,200-square foot light industrial office building. The site was originally developed in the 1980s as part of the Tarob Court industrial park. On June 3, 2008, the City Council adopted the Transit Area Specific Plan (TASP or Plan). The Plan encompasses 437 acres and envisions the development of 7,109 residential dwelling units, 287,075 square feet of retail space, 993,843 square feet of office and industrial park space, and 350 hotel rooms. The Plan includes development standards, goals and policies to guide development within the Plan area. Because of the unique physical characteristics of various portions of the TASP, the Plan also established seven sub-districts, each with specific goals and policies to accommodate those unique characteristics.

The project site is located within the Trade Zone/Montague Sub-District of the TASP. This sub-district is located east of Montague Expressway and south of Capitol Avenue, extending to the city limits on Trade Zone Boulevard and Lundy Place. On the Tarob Court side of the sub-district, the TASP envisions a moderate-to-high density residential area, with ample green space in the form of a large park and trails along Penitencia Creek. The Capitol Avenue and Montague Expressway portions of the sub-district are intended to be lined by mid-rise and high-rise mixed use buildings that buffer the adjacent residential uses from noise and traffic.

On November 2, 2018, TTLC submitted an application for a Site Development Permit, Conditional Use Permit and Vesting Tentative Map to develop a 40-unit condominium residential project at the project site. The Planning Commission recommended the City Council approve the above applications on July 31, 2019. On August 20, 2019, the City Council adopted Resolution No. 8899, approving the development application.

In March 2020, the City initiated an update to the TASP and rebranded this effort as the Milpitas Metro Specific Plan. The updated Plan will shape the continued transformation of neighborhoods surrounding the Milpitas Transit Center, which opened in June 2020, to create a vibrant transit-oriented community with a mix of housing, retail, entertainment, and employment uses and a safe and attractive network of parks and trails. Future development within the Tarob Court area is a primary component of the Milpitas Metro Specific Plan, with a vision for higher-density mixed-use development based on a future direct connection to the Milpitas Transit Center via an extension of South Milpitas Blvd into the neighborhood.

On March 24, 2021, TTLC submitted a new preliminary application pursuant to California Senate Bill 330 (SB 330) for a 32-unit townhome subdivision at the project site. On April 30, 2021, TTLC submitted a formal application for the revised townhome project, which is at the lower end of the density range for residential development in the R3-TOD zoning district.

California Senate Bill 330 (Housing Crisis Act)

California Senate Bill 330 (SB 330), the Housing Crisis Act of 2019, became effective January 1, 2020 and declared a statewide housing emergency through January 1, 2025. The Housing Crisis Act allows an applicant to submit a preliminary application for any housing development project, as defined in Government Code Section 65589.5(h)(2). A housing development project includes the following: residential units only; mixed-use development consisting of residential and non-residential uses with at least two-thirds of the square footage of the project designated for residential use; transitional housing or supportive housing.

Under SB 330, eligible housing development projects are eligible for enhanced streamlining and vesting opportunities through a process initiated by the filing of a preliminary application. Once the preliminary application is deemed complete by the local jurisdiction, the housing development project is subject only to the ordinances, policies, and standards adopted and in effect at the time the preliminary application was submitted. In addition, housing development projects that meet all applicable objective general plan and zoning standards may only be subject to a total of five public hearings, including continuances and most appeal hearings.

Once a preliminary application is deemed complete, a complete project application must be submitted and accepted by the Planning Department within 180 days of submission of the preliminary application. The project must also commence construction within 30 months after the date of final approval.

PROJECT DESCRIPTION

Overview

The applicant requests a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment for the future development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet in height, with tandem garages accessed from a central drive aisle. The scope of work includes associated landscaping and open space, parking and circulation, and infrastructure improvements, as well as the demolition of an existing 16,200-square foot light industrial office building.

The 32 townhome condominium units consist of four two-bedroom units and 28 three-bedroom units. The units will range in size from 1,854 to 2,354 square feet and all units will have a tandem two-car garage. The project also provides nine guest parking spaces, ten public bicycle parking spaces, two electric vehicle charging spaces, and two ADA parking spaces. The project will gain ingress and egress from both Tarob Court and Lundy Place via both existing driveway curb cuts.

Five of the 32 units, or fifteen percent (15%) of the base units, will be affordable to moderate-income households in conformance with the City's Affordable Housing Ordinance. By providing the required on-site affordable units, the project is also eligible for certain waivers under the affordability provisions of the State Density Bonus Law (Gov. Code § 65915 et seq.) even though the project is not asking for an increase in units or density. Specifically, Government Code Section 65915(p)(5) permits eligible housing projects under the State Density Bonus Law to provide onsite parking through tandem parking or uncovered parking. The analysis section of this staff report includes a full discussion of the State Density Bonus provisions related to this project.

Location and Context

The project is located on a 1.22-acre site on the west side of Tarob Court. The site is currently occupied by a 16,200-square foot light industrial office building. Figure 1 shows the location of the proposed project in an aerial image:

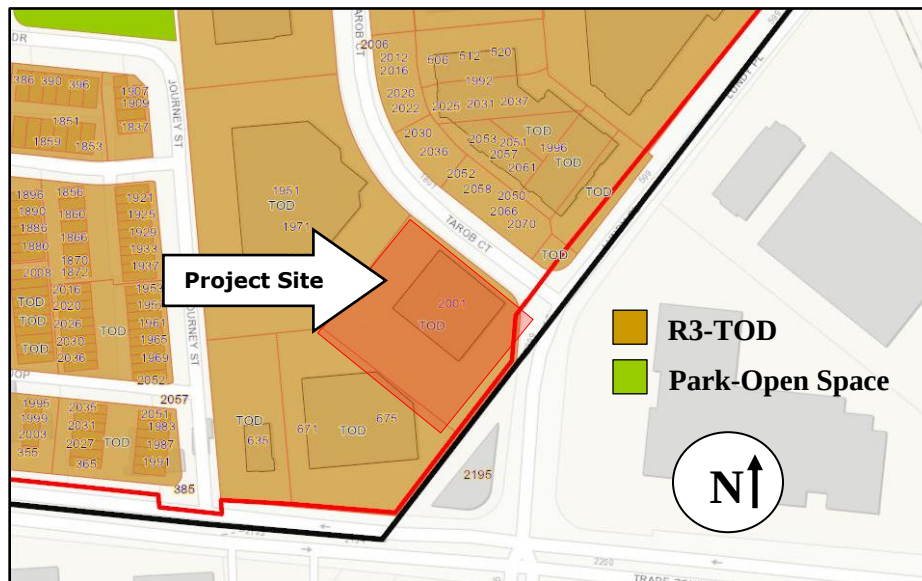
Figure 1 – 2001 Tarob Ct. (Aerial Image)



Table 1: Surrounding Zoning and Land Uses

	General Plan	Zoning	Existing Uses
Subject Site	Milpitas Metro Specific Plan	Multi-family High-Density Residential (R3-TOD)	Light Industrial
North	Milpitas Metro Specific Plan	Multi-family High-Density Residential (R3-TOD)	Light Industrial
South	City of San Jose	City of San Jose	Light Industrial
East	Milpitas Metro Specific Plan	Multi-family High-Density Residential (R3-TOD)	Future Multi-family Residential
West	Milpitas Metro Specific Plan	Multi-family High-Density Residential (R3-TOD)	Light Industrial

Figure 2 – 2001 Tarob Ct. (Zoning Map)



PROJECT ANALYSIS

This section will evaluate elements of the proposed project for conformance with the Milpitas 2040 General Plan, the 2008 Transit Area Specific Plan, the Zoning Ordinance and other provisions of the Milpitas Municipal Code, and the State Density Bonus Law.

General Plan Conformance

The General Plan designation for the project site is Milpitas Metro Specific Plan (MMSP), but since City Council has not formally adopted the MMSP, the TASP development standards currently apply. The intent of both the MMSP and TASP standards is to facilitate development of higher intensity, mixed-use neighborhoods near the Milpitas Transit Center and to encourage walking, biking, and the use of alternative modes of transportation.

As proposed, the project is in conformance with the applicable policies and standards in the City's General Plan, as outlined in Table 2:

Table 2: General Plan Consistency

Policy	Conformance
<i>Policy LU 1-4:</i> Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offers residents of all income levels, age groups and special needs sufficient housing opportunities and choices for locating in Milpitas.	Consistent. The project provides an additional housing type to meet the needs of various families and residents of all income levels. The project, as proposed, consists of 32 townhome residential units, ranging from two to three bedrooms. Five of the residential units will be reserved for moderate-income households. The City would prefer to see higher density development at this location.
<i>Policy LU 5-1:</i> Require new development and redevelopment to be compatible, complementary and, where appropriate, well integrated with existing residential areas. Integrate new large-scale development projects into the fabric of the existing community rather than allowing projects to be insular and self-contained, walled off, or physically divided from surrounding uses. Improve connectivity between neighborhoods and services with new development. Tie circulation systems and open spaces into existing streets and open spaces. Reduce unnecessary barriers and improve connections between neighborhoods and services by retrofitting existing development over time as area improvements or redevelopment occurs.	Consistent. The project, as proposed, is well integrated with the existing residential developments along Lundy Place and Tarob Court, as the project has a similar architectural style, building height, multi-family product, and site layout. Additionally, the project will gain ingress and egress from both Tarob Court and Lundy Place via existing driveway curb cuts, and as a result, the project will blend seamlessly into the fabric of the existing community. The project will also be compatible and complementary to future high-density residential development planned for other parcels on Tarob Court which are currently developed with light industrial uses but are zoned for redevelopment as similar high-density residential uses.
<i>Policy LU 5-3:</i> Ensure new development is consistent with specific height limits established within the City's Zoning	Consistent. The project meets the height standards by proposing two three to four-story buildings, up to 50 feet in height, in a zoning

<i>Ordinance as applied through the zoning district for all properties within the City.</i>	district that allows a maximum height of 75 feet.
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Transit Area Specific Plan Conformance

The TASP/MMSP land use designation for the project is High Density, Transit-Oriented Residential. This designation provides for medium-density residential uses within the Trade Zone/Montague Sub-District. As demonstrated in Table 3, the project is consistent with the applicable TASP/MMSP land use policies.

Table 3: TASP/MMSP Consistency

Policy	Conformance
<i>Policy 3.4:</i> <i>Provide a variety of housing types for different types of households, different income levels, different age groups, and different life-styles.</i>	Consistent. The proposed project will provide various housing types, including two and three-bedroom units for sale at market-rate and five of the 32 units will be for sale to moderate-income individuals or households, consistent with the City’s goal of providing housing for various households and income levels. The City would prefer to see higher density development at this location.
<i>Policy 3.17:</i> <i>New streets shall be located as generally shown on the Street System Map, Figure 3-2 within the TASP</i>	Consistent. A portion of the project’s TASP fees will contribute to the new Tarob Court configuration, designed to replace the cul-de-sac with a local street and connection to Sango Court.
<i>Policy 3.2:</i> <i>Affordable housing units should be provided with new housing developments. Determine affordable unit requirements on a project-by project basis, considering the size of the project, the location of the site, and the mix of affordable units in the Midtown Area. Allow housing developments of 12 units or less to pay a fee in lieu of providing affordable units.</i>	Consistent. The project conforms to the City’s Affordable Housing Ordinance and will designate five out of the 32 units, or fifteen percent (15%) of the base number of units, for moderate-income level individuals or households.
<i>Policy 3.3:</i> <i>Affordable housing should be integrated into all residential projects.</i>	Consistent. The project will designate five residential units for sale to moderate-income individuals or households and the units will be dispersed throughout the project site.

Zoning Conformance

The project site is zoned R3 Multiple-Family High Density Residential with a Transit-Oriented Development (-TOD) Overlay. As demonstrated in Tables 4 and 5, the project is consistent with most of the applicable development standards for the R3 Multiple-Family High Density Residential Zoning District and TASP/MMSP area. The affordability provisions of the State Density Bonus Law allow the project to deviate from certain standards. A detailed discussion of the standards from which the project deviates follows Table 5.

Table 4: Summary of TASP R3-TOD Development Standards

Standard (R3-TOD)	Required	Proposed	Conformance
Density	21-40 du/ac	25 du/ac	Y
Setbacks Front (min/max) Side Rear	8 foot-15 foot (max.) from back of sidewalk 15 foot (min.), 20 foot over three stories when abutting residential 15 foot (min.), 20 foot over three stories when abutting residential	15 feet 26 – 47 feet 20-28 feet	Y
Height	Up to 75 feet	49-feet-11-inches	Y
Private Open Space	An average of 200 SF of usable open space shall be provided for each dwelling unit. Balconies, porches, or roof decks may be considered usable open space when properly developed for work, play or outdoor living areas. At least thirty (30) percent of required open space shall be contiguous to and provide for private usable open space of the individual dwelling unit. 200 x 32 = 6,400 SF = 0.15 acres	Private recreational area: 0.14 acres Private open space (balconies) = 1784 SF/building = 1784 x 2 = 3,568 SF = 0.08 acres Total private open space = 0.22 acres = 299.5 SF/unit Private balconies provided for every unit	Y

Standard (R3-TOD)	Required	Proposed	Conformance
	Each dwelling unit shall be provided with private open space as follows: - Balconies and porches (above ground level): minimum 60 SF; or - Patios (at ground level): minimum one hundred square feet.		
Landscaping	A minimum of twenty-five percent (25%) of the total lot area shall be landscaped or recreational open space, exclusive of parking and vehicular traffic area. 25% x 1.22 = 0.31 acres	0.46 acres (37.7%)	Y

In addition, projects located in the TASP/MMSP area must comply with the additional development and design standards outlined in Table 5:

Table 5: Additional Development Standards Applicable in the TASP/MMSP

	Standard	Proposed	Conformance
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awning may project up to six feet into required setbacks.	None	Y
Building Orientation and Entrances	Building must face the street; and primary building entrances must be oriented toward the street.	Buildings face Tarob Court, which is the project's primary street frontage.	Y
Vehicle Parking	Two to Three Bedrooms: 1.6 covered (min), two (2) covered (max)	64 tandem spaces in 32 garages (2 per unit)	Y
Bicycle Parking	One space per four housing units, exempting those with private garages; on-street guest racks equivalent to five	10 public spaces provided plus project has 32 private garages	Y

	Standard	Proposed	Conformance
	percent (5%) of parking requirement.		
Parking Structure and Parking Lot Location	Parking must be located so that it is not visible from the street.	32 private garage entrances face interior drive aisle	Y
Parking Access and Curb Cuts	Maximum two curb cuts per lot per street frontage	One curb cut along each street frontage	Y
Tandem Parking	May be allowed with a Conditional Use Permit pursuant to MMC Section 53; maximum of fifty percent (50%) of parking required for residential uses may be tandem parking in projects with private individual garages.	All residential unit parking is tandem (64 spaces).	This is permitted under Gov. Code, § 65915(p)(5) under State Density Bonus Law
Park Acreage Requirements	0.03 acres (after payment of TASP/MMSP fee)	0.14 acres proposed, which includes private recreation areas along the southern end of the site	Y

Subdivision Ordinance

The project's form, content and dedications of the proposed tract map are consistent with the provisions in Title XI, Chapter 1, Section 4 of the City's Municipal Code, as set forth in the attached Resolution No. 21-022. Vesting Tentative Maps require approval of a Resolution by the Planning Commission recommending final approval by the City Council.

Architectural Design

The project's design concept arranges two multi-family buildings, three to four stories in height, that mirror one another across a central drive aisle. The arrangement preserves ground floor open space and creates a 26-foot wide drive aisle between the buildings. The project's contemporary architectural design uses stucco, siding, stone tile veneer, and a variety of metal details. Variations in the building colors, materials and planes and protruding balconies provide architectural interest and avoid a boxy appearance.

The building massing is broken up through an alternating painted color blocking treatment of dark green (SW "Dried Thyme"), light grey (SW "Natural Choice"), and steel blue (SW "Needlepoint Navy"). At the ground level, stone tile veneer and metal awnings frame the entry to

the units. The garage doors are face the interior drive aisle, while the grand raised entrances face Tarob Court to enhance the public realm of Tarob Court’s streetscape. The ground level entrances and private open space areas on the southern end of the property also offers residents the opportunity for out-of-doors leisure, as well as community engagement.

The project has a similar architectural style to the Parkside project and visually relates to the previously approved three-story townhouses across Tarob Court. Moreover, the project conforms to the Transit Area design guidelines, which require orientation of the building to the street, well-articulated exterior walls with consistent style and materials, muted colors for primary building walls with richer accent colors and integrated parking.

Figure 3 is a perspective view of the north and west building elevations.

Figure 3 – Proposed Project Looking Southeast from Tarob Court



Tree Removal and Landscaping Requirements

The project includes removal of 34 existing trees, including 21 protected trees, from the project site. Pursuant to MMC Title X, Chapter 2 (*Tree Maintenance and Protection*), the project will plant two replacement trees for every one protected tree that is removed, or 128 new trees planted on the site. Tree species include Chinese Pistache, Magnolias, Lavender Crape Myrtle, and Crabapple. Other new landscaping around the perimeter of the site will include various shrubs (Australian Fuchsia, Candy Stripe Bamboo, Fortnight Lily, Lavender, New Zealand Flax), grasses (Reed Grass, Deer Grass, Fountain Grass) and groundcovers (Peach Drift, California Fuchsia, Pink Groundcover Rose) as demonstrated in Figure 4. Vines will also be welded on a wire mesh fence

on the southern end of the site.

Figure 4 – Landscape Plan



Parkland and Open Space Requirements

TASP requires all new developments to provide 3.5 acres of parkland for every 1,000 persons or payment of fees-in-lieu, as permitted by the Subdivision Map Act (Government Code Section 66477) and as codified by MMC Section XI-1-9 (*Improvements: Dedication of Land or Payment of Fee or Both, for Recreational Purposes*). The Parkland Fee is based upon the estimated number of persons expected to inhabit the development (per U.S. Census definitions), and the estimated value of parkland in the City of Milpitas (currently \$2,787,840 per acre). The U.S. Census estimates that 2.49 persons on average will inhabit each unit. The project proposes 32 units, resulting in an estimated population of 80 persons. Based on this population estimate, the project is required to provide 0.28 acres of parkland, equivalent to approximately \$777,472.82.

Additionally, as mentioned above, all projects in the TASP area are required to pay a Transit Area Development Impact Fee (TADIF), a portion of which is used for park and recreation purposes within the TASP area. The park portion of the TASP fee for this project is valued at \$690,061.12, equivalent to 0.25 acres of parkland. This amount will be applied to the project's \$777,472.82 parkland requirement, leaving a delta to be satisfied of 0.03 acres, or an in-lieu fee of approximately \$87,411.70.

To satisfy the 0.03-acre delta, the project is proposing the use of 0.12 acres as private recreation space on-site, as allowed by MMC Section XI-1-9 referenced above. Each individual unit has a

private balcony, totaling 3,568 square feet. The private recreation areas also include a bench, mailbox station, concrete paving and various landscaping, as shown on Sheet L002 of the project plans (See Attachment B: Project Plans). By designing these elements into the project, the parkland requirement is met without additional fees. Table 6 outlines this information below.

Table 6: Summary of Adherence to Parkland Requirements

Project Unit Count	32
Project Population Estimate	80 persons
TASP Parkland Requirement	3.5 acres/1,000 people or equivalent fees-in-lieu. (\$2,787,840 per acre)
Total Parkland Acreage or In-Lieu Fee Required	0.28 acres/\$777,472.82
Amount Satisfied Through TASP Fees (Acreage/Dollars)	0.25 acres/\$690,061.12
Remaining Parkland Acreage or In-Lieu Fee Required	0.03 acres/\$87,441.70
Private Recreation/Open Space Included in the Project	0.12 acres
Total Acreage/Fees Provided	0.28 acres
Balance of Parkland Acreage or In-Lieu Fee Due	0.0 acres/\$0

Affordable Housing Ordinance

Pursuant to MMC Section XII-1-3.00, all new residential development projects of ten units or more designed and intended for permanent occupancy are required to construct fifteen percent (15%) of the total number of dwelling units within the development as affordable units, unless subject to an exception set forth in XI-1-4.00. All exceptions require City Council approval.

The project will reserve five units (or fifteen percent (15%)) as affordable to moderate income households. The project has been conditioned to execute an agreement imposing appropriate ownership controls on the affordable units.

State Density Bonus Law

To encourage the production of affordable housing, the State Density Bonus Law (Gov. Code § 65915 et seq.) allows developers to receive a density bonus of up to a fifty percent (50%) increase for most projects, depending on the amount of affordable housing provided, and an eighty percent (80%) increase in density for projects that are one hundred percent (100%) affordable. The Density Bonus is a state mandate, and any developer who meets the requirements of the state law is entitled to receive the density bonus and other benefits as a matter of right. The City's local Density Bonus Ordinance (MMC Section XI-10-54.15) mirrors the State requirements.

By providing the required on-site affordable units pursuant to MMC Section XII-I-3.00, the project is eligible to receive certain waivers under the affordability provisions of the State Density Bonus Law. While the project is not requesting additional density, it is entitled to up to one concession, unlimited waivers of development standards, and parking standard reductions.

Parking Requirements

Under the TASP, a minimum of 51 and a maximum of 64 resident parking spaces are required for the proposed project, based on bedroom count (TASP Table 5-3: *Minimum Parking Requirements*). The applicant proposes to provide 64 resident spaces, the maximum required. Parking for residents would primarily be provided in individual tandem parking garages oriented towards the internal drive aisle. As the project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5) permits all onsite parking to be provided through tandem parking or uncovered parking.

The project also requires ten guest parking spaces, and the applicant proposes to provide nine spaces. Under Government Code Section 65915(p)(1) and MMC Section XI-10-54.15(F)(5), the applicant may request reduced parking standards for the entire development. The reduced parking standards are inclusive of guest parking and handicapped parking and may be tandem or uncovered. The nine guest spaces will be provided as follows:

- Seven (7) along the private driveway;
- One (1) ADA guest spot along the private driveway; and
- One (1) electric vehicle charging spot along the private driveway.

To maintain a consistent streetscape along Tarob Court, the project will be required to install decorative concrete paving to identify all on-street parking spaces.

Table 7 demonstrates the project's compliance with the parking standards for the R3-TOD Zoning District:

Table 7: Project Compliance with Parking

Number of Units	Number of Bedrooms/ Unit	Min/Max Ratio Permitted/Unit	Min/Max No. of Spaces Req'd/Allowed	Total Spaces Provided	Conforms (Y/N)
LAND USE: RESIDENTIAL					
32	2-3	1.6/2.0 per unit	51/64	64	Y
Guest	--	20% of total spaces required	10	9	Permitted under State Density Bonus Law
RESIDENTIAL PARKING TOTAL:			61	73	Y

Bicycle Parking – For residential uses within the TASP, one space of long-term bicycle parking per every four housing units is required, exempting units with a private garage. As the project has 32 private garages, no long-term bicycle parking spaces are required.

For guests, the TASP requires short-term bicycle parking spaces equivalent to five percent (5%) of the total automobile spaces required. This equates to three (3) short-term bicycle spaces for guests, and the project will provide ten bicycle spaces in compliance with the requirement.

Traffic and Access

Access to the project site is provided by a driveway located at the northern corner off Tarob Court and at the southern corner off Lundy Place. The driveways provide access to an internal twenty-six (26)-foot access drive lane and fire lane, which includes a fire engine/garbage truck remote control gate along the southern corner of the site. There are 32 private residential garages along the central drive aisle. Nine guest parking spaces will be located along the access drive lane, including one accessible parking space and one electric vehicle parking space. All traffic and access data has been reviewed by Transportation and Fire and is compliant with all applicable requirements.

Floodplain Management

The project site is located in Flood Zone AO. The applicant will place engineered fill across the site, raising the grade by approximately 4.5 feet to ensure that the project complies with the City of Milpitas Floodplain Ordinance (MMC Section XI-15-4.3(a)(4)). This will allow the City's Floodplain Administrator to determine that the project will not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. (In this context, "adversely affects" means that the cumulative effect of the proposed

development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point.)

Grading

Development of the proposed project would result in the demolition of all existing structures and pavements. Less than 1,000 cubic yards of cut and fill would be brought to the site to raise the elevation out of the floodplain.

Utilities

The project site is located in an urban area and is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. The majority of existing utilities within the boundary of the project site would be removed and replaced.

Water – The proposed project includes the removal of all existing utilities. New 8-inch water lines within the project site will connect to existing service connections and the existing 12-inch main located within Tarob Court.

Wastewater – The San José/Santa Clara Water Pollution Control Plant (WPCP) provides wastewater treatment for Milpitas. The City of Milpitas maintains existing sanitary sewer lines within the vicinity of the site, including an 8-inch line on Tarob Court. The proposed project includes the installation of a new on-site 8-inch wastewater line that will connect to the City's existing line.

Stormwater – Bioretention areas will be incorporated into the landscape design to provide appropriate vegetation and water quality treatment for impervious surfaces including roofs, driveways, streets, and sidewalks.

The project will connect to the existing 12-inch municipal storm drain located at the northwest corner of the project site. The project includes pervious pavers throughout the interior access driveway. Upon construction of the improvements, approximately 0.81 acres (66 percent) of the project site would be covered by impervious surfaces and approximately 0.41 acres (34 percent) would be covered by landscaped areas including lawns, shrubs, and trees. All walkways within these areas would be sloped to drain onto the surrounding landscaping for bio-retention and treatment.

Electricity and Natural Gas – Electricity and natural gas services to the site are provided by Pacific Gas and Electric Company (PG&E). Existing underground utility connections and gas mains provide electricity and gas to the project site. The project includes removal of all existing utilities and requires the construction of new electricity and gas connections to serve the project. New electrical lines (servicing the project only) will be installed underground and connect to the existing joint trench box in the northern corner of the project site.

Climate Action Plan

The City of Milpitas Climate Action Plan (CAP) was adopted in 2013 and includes Greenhouse Gas (GHG) reduction goals, policies and actions for new and existing development projects.

One of the key aims of the CAP is to encourage transit-oriented development as a means to reduce GHG emissions. The project would be in compliance with this goal, as it would locate future residents within walking distance of public transportation, jobs, restaurants, and services. To reduce energy usage, the project would incorporate green building measures in compliance with CALGreen standard building measures for residential buildings and Title 24 requirements. Additionally, the project includes a total of 0.46 acres of common open space and landscaped areas, following the City's standards, which would offset GHG emissions.

Implementation of the TASP includes policies that address transportation and land use that are consistent with the CAP. TASP Policy 3.21 would provide continuous pedestrian sidewalks and safe bike routes throughout this portion of the TASP planning area; Policy 3.22 encourages walking and biking routes to schools and major destinations; and Policy 3.33 requires new development within the TASP Area to provide incentives for alternative modes of transit, which support the CAP.

Implementation of the proposed project would not substantially increase population, vehicle trips, or vehicle miles traveled. Further, the project adheres to the building guidelines of the TASP with only modest deviations that would not impair achievement of CAP goals and promotes reductions in GHG emissions through high-density development in close proximity to transit. As such, the project is in conformance with the City's Climate Action Plan.

Development Fees

The project is subject to the following fees, payable at the time of building permit issuance:

TASP Impact Fee

The TASP/MMSP Impact fee is currently set at \$44,009/unit for residential uses for Fiscal Year 2021-2022. Based on approval for development of 32 units, the estimated Transit Area Specific Plan Development Impact Fee for this project is \$1,411,168 (\$44,009/unit x 32 units). This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The proposed project will pay the fee at the issuance of building permits.

Parkland Impact Fee

TASP requires all new development to provide 3.5 acres of parkland for every 1,000 persons or payment of fees-in-lieu. Per the parkland section, above, the project has satisfied this requirement. See Table 6 for more information.

Public Art Fee

The Project will comply with the City's Public Art Requirements for Private Development, as set forth in Milpitas Municipal Code Section XI-10-14. This fee is currently set at one-half of one percent of building development costs. The proposed project will pay the fee based on the construction valuation at the building permit issuance.

FINDINGS FOR APPROVAL

A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

Vesting Tentative Map

To approve the Major Vesting Tentative Subdivision Map, the following findings must be made pursuant to Milpitas Municipal Code Section XI-1-20.01:

1. *The tentative subdivision map is consistent with the General Plan.*

The General Plan designation for the project site is Milpitas Metro Specific Plan (MMSP), but since City Council has not formally adopted the MMSP, the TASP development standards currently apply. The intent of both the MMSP and TASP standards is to facilitate development of higher intensity, mixed-use neighborhoods near the Milpitas Transit Center and to encourage walking, biking, and the use of alternative modes of transportation.

The TASP designates this project site as High Density, Transit Oriented Residential (HD-TOR). The intent of this designation is to provide high-density housing at a density range of 21-40 dwelling units/acre. As this project proposes 25 dwelling units/acre, it is consistent with both the intended land use of the General Plan and the relevant density requirement. The project site was not identified as a potential site for yielding affordable housing units in the City's Housing Element, as the site was zoned for industrial uses prior to October 2017. Therefore, there is no net loss of affordable housing units.

Further, the tentative subdivision map is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

2. *None of the conditions identified in California Government Code Section 66474 exist, to wit:*

- A. *That the proposed map is not consistent with applicable general and specific plans as specified in Government Code Section 65451.*

As set forth in Finding 1 above, the map proposes the development of the site into 32 residential condominium units at a density of 25 dwelling units/acre. The General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan land use designation applicable to the site (Milpitas Metro Specific Plan (MMSP), and High Density, Transit-Oriented Residential (HD-TOR)) permits residential development at densities of 21 to 40 dwelling units/acre. The map is therefore consistent with the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan.

- B. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

The design and improvement of the subdivision is consistent with the density range of 21-40 dwelling units per acre as permitted by the General Plan and Milpitas Metro Specific Plan/Transit Area Specific Plan. The proposed density is 25 dwelling units per acre. The proposed project is also consistent with the Milpitas Metro Specific Plan/Transit Area Specific Plan development standards, including height (maximum of 50 feet proposed, where 75 feet is the maximum allowed), number of vehicular parking spaces (64 vehicular spaces proposed, where a maximum of 64 is allowed), bicycle parking (10 spaces proposed, where 3 are required), building orientation (proposed buildings will face streets, where requirement provides building must face streets).

C. That the site is not physically suitable for the type of development.

The site is surrounded by property designated for high density, transit-oriented residential development under the City's General Plan and zoned for this type of development under the Milpitas Metro Specific Plan/Transit Area Specific Plan. In addition, this site is suitable for the higher density development based on the location, physical attributes, and proposed infrastructure improvements.

D. That the site is not physically suitable for the proposed density of development.

The City Council, through adoption of Resolution No. 8702, has determined that the site is physically suitable for development at the proposed density of 25 dwelling units per acre, insomuch as it has amended the applicable general plan land use designation to High Density, Transit Oriented Residential (HD-TOR), and subsequently Milpitas Metro Specific Plan (MMSP), which currently allows densities of 21-40 dwelling units per acre. The site is also flat and has direct access to adjacent streets (Tarob Court and Lundy Place) to accommodate the proposed density of the development.

E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memos (Exhibit 2 to Exhibit A of Attachment A). The memo did not find that the project would be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project is also located in an urbanized area and previously developed as an industrial building, and therefore, will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The project, including the subdivision and its associated improvements, has been subjected to environmental review under CEQA through the preparation of an Environmental Assessment/Categorical Exemption/Peer Review Memorandums (Exhibit 2 to Exhibit A of Attachment A). The memorandums did not find that the design of the subdivision or type of improvements is likely to cause serious public health problems.

- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

Upon review of the subdivision map, it has been determined that the design of the subdivision or the type of improvements will not conflict with any easements acquired by the public at large, for access through or use of, property within the proposed subdivision. The subdivision does not involve the vacation of easements, however, the existing right-of-way will be abandoned and portions of the area will be retained for a Public Services Utility Easement (PSUE).

Site Development Permit

To approve the Site Development Permit, the following findings must be made pursuant to Milpitas Municipal Code Section XI-10-57.03(F):

- 1. The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

The project's site design is consistent with the MMSP/TASP development standards for the Trade Zone/Montague Sub-district. The project consists of 32 condominium units and associated site amenities on a 1.22-acre site. The building's contemporary architectural design visually relates to and is compatible with the adjacent townhome projects along Tarob Court. The project also features exterior horizontal blue and green-hued siding. The project has a strong sense of identity, achieving compatibility and aesthetic harmony with surrounding developments.

- 2. The project is consistent with the Milpitas Zoning Ordinance.*

The project site is zoned R3 (Multiple-Family, High Density Residential with a Transit Oriented Development (-TOD) Overlay). Residential uses are permitted in the zoning district. As demonstrated in Tables 4, 5 and 7, the project substantially conforms to the zoning district and meets the intent for this type of project envisioned in this area.

The project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

3. *The project is consistent with the Milpitas General Plan.*

See General Plan consistency discussion set out above in support of issuing the Vesting Tentative Map.

4. *The project is consistent with the Transit Area Specific Plan.*

The proposed project is consistent with the applicable policies and design guidelines of the TASP/MMSP, as demonstrated and outlined in Tables 3 and 5. As the project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

Conditional Use Permit

To approve the Conditional Use Permit, the following findings must be made pursuant to Milpitas Municipal Code Section XI-10-57.04(F):

1. *The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare.*

The project will not be detrimental or injurious to property or improvements in the vicinity, nor to the health, safety or general welfare. The project is consistent with other high density residential projects within the TASP. The condominium project creates housing opportunities and increases the diversity of housing types in the TASP area.

2. *The project is consistent with the Milpitas Zoning Ordinance.*

The project is consistent with the Zoning Ordinance, as the condominium use is conditionally permitted per MMC Table XI-10-4.02-1. The project substantially conforms to most of the development standards set forth by the Zoning Ordinance, as discussed in the Zoning Ordinance consistency discussion set out in support of issuing a Site Development Permit.

Moreover, the project also conforms to MMC Section XI-10-54.015 (Density Bonus for Affordable Housing Developments) and XI-10-57.05 (Density Bonus Permits). As the project is an eligible housing project under the State Density Bonus Law, Government Code Section 65915(p)(5), the project is entitled to reduced parking requirements. The requested deviations will support the development of affordable housing units on a site where it would not otherwise be possible through a strict application of the specified standard.

3. *The project is consistent with the Milpitas General Plan.*

See General Plan consistency discussion set out above in support of issuing the Vesting Tentative Map.

4. *The project is consistent with the Transit Area Specific Plan.*

See Transit Area Specific Plan consistency set out above in support of issuing the Site Development Permit.

Density Bonus (Section XI-10.54.15(D)(F))

1. *Determination of Maximum Allowable Densities. The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

Based on 15% affordability, with 5 units (15%) reserved for moderate-income households, the proposed project is eligible for a 5% density bonus. The maximum allowable density in the R3-TOD Zoning District is 40 du/ac, which would yield 42 units on the subject 1.22-acre parcel. The proposed 32-unit development is less than the allowable 5% density bonus. Under the State Density Bonus Law, the applicant is entitled to receive the 5% density bonus as a matter of right.

2. *Unit Type and Location. All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the non-affordable units in terms of appearance, materials and finished quality. The Planning Commission may recommend to the City Council and/or Housing Authority modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.*

This standard is satisfied, as the Project proposes five units to be reserved for moderate-income households. These five three-bedroom units will be dispersed throughout the two multi-family buildings.

3. *Agreement. Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.*

The Project will be conditioned to execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for thirty (30) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. If the City does not grant at least one (1) additional concession or incentive, in addition to a density bonus as specified in Section XI-10-54.15(E), Density Bonus Conditions, of this Chapter, the developer shall agree to, and the City shall ensure continued affordability for a minimum of ten (10) years of all lower or very low-income housing units receiving a density bonus.*

The designated affordable units will be required to remain for a minimum of 50 years as stated in the Conditions of Approval and will require a Regulatory Agreement to be recorded over the Project site.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

This finding does not apply to the project. The project provides five for-sale units, or fifteen percent of the 32 units, to moderate-income households.

6. *Relation to State. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.*

Any density bonus requirements not specified in the City's Municipal Code shall be governed by the State Density Bonus Law, Government Code Section 65915, et seq.

Waivers and Modifications of Development Standards

Pursuant to MMC Section XI-10.54.15(F)(6), the City must grant waivers of development standards if the applicant demonstrates the waiver is necessary to make the affordable housing units economically feasible and can only deny such waiver request if the City makes the findings specified in MMC Section XI-10.54.15(F)(3):

- a. *The concession is not required in order to provide for affordable housing costs as defined in State Health and Safety Section 50052.2 or for rents for the affordable units pursuant to Section XI-10.54.15(D)(5), Standards, of Chapter 10 (Zoning) of the Milpitas Municipal Code.*
- b. *The concession would have a specific adverse impact as defined in State Government Code Section 65589.5(d) (2) upon the public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.*

If findings cannot be made, the proposed waivers must be granted, based on the requirements of the City's Municipal Code and California Government Code Sections 65915.

The proposed deviations for this project (one less guest parking space and tandem parking in all residential garages) would result in actual and identifiable cost savings, and these savings are necessary to provide the level of affordability proposed. Further, none of the deviations would result in any specific, adverse impacts to public health, safety, the physical environment, or historical resources, so the City has no justification to deny the requested waivers.

ENVIRONMENTAL REVIEW

This project is located within the area evaluated as part of the Transit Area Specific Plan Environmental Impact Report (TASP-EIR) (SCH#2006032091) certified by the City Council on June 3, 2008. An earlier environmental assessment (EA19-0002) for a higher density version of the project was conducted by LSA, on behalf of the City, in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended, and state and local guidelines implementing CEQA. The environmental assessment conducted by LSA concluded that none of the circumstances necessitating preparation of a subsequent or supplemental EIR are associated with the Project.

The environmental assessment conducted by LSA also concluded that an Addendum to the TASP EIR was the appropriate document to address these modifications rather than a subsequent or supplemental EIR. The Addendum fully addressed all potential impacts associated with this project, and no material changes have been made to the project that would alter the conclusions of the Addendum. The analysis contained in the Environmental Checklist confirmed that the modified project was within the scope of the TASP-EIR and would have no new or more severe significant effects and no new mitigation measures were required.

As a part of this project application, the applicant submitted a peer reviewed memorandum, dated April 28, 2021, conducted by First Carbon Solutions. The memorandum confirms that the proposed project is still within the scope of the TASP EIR and will have no new significant or more severe impacts beyond those identified in the 2019 Environmental Checklist and the TASP EIR.

The City conducted an environmental assessment (in the form of a memorandum, dated August 4, 2021) for the proposed project. LSA prepared a peer review memorandum on behalf of the City. The memorandum found that the Consistency Analysis generally meets the requirements of CEQA and employs sound methods and analysis to develop its conclusions. The proposed project is still within the scope of the TASP FEIR and the subsequently prepared Categorical Exemptions prepared for a previous version of the project in 2019 and would not have any new significant or more severe environmental impacts beyond those that have been previously identified. Both memorandums acknowledging the entitlements and consistency with CEQA are attached as Exhibits 2 and 3 to Exhibit A of the resolution.

As a separate and independent basis, the project is exempt from further CEQA review pursuant to CEQA Guidelines Section 15183, which applies to projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. As a separate and independent basis, the project is also exempt from further CEQA review pursuant to CEQA Guidelines Section 15182, because the project is a residential project that is generally consistent with a Specific Plan. Lastly, the project is also exempt from further environmental review pursuant to CEQA Guidelines Section 15168, as the project is within the scope of the TASP program EIR. Moreover, the project complies with the City's existing zoning, specific plan, community plan, and general plan. Therefore, no further environmental review is required.

PUBLIC COMMENT/OUTREACH

Staff provided public notice the application in accordance with City and State public noticing requirements. At the time of publishing this report, there have been no public comments received. A notice was published in the Milpitas Post on October 15, 2021. In addition, notices were sent to all owners and occupants within 300 feet of the project site. A public notice was also posted at the project site, on the City's Website, www.ci.milpitas.ca.gov, and at City Hall.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing to receive comments;
2. Close the Public Hearing;
3. Consider the exemptions in accordance with CEQA; and
4. Adopt Resolution No. 21-022 recommending that the Milpitas City Council approve Site Development Permit SD21-0004, Conditional Use Permit UP21-0005, Vesting Tentative Map MT21-0001, and Environmental Assessment EA21-0002, subject to the findings and Conditions of Approval.

ATTACHMENTS

A: Resolution No. 21-022 with Conditions of Approval and CEQA Memorandums

B: Project Plans

C: Applicant Response to CEQA Memorandum



CITY OF MILPITAS

Planning Commission

MEETING MINUTES

7:00 PM

Wednesday, October 27, 2021
via Teleconference (Virtual Meeting)

CALL TO ORDER

Vice Chair Chuan called the meeting to order at 7:01 PM. Recording Secretary Elizabeth Medina called the roll.

PLEDGE OF ALLEGIANCE

Vice Chair Chuan led the pledge of allegiance.

ROLL CALL

PRESENT: Vice Chair Chuan, Commissioner Albana, Alcorn, Belong, Ciardella, Galang

ABSENT: Chair Tao

STAFF: Ned Thomas, Lillian VanHua, Martin de los Angeles, Bill Tott, Steve Chan, Albert Zamora, Jaime Garcia, Elizabeth Medina

CONFLICT OF INTEREST DECLARATION

City Attorney Martin de los Angeles asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda and there were none.

APPROVAL OF THE MEETING AGENDA

Vice Chair Chuan noted he found a typo in the agenda - change SB300 to SB330 in body of project description.

By motion, approve the meeting agenda as amended for October 27, 2021.

Motion/Second Ciardella/Galang

Motion carried by a vote of AYES: 6 NOES: 0

APPROVAL OF MEETING MINUTES

By motion, approve the meeting minutes of September 8, 2021.

Motion/Second Belong/Alcorn

Motion carried by a vote of AYES: 6 NOES: 0

ANNOUNCEMENTS

Commissioner Belong shared that due to relocation, he will be resigning from his seat as Planning Commissioner effective end of the meeting.

Planning Director Thomas shared that this is the time of year for commission appointments/re-appointments by the Council; Chair Tao, Commissioner Alcorn and Commissioner Galang's appointments will expire end of year, and a seat vacancy opens up with Commissioner Belong's resignation. Planning Director Thomas also shared information on recent meetings: 10/25 – Metro Specific Open House Community virtual meeting and 10/26 – Gateway/Main Street Kickoff meeting.

PUBLIC FORUM

Vice Chair Chuan invited members of the public to address the commission and there were none.

CONSENT CALENDAR

Adopt a Resolution Making Findings and Determinations Under Assembly Bill 361 for the Continuation of Virtual Meetings.

Staff: Martin de los Angeles, City Attorney, (408) 586-3040

Recommendation: Adopt Resolution 21-023 making findings and determinations under Assembly Bill 361 for the continuation of virtual meetings.

Motion/Second Alcorn/Albana

Motion carried by a vote of AYES: 6 NOES: 0

PUBLIC HEARING

32 TOWNHOME DEVELOPMENT – 2001 TAROB COURT – SD21-0004, UP21-0005, MT21-0001, P-EA21-0002: Site Development Permit, Conditional Use Permit, Vesting Tentative Map, and Environmental Assessment to allow development of a 32-unit townhome condominium subdivision comprised of multi-family residential buildings up to 50 feet in height (three to four stories), with tandem resident garages accessed from a central drive aisle, and associated site improvements on a 1.22-gross acre site located in the R3 Multi-Family High Density Residential Zoning District at 2001 Tarob Court. The project is located within the Transit Area Specific Plan (TASP) area and submitted in accordance with California Senate Bill 3300 (Housing Crisis Act of 2019). The project is consistent with the scope of activities approved under the Transit Area Specific Plan Environmental Impact Report (SCH#2006032091) and exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR), Section 15182 (Residential Projects Pursuant to a Specific Plan), and Section 15183 (Projects Consistent with a Community Plan, General Plan or Zoning). Project Planner: Lillian VanHua, (408) 586-3073, lvanhua@ci.milpitas.ca.gov

Project Planner Lillian VanHua, City staff [*Bill Tott/Building Official, Steve Chan/Transportation and Traffic Manager, Albert Zamora/Deputy Fire Chief, and Jaime Garcia/Assistant Fire Marshal*] and applicant's team [*Leah Beniston/True Life Companies and Attorney Arielle Harris/Miller Starr Regalia*] addressed commissioners' clarifying questions in regard to garages having plugs for electric vehicles, if the project falls under California solar mandate, tandem parking, layout of units, emergency access/exits, fire sprinklers, fire safety with common walls of units, and explanation of waivers associated with project.

Vice Chair Chuan invited members of the public to address the commission and there were none.

Motion to close the Public Forum.

Motion/Second Alcorn/Albana

Motion carried by a vote of AYES: 6 NOES: 0 0

Recommendation: Staff recommends that the Planning Commission open and close the public hearing, consider the consistency memoranda to a previously approved Addendum to the Transit Area Specific Plan EIR and the exemptions in accordance to CEQA. Staff further recommends that the Planning Commission adopt Resolution 21-022, recommending that the City Council approve Site Development Permit No. SD21-0004, Conditional Use Permit No. UP21-0005,

Vesting Tentative Map MT21-0001, and Environmental Assessment No. EA19-0007 to allow development of a 32-unit townhome condominium subdivision, comprised of two multi-family buildings up to 50 feet (three to four stories) in height, with tandem garages accessed from a central drive aisle, and associated site improvements, subject to the Conditions of Approval.

Motion/Second Albana/Alcorn

Motion carried by a vote of AYES: 6 NOES: 0

NEW BUSINESS

Planning Commission received the Planning Commission Work Plan for FY2021-22 from Planning Director Ned Thomas.

ADJOURNMENT

Vice Chair Chuan adjourned the meeting at 8:21 pm

Motion/Second Belong/Galang

Motion carried by a vote of AYES: 6 NOES: 0

Meeting Minutes submitted by
Planning Commission Secretary Elizabeth Medina

2001 TAROB COURT

MILPITAS, CA

SEPTEMBER 10, 2021



RESIDENTIAL BUILDINGS GENERAL INFORMATION

DESCRIPTION	CONDOMINIUM UNITS WITH INDIVIDUAL ENTRANCES AND PRIVATE TANDEM GARAGES WITH DIRECT ACCESS TO EACH DWELLING UNIT
DWELLING UNITS	32
HEIGHT	3 AND 4 STORIES
CONSTRUCTION TYPE	V-A
OCCUPANCY TYPES	
RESIDENTIAL UNITS	R-2
PRIVATE GARAGES	U
ADAPTABLE UNITS	
REQUIRED	10% OF 32 UNITS = 4
PROVIDED	4

BUILDING DATA

	Gross Living Area SF	Garage Area SF	Total SF	Private Open Space SF	Unit Count
Building 1	25,242	7,626	32,868	1,764	16 Units
Building 2	25,242	7,626	32,868	1,764	16 Units
Totals	50,484	15,252	65,736	3,528	32 Units

UNIT MIX

Unit Name	Description	Garage SF	Garage Type	Quantity	%	Unit Net SF*	Unit Gross SF**	Total Net SF*	Total Unit Gross SF**
Unit 1	2 Bedroom + 2 Bath	489	Tandem 2 Car	4	12.5%	1,365	1,854	5,460	7,416
Unit 2	3 Bedroom + 2 Bath	474	Tandem 2 Car	8	25.0%	1,414	1,888	11,312	15,104
Unit 4	3 Bedroom + 2 Bath	486	Tandem 2 Car	4	12.5%	1,430	1,916	5,720	7,664
Unit 5	3 Bedroom + 3 Bath	471	Tandem 2 Car	8	25.0%	1,619	2,090	12,952	16,720
Unit 7	3 Bedroom + 3 Bath	474	Tandem 2 Car	8	25.0%	1,880	2,354	15,040	18,832
Subtotal				32	100.0%			50,484	65,736
Avg. Unit Square Footage								1,578	2,054

APPLICANT:
TTLC TAROB 4, LLC
12647 ALCOSTA BLVD., SUITE 470
SAN RAMON, CA 94583
ATTN: LEAH BENISTON
925.380.1699

ARCHITECT:
SDG ARCHITECTS, INC.
3361 WALNUT BLVD., SUITE 120
BRENTWOOD, CA 94513
ATTN: SCOTT PRICKETT
925.634.7000

CIVIL ENGINEER:
WOOD RODGERS, INC.
4670 WILLOW RD #125
PLEASANTON, CA 94588
ATTN: KARRIE MOSCA
925.847.1547

LANDSCAPE ARCHITECT:
R3 STUDIOS, INC.
201 4TH STREET, SUITE 101B
OAKLAND, CA 94607
ATTN: ROMAN DE SOTA
510.452.1490

AFFORDABLE UNITS- NOTES

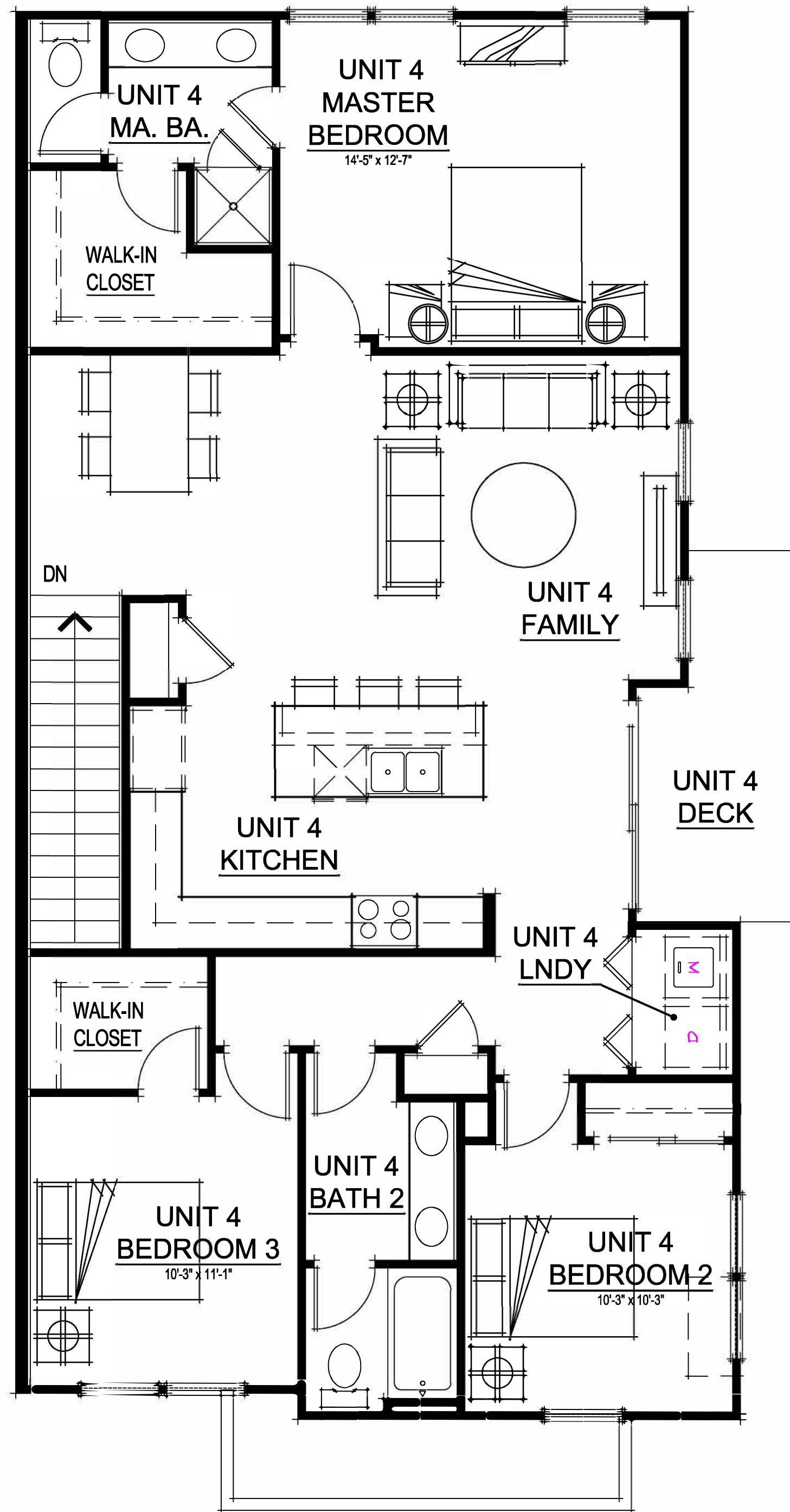
A. NUMBER OF UNITS: 5
B. AFFORDABLE LEVEL: MODERATE
 PROPOSED SIZES:
 PLAN 2- 4 UNITS @ 1,414 SF
 PLAN 4- 1 UNIT @ 1,430 SF
C. ALL AFFORDABLE UNITS WILL BE BUILT CON-
CURRENTLY WITH THE MARKET RATE UNITS.
D. AN EXECUTED AGREEMENT IMPOSING APPRO-
PRIATE OWNERSHIP CONTROLS ON THE AFFORD-
ABLE UNITS IS REQUIRED. THIS WILL BE
COMPLETED DURING THE BUILDING PERMIT
PROCESS.

SHEET INDEX

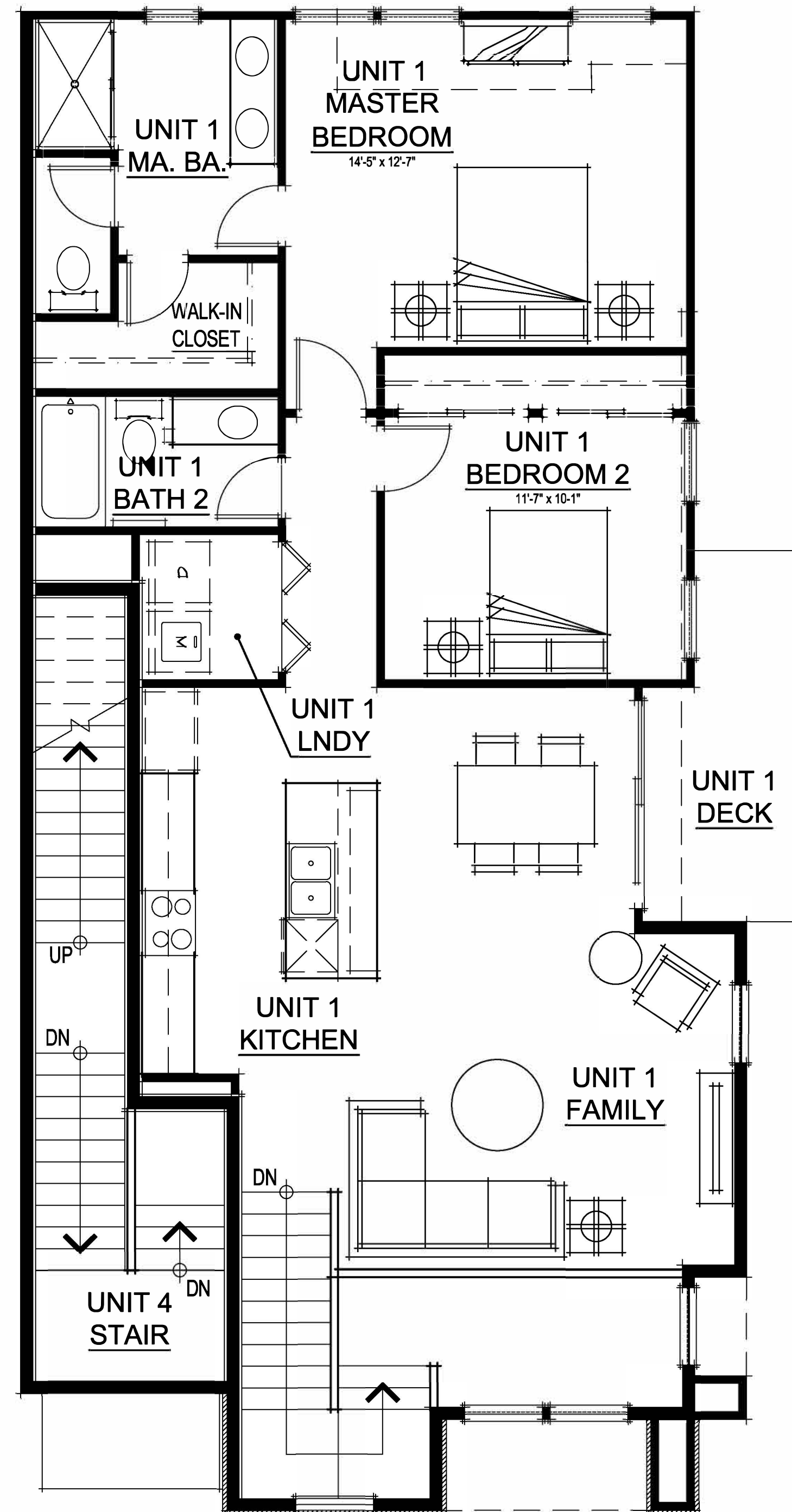
ARCHITECTURE
A0 COVER SHEET
A01 UNITS 1 & 4 FLOOR PLANS
A02 UNITS 2, 5 & 7 FLOOR PLANS
A03 UNITS 2, 5 & 7 FLOOR PLANS
A04 16-UNIT BUILDING FRONT ELEVATION & ROOF PLAN
A05 16-UNIT BUILDING ELEVATIONS
A06 16-UNIT BUILDINGS FLOOR PLANS
A07 16-UNIT BUILDINGS FLOOR PLANS
A08 COLOR AND MATERIALS

CIVIL
TM01 VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM02 EXISTING CONDITIONS & DEMOLITION PLAN
TM03 PRELIMINARY SITE PLAN
TM04 PRELIMINARY UTILITY PLAN
TM05 PRELIMINARY SOLID WASTE HANDLING PLAN
TM06 PRELIMINARY FIRE TRUCK ACCESS PLAN
TM07 PARKING PLAN
TM08 PRELIMINARY STORMWATER CONTROL PLAN
TM09 PRELIMINARY GRADING AND DRAINAGE PLAN
TM10 PRELIMINARY FLOODPLAIN MANAGEMENT PLAN
TM11 CONDITIONS OF APPROVAL
P 1.0 OPEN SPACE EXHIBIT

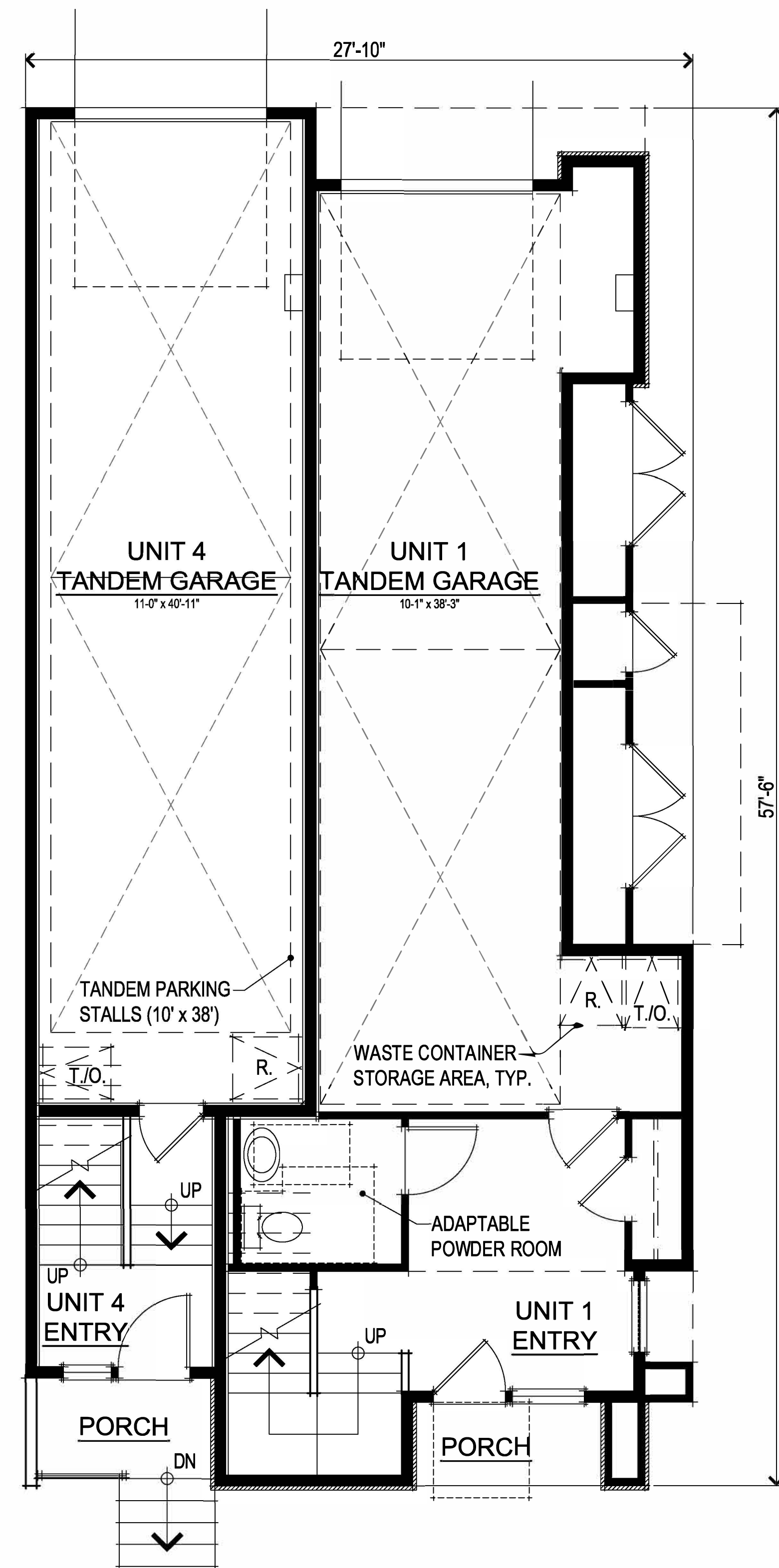
LANDSCAPE
L001 ILLUSTRATIVE SITE PLAN
L002 PRELIMINARY LANDSCAPE PLAN
L003 CONSTRUCTION DETAILS
L004 CONSTRUCTION DETAILS
L005 IRRIGATION NOTES & LEGEND
 (PRIVATELY MAINTAINED LANDSCAPE AREAS)
L006 IRRIGATION DETAILS (PRIVATELY MAINTAINED LANDSCAPE AREAS)
L007 IRRIGATION DETAILS (PRIVATELY MAINTAINED LANDSCAPE AREAS)
L008 IRRIGATION DETAILS (PUBLICLY MAINTAINED LANDSCAPE AREAS)
L009 PROPOSED PLANT PALETTE
L010 PLANTING DETAILS (PRIVATELY MAINTAINED LANDSCAPE AREAS)
L011 PLANTING DETAILS (PUBLICLY MAINTAINED LANDSCAPE AREAS)



THIRD FLOOR PLAN



SECOND FLOOR PLAN

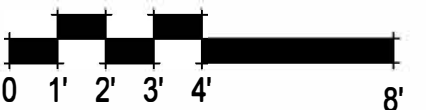


FIRST FLOOR PLAN

NOTE:
UNIT 1 IS AN ADA ADAPTABLE UNIT

UNIT 1 SQUARE FOOTAGES	
FIRST FLOOR	258 SQ. FT.
SECOND FLOOR	1107 SQ. FT.
TOTAL LIVING	1365 SQ. FT.
TANDEM GARAGE	489 SQ. FT.
PORCH	28 SQ. FT.
DECK	75 SQ. FT.

UNIT 4 SQUARE FOOTAGES	
FIRST FLOOR	90 SQ. FT.
1ST-3RD STAIRS	77 SQ. FT.
THIRD FLOOR	1340 SQ. FT.
TOTAL LIVING	1430 SQ. FT.
TANDEM GARAGE	486 SQ. FT.
PORCH	32 SQ. FT.
DECK	75 SQ. FT.



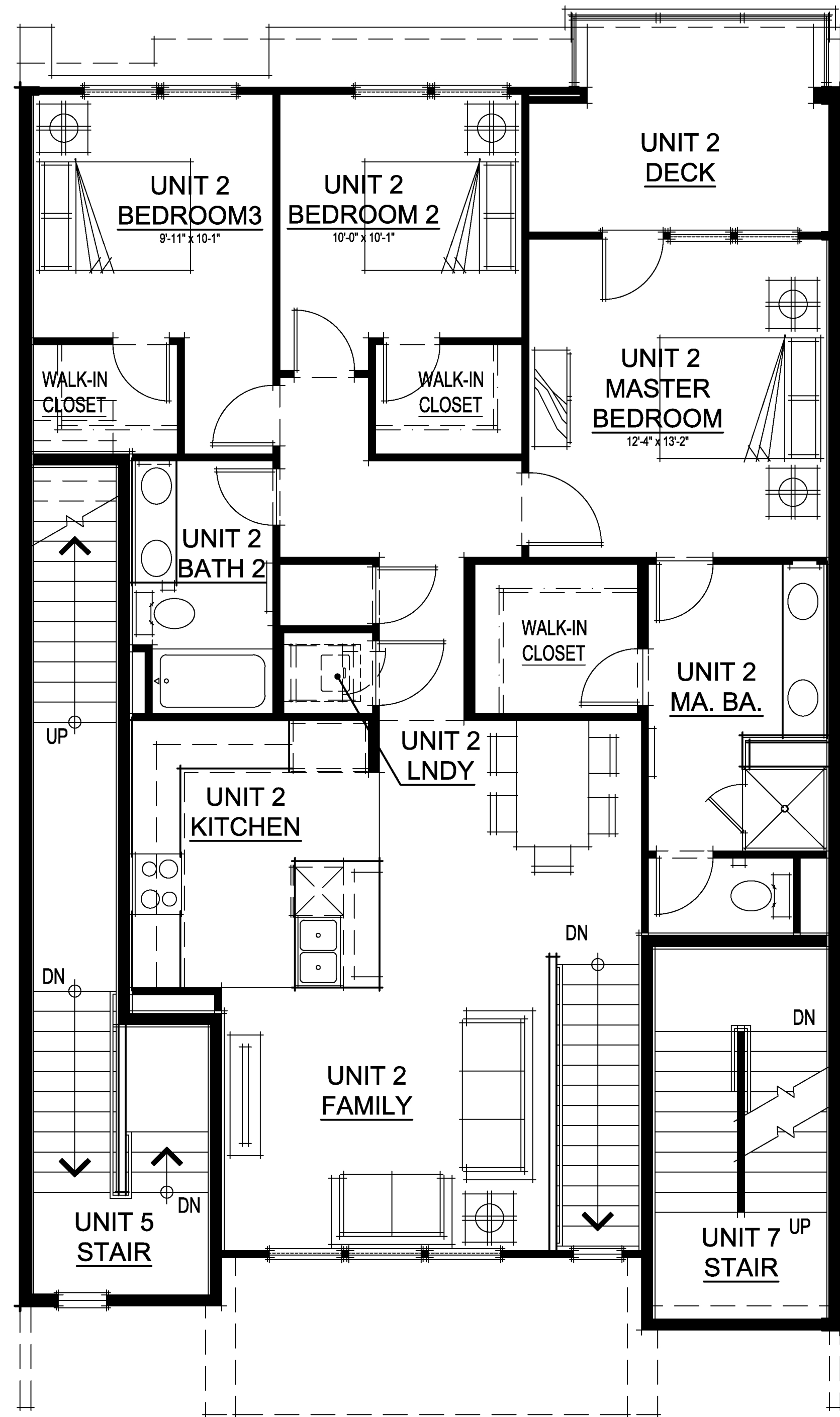
UNITS 1 & 4 FLOOR PLANS A01

2001 TAROB COURT
Milpitas, CA
September 10, 2021

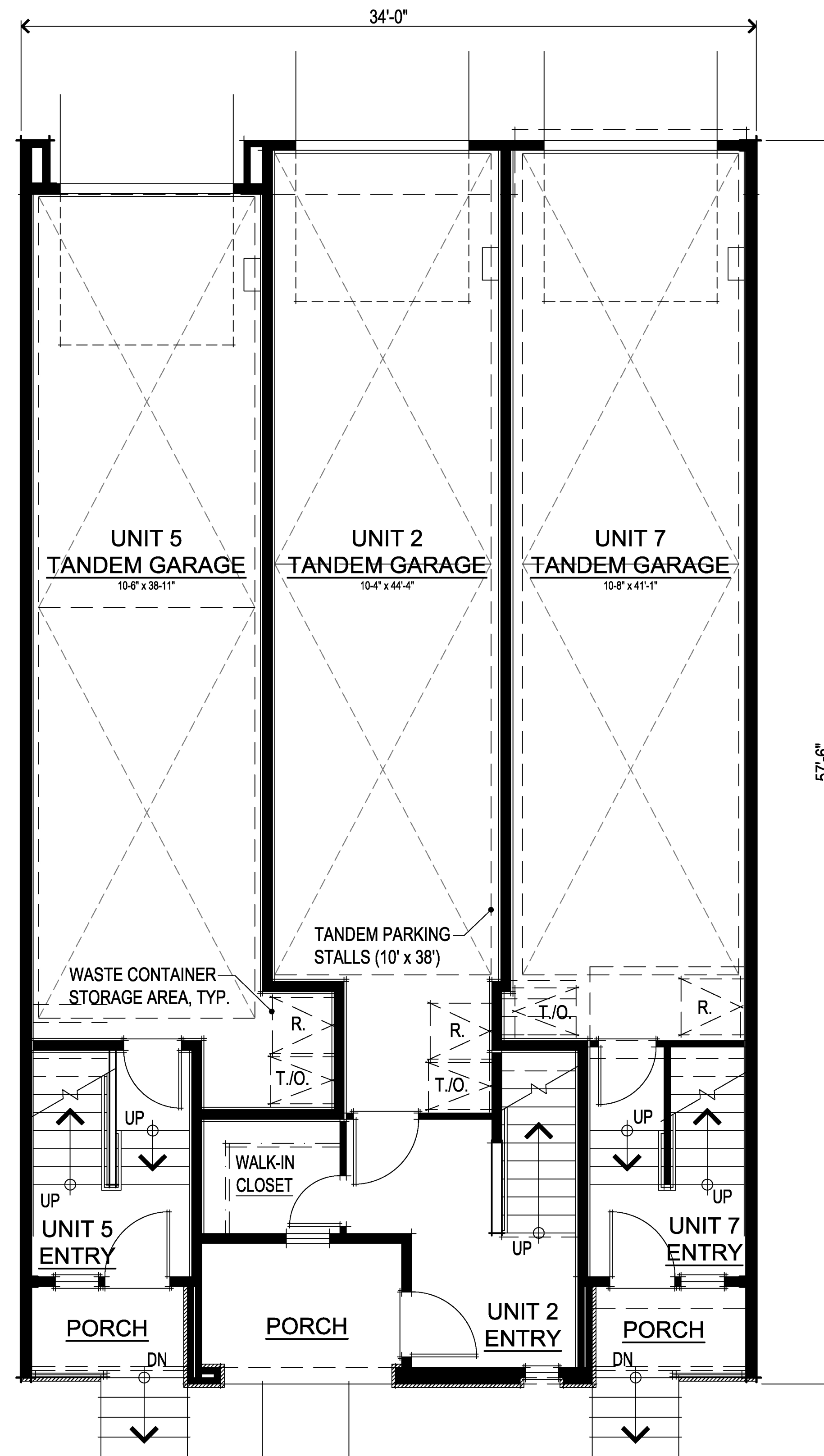
THE TRUE LIFE COMPANIES **TTLc Tarob 4, LLC**
12647 Alcosta Blvd., Suite 470 San Ramon CA 94583
925.824.4300

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com





SECOND FLOOR PLAN



FIRST FLOOR PLAN

UNIT 5 SQUARE FOOTAGES	
FIRST FLOOR	92 SQ. FT.
1ST-3RD STAIRS	97 SQ. FT.
THIRD FLOOR	715 SQ. FT.
FOURTH FLOOR	715 SQ. FT.
TOTAL LIVING	1619 SQ. FT.
TANDEM GARAGE	471 SQ. FT.
PORCH	33 SQ. FT.
DECK 1	87 SQ. FT.
DECK 2	87 SQ. FT.

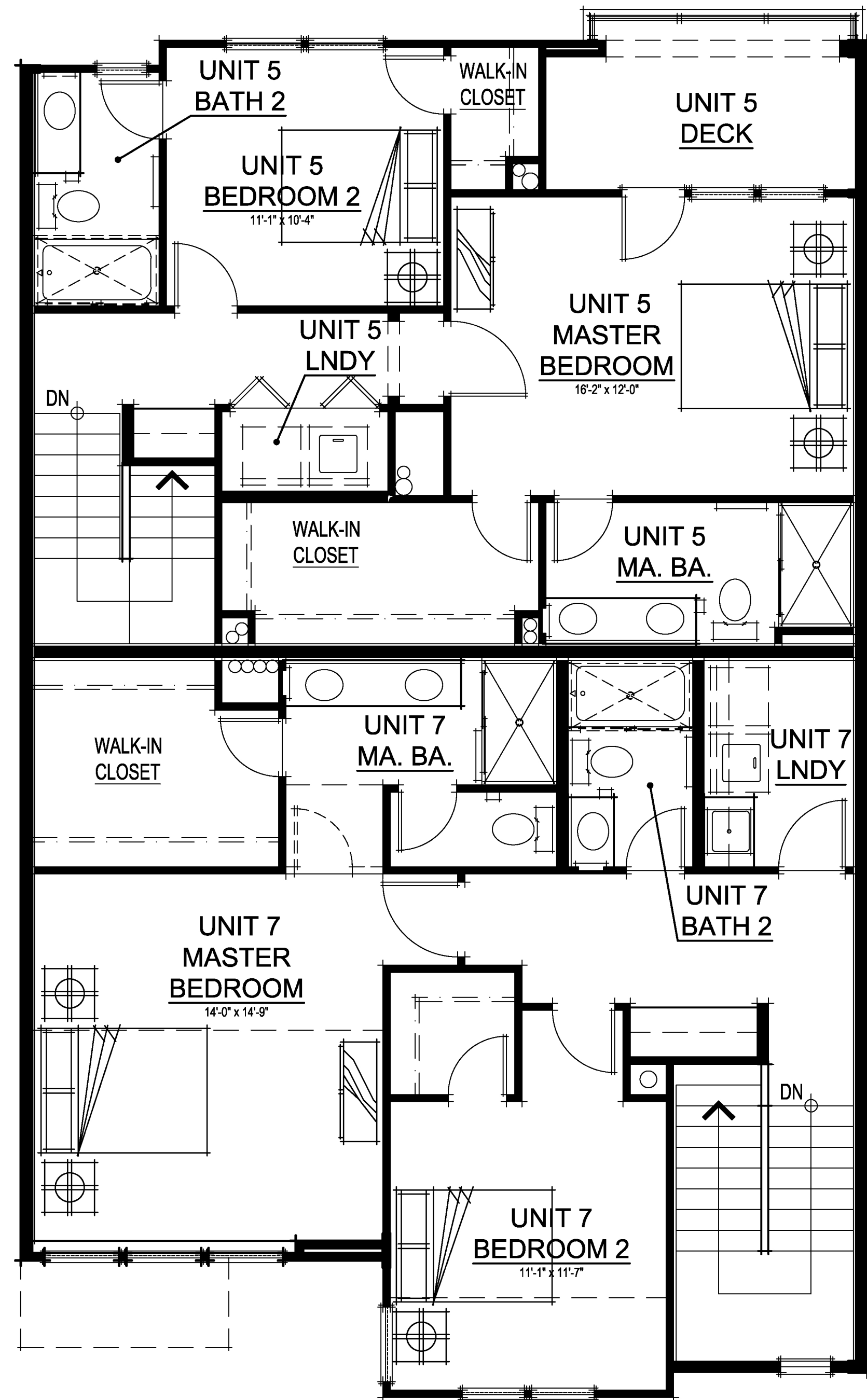
UNIT 2 SQUARE FOOTAGES	
FIRST FLOOR	173 SQ. FT.
SECOND FLOOR	1241 SQ. FT.
TOTAL LIVING	1414 SQ. FT.
TANDEM GARAGE	474 SQ. FT.
PORCH	62 SQ. FT.
DECK	87 SQ. FT.

UNIT 7 SQUARE FOOTAGES	
FIRST FLOOR	89 SQ. FT.
1ST-3RD STAIRS	126 SQ. FT.
THIRD FLOOR	834 SQ. FT.
FOURTH FLOOR	831 SQ. FT.
TOTAL LIVING	1880 SQ. FT.
TANDEM GARAGE	474 SQ. FT.
PORCH	31 SQ. FT.
DECK	105 SQ. FT.

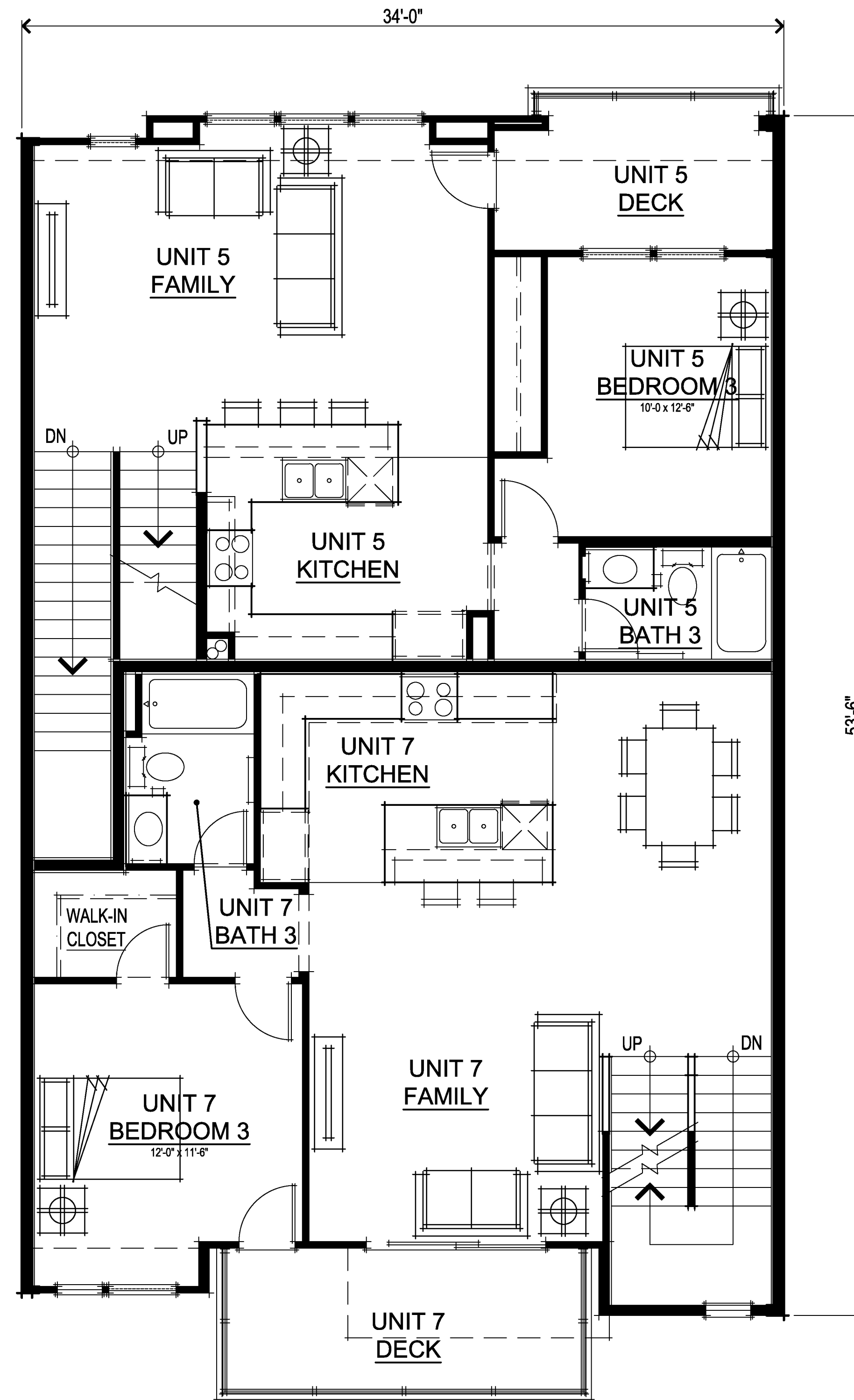


UNITS 2, 5 & 7 FLOOR PLANS A02

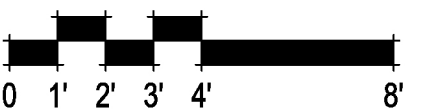
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FOURTH FLOOR PLAN

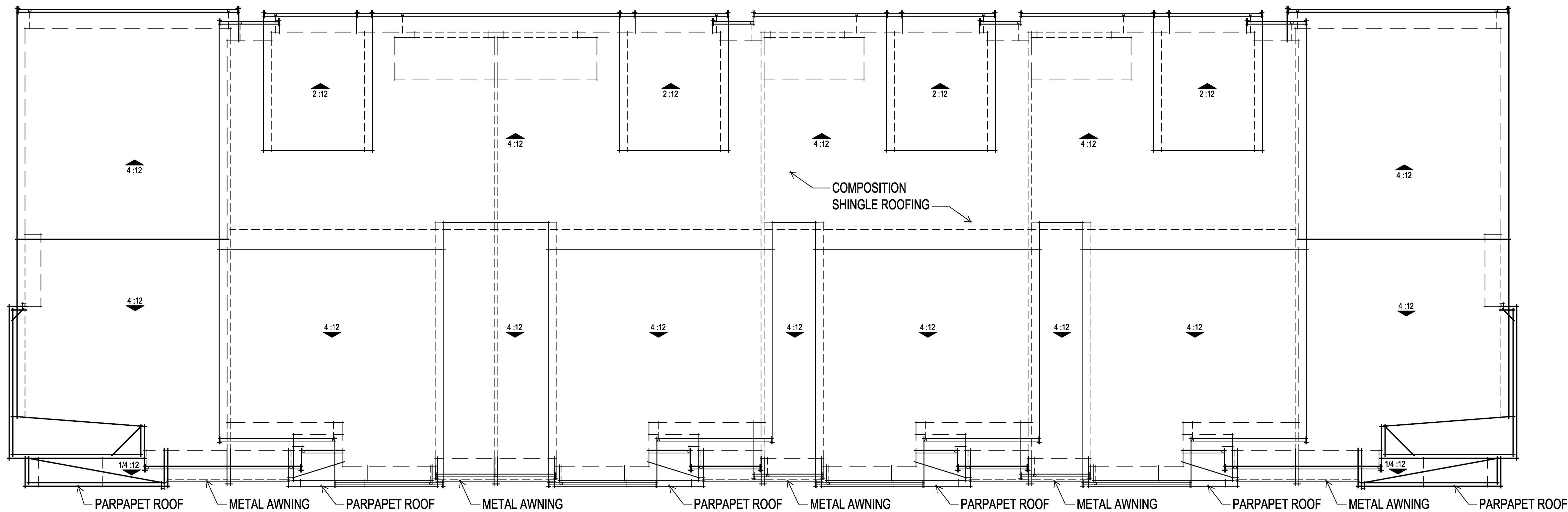


THIRD FLOOR PLAN



2001 TAROB COURT
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UNITS 2, 5 & 7 FLOOR PLANS
A03



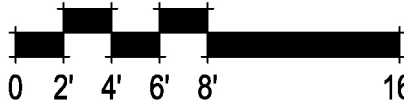
ROOF PLAN



EXTERIOR MATERIALS

- 1 HORIZONTAL SIDING
- 2 STUCCO W/ LIGHT SAND FINISH
- 3 STONE TILE VENEER
- 4 ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING
- 5 WOOD WINDOW TRIM
- 6 CONTEMPORARY GARAGE DOOR
- 7 METAL RAILING w/ HORIZONTAL PLANK RAILS
- 8 METAL AWNINGS
- 9 PRE-FINISHED METAL COPING
- 10 ENTRY WALL SCENCE
- 11 FIXTURE OVER GARAGE DOOR
- 12 ENTRY DOOR

FRONT ELEVATION



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16-UNIT BUILDING FRONT ELEVATION & ROOF PLAN
A04

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LEFT ELEVATION

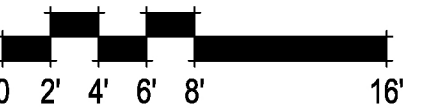


CONDENSER
UNIT, TYP.

RIGHT ELEVATION



REAR ELEVATION

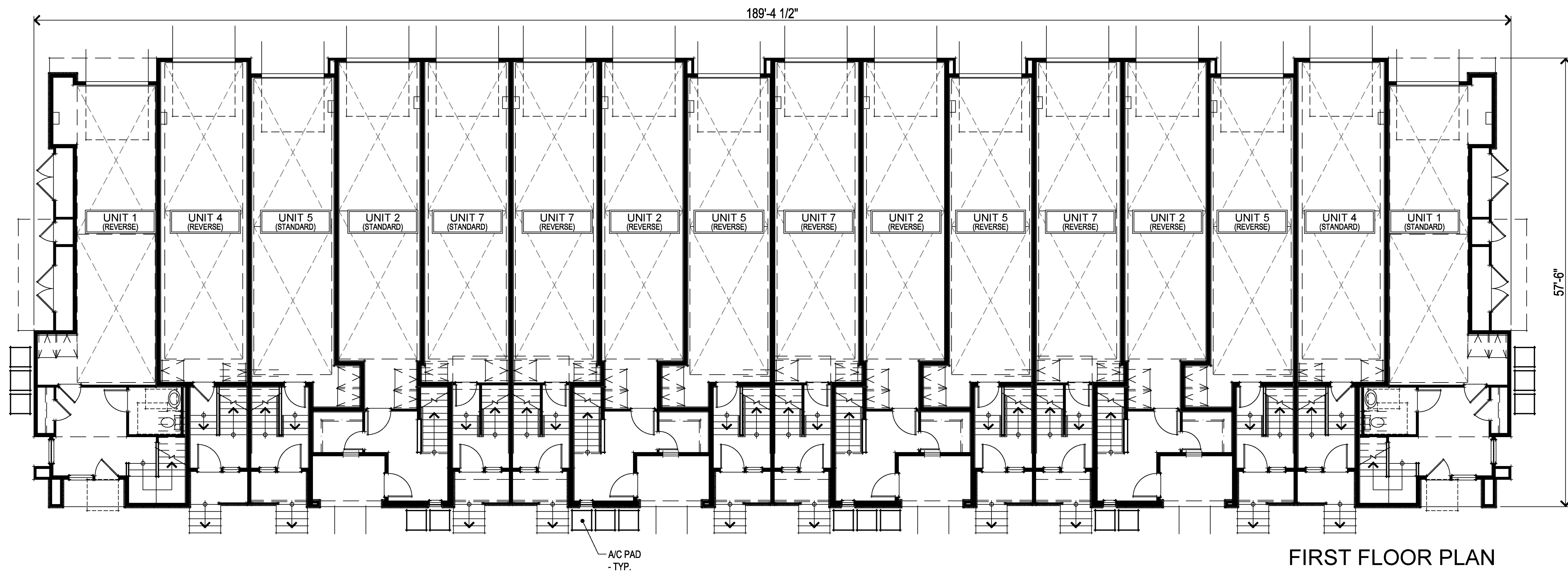


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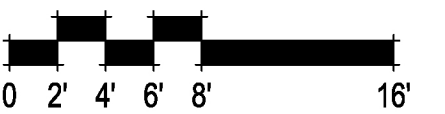
16-UNIT BUILDING ELEVATIONS
A05



SECOND FLOOR PLAN



FIRST FLOOR PLAN



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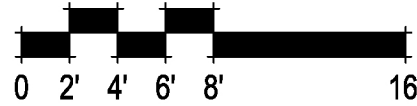
16-UNIT BUILDINGS FLOOR PLANS
A06



FOURTH FLOOR PLAN



THIRD FLOOR PLAN



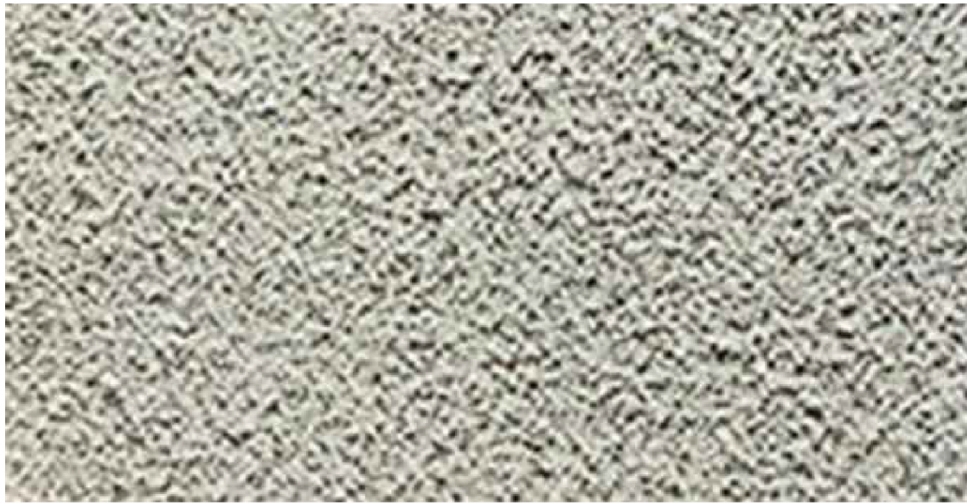
2001 TAROB COURT
Milpitas, CA
September 10, 2021

16-UNIT BUILDINGS FLOOR PLANS
A07

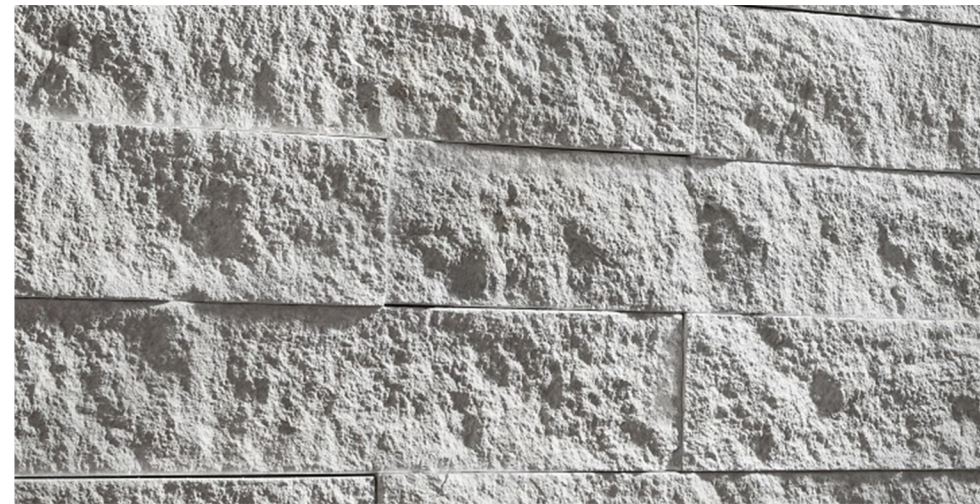
MATERIALS



1 HORIZONTAL SIDING
OCCURS WITH ALL BODY COLORS & ACCENT COLORS



2 STUCCO
LIGHT SAND FINISH
OCCURS WITH BODY 1 COLOR & ACCENT COLOR



3 STONE TILE VENEER
ELDORADO STONE: VANTAGE 30 - SOUTHERN PEAK



4 COMPOSITION SHINGLE ROOF
CERTAINTED: LANDMARK - WEATHERED WOOD



5 WOOD WINDOW TRIM



6 CONTEMPORARY GARAGE DOOR
GRAND HARBOR: SERIES 1 - DESIGN 11



7 METAL RAILING
WITH HORIZONTAL WOOD PLANK RAILS



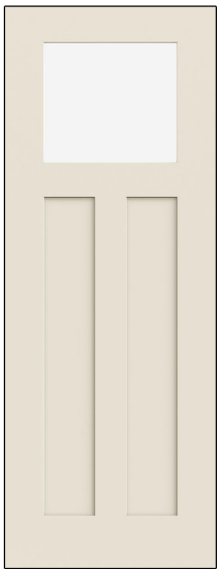
8 METAL AWNINGS



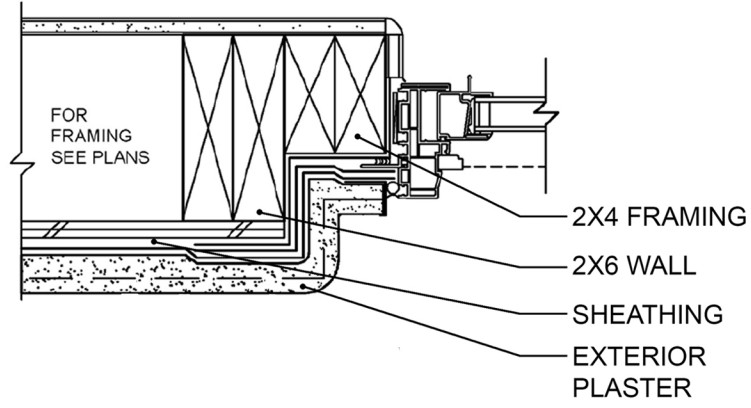
10 CONTEMPORARY WALL SCONCE
MODERN FORMS: HILINE - WS-W23



11 LED SURFACE MOUNT FIXTURE
WPX LED



12 FRONT ENTRY DOOR



RECESSED WINDOW DETAIL
(NO TRIM)

COLOR SCHEME



Body 1
SW 7011 Natural Choice
(254-C6)



Body 5
SW 6183 Dried Thyme
(215-C5)



Body 6
SW 032 Needlepoint Navy



Accent & Fascia
SW 7673 Pewter Cast
(282-C4)

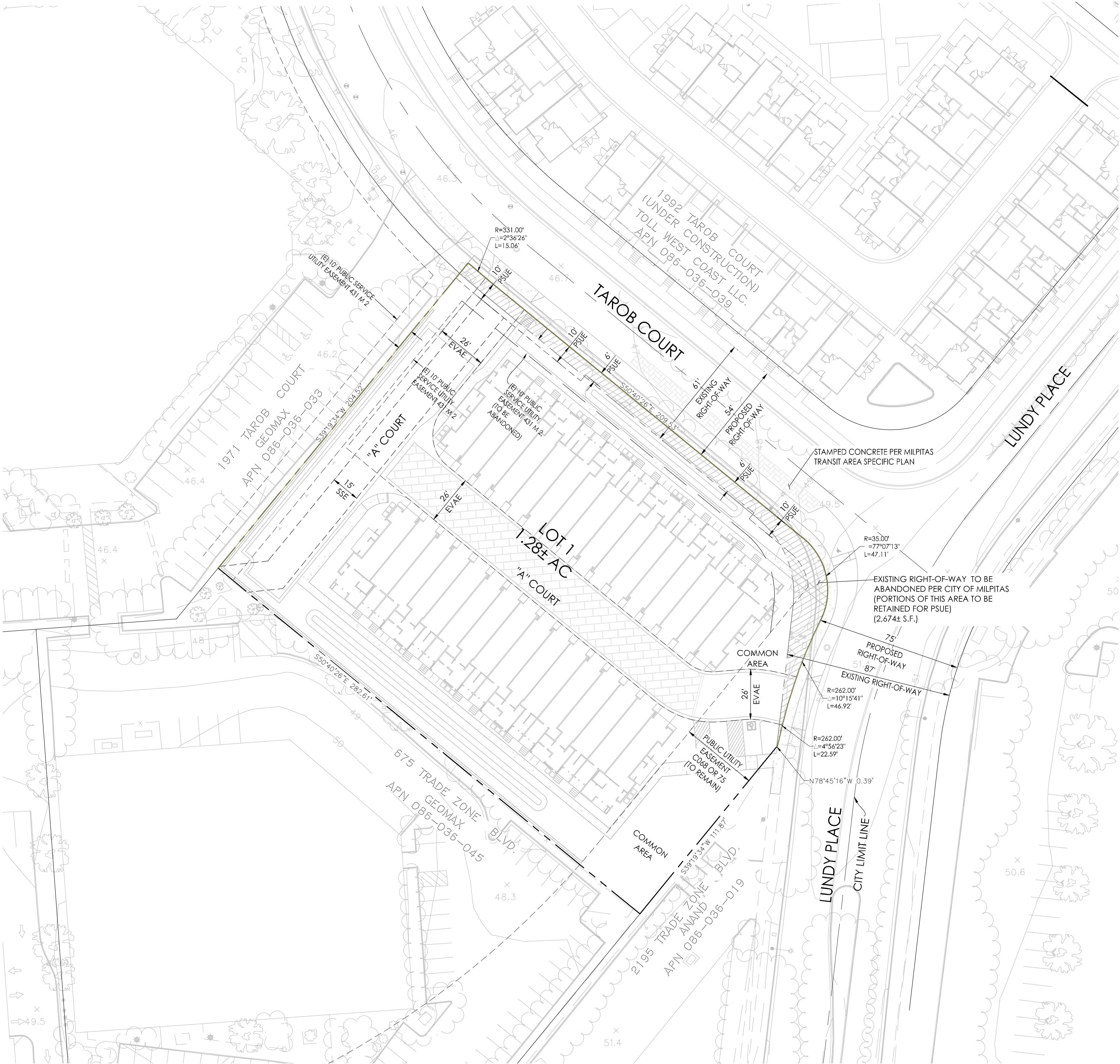


Entry Door
SW 7068 Grizzle Gray
(236-C6)

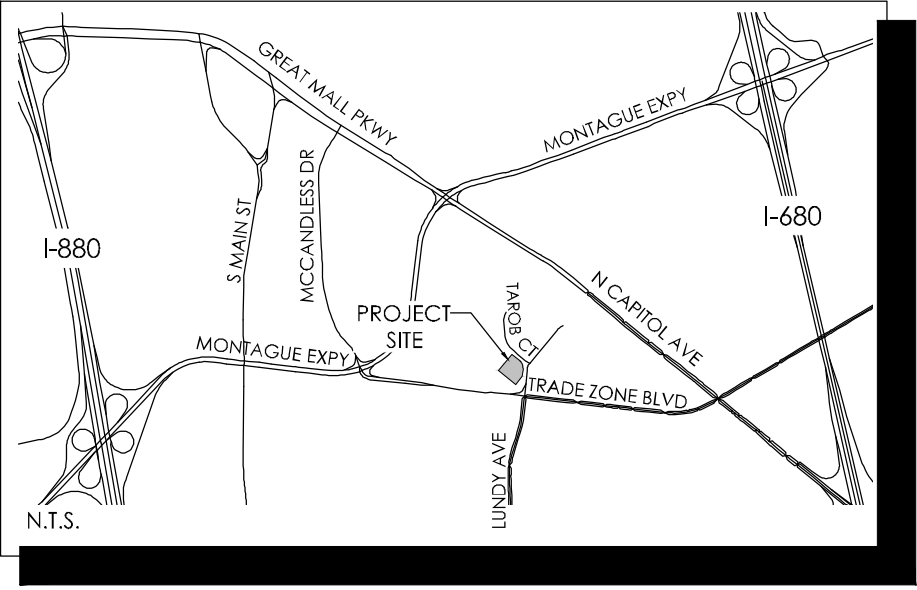
EXTERIOR MATERIALS

- 1 HORIZONTAL SIDING
- 2 STUCCO W/ LIGHT SAND FINISH
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- 12 ENTRY DOOR

2001 TAROB COURT
Milpitas, CA
September 10, 2021



LOCATION MAP



LEGEND

PROPOSED		EXISTING
	PROJECT BOUNDARY	
	RIGHT-OF-WAY	
	EASEMENT LINE	
	CENTERLINE	
	BUILDING	
	HARDSCAPE	
	TREE	
	ACCESSIBLE PATH OF TRAVEL	
	RIGHT OF WAY ABANDONMENT	
	CONCRETE	
	PERVIOUS PAVERS	

ABBREVIATIONS

EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FC	FACE OF CURB
PSUE	PUBLIC SERVICE UTILITY EASEMENT
R	RADIUS
R/W	RIGHT OF WAY
SSE	SANITARY SEWER EASEMENT

SHEET INDEX

TM01	VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM02	EXISTING CONDITIONS & DEMOLITION PLAN
TM03	PRELIMINARY SITE PLAN
TM04	PRELIMINARY UTILITY PLAN
TM05	PRELIMINARY SOLID WASTE HANDLING PLAN
TM06	PRELIMINARY FIRE TRUCK ACCESS PLAN
TM07	PARKING PLAN
TM08	PRELIMINARY STORMWATER CONTROL PLAN
TM09	PRELIMINARY GRADING & DRAINAGE PLAN
TM10	PRELIMINARY FLOODPLAIN MANAGEMENT PLAN
TM11	CONDITIONS OF APPROVAL
P 1.0	OPEN SPACE EXHIBIT



PROJECT NOTES

APPLICANT
TILC TAROB 4, LLC
12647 ALCOSTA BOULEVARD, SUITE 470
SAN RAMON, CA 94583
CONTACT: LEAH BENISTON PHONE: (925) 380-1699

OWNER
CAROL I CORTESE
3626 NORCROSS CT.
SAN JOSE, CA 95148

ENGINEER/PLANNER
WOOD RODGERS, INC.
4670 WILLOW ROAD, SUITE 125
PLEASANTON, CA 94588
CONTACT: KARRIE MOSCA/PAUL MEUSER
PHONE: (925) 847-1547

PROJECT ADDRESS
2001 TAROB COURT, MILPITAS, CA 95035

ASSESSOR'S PARCEL NO.
086-036-034

AREA
1.22± ACRES EXISTING
1.28± ACRES PROPOSED (AFTER ABANDONMENT OF RIGHT-OF-WAY)

DENSITY
25.0± DWELLING UNITS/ACRE

NUMBER OF LOTS / UNITS
1 LOT / 32 CONDOMINIUM UNITS

EXISTING USE
INDUSTRIAL

PROPOSED USE
MULTI-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN
MULTI-FAMILY RESIDENTIAL HIGH DENSITY (MFH) 21-40 UNITS/GROSS ACRE

PROPOSED GENERAL PLAN
MULTI-FAMILY RESIDENTIAL HIGH DENSITY (MFH) 21-40 UNITS/GROSS ACRE

EXISTING ZONING
R3 - HIGH DENSITY, TRANSIT ORIENTED

PROPOSED ZONING
R3 - HIGH DENSITY, TRANSIT ORIENTED

PARK DISTRICT
MILPITAS RECREATION SERVICES DIVISION

FIRE PROTECTION
MILPITAS FIRE DEPARTMENT

SCHOOL DISTRICT
BERRYESSA UNION SCHOOL DISTRICT

SEWER
CITY OF MILPITAS

STORM DRAIN
CITY OF MILPITAS

WATER
CITY OF MILPITAS

ELECTRICITY & GAS
PG&E

TELEPHONE
AT&T, COMCAST

CABLE TV
AT&T, COMCAST

FLOOD ZONE
A CLOMR-F DATED NOVEMBER 19, 2019 HAS BEEN ISSUED TO REFLECT THE CHANGE IN FEMA ZONE FROM "AO" TO "X".

MAP NUMBER: 06085C0069H
CASE NUMBER: 19-09-2315C

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD83, AS MEASURED BETWEEN FOUND MONUMENTS IN TAROB COURT, SAID BEARING BEING N53°39'32"W. ALL DISTANCES SHOWN ARE GROUND BASED, TO OBTAIN GRID DISTANCES DIVIDE GROUND DISTANCE BY A COMBINATION FACTOR = 1.000049802

BENCHMARK
USC&GS BRASS DISK IN TOP OF NORTH END OF WEST HEADWALL, WPRR CULVERT CROSSING OF PENITENCIA CREEK, NORTH OF LUNDY ROAD. ELEV=51.880' (NAVD88)

DATUM
NORTHERN AMERICAN DATUM OF 1983 (NAD83), AND CALIFORNIA COORDINATE OF 1983, ZONE 3

CONDOMINIUM MAP
A CONDOMINIUM MAP WILL BE RECORDED FOR LOT 1, THE SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT.

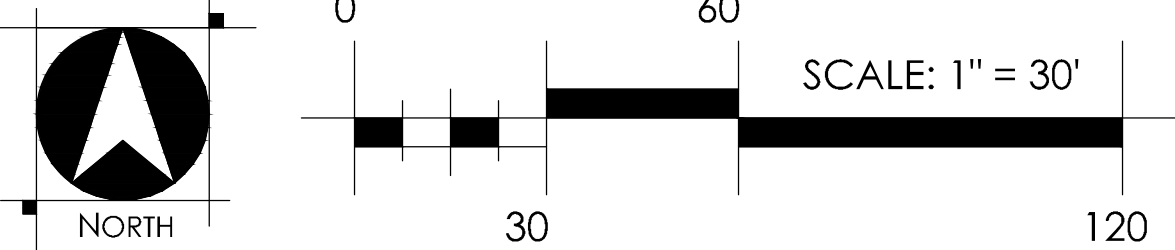
DIMENSIONS
ALL DIMENSIONS ARE PRELIMINARY AND SUBJECT TO FINAL SUBDIVISION MAP.

NOTES
1. SUBDIVIDER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS.
2. ADDITIONAL EASEMENTS MAY BE NECESSARY ON PRIVATE LOTS, SUCH AS PUBLIC SERVICE EASEMENTS FOR JOINT TRENCH FACILITIES. ADDITIONAL EASEMENTS WILL BE ADDED TO THE FINAL MAP.

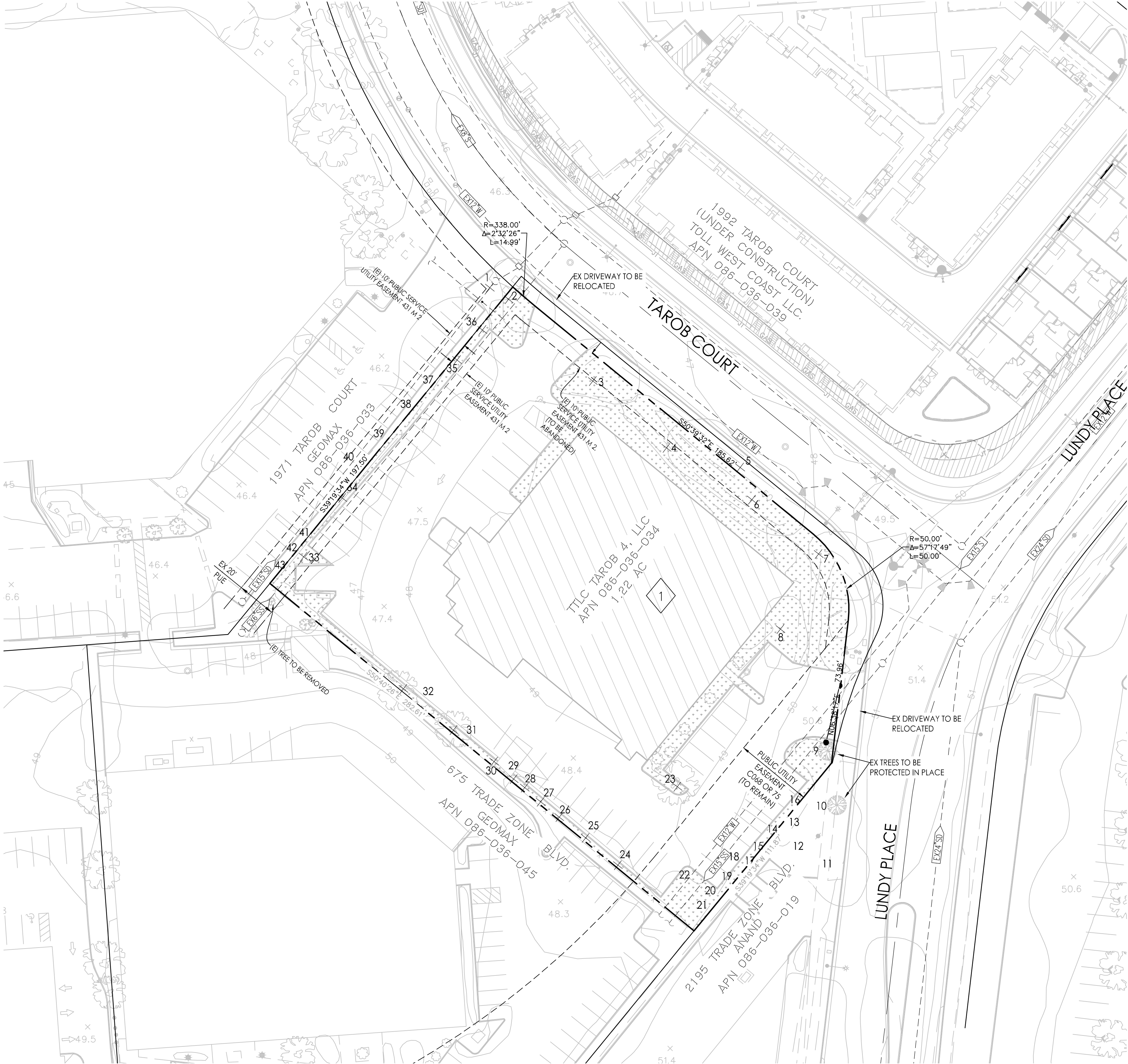
2001 TAROB COURT
Milpitas, CA
SEPTEMBER 10, 2021

VESTING TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES
TM01

THE TRUE LIFE COMPANIES
TTLIC Tarob 4, LLC
12647 Alcosta Blvd., Suite 470 San Ramon CA 94583
925.824.4300



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
4670 WILLOW ROAD, SUITE 125 Tel 925.847.1556
Pleasanton, CA. 94588 Fax 925.847.1557



ABBREVIATIONS

E	EAST
EAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
G	GAS
L	LENGTH
N	NORTH
OH	OVERHEAD LINE
PFWLE	PRIVATE FIRE WATER LINE EASEMENT
PRICE	PRIVATE INGRESS & EGRESS EASEMENT
PV	POST INDICATOR VALVE
PMSDE	PRIVATE MUTUAL STORM DRAIN EASEMENT
PPE	PRIVATE PARKING EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT
PSUE	PUBLIC SERVICE UTILITY EASEMENT
PWLE	PRIVATE WATER LINE EASEMENT
R	RADIUS
R/W	RIGHT OF WAY
S	SOUTH
SS	SANITARY SEWER
SD	STORM DRAIN
PSDE	PRIVATE STORM DRAIN EASEMENT
SF	SQUARE FEET
W	WATER

LEGEND

PROPOSED		EXISTING
---	PROJECT BOUNDARY	---
---	PROPERTY LINE	---
---	EASEMENT LINE	---
---	CENTERLINE	---
---	MONUMENT LINE	---
---	SANITARY SEWER	EX. 8" SS
---	STORM DRAIN	EX. 18" SD
---	POTABLE WATER	EX. 10" W
---	POWER POLE	
---	STREETLIGHT	
---	TREE	
	TREE NUMBER	32
	BUILDING TO BE DEMOLISHED	
1	ALL BUILDINGS, STRUCTURES, PAVEMENT, CURBS & HARDSCAPE TO BE DEMOLISHED WITHIN PROJECT BOUNDARY	

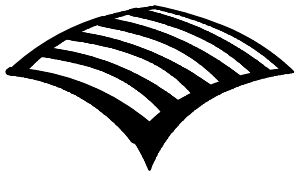
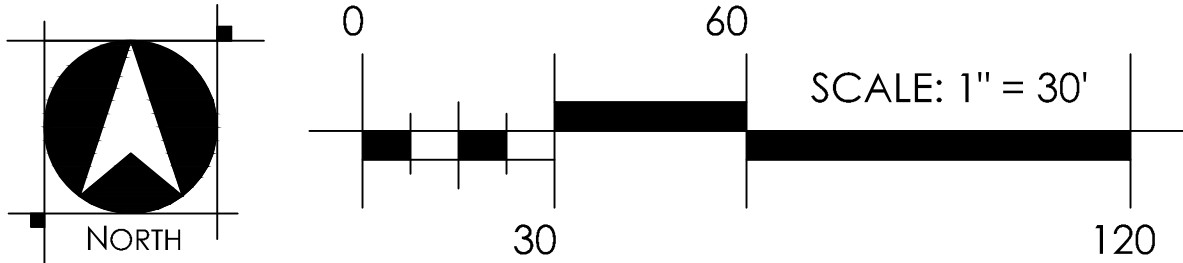
TREE TABLE		
TREE NUMBER		DESCRIPTION
X	1	8" LONDON PLANE
X	2	13" LONDON PLANE
X	3	21" LONDON PLANE
X	4	21" LONDON PLANE
X	5	14" LONDON PLANE
X	6	16" LONDON PLANE
X	7	20" LONDON PLANE
X	8	11" CAMPHOR
	9	15" LONDON PLANE
	10	10" JAPANESE BLACK PINE
	11	15" JAPANESE BLACK PINE
	12	15" COAST REDWOOD
	13	14" COAST REDWOOD
	14	8" SILVER DOLLAR GUM
	15	14" COAST REDWOOD
	16	25" SILVER DOLLAR GUM
	17	9" SILVER DOLLAR GUM
	18	26" SILVER DOLLAR GUM
	19	9" CANARY ISLAND PINE
	20	21" CANARY ISLAND PINE
	21	19" CANARY ISLAND PINE
	22	11" LONDON PLANE
X	23	11" LONDON PLANE
X	24	18" RAYWOOD ASH
X	25	16" RAYWOOD ASH
X	26	11" VALLEY OAK
X	27	6" XYLOSMA
X	28	5" XYLOSMA
X	29	6" XYLOSMA
X	32	12" XYLOSMA
X	33	13" LONDON PLANE
X	34	9" RAYWOOD ASH
X	35	17" RAYWOOD ASH
X	36	16" RAYWOOD ASH

NOTE: TREES MARKED WITH AN "X" ARE TO BE REMOVED. FIELD VERIFICATION OF TREE LOCATIONS NECESSARY PRIOR TO REMOVAL. SEE ARBORIST REPORT FOR MORE DETAIL.

2001 TAROB COURT
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SEPTEMBER 10, 2021

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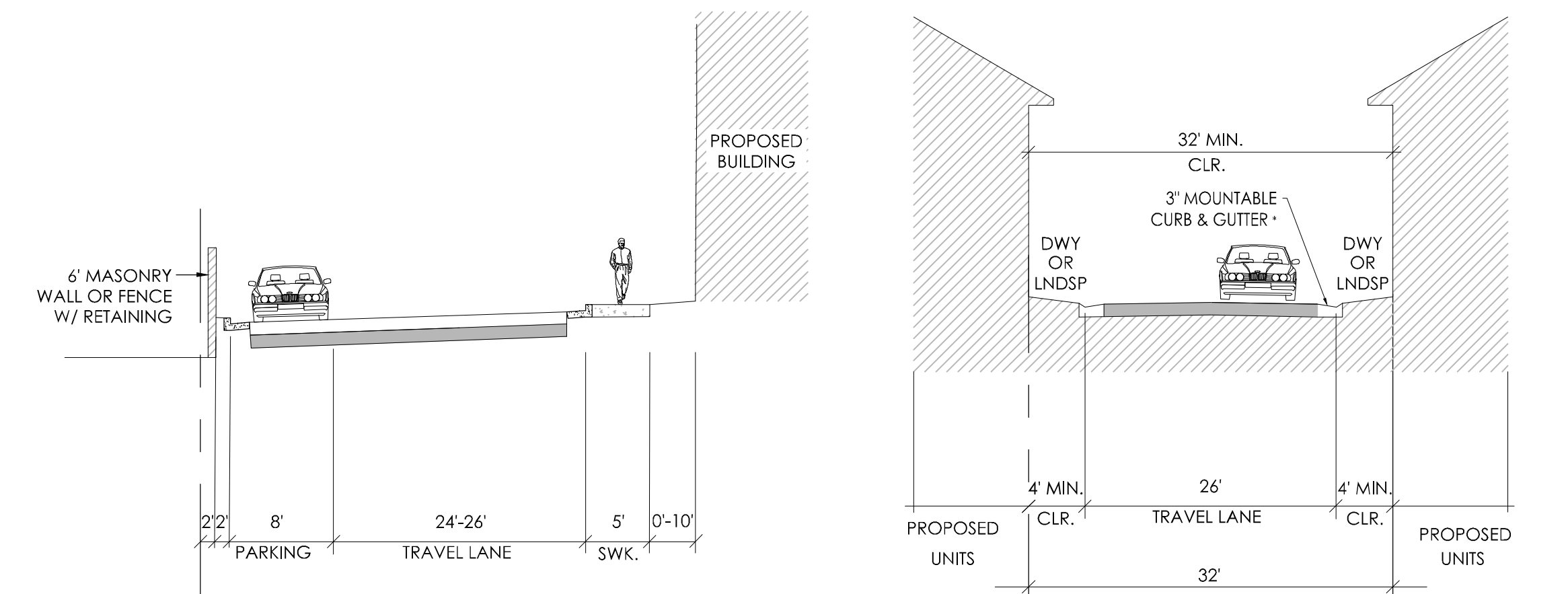
EXISTING CONDITIONS PLAN & DEMOLITION PLAN
TM02



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4670 WILLOW ROAD, SUITE 125 Tel 925.847.1556
Pleasanton, CA. 94588 Fax 925.847.1557

- AN EXECUTED AGREEMENT IMPOSING APPROPRIATE OWNERSHIP CONTROLS ON THE AFFORDABLE UNITS IS REQUIRED. THIS WILL BE COMPLETED DURING THE BUILDING PERMIT PROCESS.

2. UNITS DENOTED WITH A (X) INDICATE AFFORDABLE UNITS.



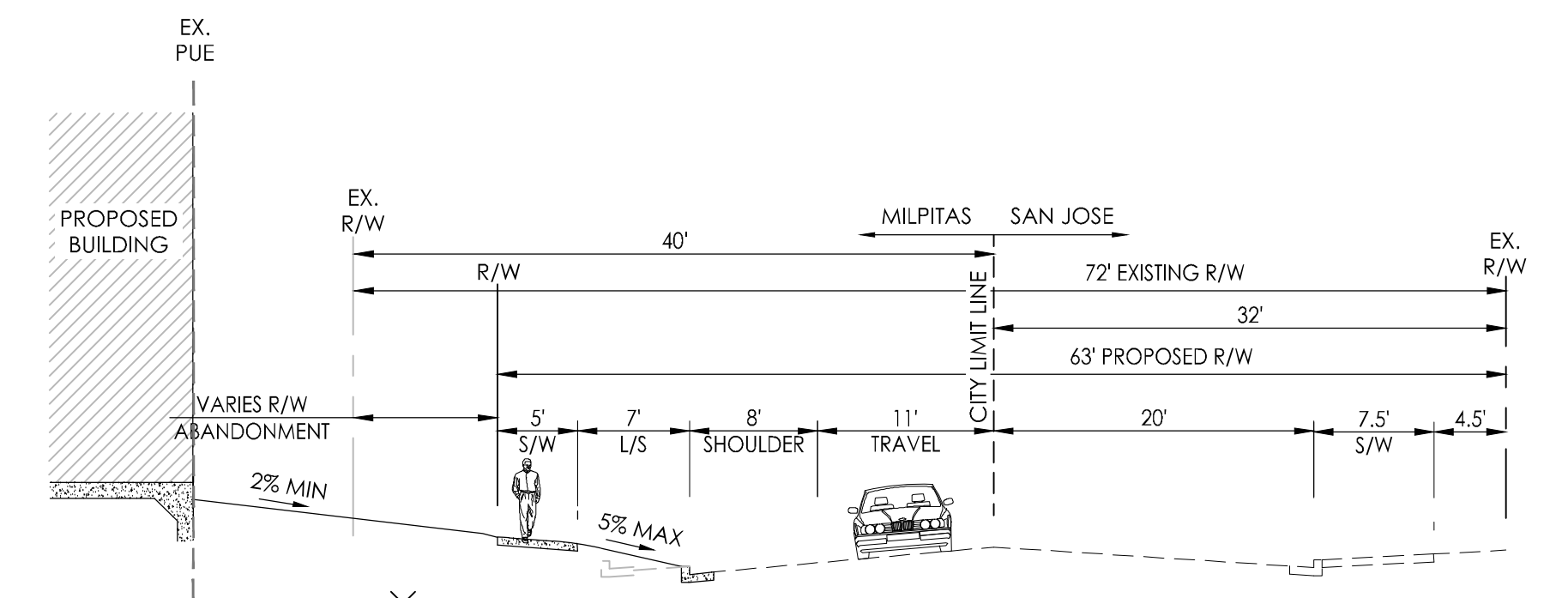
SECTION A

PRIVATE STREET SECTION
NOT TO SCALE



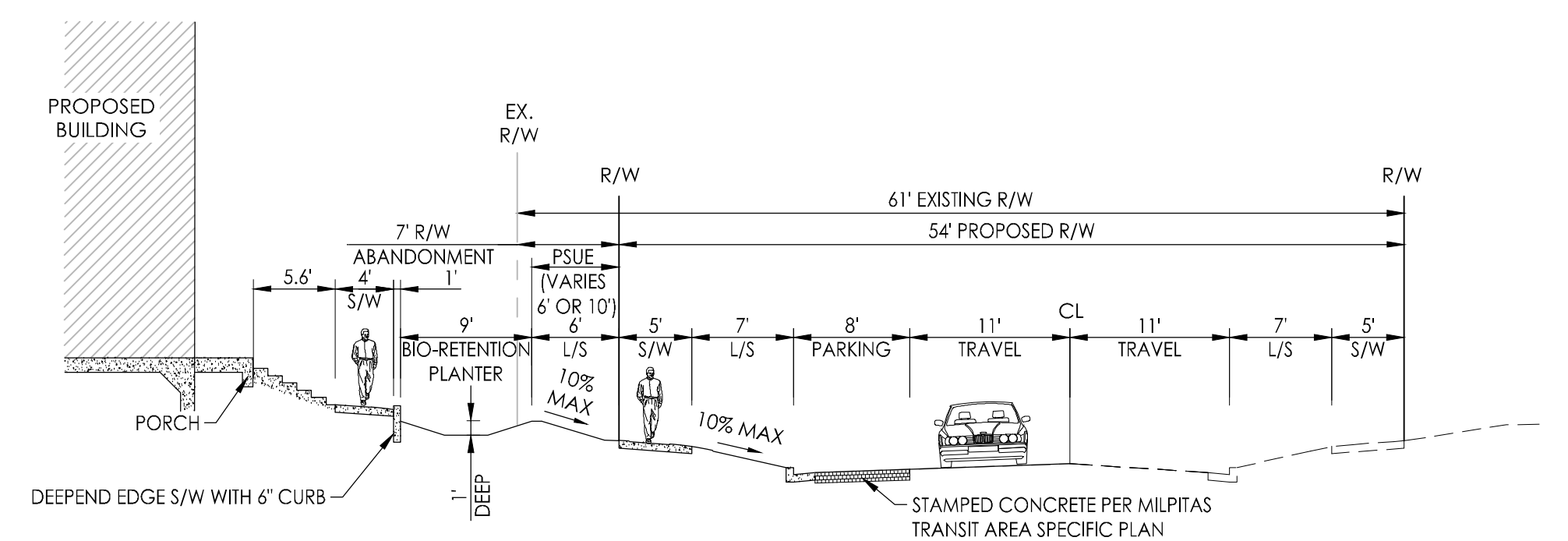
SECTION D

PRIVATE STREET SECTION
NOT TO SCALE



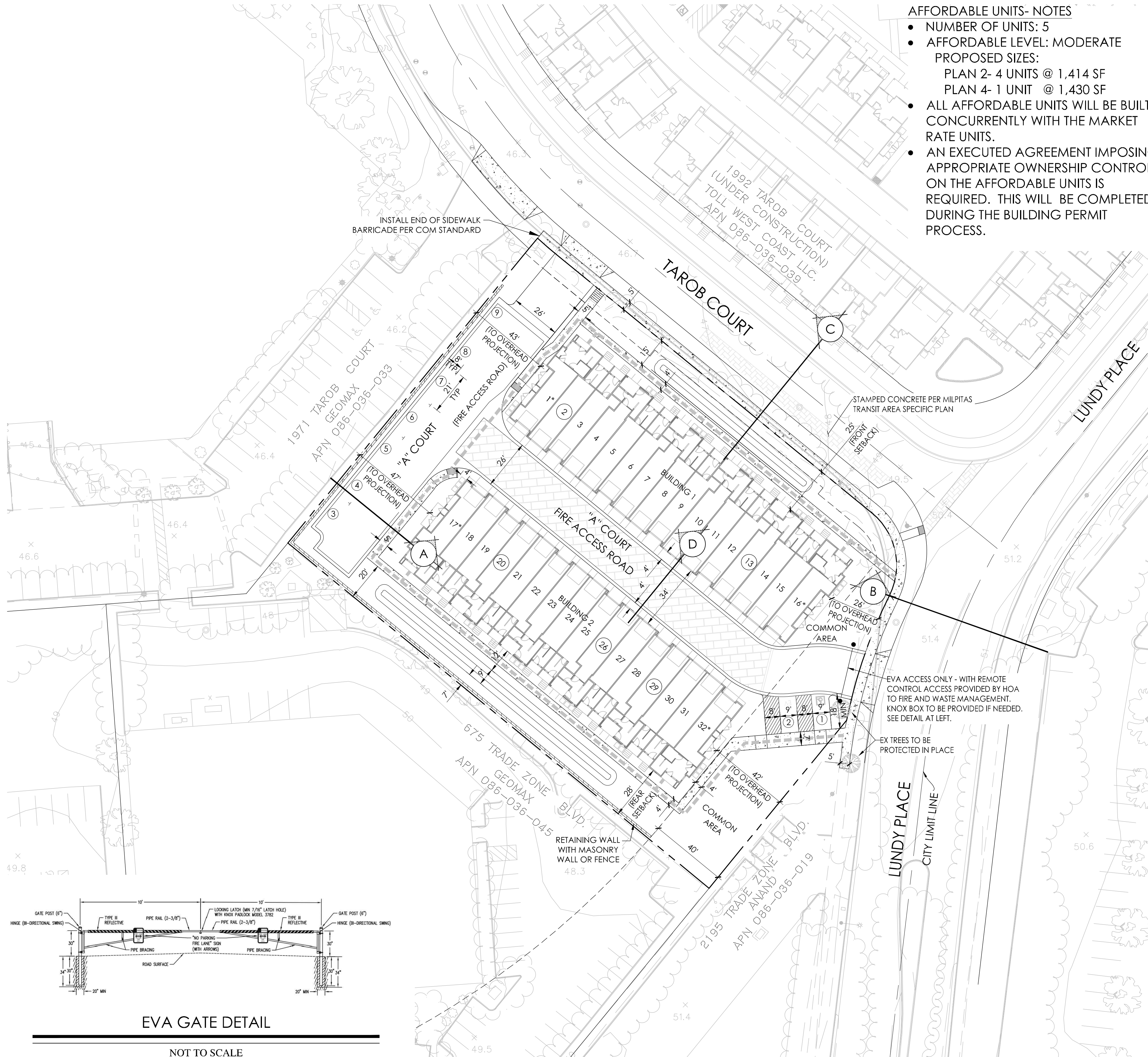
SECTION B - LUNDY PLACE

PUBLIC STREET SECTION - HALF SECTION
NOT TO SCALE



SECTION C - TAROB COURT

PUBLIC STREET SECTION - HALF SECTION
NOT TO SCALE



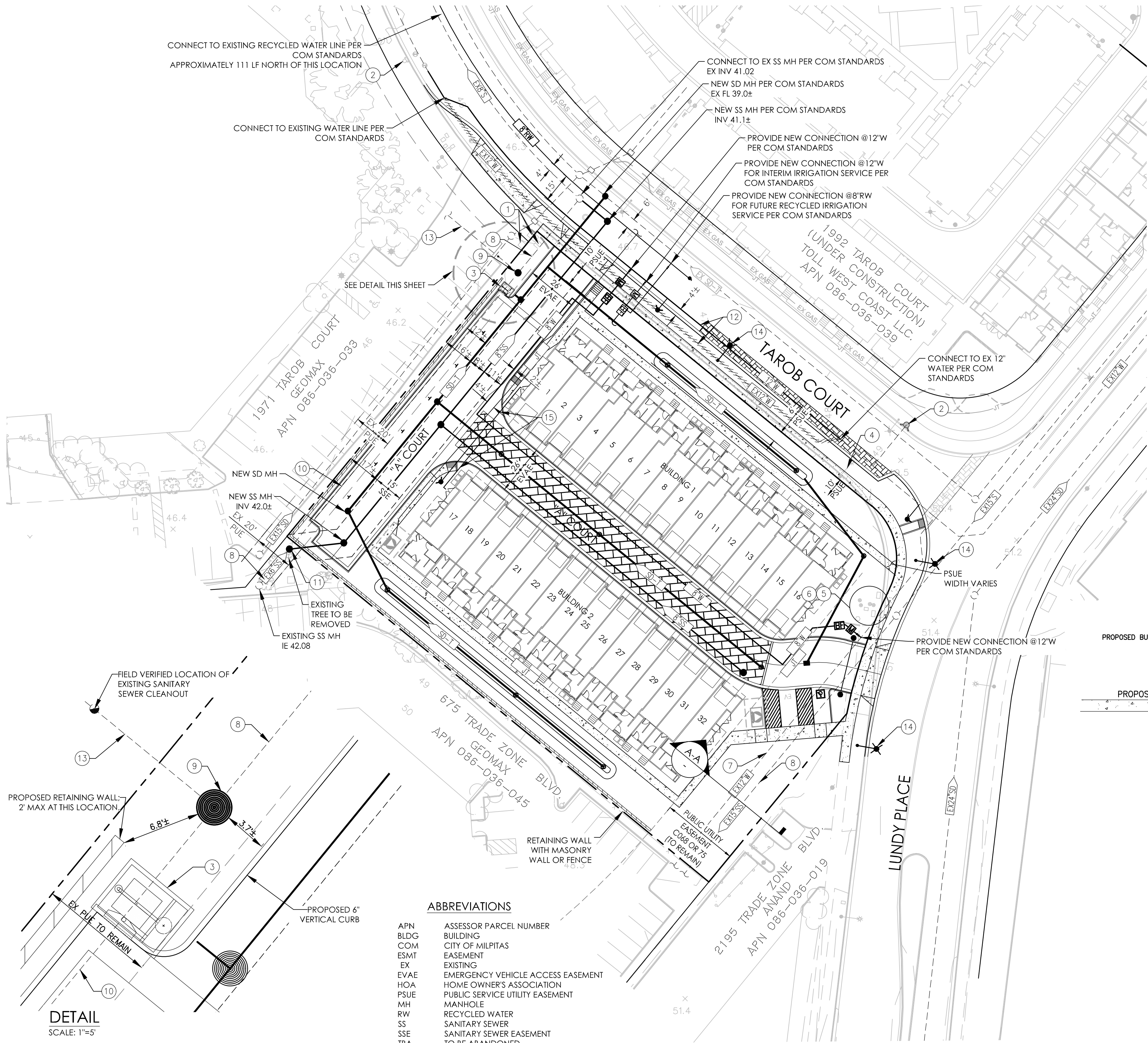
EVA GATE DETAIL

NOT TO SCALE



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LEGEND

EXISTING

PROPOSED

RIGHT-OF-WAY

PROJECT BOUNDARY

TREATED STORMWATER (SD-T)

STORM DRAIN OR SANITARY SEWER MANHOLE

AREA DRAIN

SANITARY SEWER PIPE

BLDG SANITARY SEWER SERVICE (SIZE TBD)

WATER PIPE

FIRE HYDRANT

MASTER WATER METER & BACKFLOW PREVENTOR DOMESTIC WATER/IRRIGATION SERVICE

PROPOSED TRANSFORMER LOCATION

PROPOSED FILTERRA. SEE DETAIL ON TM09

REMOVE EXISTING PIPE

UTILITY NOTES

1. STORM DRAIN

- MINIMUM SLOPE: 0.005 WITH MINIMUM VELOCITY OF 2 FEET/SECOND
- MINIMUM PIPE SIZE: 12"
- STORM DRAIN FACILITIES MAY BE RCP OR N-12 PIPE

2. SANITARY SEWER

- MINIMUM SLOPE: 0.0035 (EXISTING SLOPE: 0.0035±)
- SANITARY SEWER PIPE TO BE SDR-26 PVC

4. WATER PIPE TO BE CLASS 200 AWWA C900

5. UTILITIES SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO CHANGES PENDING FINAL DESIGN. FINAL DESIGN SHALL ADHERE TO COM STANDARDS.

6. ALL ON-SITE WATER AND STORM DRAIN TO BE OWNED AND MAINTAIN BY THE PROJECT HOA.

7. ON SITE SEWER WITHIN SSE TO BE OWNED AND MAINTAINED BY THE COM. SEWER OUTSIDE OF SSE, WITHIN PRIVATE STREET TO BE OWNED AND MAINTAINED BY THE HOA.

GENERAL NOTES

1 EX JOINT TRENCH BOXES TO REMAIN

2 EX FIRE HYDRANT

3 PROPOSED FILTERRA BIORETENTION SYSTEM; SEE SHEET TM09 FOR DETAILS

4 EXISTING STREET LIGHT TO BE REMOVED

5 EX WATER SERVICE TO BE REMOVED. EXISTING FIRE SERVICE & PERTINENT APPURTENANCES SHALL BE REMOVED.

6 EX IRRIGATION SERVICE TO REMAIN FOR PUBLIC IRRIGATION

7 EX WATER PIPE TO REMAIN

8 EX SANITARY SEWER PIPE TO REMAIN

9 CONNECT TO EX SANITARY SEWER WITH NEW MANHOLE PER COM STANDARDS

10 EX SANITARY SEWER PIPE TO BE REMOVED BETWEEN NEW MANHOLES; SEE 9 & 11

11 CONNECT TO EX SANITARY SEWER WITH NEW MANHOLE PER COM STANDARDS

12 EXISTING WATER MAIN TO BE RELOCATED AS SHOWN

13 EXISTING SANITARY SEWER FROM 1971 TAROB COURT TO REMAIN

14 INSTALL NEW STREET LIGHT PER THE CITY'S TRANSIT AREA SPECIFIC PLAN

15 PROPOSED FIRES SERVICE LINES TO BUILDINGS 1 & 2 WITH BACKFLOW DEVICES IN CLOSET.

2001 TAROB COURT
Milpitas, CA
SEPTEMBER 10, 2021

THE TRUE LIFE COMPANIES

TTLCTarob 4, LLC

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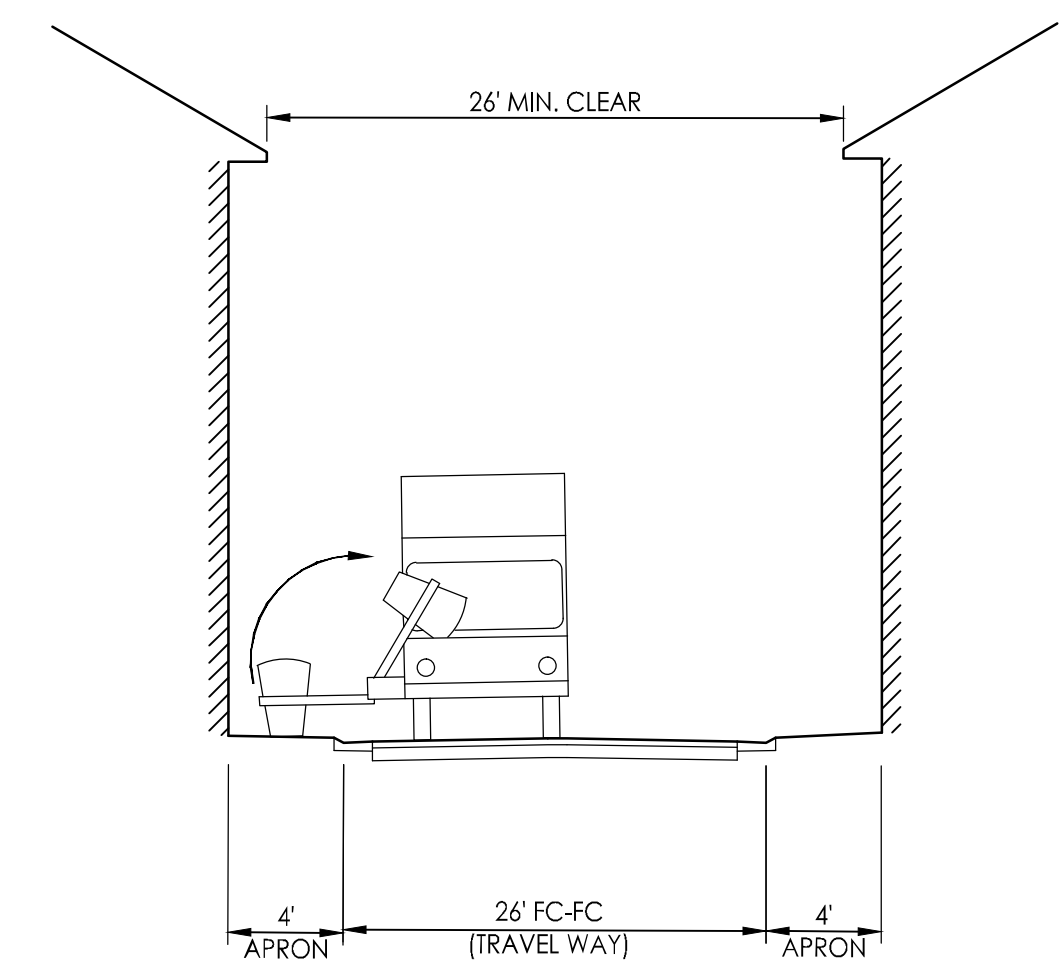
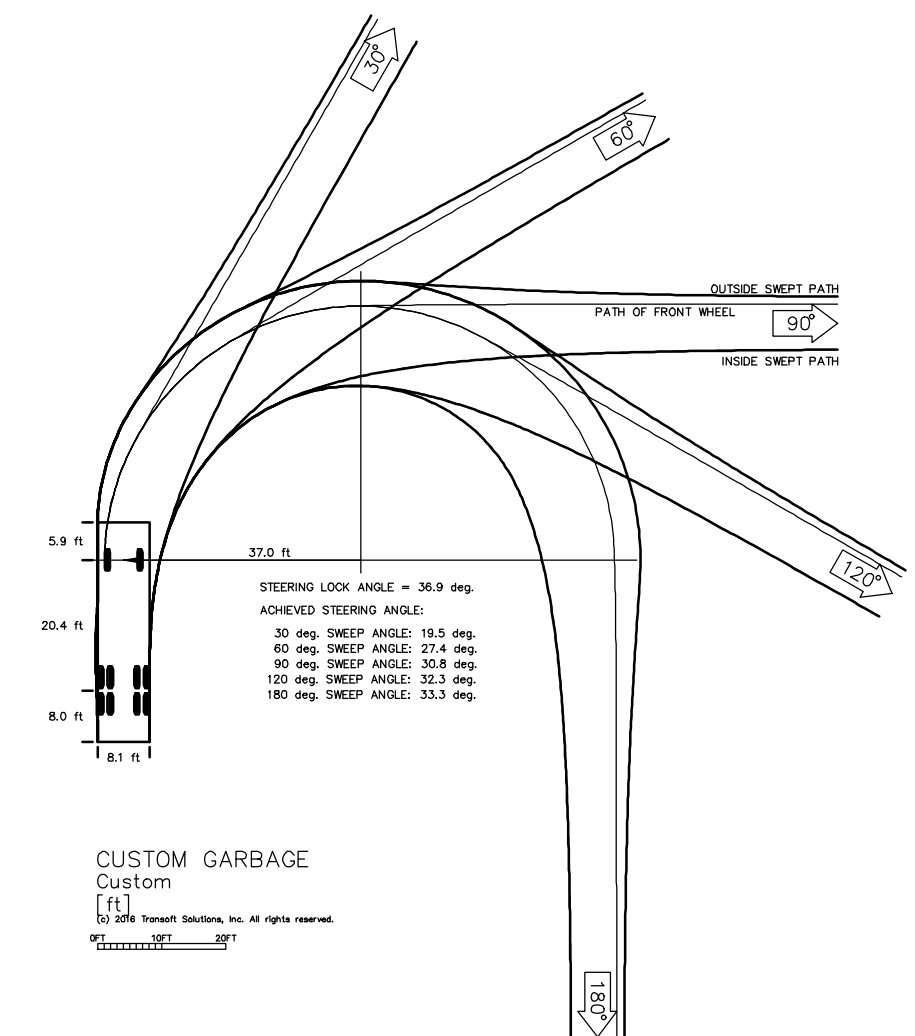
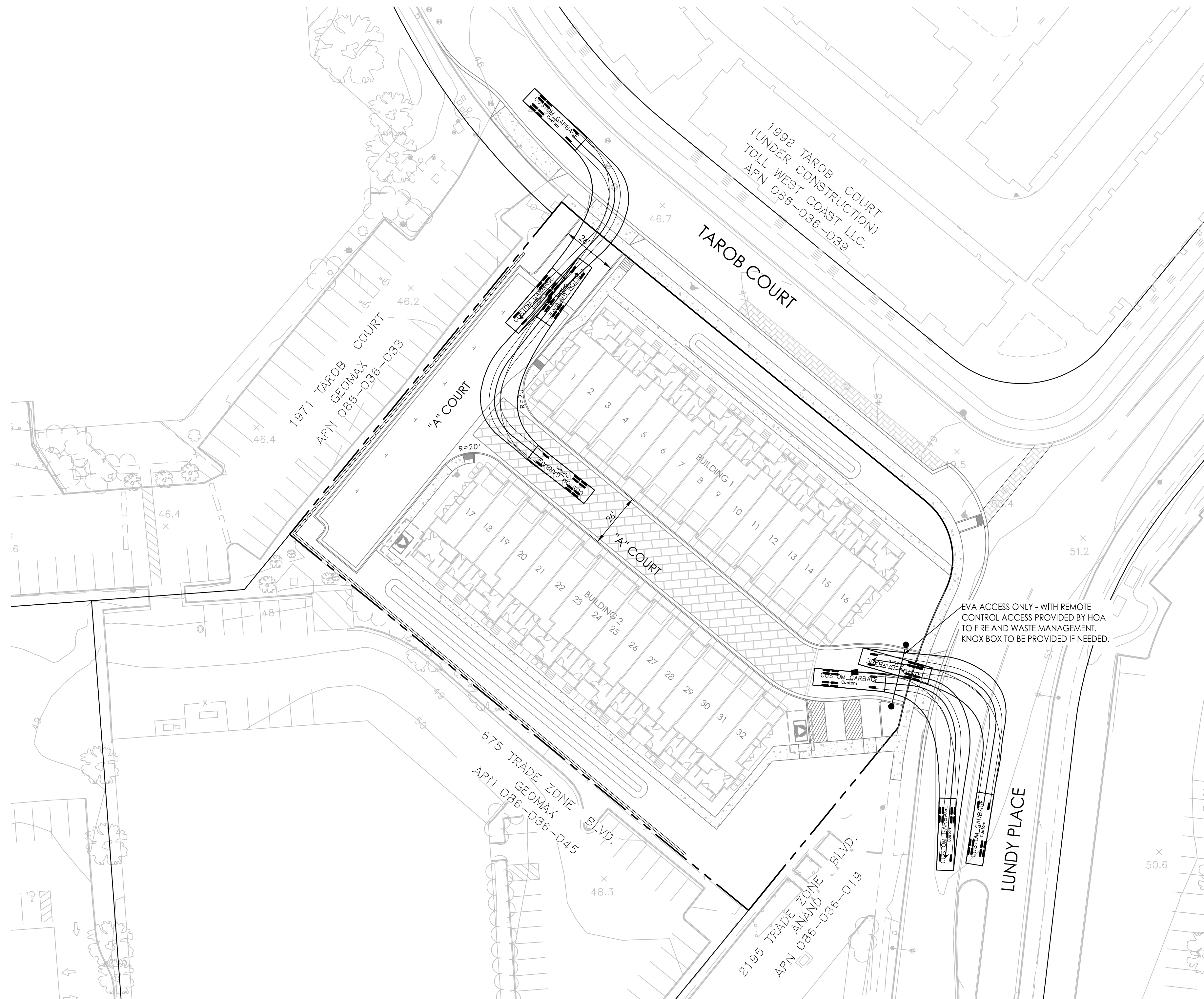
PRELIMINARY UTILITY PLAN
TM04

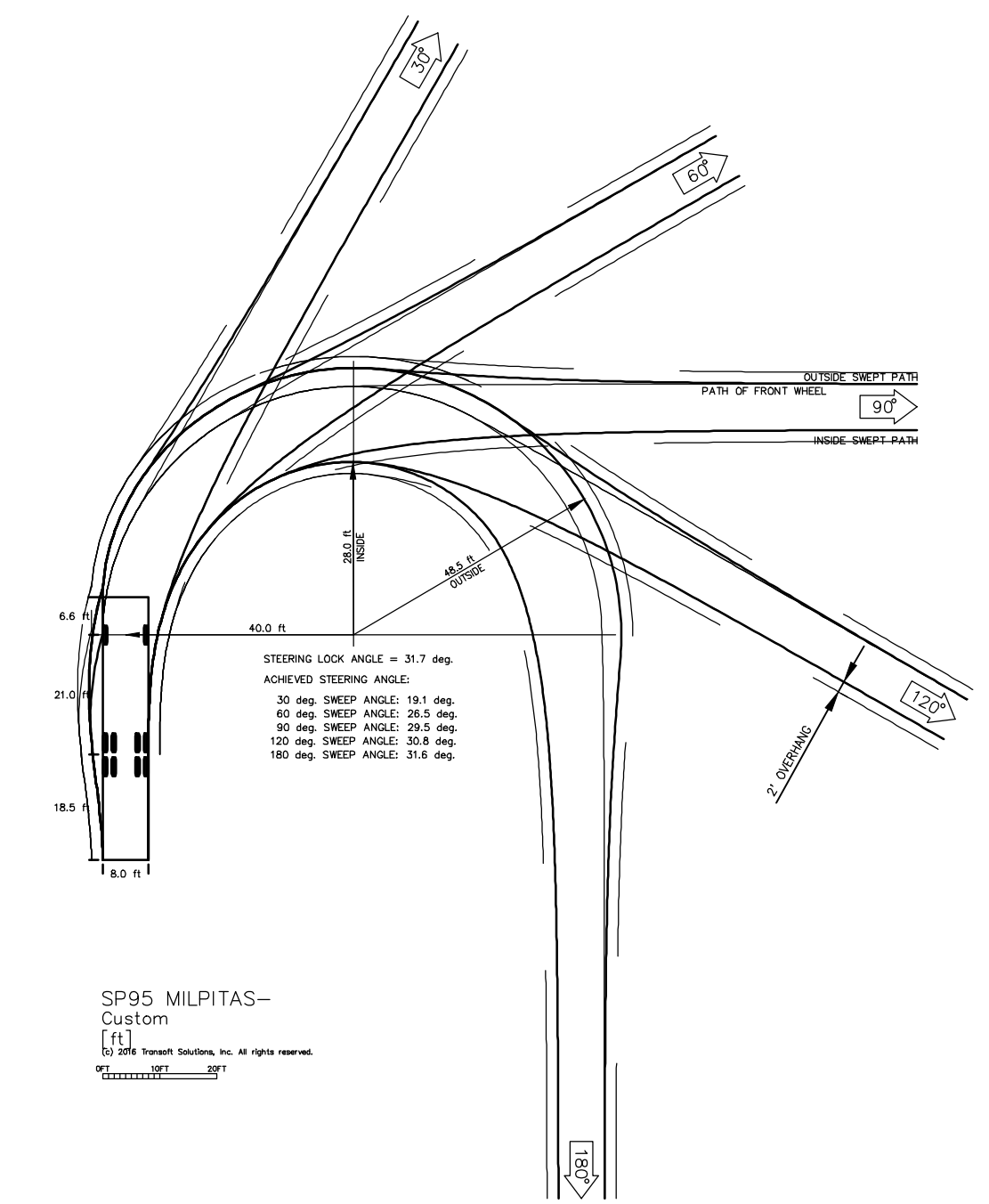
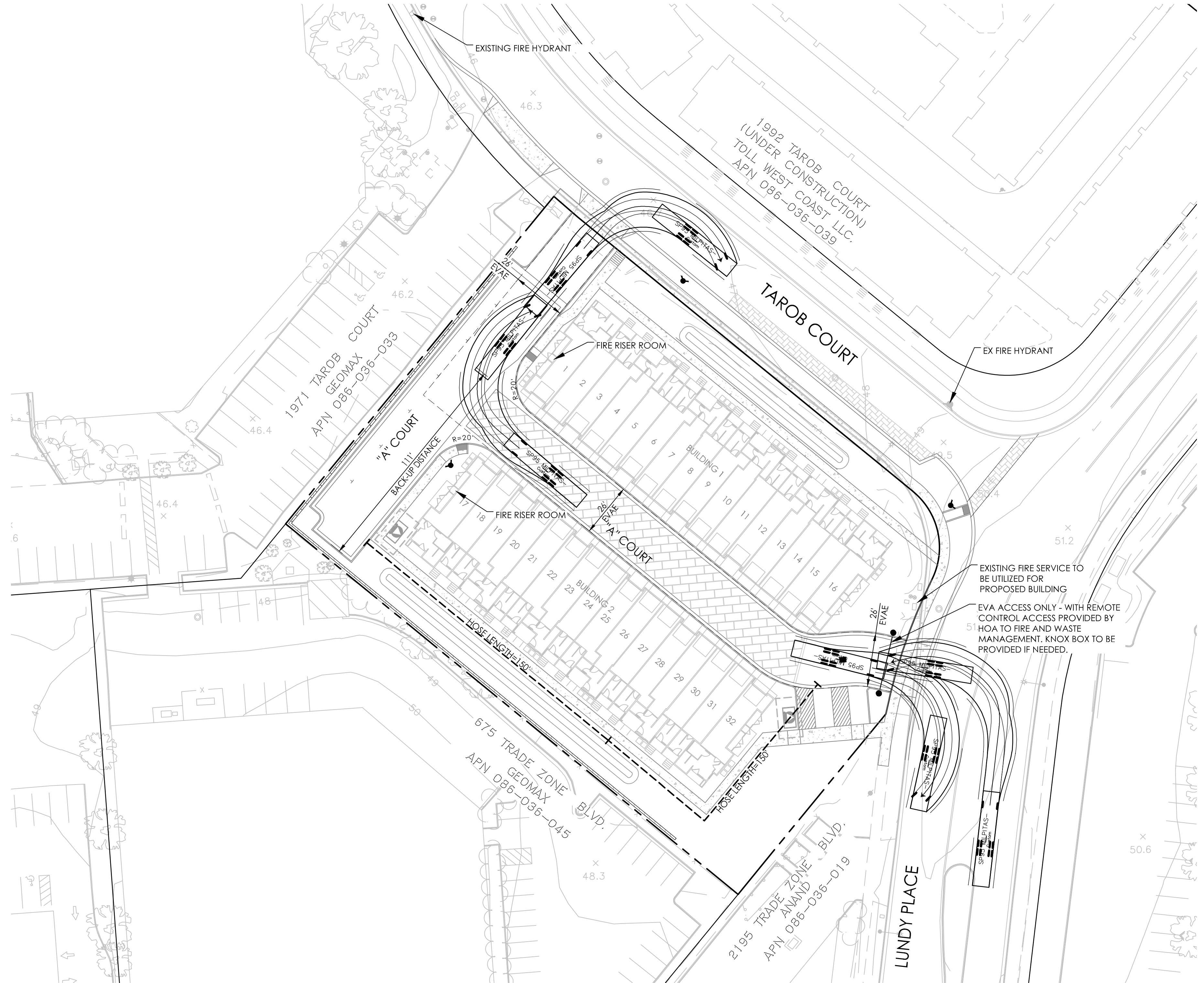
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Pleasanton, CA. 94588 Fax 925.847.1557

640



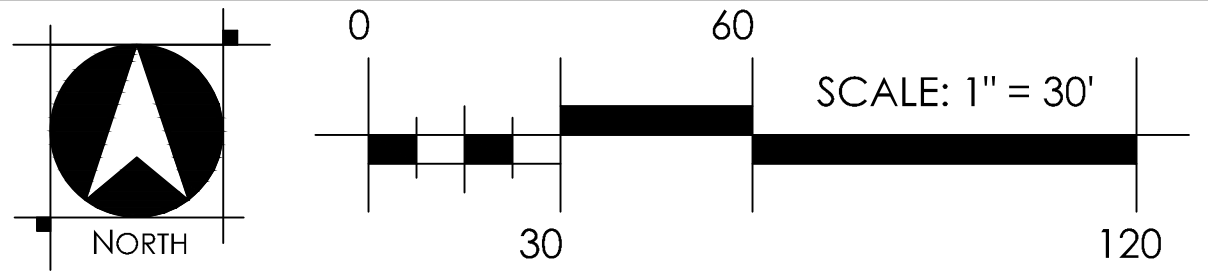


MILPITAS FIRE TRUCK TEMPLATE
NOT TO SCALE

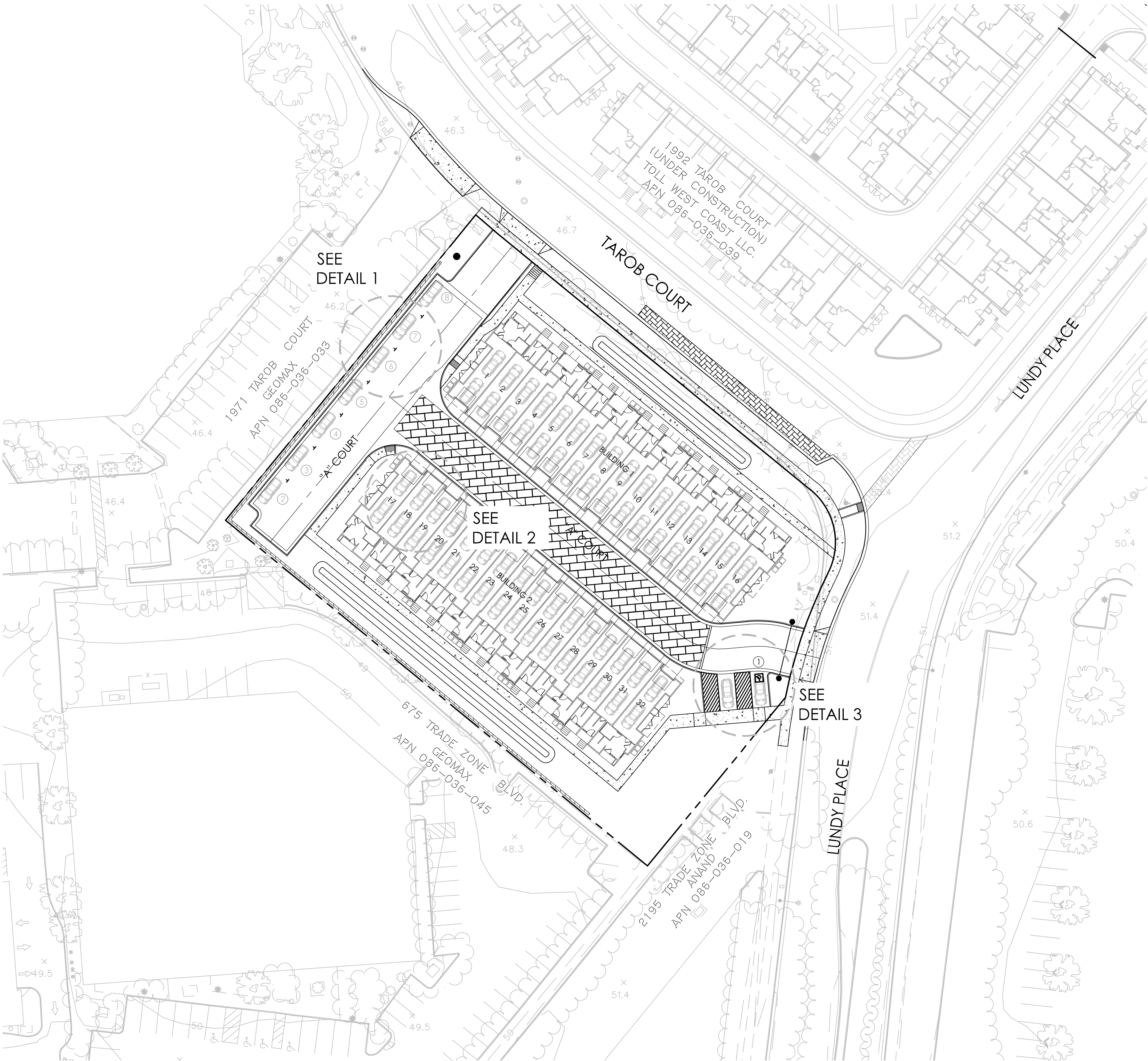
2001 TAROB COURT
Milpitas, CA
SEPTEMBER 10, 2021

PRELIMINARY FIRE TRUCK ACCESS PLAN
TM06

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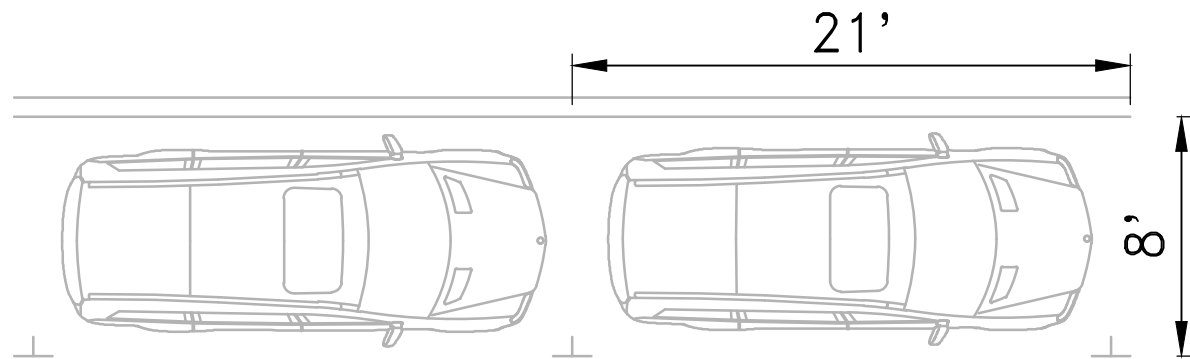
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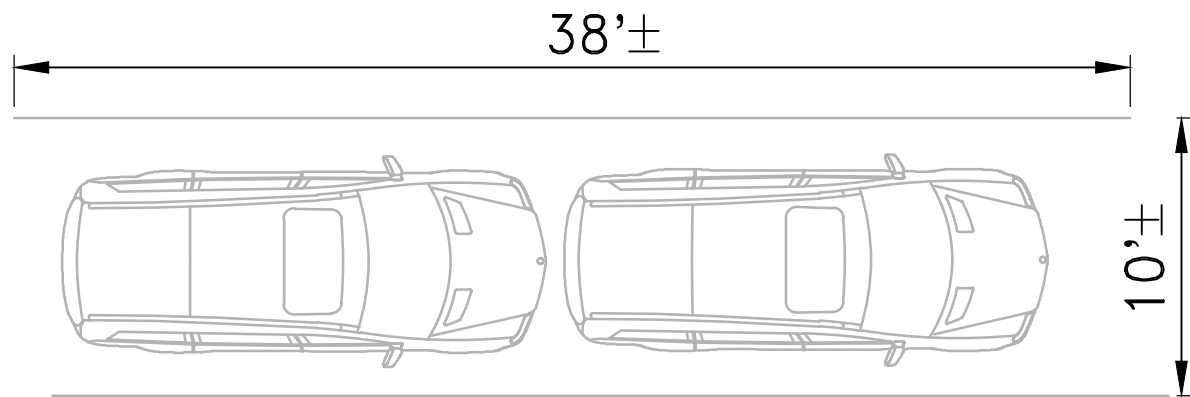
PARKING SUMMARY					
DESCRIPTION	UNIT COUNT	REQUIRED PARKING RATIO	PARKING REQUIRED	PROVIDED PARKING RATIO	PARKING PROVIDED
GARAGE SPACES	32	1.6 SPACES/ DU	51.2	2.0 SPACES/DU	64
ON-SITE GUEST	-	20% OF REQUIRED	10.2	-	8
TOTAL	32	-	61.4	-	74

- NOTES:
1. GUEST PARKING INCLUDES 1 VAN ACCESSIBLE SPACE AND 1 EV STATION.
 2. GUEST PARKING IS BASED ON PRELIMINARY DESIGN. ACTUAL PARKING PROVIDED MAY VARY WITH FINAL DESIGN IN ACCORDANCE WITH MINIMUM GUEST REQUIREMENTS.

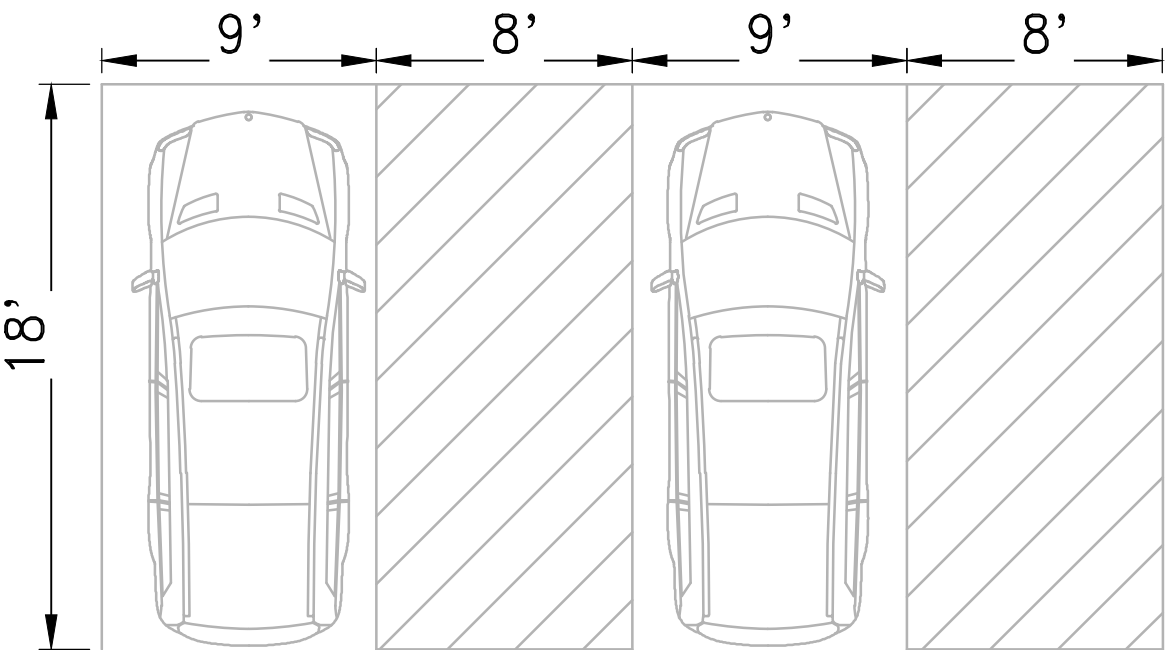
PARKING DETAIL 1
(PARALLEL GUEST)



PARKING DETAIL 2
(TANDEM GARAGE)



PARKING DETAIL 3
(ADA ACCESSIBLE VAN & EV)



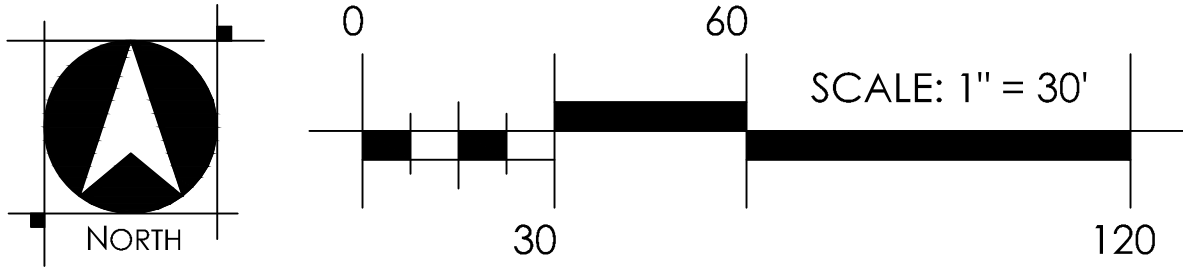
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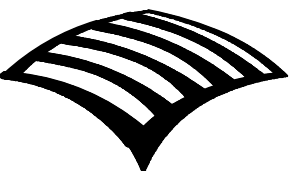
THE TRUE LIFE COMPANIES

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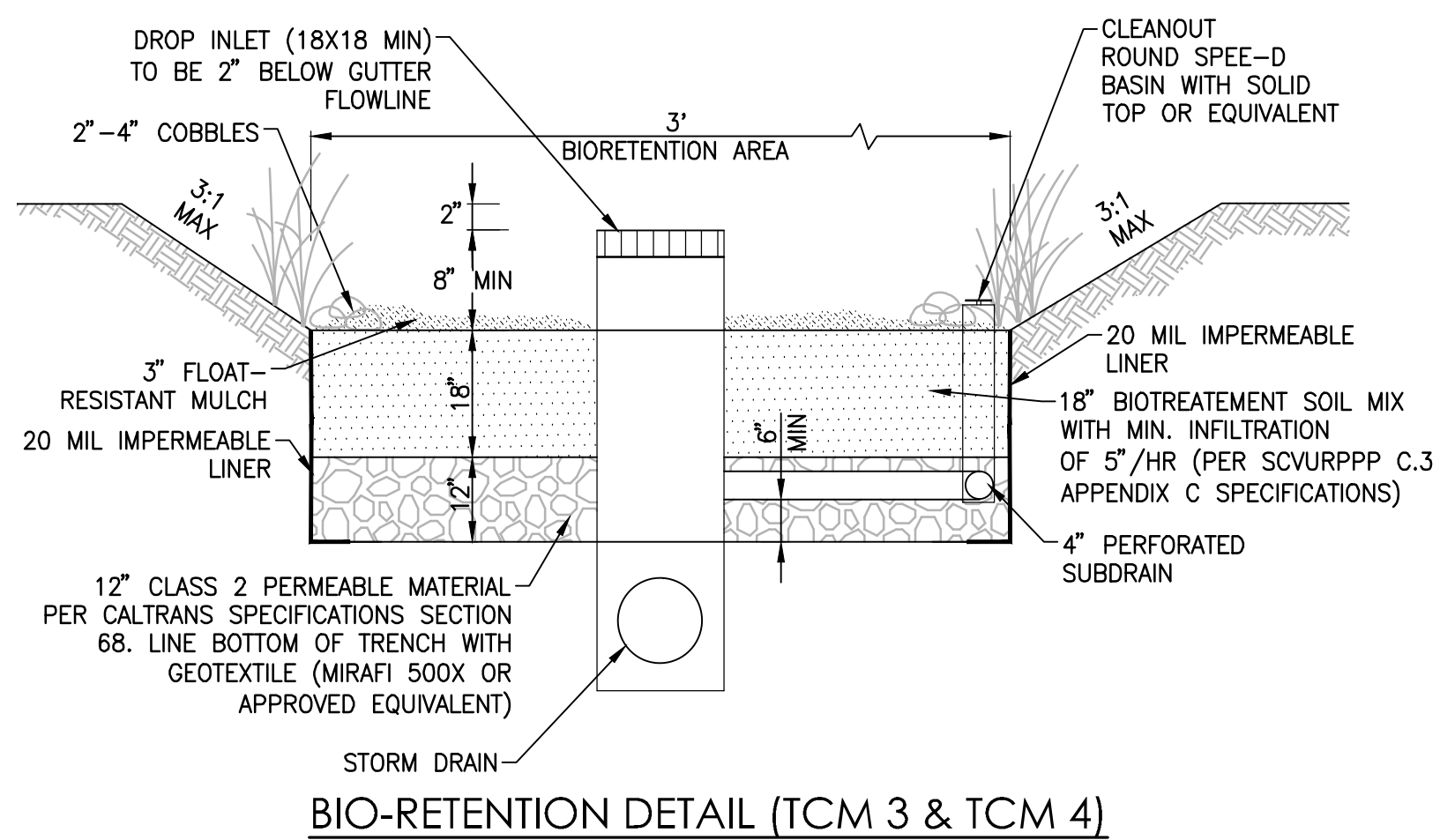
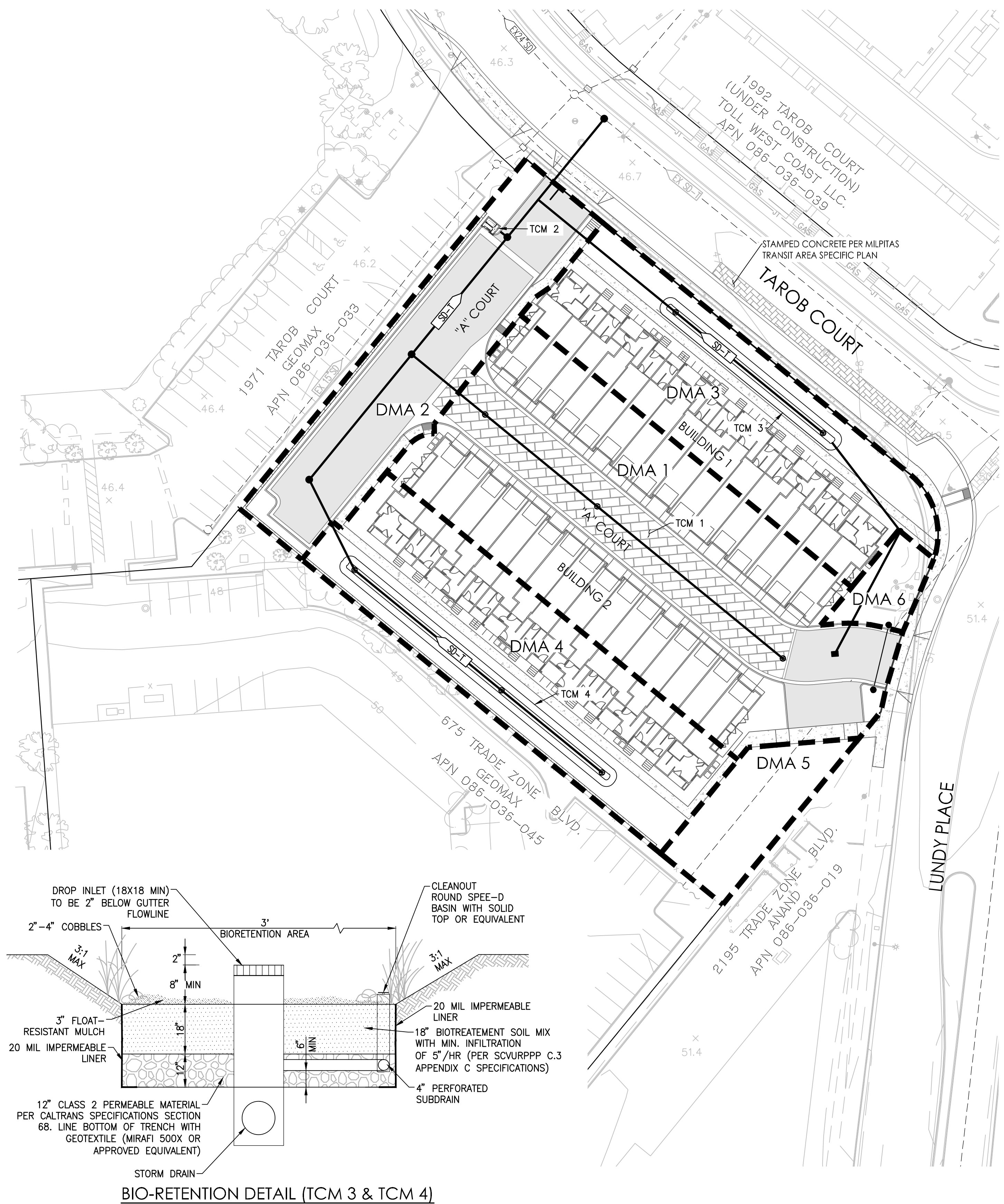
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PARKING PLAN
TM07



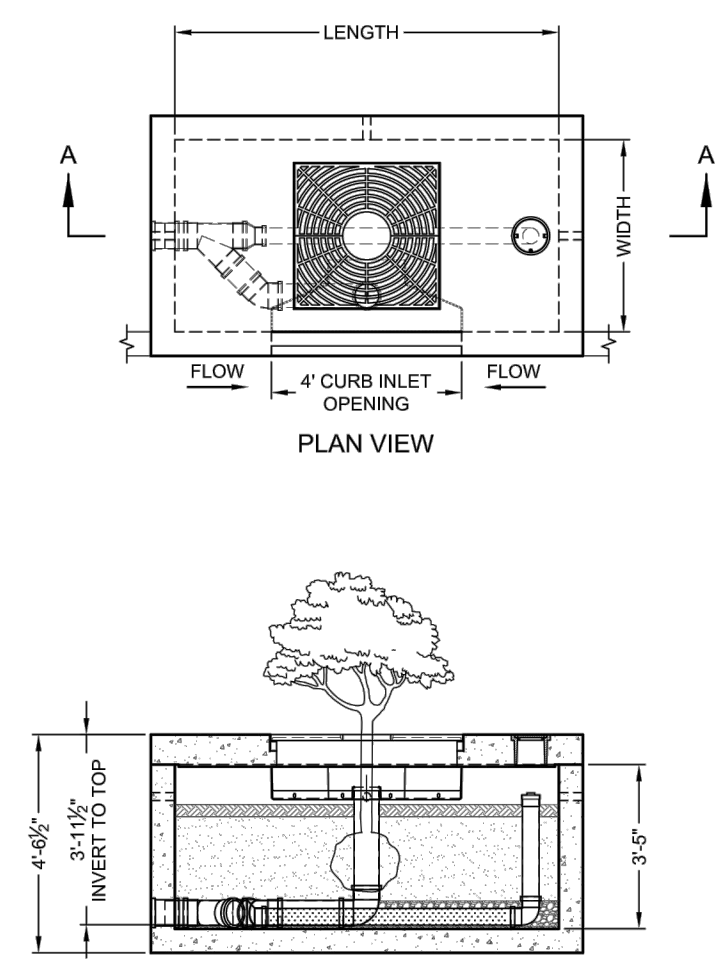
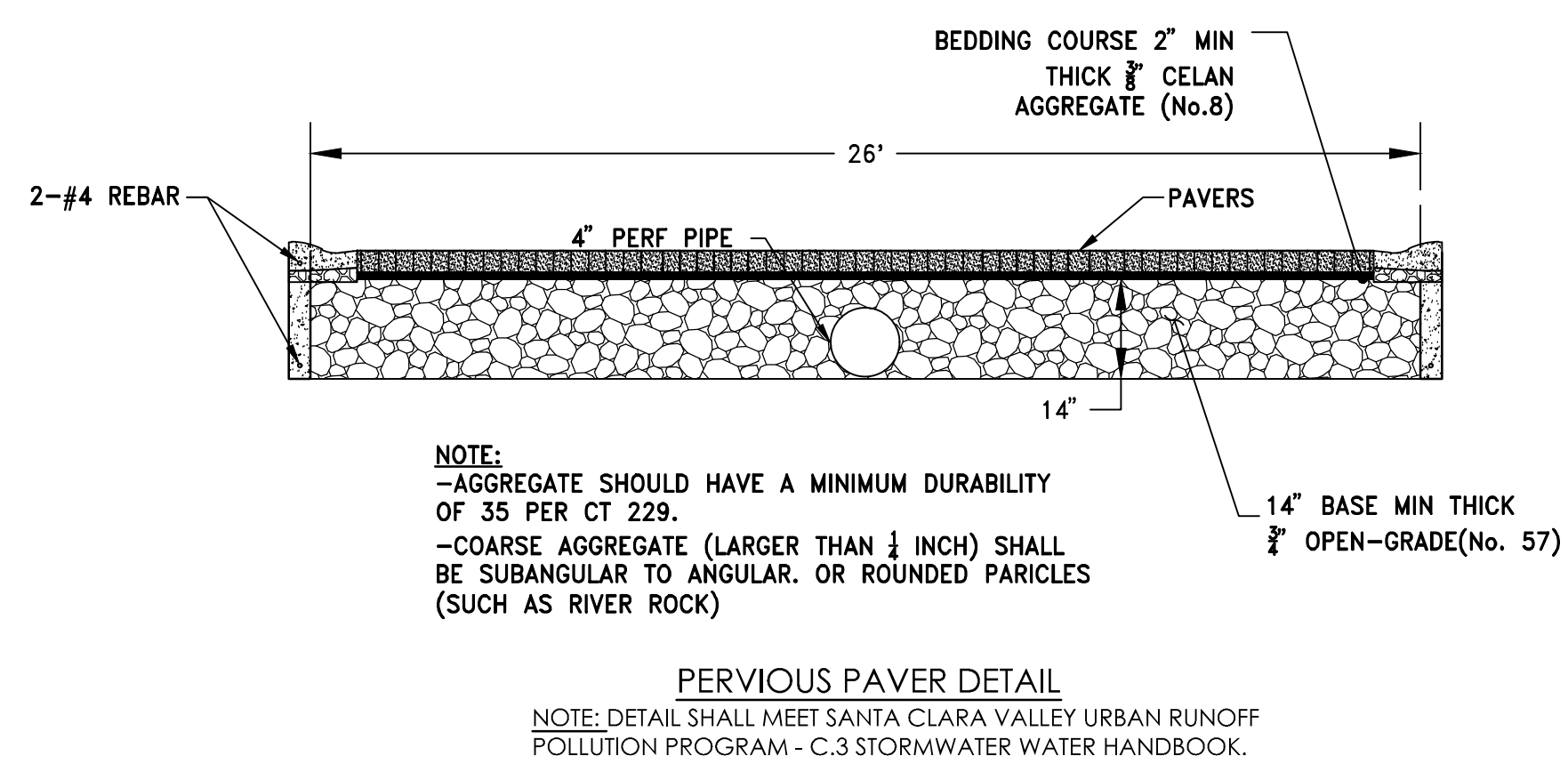


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- LEGEND**
- DRAINAGE MANAGEMENT AREA BOUNDARY
 - AC PAVEMENT
 - CONCRETE
 - PERVIOUS PAVERS
 - TCM
 - AREA DRAIN
 - PROPOSED FILTERRA - SEE DETAIL BELOW
 - TREATED STORMWATER (SD-T)

DRAINAGE MANAGEMENT AREA (DMA)	TOTAL DRAINAGE AREA (SF)	BUILDING (SF)	PAVEMENT (SF)	TOTAL IMPERVIOUS (SF)	PERVIOUS PAVERS (SF)	LANDSCAPE (SF)	TOTAL PERVIOUS (SF)	TOTAL EFFECTIVE IMPERVIOUS AREA (SF)	REQUIRED TREATMENT AREA**	PROVIDED TREATMENT AREA (SF)	PONDING DEPTH (IN)	TREATMENT CONTROL MEASURE	TREATMENT TYPE
DMA 1	20,835	13,257	2,921	16,178	4,523	134	4,657	16,644	N/A	N/A	8"	TCM 1	PERVIOUS PAVERS
DMA 2	8,656	0	7,347	7,347	0	1,309	1,309	7,478	N/A	N/A	N/A	TCM 2	FILTERRA (35% max) ⁴
DMA 3	11,034	5,803	845	6,648	0	4,386	4,386	7,087	283	289	6	TCM 3	BIO-RETENTION
DMA 4	11,379	5,796	936	6,732	0	4,647	4,647	7,197	288	456	6	TCM 4	BIO-RETENTION
DMA 5	2,891	0	0	0	0	2,891	2,891	289	N/A	N/A	N/A	N/A	SELF-RETAINING
DMA 6	1,161	0	0	0	0	1,161	1,161	116	N/A	300	N/A	N/A	SELF-RETAINING
Total	55,956	24,856	12,049	36,905	0	14,528	19,051	38,810	571	1,045			



LONG SIDE CURB INLET							
DESIGNATION	SIZE	LENGTH	WIDTH	MAX. OUTLET/BYPASS PIPE DIA.	MAX. BYPASS FLOW (CFS)	UNDER-DRAIN PIPE DIA. (PERF)	TREE GRATE QTY. & SIZE
FTBC0804	8 x 4	6'-0"	4'-0"	8" SDR 35	1.89	4" SDR 35	(1) 3' x 3'
FTBC0804	8 x 4	6'-0"	4'-0"	8" SDR 35	1.89	4" SDR 35	(1) 3' x 3'
FTBC0806	8 x 6	8'-0"	6'-0"	10" SDR 35	2.37	4" SDR 35	(1) 4' x 4'
FTBC1006	10 x 6	10'-0"	6'-0"	10" SDR 35	2.37	6" SDR 35	(1) 4' x 4'
FTBC1204	12 x 4	12'-0"	4'-0"	8" SDR 35	1.89	4" SDR 35	(2) 3' x 3'
FTBC1206	12 x 6	12'-0"	6'-0"	10" SDR 35	2.37	6" SDR 35	(2) 4' x 4'
FTBC1307	13 x 7	13'-0"	7'-0"	10" SDR 35	2.37	6" SDR 35	(2) 4' x 4'

INTERNAL PIPE CONFIGURATION MAY VARY DEPENDING ON VAULT SIZE

- NOTES:**
- ALL TREATMENT MEASURES AND TECHNICAL REQUIREMENTS FOR THIS PROJECT ARE BASED ON THE SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM (SCVURPPP) C.3. STORMWATER HANDBOOK DATED JUNE 2016.
 - HYDROMODIFICATION IS NOT REQUIRED BECAUSE PROPOSED PROJECT IMPERVIOUS SURFACE IS LESS THAN EXISTING IMPERVIOUS SURFACE ON THE SITE.
 - PROVIDED SURFACE AREA OF THE BIO-RETENTION FACILITIES IS SUPPORTED BY USING THE 4% METHOD AND ARE DESIGNED FOR A MIN PONDING DEPTH OF 6". SEE PRELIMINARY STORM WATER MANAGEMENT PLAN FOR CALCULATIONS.
 - PER THE CITY OF MILPITAS SPECIAL PROJECTS WORKSHEET, THIS PROJECT QUALIFIES AS A SPECIAL PROJECT PER CATEGORY "C" WITH A TOTAL TOD CREDIT OF 35%. SEE THE PRELIMINARY STORMWATER MANAGEMENT PLAN, APPENDIX A FOR DETAILED CALCULATIONS.



Filterra Sizing Spreadsheet
Uniform Intensity Approach
Storm Intensity = 0.20 in/hr

Filterra Infiltration Rate = 100 (in/hr)
Filterra Flow per Square Foot = 0.0023 (ft3/sec/ft2)

Filterra Flow Rate, Q = 0.0023 ft3/sec x Filterra Surface Area
Rational Method, Q = C x I x A

Site Flowrate, Q = (C x DI x DA x 43560) / (12 x 3600)
OR DA = (12 x 3600 x Q) / (C x 43560 x DI)

where
Q = Flow (ft3/sec)
DA = Drainage Area (acres)
DI = Design Intensity (in/hr)
C = Runoff coefficient (dimensionless)

			DI 0.2	C 1.00	C 0.85	C 0.50
Available Filterra Box Sizes			Filterra Flow Rate, Q (ft3/sec)	100% Imperv. DA (acres)	Commercial max DA (acres)	Residential max DA (acres)
L (ft)	W (ft)	Filterra Surface Area (ft2)				
4	4	16	0.0370	0.184	0.216	0.367
6	4	24	0.0556	0.275	0.324	0.551
6.5	4	26	0.0602	0.298	0.351	0.597
8	4	32	0.0741	0.367	0.432	0.735
12	4	48	0.1111	0.551	0.648	1.102
6	6	36	0.0833	0.413	0.486	0.826
8	6	48	0.1111	0.551	0.648	1.102
10	6	60	0.1389	0.689	0.810	1.377
12	6	72	0.1667	0.826	0.972	1.653
13	7	91	0.2106	1.045	1.229	2.089

9025 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 613-645-7000 613-645-7993 FAX

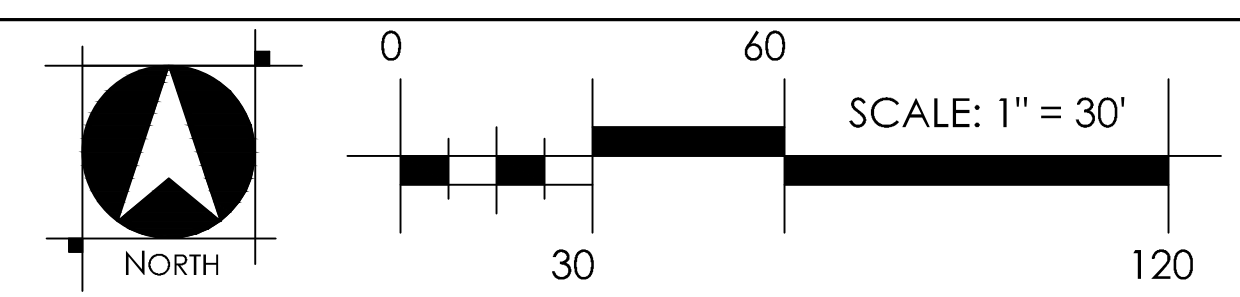
FILTERRA
INTERNAL BYPASS CURB (FTIBC)
CONFIGURATION DETAIL

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SEPTEMBER 10, 2021

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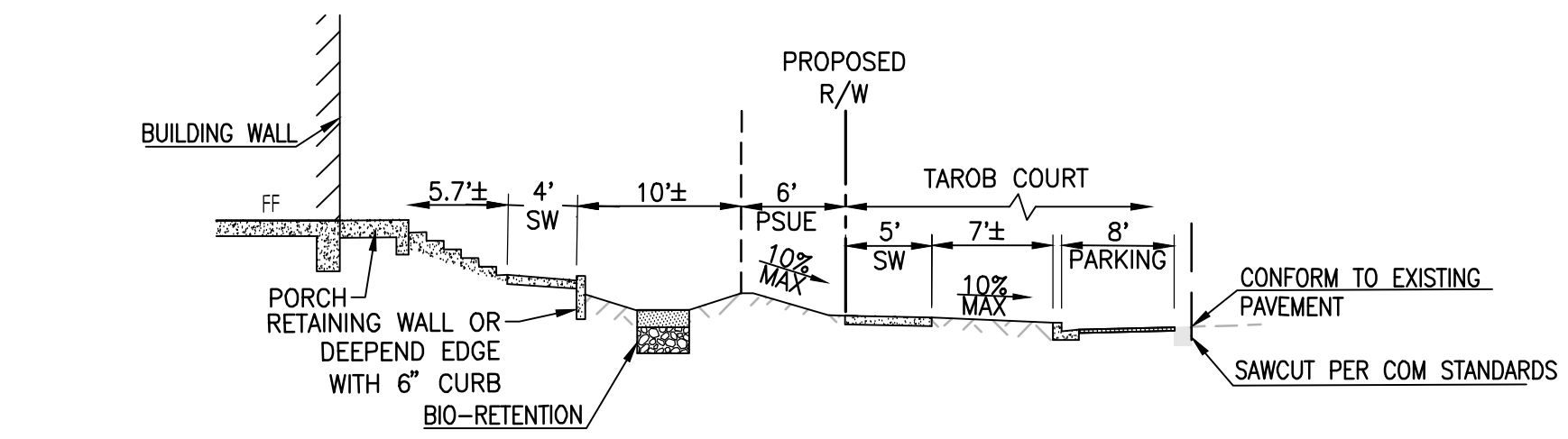
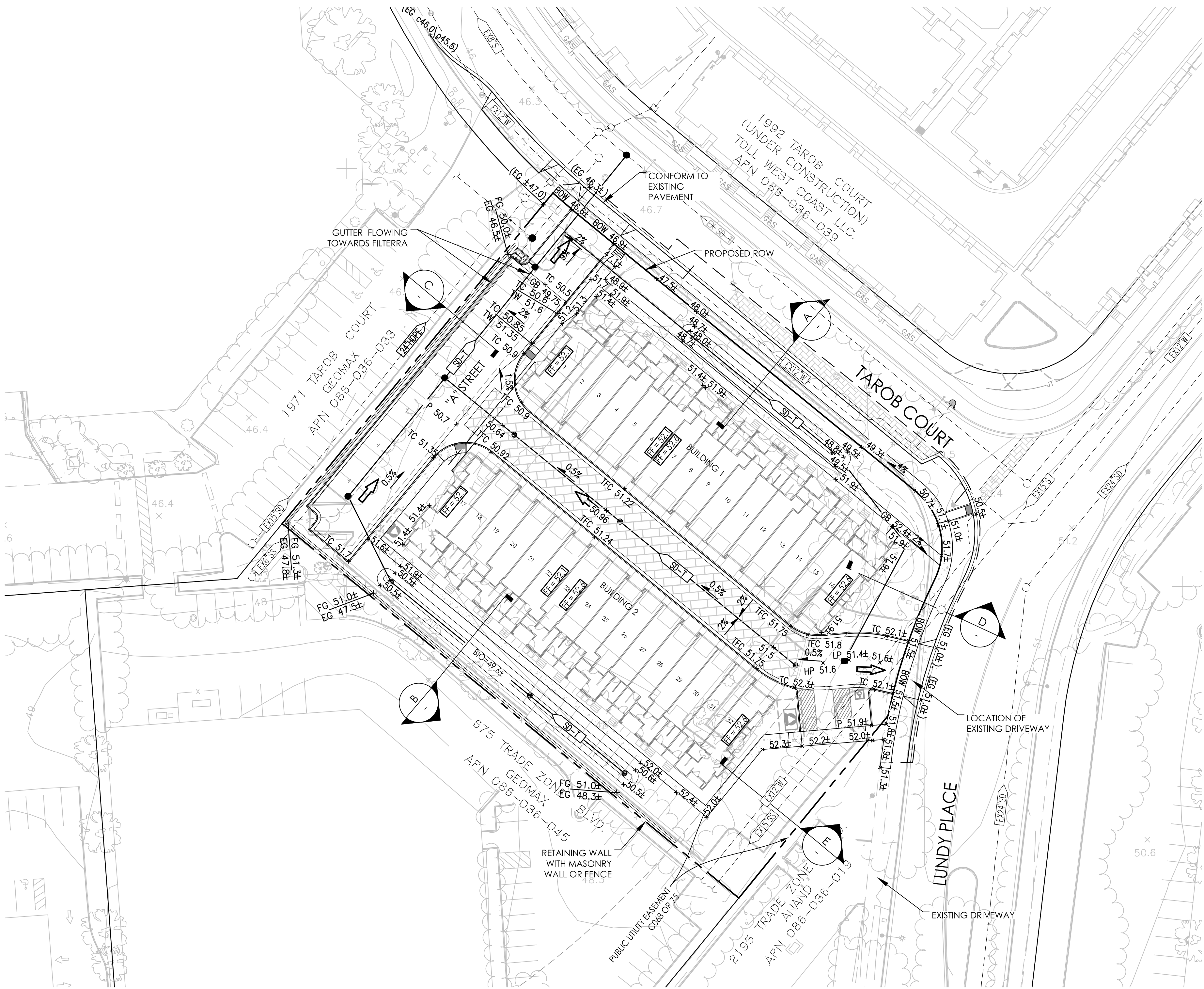
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PRELIMINARY STORMWATER CONTROL PLAN
TM08

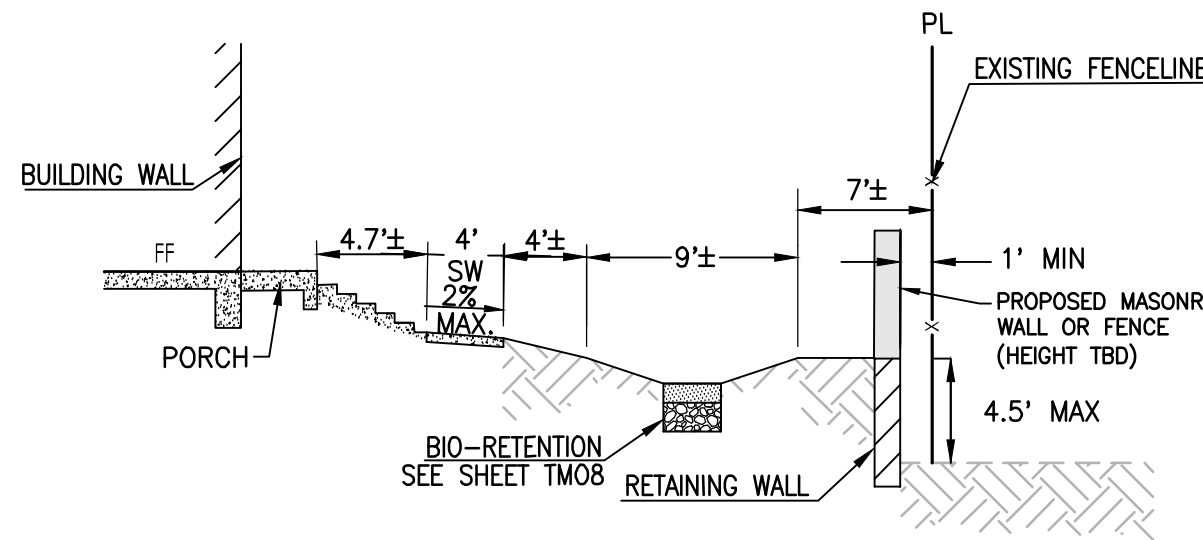


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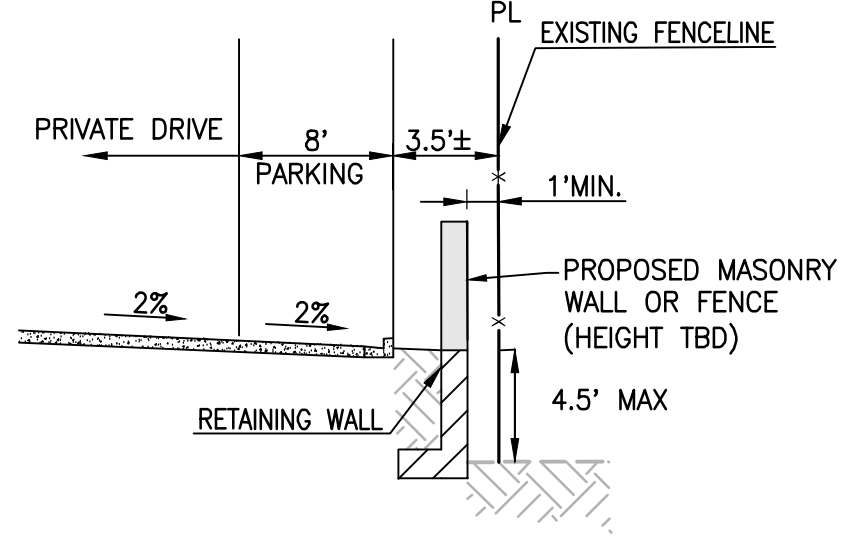
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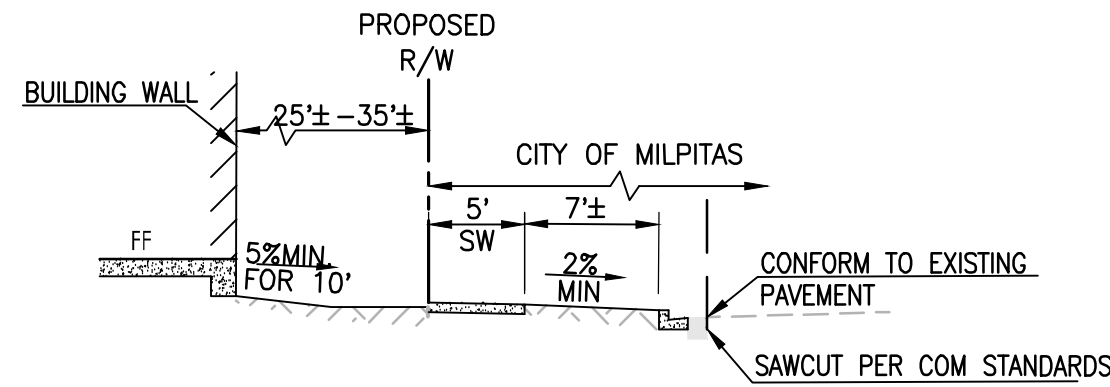
SECTION A-A
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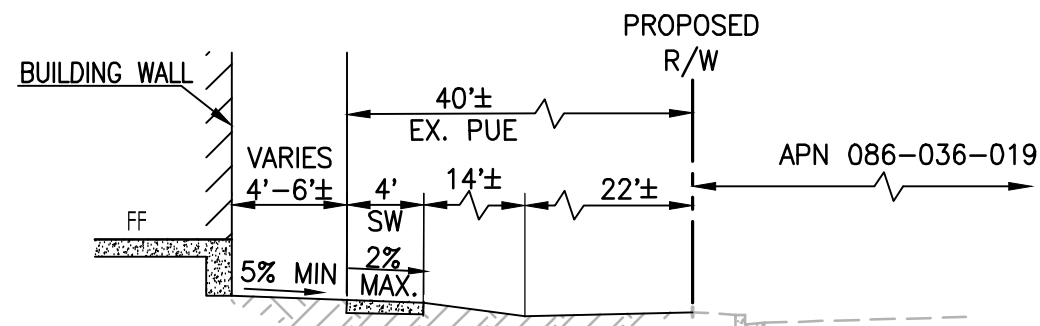
SECTION B-B
NOT TO SCALE



SECTION C-C
NOT TO SCALE



SECTION D-D
NOT TO SCALE



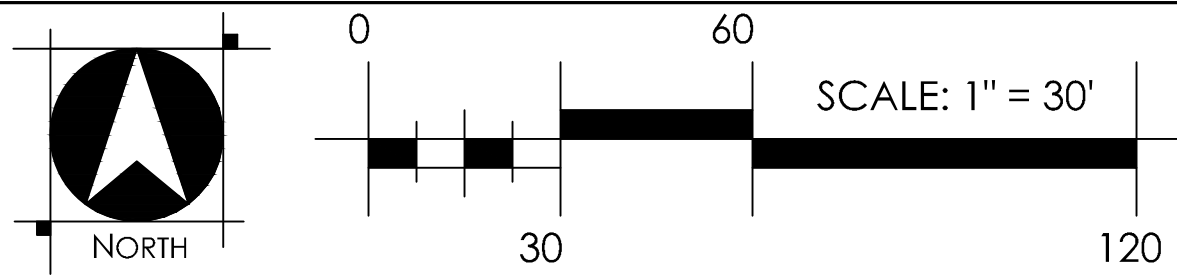
SECTION E-E
NOT TO SCALE

- LEGEND**
- ➔ OVERLAND RELEASE DIRECTION
- ABBREVIATIONS**
- | | |
|-------|-----------------------------------|
| CL | CENTERLINE |
| COM | CITY OF MILPITAS |
| D | DRAIN |
| EX | EXISTING |
| FF | FINISHED FLOOR |
| FG | FINISHED GRADE |
| HP | HIGH POINT |
| GB | GRADE BREAK |
| PL | PROPERTY LINE |
| PSUE | PUBLIC SERVICE UTILITY EASEMENT |
| PUE | PUBLIC UTILITY EASEMENT |
| R/W | RIGHT OF WAY |
| SCVWD | SANTA CLARA VALLEY WATER DISTRICT |
| SW | SIDEWALK |
| TBA | TO BE ABANDONED |
| VAR | VARIES |

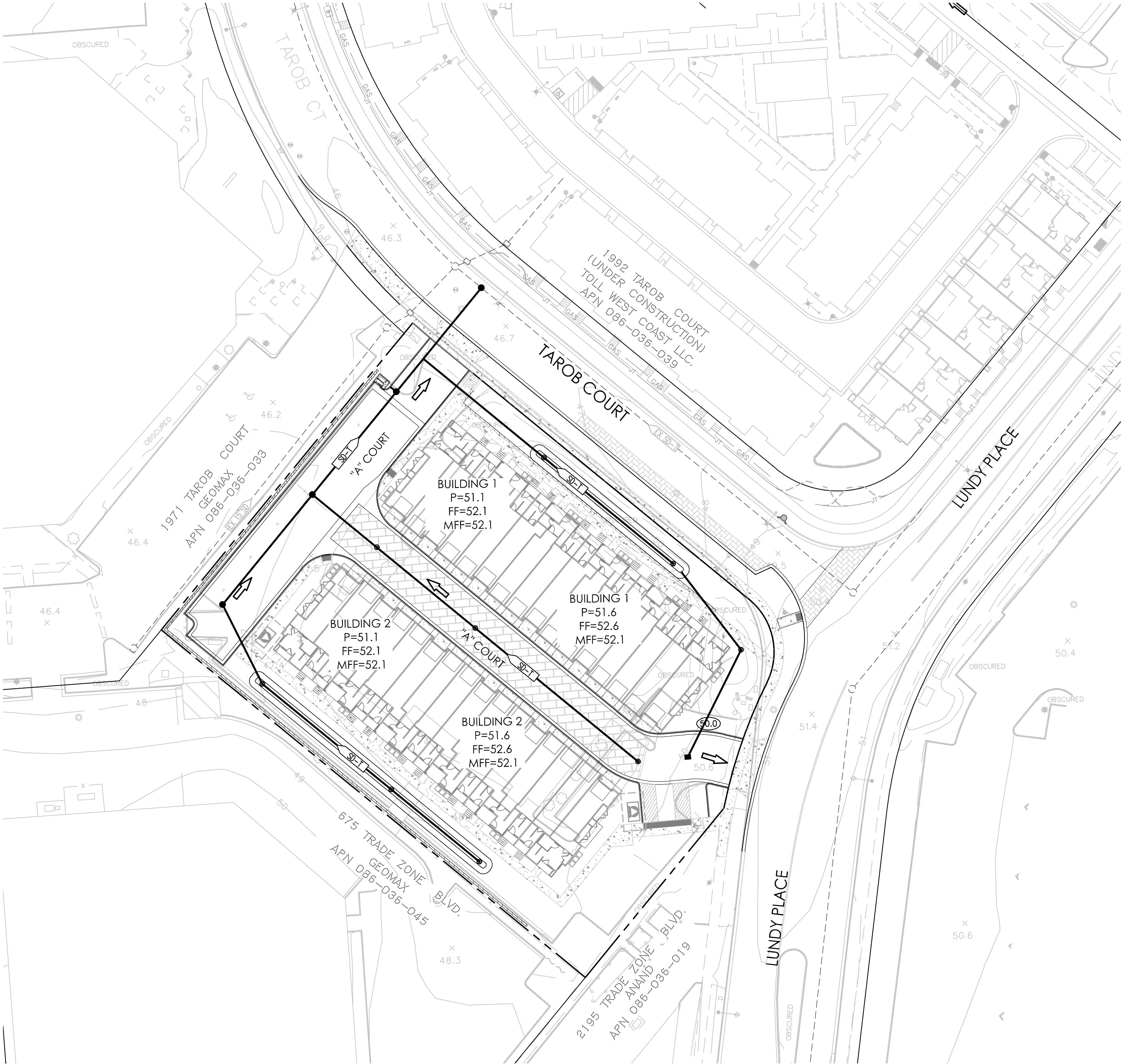
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PRELIMINARY GRADING AND DRAINAGE PLAN
TMO9



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ABBREVIATIONS

BFE	BASE FLOOD ELEVATION
BLDG	BUILDING
BSW	BACK OF SIDEWALK
CL	CENTERLINE
D	DRAIN
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
FF	FINISHED FLOOR
FG	FINISHED GRADE
HAG	HIGHEST ADJACENT GRADE (EXISTING) 50.0
	OVERLAND RELEASE
P	PAD ELEVATION
PL	PROPERTY LINE
MFF	MINIMUM FINISHED FLOOR
R/W	RIGHT OF WAY
SCVWD	SANTA CLARA VALLEY WATER DISTRICT
SW	SIDEWALK
VAR	VARIES
SDT	TREATED STORMWATER
SDUT	UNTREATED STORMWATER
SDOF	OVERFLOW FOR STORM EVENTS ABOVE THE WATER QUALITY EVENT
SDFM	FORCEMAIN STORMWATER
WSEL	EAST PENITENCIA WATER SURFACE ELEVATION

FEMA BFE	WSEL	STUDY BFE	MAX BFE	HAG	MFF	BLDG FF	BLDG P
49.5	NA	51.1	51.1	50	52.1	52.1	51.1

NOTES:

- FLOOD ZONE: AO(1) – FLOOD DEPTHS ARE 1', SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
 - ALL USES ARE RESIDENTIAL
 - FLOOD PROOFING IS NOT REQUIRED. ALL BUILDINGS AND ABOVE GROUND UTILITIES TO BE RAISED TO ABOVE THE BASE FLOOD ELEVATION.
 - RECEIVING WATER: PENITENCIA CREEK
 - SEE SHEET TM09 FOR GRADING CROSS SECTIONS
- HAG VALUE DETERMINED IN COORDINATION WITH SCHAAF & WHEELER

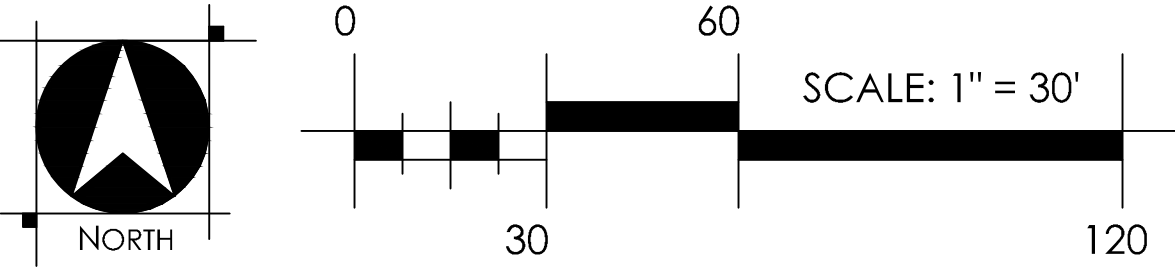
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SEPTEMBER 10, 2021

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PRELIMINARY FLOODPLAIN MANAGEMENT PLAN
TM10



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RESERVED FOR CONDITIONS OF APPROVAL

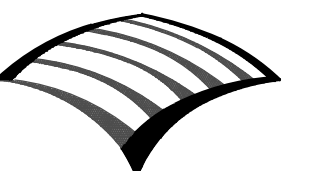
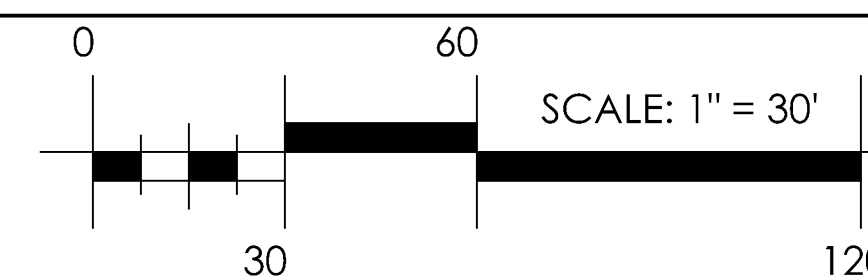
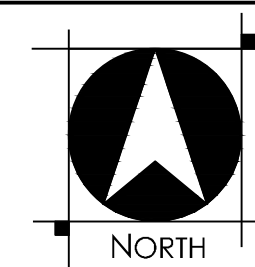
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CONDITIONS OF APPROVAL
TM 11



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LEGEND

PRIVATE RECREATIONAL AREA (0.14 ACRES)

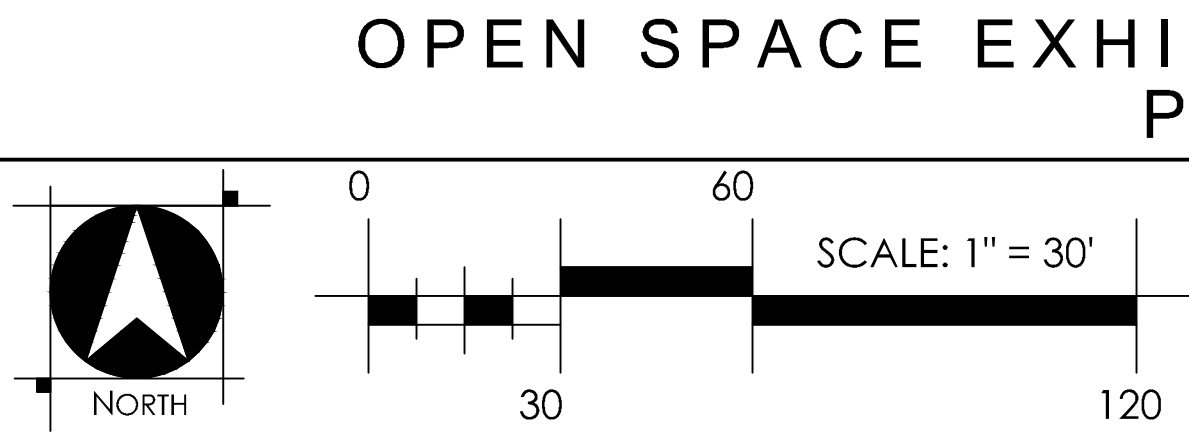
OTHER PRIVATE OPEN SPACE & LANDSCAPING (0.32 ACRES)

TOTAL LANDSCAPE & OPEN SPACE = 0.46 ACRES

PARK ACREAGE SUMMARY (TASP REQUIREMENT)			
DESCRIPTION	TASP CODE	REQUIRED PARKS AND OPEN SPACE (AC.)	PROVIDED PARK (AC.)
PARKS AND OPEN SPACE	3.5 ACRES OF PARKLAND PER 1000 POPULATION. UP TO 1.5 OF EACH 3.5 PARK ACRES MAY BE SATISFIED BY THE PROVISION OF PRIVATE RECREATION AREAS. THE REMAINING 2.0 ACRES PER 1000 REQUIREMENT MUST BE SATISFIED BY EITHER DEDICATION OF LAND TO THE CITY FOR PUBLIC PARKS AND OPEN SPACE OR PAYMENT OF AN IN-LIEU FEE.	POPULATION = # UNITS X 2.52 PERSONS/UNIT	PRIVATE RECREATION AREA = 0.14 ACRES
		POPULATION = 32 X 2.52 = 80.6 PERSONS	
		PARK ACREAGE REQUIRED = 3.5 X 80.6/1000 = 0.28 ACRES	
		PRIVATE RECREATION AREA ALLOWED = 1.5/3.5 X 0.28 = 0.12 ACRES	

R3 ZONING CODE OPEN SPACE (MUNI CODE XI-10-4.05.C)			
DESCRIPTION	CODE REQUIREMENT	REQUIRED AREA (AC.)	PROVIDED AREA (AC.)
LANDSCAPE AND OPEN SPACE REQUIREMENTS	A MINIMUM OF TWENTY-FIVE (25) PERCENT OF THE TOTAL LOT AREA SHALL BE LANDSCAPED OR RECREATIONAL OPEN SPACE, EXCLUSIVE OF PARKING AND VEHICULAR TRAFFIC AREA AND SHALL BE SHOWN ON SITE PLAN IN DETAIL FOR PLANNING COMMISSION APPROVAL.	25% X 1.22 = 0.31 ACRES	0.46 ACRES (37.7%)
	AN AVERAGE OF TWO HUNDRED SQUARE FEET OF USABLE OPEN SPACE SHALL BE PROVIDED FOR EACH DWELLING UNIT. "USABLE OPEN SPACE" SHALL MEAN ANY OPEN SPACE, THE SMALLEST DIMENSION OF WHICH IS AT LEAST 4 1/2 FEET AND WHICH IS NOT USED AS STORAGE OR FOR MOVEMENT OF MOTOR VEHICLES; EXCEPT THAT YARDS ABUTTING A PUBLIC STREET, WHICH ARE NOT ADEQUATELY SCREENED FOR PRIVACY, IN THE OPINION OF THE PLANNING COMMISSION, SHALL NOT QUALIFY AS USABLE OPEN SPACE. BALCONIES, PORCHES, OR ROOF DECKS MAY BE CONSIDERED USABLE OPEN SPACE WHEN PROPERLY DEVELOPED FOR WORK, PLAY OR OUTDOOR LIVING AREAS. AT LEAST THIRTY (30) PERCENT OF REQUIRED OPEN SPACE SHALL BE CONTIGUOUS TO AND PROVIDE FOR PRIVATE USABLE OPEN SPACE OF THE INDIVIDUAL DWELLING UNIT.	200 X 32 = 6,400 SQ FT = 0.15 ACRES	PRIVATE RECREATIONAL AREA = 0.14 ACRES
			PRIVATE OPEN SPACE (BALCONIES) = 1784 SF/BUILDING = 1784 X 2 = 3,568 SF = 0.08 ACRES TOTAL PRIVATE OPEN SPACE = 0.22 ACRES = 299.5 SF/UNIT

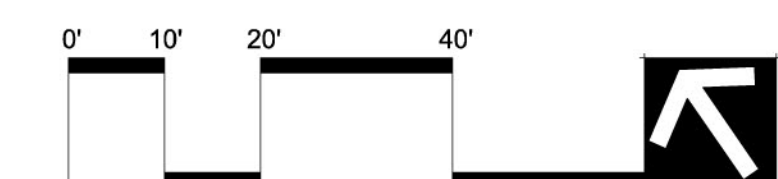
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Milpitas, CA
SEPTEMBER 10, 2021





PLAN VIEW

Scale: 1"=20'-0"



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Milpitas, CA
September 10, 2021

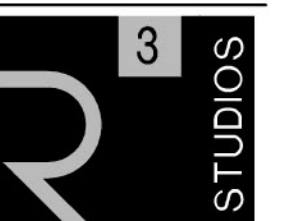
Illustrative Site Plan
L001



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PLANNING URBAN DESIGN
LANDSCAPE ARCHITECTURE
201 4th street suite 101B, oakland, ca 94607
phone: 510.452.4190 www.r3studios.com

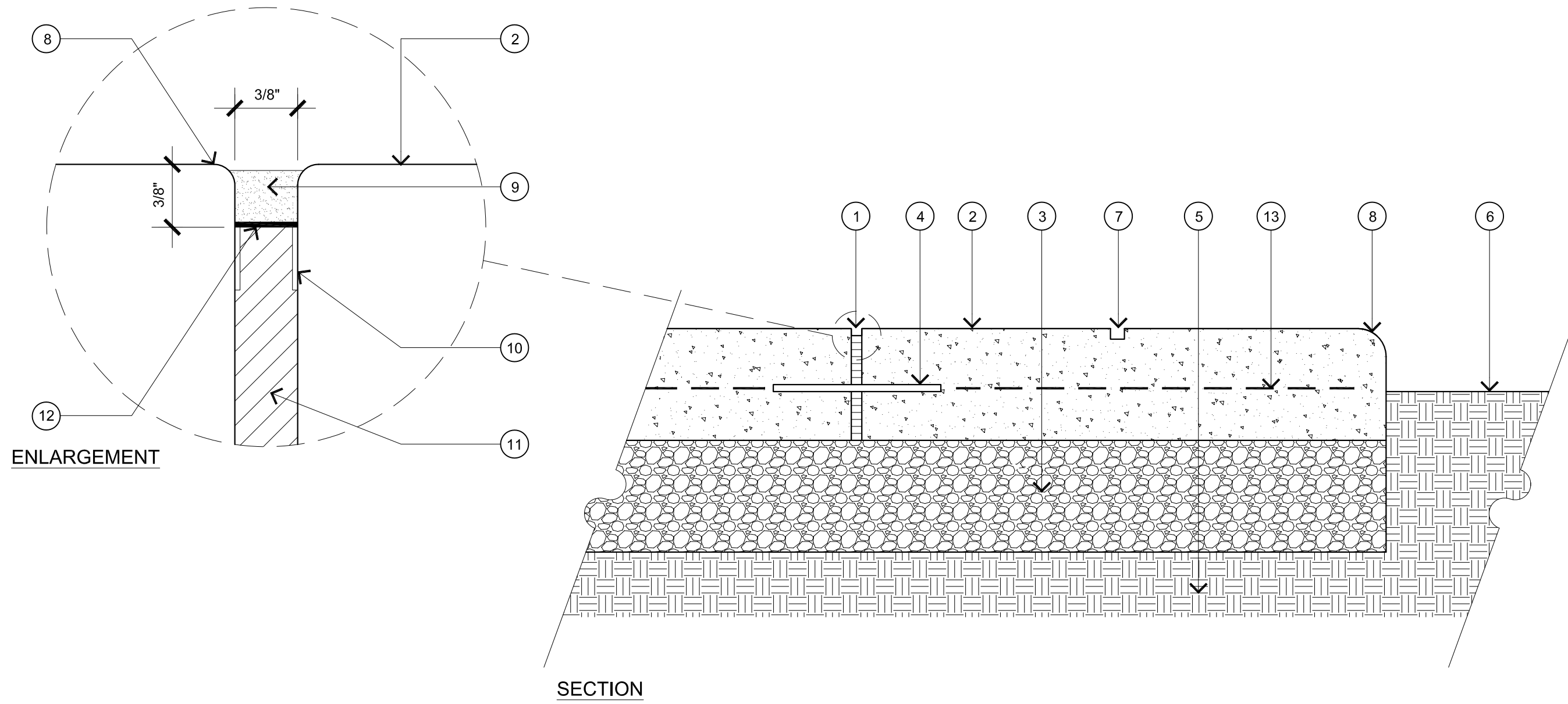




TREE MATRIX
TOTAL EXISTING TREES ON SITE: 34
TOTAL EXISTING TREES TO BE REMOVED: 34
TOTAL PROPOSED NEW TREES: 128

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Milpitas, CA
September 10, 2021

Preliminary Landscape Plan
L002



- 1 3/8" EXPANSION JOINT WITH SEALANT & BACKER ROD. EXPANSION JOINTS SHALL OCCUR EVERY 25' C.C. EACH WAY. REFER TO PLAN FOR LOCATIONS.
- 2 4" THICK CONCRETE PAVING - REFER TO CONSTRUCTION LEGEND FOR COLOR AND FINISH
- 3 4" THICK CLASS II AGGREGATE SUB BASE
- 4 #4 X 24" LONG DOWELS @ 24" O.C.
- 5 90% COMPACTED SUB GRADE
- 6 FINISH GRADE AT PLANTING AREA 1" BELOW AT TURF AREAS, 2" AT SHRUB AND GROUND COVER AREAS
- 7 SAWCUT JOINT- 1" DEEP X 1/4" WIDE SAWCUT @ 12" C.C. EACH WAY, REFER TO PLANS FOR LOCATIONS (TYP.)
- 8 RADIUSED EDGE
- 9 SEALANT - ALSO INSTALL WHERE PAVING ABUTS TO BUILDING FOUNDATIONS.
- 10 PVC CAP
- 11 EXPANSION MATERIAL
- 12 BOND BREAKER TAPE
- 13 #3 REBAR @ 18" O.C. BOTH WAYS

NOTE:
CONCRETE MIX SHALL BE LOW SHRINK.

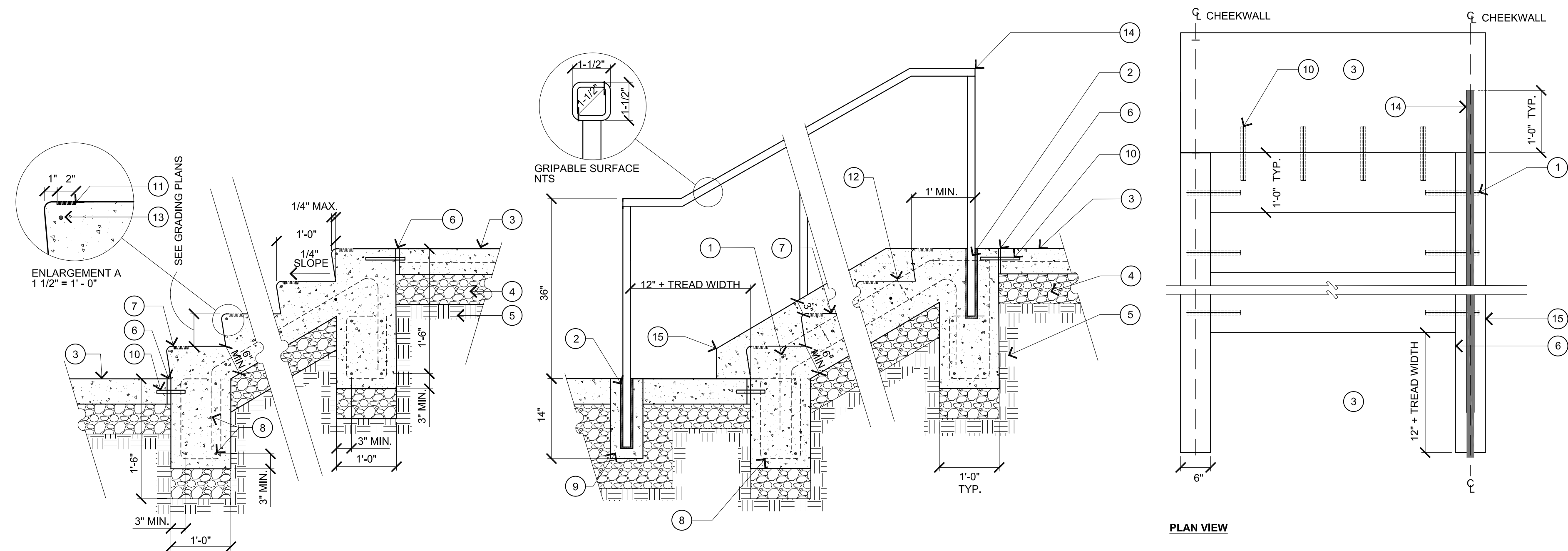


COLORS TO COMPLIMENT ARCHITECTURE, FOR DETAIL REFER TO PLANS PREPARED BY WOOD RODGERS, INC. CIVIL ENGINEERS

1 CONCRETE PAVING

SCALE : 3/8"=1'-0"

2 PERMEABLE PAVERS



SECTION - CONCRETE STEPS WITH CHEEKWALL

PLAN VIEW

- 1 #4 REBAR @ 12" O.C. CENTERED IN TREADS/RISERS AND AS ILLUSTRATED IN FOOTING
- 2 3" X 12" CAN FORM, POUR ROCK SOLID.
- 3 CONCRETE PAVING
- 4 CALTRANS CLASS II AB AT 95% RELATIVE COMPACTION - THICKNESS PER SOILS REPORT
- 5 COMPACTED SUBGRADE OR ENGINEERED FILL PER SOILS REPORT
- 6 3/8" PREMOLDED EXPANSION JOINT - REFER TO DETAIL 1 THIS SHEET
- 7 REINFORCED CONCRETE STEPS, ALL STEPS SHALL BE SLIP-RESISTANT.
- 8 #4 REBAR @ CONTINUOUS.
- 9 THICKENED CONCRETE TO SUPPORT POST - 18" DEEP X 6.5" Ø
- 10 12" GREASED #4 STEEL DOWEL @ 18" O.C. AT ALL CONSTRUCTION JOINTS.
- 11 1/4" WARNING GROOVES CUT INTO NOSING OR 2" INLAY WARNING STRIP WITH CONTRASTING COLOR, ALL TREADS (TYP.).
- 12 #3 REBAR TIES @ 18" O.C.
- 13 #4 NOSE BAR 3" FROM EDGE.
- 14 HANDRAIL - REFER TO PLAN FOR LOCATION, CONSTRUCTION LEGEND FOR SPECIFICATION
- 15 CONCRETE CHEEKWALL

NOTE: REFER TO LOCAL CODES FOR HANDRAILS AS REQUIRED

3 CONCRETE STEPS WITH CHEEK WALL AND HANDRAIL

SCALE : 3/4"=1'-0"

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September 10, 2021

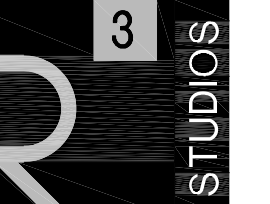


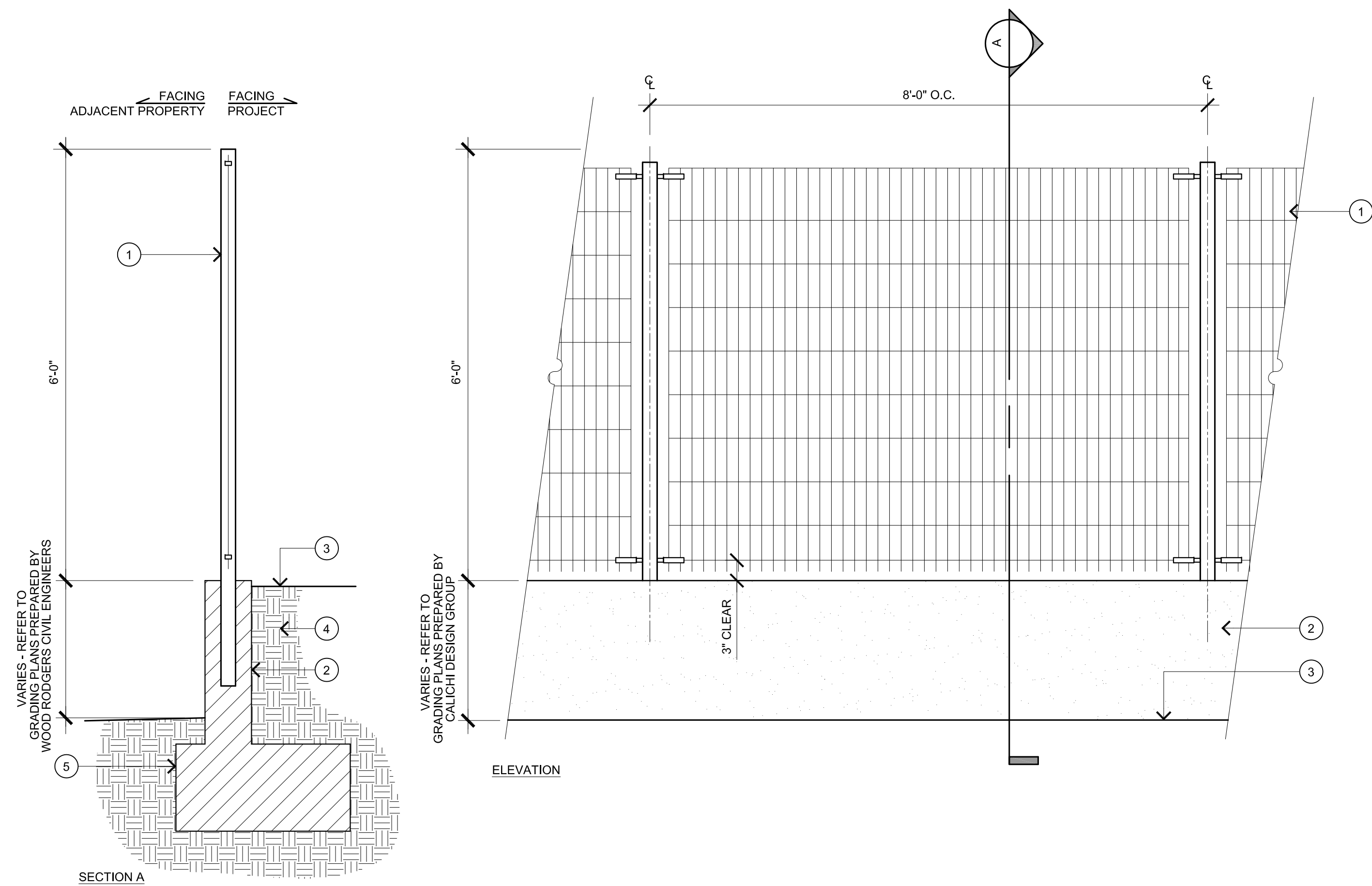
TTLT Tarob 4, LLC

12647 Alcosta Blvd., Suite 470 San Ramon CA 94583
925.824.4300

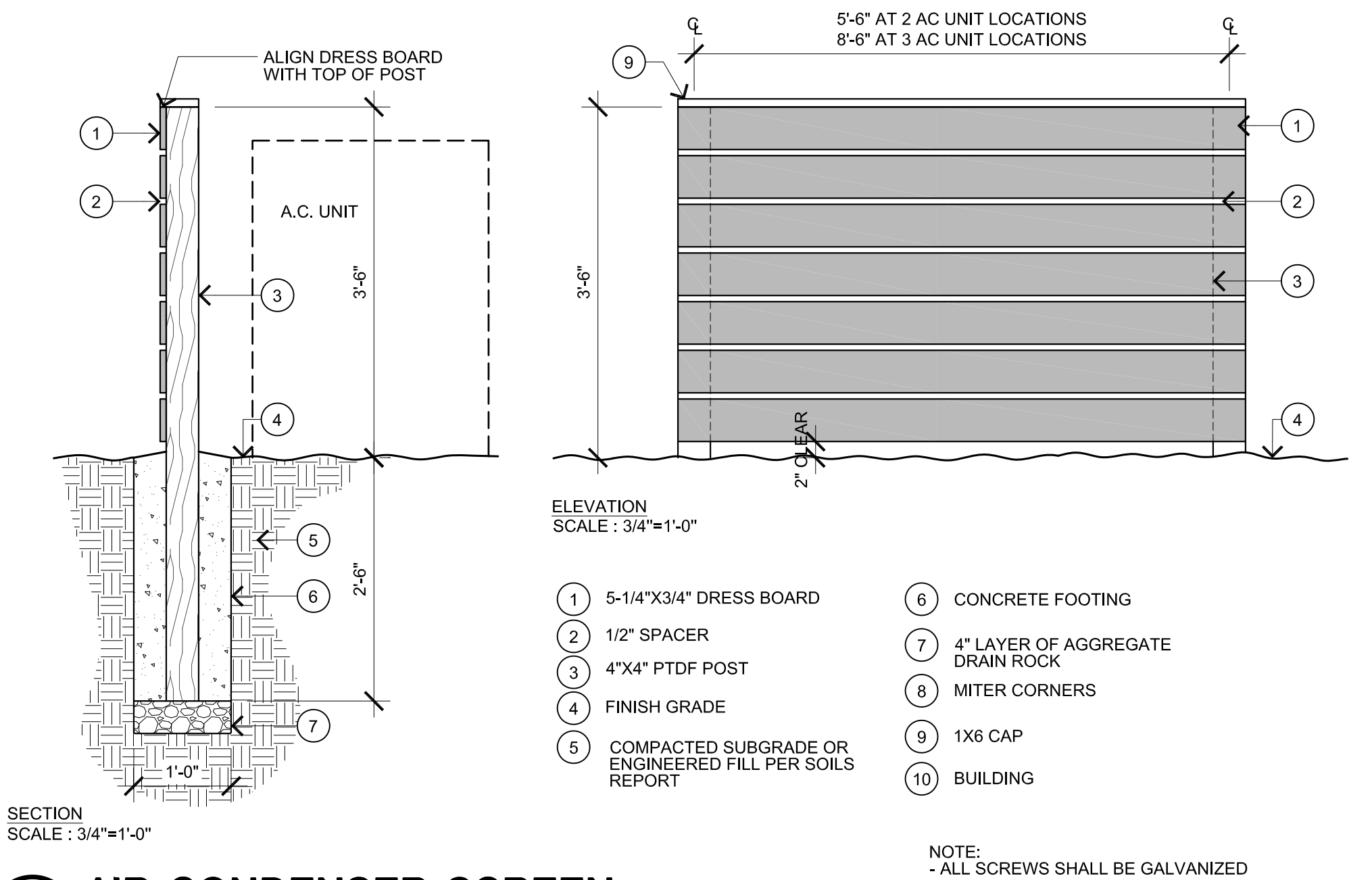
Construction Details
L003

PLANNING URBAN DESIGN
LANDSCAPE ARCHITECTURE
201 4th street suite 101B, oakland, ca 94607
phone: 510.452.4190 www.r3studios.com





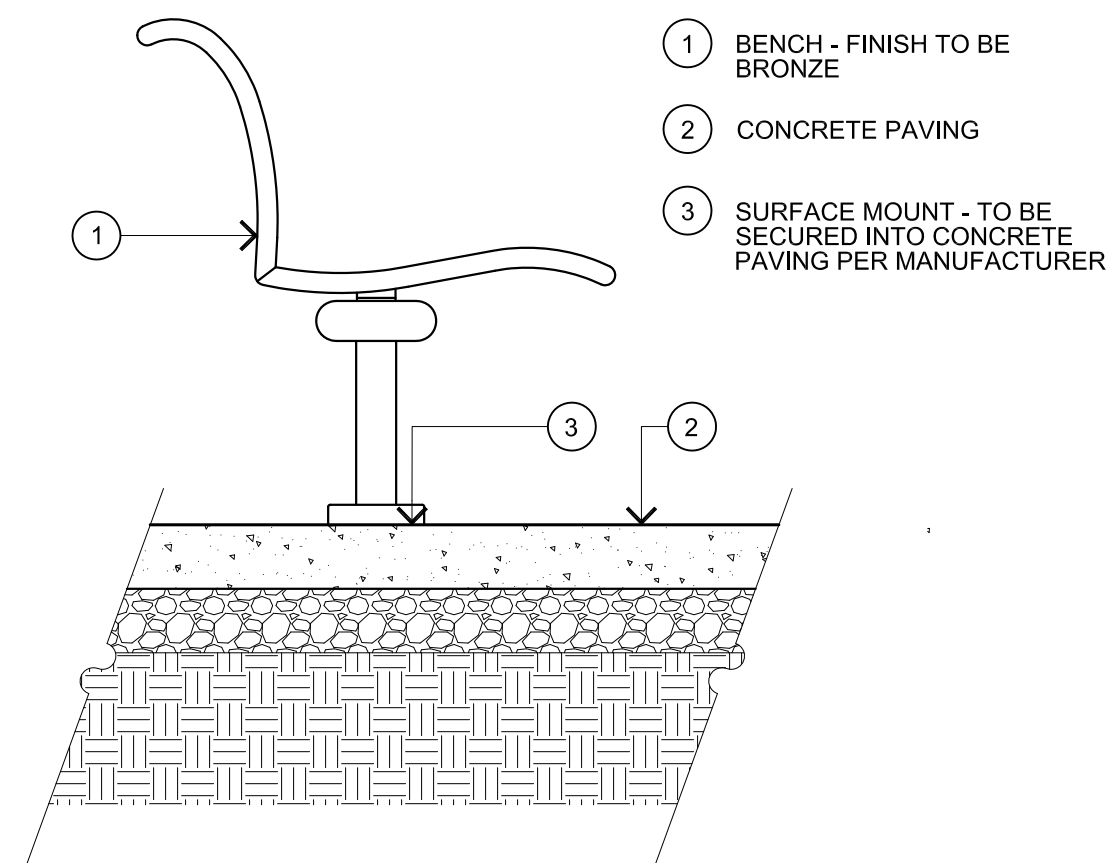
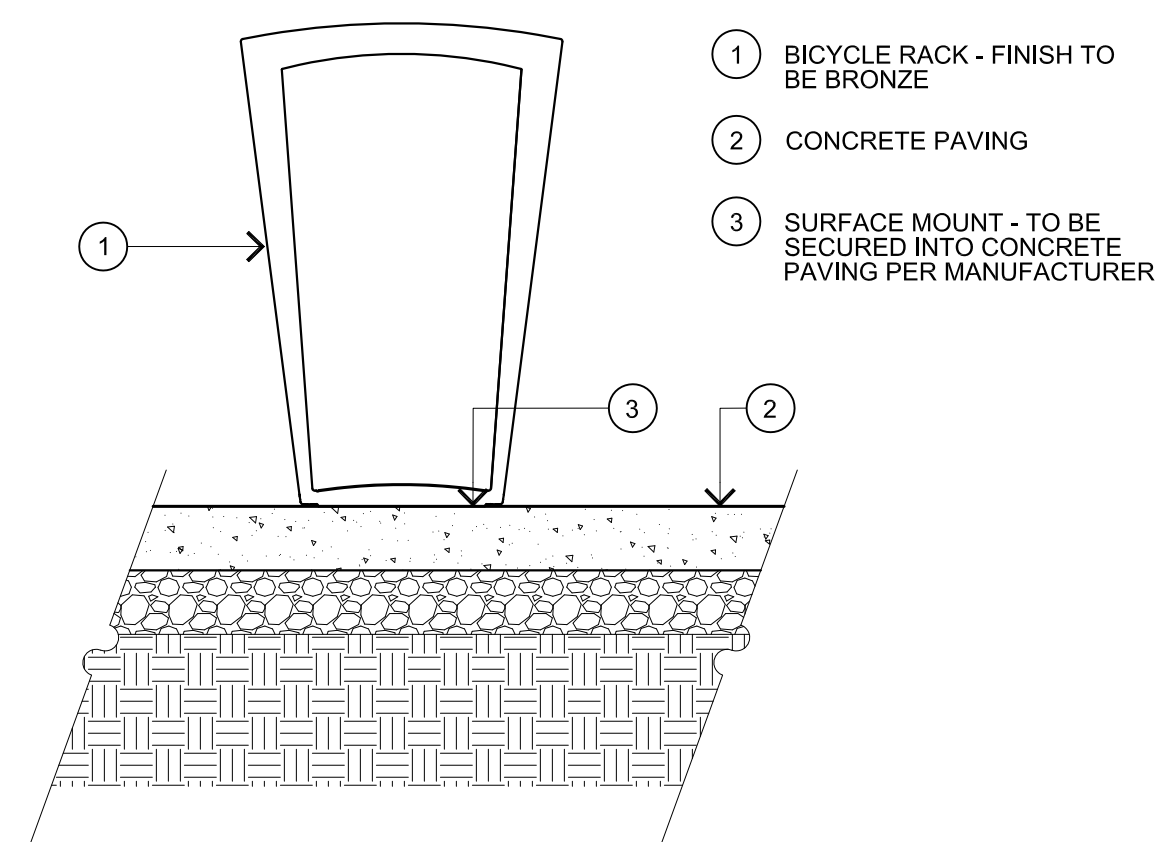
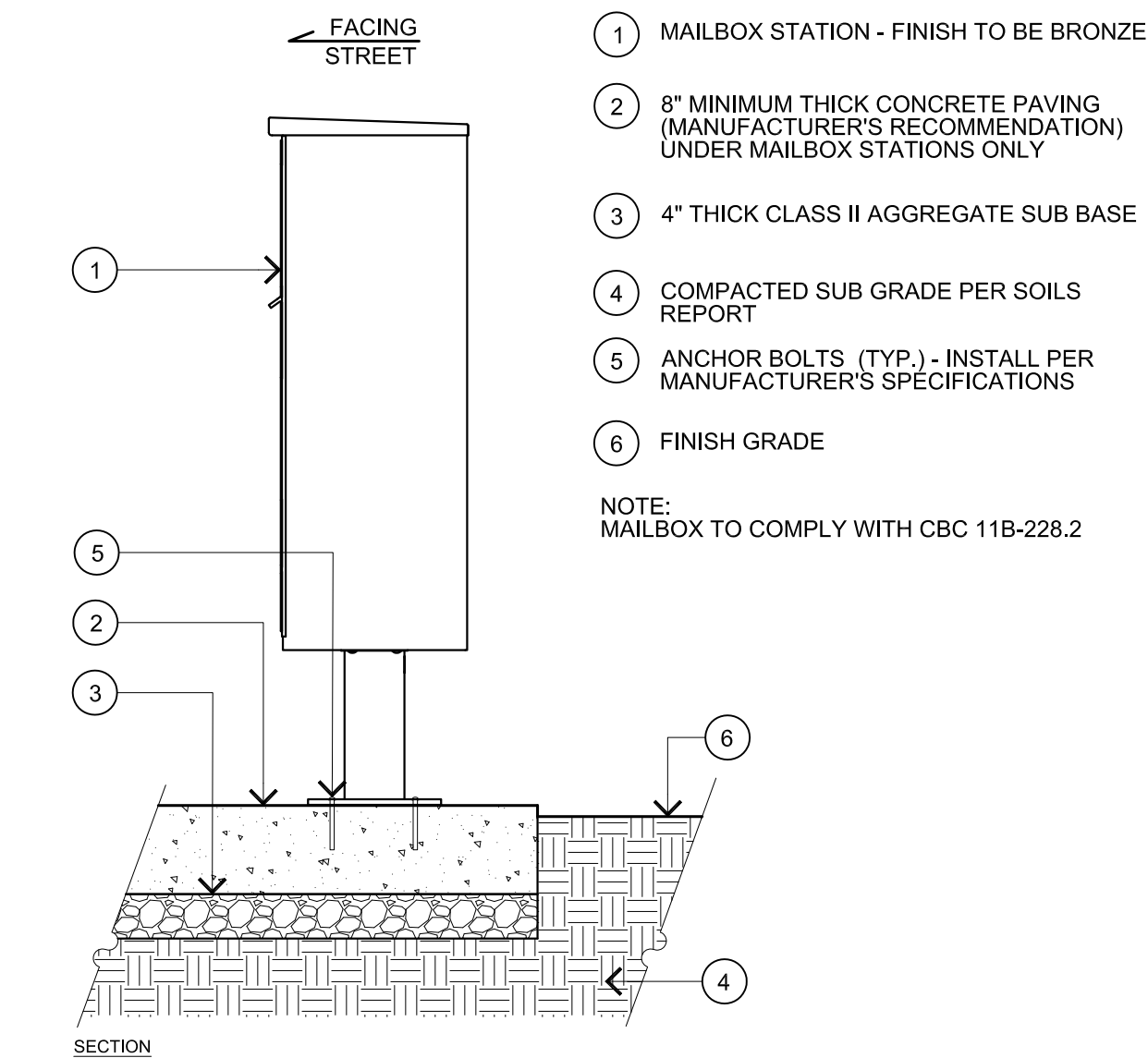
- 1 ELITE FENCE AND GATE (INSTALLED WITH PICKETS DOWN) - FINISH TO BE CHOCOLATE BROWN
- 2 RETAINING WALL- REFER TO PLANS PREPARED BY WOOD RODGERS CIVIL ENGINEERS AND PLANS PREPARED BY STRUCTURAL ENGINEER
- 3 FINISH GRADE
- 4 COMPACTED SUBGRADE OR ENGINEERED FILL PER SOILS REPORT
- 5 CONCRETE FOOTING - REFER TO PLANS PREPARED BY STRUCTURAL ENGINEER



1 WELDED WIRE MESH FENCE ON RETAINING WALL

SCALE: 3/4" = 1'-0"

2 AIR CONDENSER SCREEN



3 MAILBOX STATION

SCALE : 3/4"=1'-0"

4 BICYCLE RACK

SCALE : 1"=1'-0"

5 BENCH

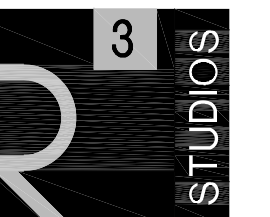
SCALE : 1"=1'-0"

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IRRIGATION NOTES

1. THESE IRRIGATION DRAWINGS ARE DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE INSTALLED. ALL PIPING, VALVES, AND OTHER IRRIGATION COMPONENTS MAY BE SHOWN WITHIN PAVED AREAS FOR GRAPHIC CLARITY ONLY AND ARE TO BE INSTALLED WITHIN PLANTING AREAS. DUE TO THE SCALE OF THE DRAWINGS, IT IS NOT POSSIBLE TO INDICATE ALL OFFSETS, FITTINGS, SLEEVES, CONDUIT, AND OTHER ITEMS WHICH MAY BE REQUIRED. IN THE EVENT OF FIELD DISCREPANCY WITH CONTRACT DOCUMENTS, PLAN THE INSTALLATION WORK ACCORDINGLY BY NOTIFICATION AND APPROVAL OF THE OWNER'S AUTHORIZED REPRESENTATIVE AND ACCORDING TO THE CONTRACT SPECIFICATIONS. NOTIFY AND COORDINATE IRRIGATION CONTRACT WORK WITH APPLICABLE CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE, CONDUIT OR SLEEVES THROUGH OR UNDER WALL, ROADWAYS, PAVING AND STRUCTURES BEFORE CONSTRUCTION. IN THE EVENT THESE NOTIFICATIONS ARE NOT PERFORMED, THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR REQUIRED REVISIONS.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, STANDARDS, AND REGULATIONS. ALL WORK AND MATERIALS SHALL BE IN FULL ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE NATIONAL ELECTRIC CODE; THE UNIFORM PLUMBING CODE, PUBLISHED BY THE WESTERN PLUMBING OFFICIALS ASSOCIATION; AND OTHER STATE OR LOCAL LAWS OR REGULATIONS. NOTHING IN THESE DRAWINGS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES OR REGULATIONS. THE CONTRACTOR SHALL FURNISH WITHOUT ANY EXTRA CHARGE, ANY ADDITIONAL MATERIAL AND LABOR WHEN REQUIRED BY THE COMPLIANCE WITH THESE CODES AND REGULATIONS.
3. THE CONTRACTOR SHALL COORDINATE INSTALLATION OF IRRIGATION SYSTEM WITH LAYOUT AND INSTALLATION OF THE PLANT MATERIALS TO INSURE THAT THERE WILL BE COMPLETE AND UNIFORM IRRIGATION COVERAGE OF PLANTING IN ACCORDANCE WITH THESE DRAWINGS, AND CONTRACT DOCUMENTS. THE IRRIGATION LAYOUT SHALL BE CHECKED BY THE CONTRACTOR AND OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO CONSTRUCTION TO DETERMINE IF ANY CHANGES, DELETIONS, OR ADDITIONS ARE REQUIRED. IRRIGATION SYSTEM SHALL BE INSTALLED AND TESTED PRIOR TO INSTALLATION OF PLANT MATERIAL.
4. THE INTENT OF THIS IRRIGATION SYSTEM IS TO PROVIDE THE MINIMUM AMOUNT OF WATER REQUIRED TO SUSTAIN GOOD PLANT HEALTH.
5. IT IS THE RESPONSIBILITY OF THE MAINTENANCE CONTRACTOR AND/OR OWNER TO PROGRAM THE IRRIGATION CONTROLLER(S) TO PROVIDE THE MINIMUM AMOUNT OF WATER NEEDED TO SUSTAIN GOOD PLANT HEALTH. THIS INCLUDES MAKING ADJUSTMENTS TO THE PROGRAM FOR SEASONAL WEATHER CHANGES, PLANT MATERIAL, WATER REQUIREMENTS, MOUNDS, SLOPES, SUN, SHADE AND WIND EXPOSURE.
6. IT IS THE RESPONSIBILITY OF A LICENSED ELECTRICAL CONTRACTOR TO PROVIDE 120 VOLT A.C. (2.5 AMP DEMAND PER CONTROLLER) ELECTRICAL SERVICE TO THE CONTROLLER LOCATION(S). IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO COORDINATE THE ELECTRICAL SERVICE STUB-OUT TO THE CONTROLLER(S), PROVIDE PROPER GROUNDING PER CONTROLLER MANUFACTURER'S INSTRUCTIONS AND IN ACCORDANCE WITH LOCAL CODES.
7. PROVIDE EACH IRRIGATION CONTROLLER WITH ITS OWN INDEPENDENT LOW VOLTAGE COMMON GROUND WIRE.
8. INSTALL NEW BATTERIES IN THE IRRIGATION CONTROLLER(S) TO RETAIN PROGRAM IN MEMORY DURING TEMPORARY POWER FAILURES. USE QUANTITY, TYPE AND SIZE REQUIRED AS PER CONTROLLER MANUFACTURER'S INSTRUCTIONS.
9. IRRIGATION CONTROL WIRES: SOLID COPPER WITH U.L. APPROVAL FOR DIRECT BURIAL IN GROUND. COMMON GROUND WIRE: SIZE #12-1 WIRE WITH A WHITE INSULATING JACKET. CONTROL WIRE SERVICING REMOTE CONTROL VALVES: SIZE #14-1 WIRE WITH INSULATING JACKET OF COLOR OTHER THAN WHITE. SPLICES SHALL BE MADE WITH 3M-DBY SEAL PACKS OR APPROVED EQUAL.
10. INSTALL TWO SPARE CONTROL WIRES OF A DIFFERENT COLOR ALONG THE ENTIRE MAIN

11. SPLICING OF LOW VOLTAGE WIRES IS PERMITTED IN VALVE BOXES ONLY. LEAVE A 36" LONG, 1" DIAMETER COIL OF EXCESS WIRE AT EACH SPLICE AND A 36" LONG EXPANSION LOOP EVERY 100 FEET ALONG WIRE RUN. TAPE WIRES TOGETHER EVERY TEN FEET. DO NOT TAPE WIRES TOGETHER WHERE CONTAINED WITHIN SLEEVING OR CONDUIT.
12. INSTALL BLACK PLASTIC VALVE BOXES WITH BOLT DOWN, NON HINGED COVER MARKED "IRRIGATION". BOX BODY SHALL HAVE KNOCK OUTS. ACCEPTABLE VALVE BOX MANUFACTURER'S INCLUDE NDS, CARSON OR APPROVED EQUAL.
13. INSTALL REMOTE CONTROL VALVE BOXES 12" FROM WALK, CURB, BUILDING OR LANDSCAPE FEATURE. AT MULTIPLE VALVE BOX GROUPS, INSTALL EACH BOX AN EQUAL DISTANCE FROM THE WALK, CURB, BUILDING OR LANDSCAPE FEATURE AND PROVIDE 12" BETWEEN BOX TOPS. ALIGN THE SHORT SIDE OF RECTANGULAR VALVE BOXES PARALLEL TO WALK, CURB, BUILDING OR LANDSCAPE FEATURE.
14. VALVE LOCATIONS SHOWN ARE DIAGRAMMATIC. INSTALL IN GROUND COVER/SHRUB AREAS (AVOID LAWN AREAS WHERE POSSIBLE).
15. THE CONTRACTOR SHALL LABEL CONTROL LINE WIRE AT EACH REMOTE CONTROL VALVE WITH A 2 1/4" X 2 3/4" POLYURETHANE I.D. TAG, INDICATING IDENTIFICATION NUMBER OF VALVE (CONTROLLER AND STATION NUMBER), ATTACH LABEL TO CONTROL WIRE. THE CONTRACTOR SHALL PERMANENTLY STAMP ALL VALVE BOX LIDS WITH APPROPRIATE IDENTIFICATION AS NOTED IN CONSTRUCTION DETAILS.
16. INSTALL A GATE VALVE TO ISOLATE EACH REMOTE CONTROL VALVE OR GROUP OF RCVS LOCATED TOGETHER. GATE VALVE SIZE SHALL BE SAME AS THE LARGEST REMOTE CONTROL VALVE IN MANIFOLD.
17. FLUSH AND ADJUST IRRIGATION OUTLETS AND NOZZLES FOR OPTIMUM PERFORMANCE AND TO PREVENT OVER SPRAY ONTO WALKS, ROADWAYS, AND/OR BUILDINGS. SELECT THE BEST DEGREE OF THE ARC AND RADIUS TO FIT THE EXISTING SITE CONDITIONS AND THROTTLE THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH CONTROL ZONE.
18. SET SPRINKLER HEADS PERPENDICULAR TO FINISH GRADE.
19. INSTALL NON POP-UP ROTARY SPRINKLERS 24" FROM WALKS AND CURBS.
20. LOCATE EMITTER OUTLETS ON UPHILL SIDE OF PLANT OR TREE.
21. LOCATE BUBBLERS ON UPHILL SIDE OF PLANT OR TREE.
22. INSTALL A HUNTER HCV SERIES, KBI CV SERIES, OR APPROVED EQUAL SPRING LOADED CHECK VALVE IN SPRINKLER RISER ASSEMBLIES WHERE LOW OUTLET DRAINAGE WILL CAUSE EROSION AND/OR EXCESS WATER.
23. WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, USE CAUTION TO AVOID INJURY TO TREES AND TREE ROOTS. EXCAVATE BY HAND IN AREAS WHERE TWO (2) INCH AND LARGER ROOTS OCCUR. BACK FILL TRENCHES ADJACENT TO TREE WITHIN TWENTY-FOUR (24) HOURS. WHERE THIS IS NOT POSSIBLE, SHADE THE SIDE OF THE TRENCH ADJACENT TO THE TREE WITH WET BURLAP OR CANVAS.
24. NOTIFY LOCAL JURISDICTIONS FOR INSPECTION AND TESTING OF INSTALLED BACKFLOW PREVENTION DEVICE.
25. THE SPRINKLER SYSTEM DESIGN IS BASED ON THE MINIMUM OPERATING PRESSURE SHOWN ON THE IRRIGATION DRAWINGS. VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE OWNER'S AUTHORIZED REPRESENTATIVE.

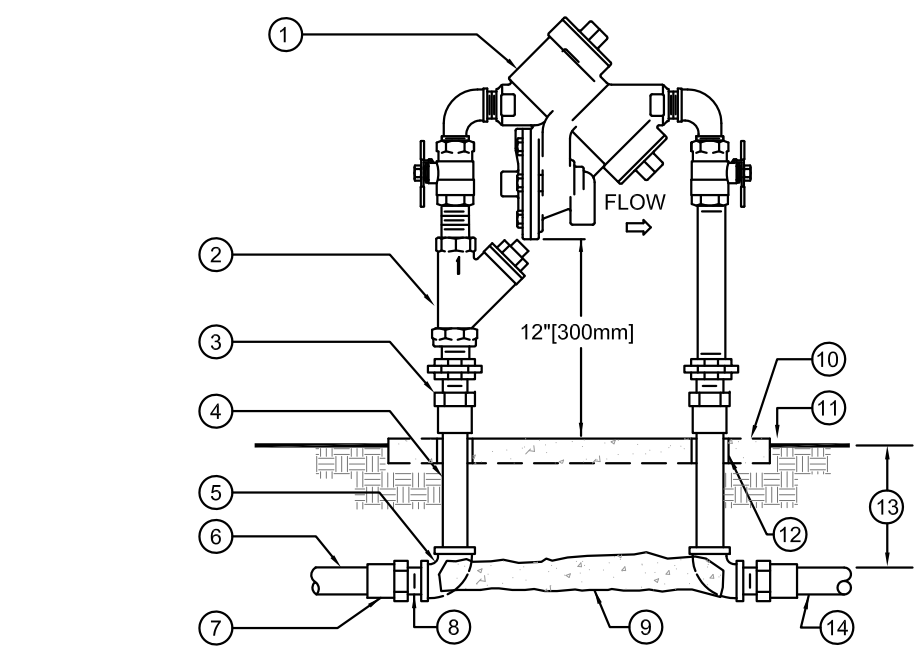
26. IRRIGATION DEMAND: REFER TO PLANS.
27. PIPE SIZING SHOWN ON THE DRAWINGS IS TYPICAL. AS CHANGES IN LAYOUT OCCUR DURING STAKING AND CONSTRUCTION THE SIZE MAY NEED TO BE ADJUSTED ACCORDINGLY.
28. PIPE THREAD SEALANT COMPOUND SHALL BE RECTOR SEAL #5.
29. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MINOR CHANGES IN THE IRRIGATION LAYOUT DUE TO OBSTRUCTIONS NOT SHOWN ON THE IRRIGATION DRAWINGS SUCH AS LIGHTS, FIRE HYDRANTS, SIGNS, ELECTRICAL ENCLOSURES, ETC.
30. WHEN WORK OF THIS SECTION HAS BEEN COMPLETED AND SUCH OTHER TIMES AS MAY BE DIRECTED, REMOVE ALL TRASH, DEBRIS, SURPLUS MATERIALS AND EQUIPMENT FROM SITE.

IRRIGATION LEGEND

SYMBOL	MODEL NUMBER	DESCRIPTION	NOZZLE GPM	OPERATING PSI	OPERATING RADIUS (FEET)
	570Z-6P-PRX-COM/ O-T-15-F,H,Q	TORO POP-UP SPRAY SPRINKLER (TURF)	2.3,1.16, 0.58	30	12–15
	570Z-6P-PRX-COM/ O-T-12-F,H,Q	TORO POP-UP SPRAY SPRINKLER (TURF)	1.5,0.75,.37	30	10–12
	570Z-6P-PRX-COM/ O-T-10-F,H,Q	TORO POP-UP SPRAY SPRINKLER (TURF)	1.03,0.51, 0.23	30	8–10
	570Z-12P-PRX-COM/ O-T-15-F,H,Q	TORO POP-UP SPRAY SPRINKLER (SHRUB)	2.3,1.16, 0.58	30	12–15
	570Z-12P-PRX-COM/ O-T-12-F,H,Q	TORO POP-UP SPRAY SPRINKLER (SHRUB)	1.5,0.75,.37	30	10–12
	570Z-12P-PRX-COM/ O-T-10-F,H,Q	TORO POP-UP SPRAY SPRINKLER (SHRUB)	1.03,0.51, 0.23	30	8–10
	570S/FB-25-PC	TORO BUBBLER, 1 PER SHRUB	0.25	30	TRICKLE
	570S/FB-50-PC	TORO BUBBLER, 2 PER TREE	0.5	30	TRICKLE
	T-YD-500-34	TORO AIR RELIEF VALVE			
	FCH-H-FIPT	TORO FLUSH VALVE			
	T-DL-MP9	TORO DRIP ZONE INDICATOR			
	P-220-26-6	TORO MASTER VALVE (NORMALLY CLOSED)			
	TFS-150	TORO FLOW SENSOR			
	P-220-26 SERIES	TORO REMOTE CONTROL VALVE			
	P220-27-04/ T-ALFD10150-L	TORO REMOTE CONTROL VALVE WITH A PRESSURE REGULATOR (SET TO 45 PSI) AND A 1" DISC FILTER			
	33 DNP	RAIN BIRD QUICK COUPLING VALVE			
	T113-K	NIBCO GATE VALVE (LINE SIZE)-2.5" AND SMALLER.			
	975XLSEU-2"	WILKINS REDUCED PRESSURE BACKFLOW ASSEMBLY			
	MC-30E/CL-R1	IRRITROL MC-E CONTROLLER IN A PEDESTAL ENCLOSURE WITH MAINTENANCE REMOTE. USE IN CONJUNCTION WITH CLIMATE LOGIC WEATHER SENSING SYSTEM.			
	CL-100-WIRELESS	IRRITROL CLIMATE LOGIC WEATHER SENSING SYSTEM. AUTOMATICALLY GATHERS ON-SITE WEATHER INFORMATION AND CALCULATES WATER REQUIREMENTS AND WATERING SCHEDULES.			
		CONTROLLER AND STATION NUMBER			
		FLOW (GPM)			
		REMOTE CONTROL VALVE SIZE (IN INCHES)			
		ASSOCIATED REMOTE CONTROL VALVE			
		CONTROLLER AND STATION NUMBER			
		AREA (SQ. FT.)			
		FLOW (GPM)			
		REMOTE CONTROL VALVE SIZE (IN INCHES)			
		ASSOCIATED REMOTE CONTROL VALVE			
		MAIN LINE: 2 1/2" AND SMALLER: 1120-SCHEDULE 40 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT WELD FITTINGS. 18" COVER.			
		LATERAL LINE: 3/4" AND LARGER: 1120-SCHEDULE 40 PVC PLASTIC PIPE WITH SCHEDULE 40 PVC SOLVENT WELD FITTINGS. 12" COVER.			
		SLEEVING: SCHEDULE 40 PVC PLASTIC PIPE. COVER TO BE AS INDICATED IN SPECIFICATIONS OR AS INDICATED ABOVE FOR PIPE DEPTH OF COVER.			
		DRIP ZONE: TORO DL2000 SERIES DRIPLINE WITH LOC-EZE FITTINGS, PART #RGP-212. TUBING TO BE INSTALLED 4" BELOW GRADE IN A 12" O.C. GRID ACCORDING TO DETAILS. MINIMUM PIPE SIZE OF PVC LATERAL LINE WITHIN DRIP AREAS TO BE 1". EXTEND PVC HEADERS TO THE ENDS OF ALL DRIP ZONES TO BALANCE FLOW. SEE DETAILS FOR FURTHER INFORMATION.			
		DRIP ZONE: TORO BLUE STRIPE POLYETHYLENE HOSE. INSTALL ON-GRADE AS DETAILED. SEE DETAILS FOR INSTALLATION AND PART NUMBERS. INSTALL A END CLAMP AT THE END OF EACH DRIP ZONE REGION.			
		FLOW SENSOR/ MASTER CABLE: APPROXIMATE ROUTING OF FLOW SENSOR AND MASTER VALVE WIRES IN SEPARATE 1" CONDUITS. REFER TO DETAILS FOR MORE INFORMATION.			

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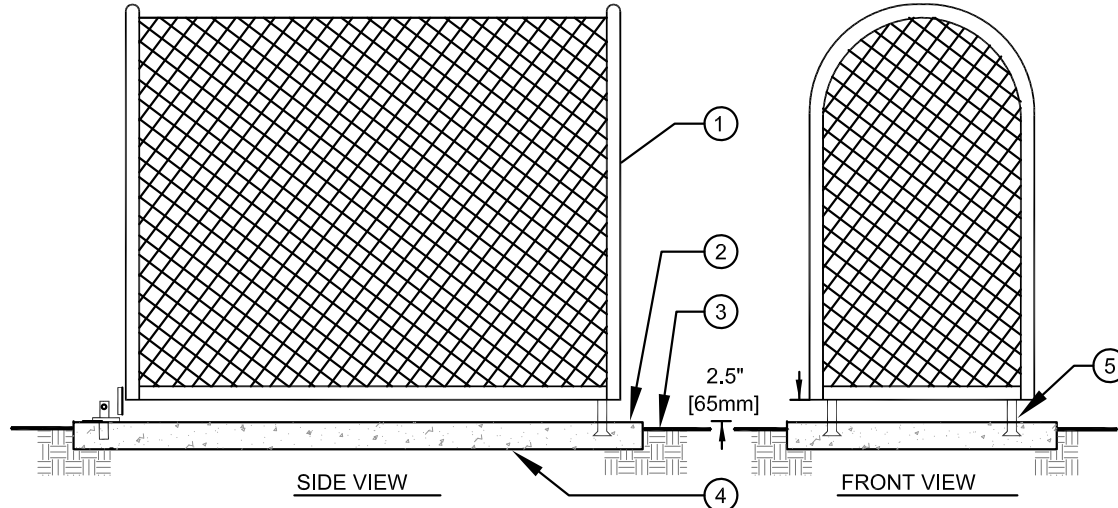
Irrigation Notes & Legend (Privately Maintained Landscape Areas)
L005



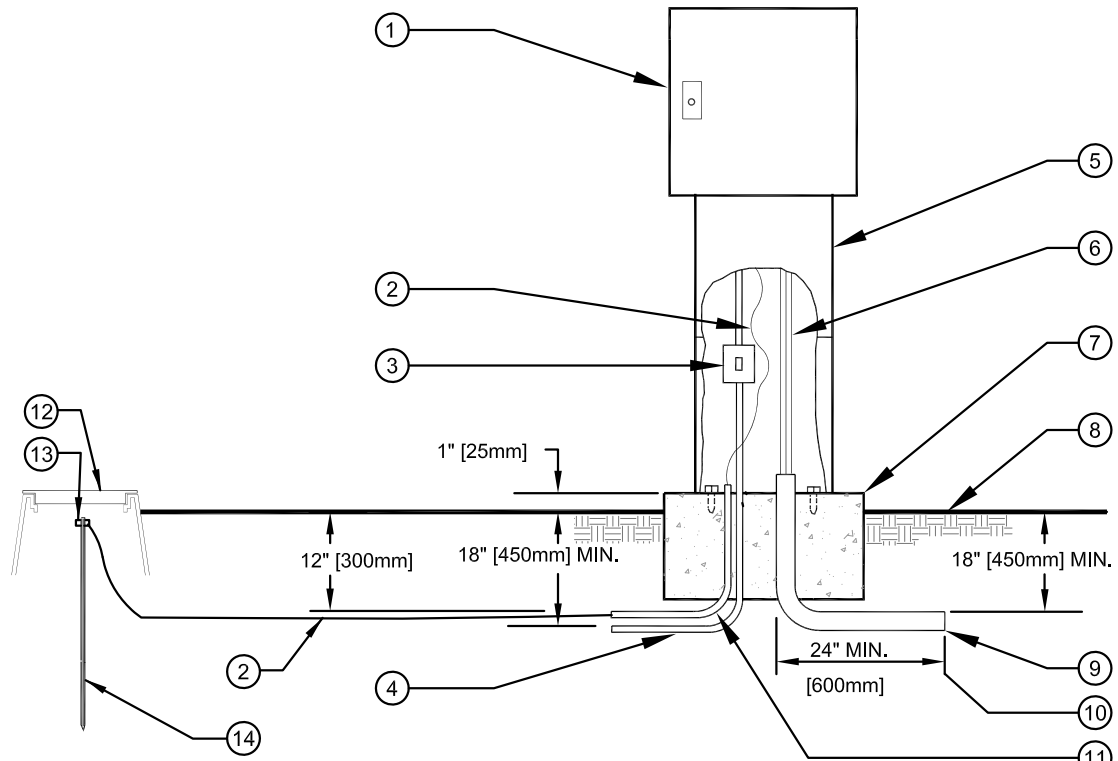
- 1 REDUCED PRESSURE BACKFLOW ASSEMBLY.
- 2 YB "Y" STRAINER SYSTEM (AS REQUIRED).
- 3 WROUGHT COPPER MALE ADAPTER-2 TOTAL (SOLDER x THREAD CONNECTION).
- 4 COPPER TYPE "K" PIPE (LENGTH AS REQUIRED).
- 5 WROUGHT COPPER 90° ELBOW-2 TOTAL (SOLDER x THREAD CONNECTION).
- 6 PVC MAIN LINE TO POINT OF CONNECTION.
- 7 BUSH AS NECESSARY FOR SIZE TRANSITION.
- 8 SCHEDULE 40 PVC MALE ADAPTER- 2 TOTAL.
- 9 CONCRETE SUPPORT BLOCK.
- 10 CONCRETE PAD-SEE ENCLOSURE DETAIL.
- 11 FINISH GRADE.
- 12 PVC SLEEVE BOTH SIDES.
- 13 REFER TO IRRIGATION LEGEND
- 14 PVC MAIN LINE TO IRRIGATION SYSTEM.

NOTES:

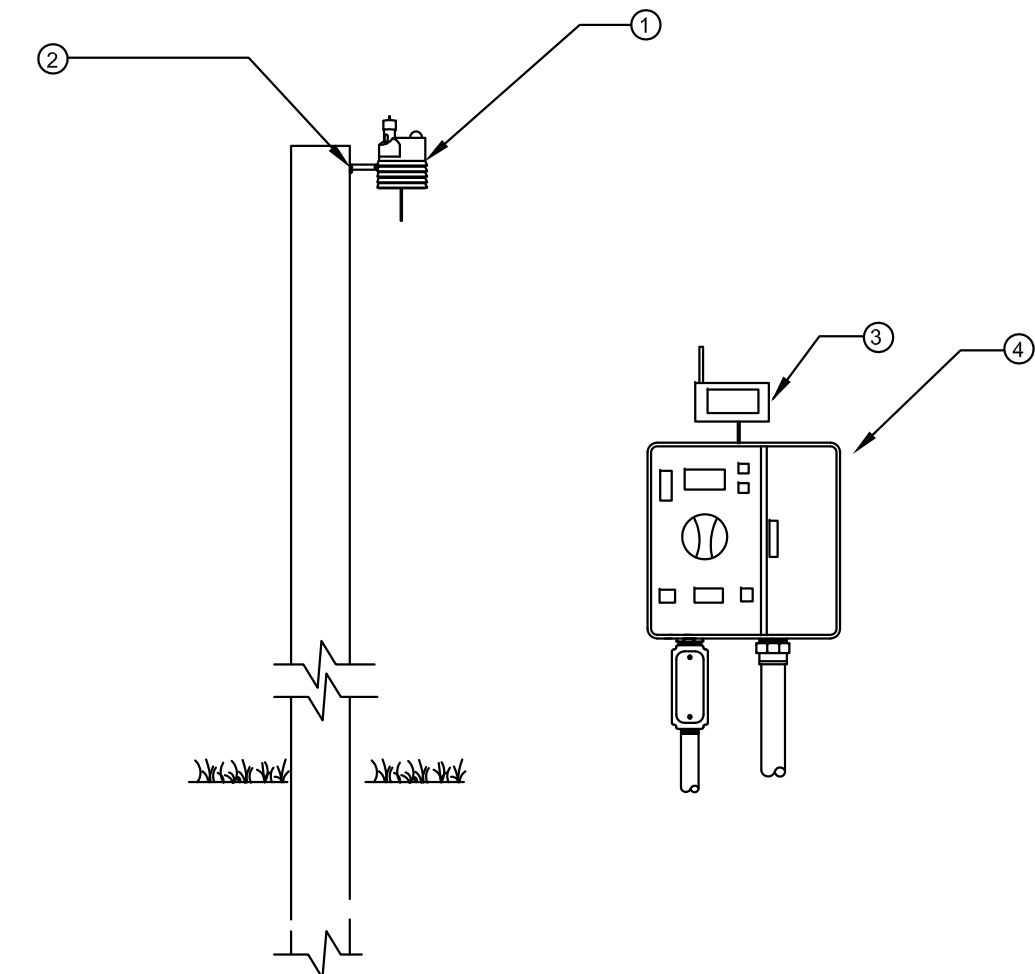
1. INSTALL A FREEZE PREVENTATIVE BLANKET AROUND BACKFLOW ASSEMBLY. BLANKET SHALL BE GREEN.
2. DO NOT SOLDER CONNECT FITTINGS WHILE THREADED INTO BACKFLOW ASSEMBLY. THIS MAY CAUSE DAMAGE TO DEVICE.
3. NIPPLES AND FITTINGS TO BE SAME IPT SIZE AS BACKFLOW ASSEMBLY.
4. PROVIDE A STAINLESS STEEL ENCLOSURE TO COMPLETELY ENCLOSE DEVICE. INSTALL ENCLOSURE TO CONCRETE BASE AS DIRECTED BY MANUFACTURER.



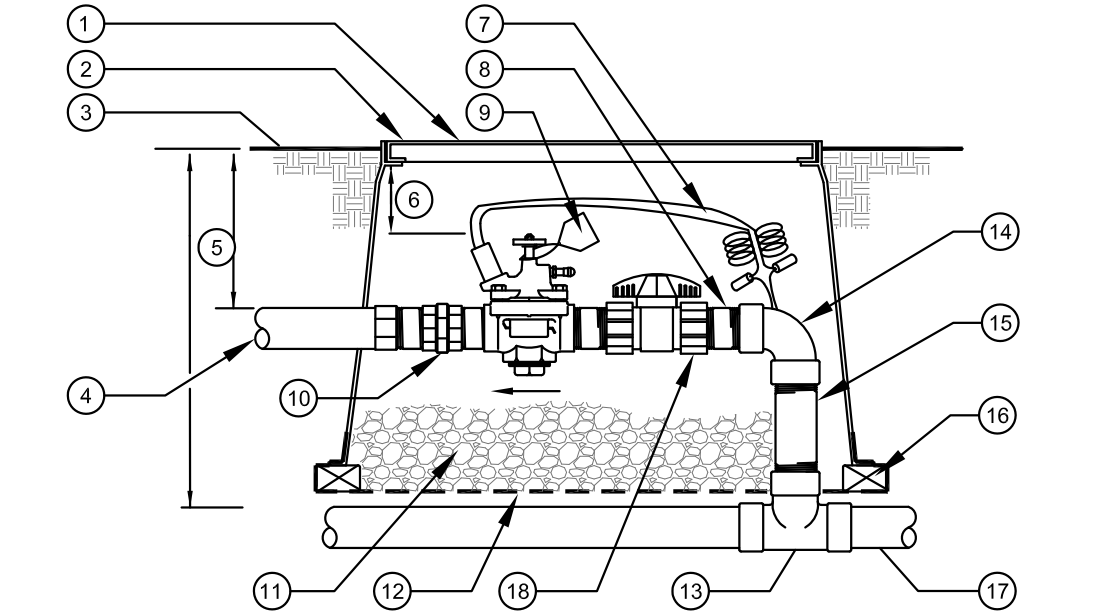
- 1 STAINLESS STEEL ENCLOSURE TO COMPLETELY ENCLOSE DEVICE
- 2 SET PAD 1/2" (13MM) ABOVE FINISH GRADE
- 3 FINISH GRADE
- 4 6" (150mm) THICK CONCRETE PAD FOR ENCLOSURE SUPPORT TO EXTEND 6" (150mm) BEYOND ENCLOSURE ON ALL SIDES. CONCRETE TO HAVE MEDIUM BROOM FINISH.
- 5 MOUNTING BRACKETS (STANDARD WITH ENCLOSURE) TO BE SET INTO CONCRETE PAD, PROVIDE LOCKING TAB TO ACCEPT PADLOCK PER MANUFACTURER'S INSTRUCTION.



- 1 IRRIGATION CONTROLLER.
- 2 #6 BARE COPPER GROUND WIRE.
- 3 120 VOLT LOCKABLE WEATHERPROOF ON/OFF SWITCH PROVIDED UNDER IRRIGATION CONTRACT.
- 4 120 VOLT A.C. ELECTRICAL SERVICE FROM SOURCE TO CONTROLLER LOCATION PROVIDED BY CONTRACTOR. IRRIGATION CONTRACTOR TO PROVIDE RIGID STEEL CONDUIT FROM SERVICE STUB-OUT TO CONTROLLER GCFI SWITCH AND COMPLETE ELECTRICAL SERVICE TO CONTROLLER.
- 5 PEDESTAL ENCLOSURE.
- 6 LOW VOLTAGE CONTROL WIRING.
- 7 CONCRETE PAD-6" (150mm) THICK (MIN.) EXTEND 6" (150mm) BEYOND EACH SIDE AND BACK, 24" (600mm) IN FRONT AND 1" (25mm) ABOVE FINISH GRADE.
- 8 FINISH GRADE.
- 9 SCHEDULE 40 GREY PVC ELECTRICAL CONDUIT WITH SWEEP ELL FOR LOW VOLTAGE WIRE.
- 10 24" MIN. (600mm) AND OR 12" (300mm) BEYOND HARDSCAPE.
- 11 1/2" (40mm) PVC SWEEP ELL FOR GROUND WIRE.
- 12 6" ROUND BLACK PLASTIC BOX WITH T-LID FOR GROUND ROD.
- 13 CADWELD CONNECTIONS
- 14 8' LONG COPPER GROUND ROD. LOCATE A MINIMUM OF 10' AWAY FROM CONTROLLER.



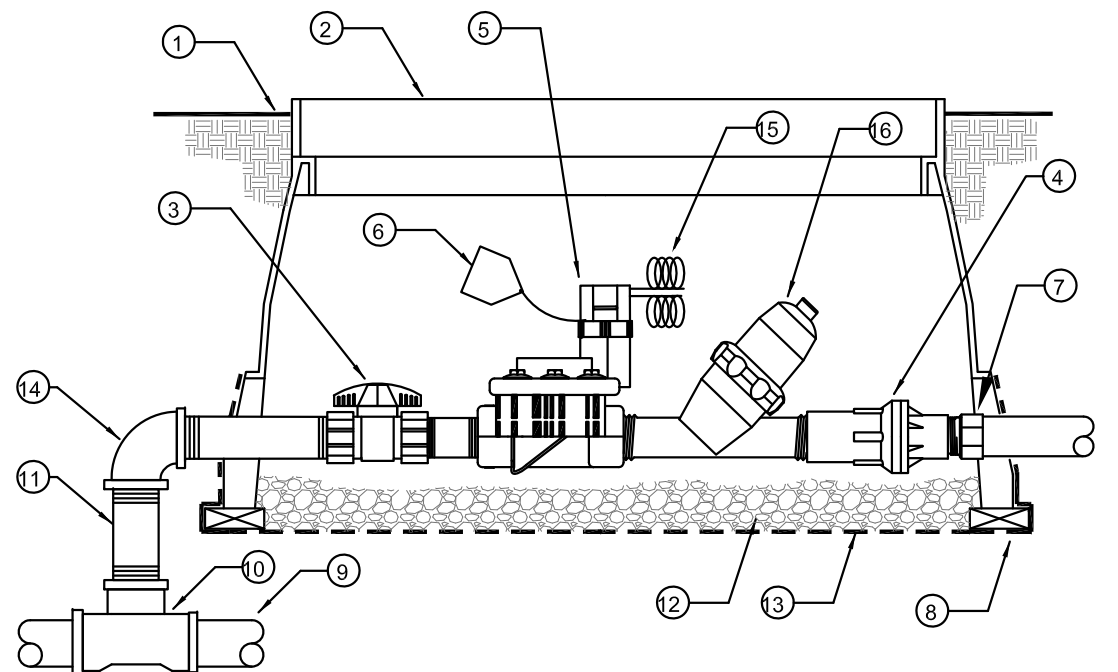
- NOTE: MAXIMUM LINE OF SIGHT FROM SENSOR TO RECEIVER IS 1000 FT. DISTANCE IS LESS IF OBSTRUCTIONS EXIST. SENSOR MUST BE INSTALLED IN "CLEAR SPACE" WHERE IT IS EXPOSED TO UNOBSTRUCTED RAINFALL AND IS CLEAR OF IRRIGATION SPRAY.
- 1 WIRELESS CLIMATE SENSOR TRANSMITTER
 - 2 SUITABLE POST, POLE, OR GUTTER MOUNT. MOUNT IN LOCATION WHERE SENSOR CAN RECEIVE FULL SUN. IS OPEN TO RAINFALL AND OUT OF SPRINKLER SPRAY PATTERN
 - 3 SENSOR RECEIVER
 - 4 CONTROLLER



- 1 REMOTE CONTROL VALVE WITH FLOW CONTROL AND MANUAL BLEED (PRESSURE REGULATOR WHERE SHOWN ON PLANS).
- 2 USE A 14" X 19" RECTANGULAR PLASTIC VALVE BOX WITH BOLT DOWN LID FOR 1" VALVES. FOR 1.5" AND LARGER VALVES INSTALL BALL VALVE WITHIN A SEPARATE 10" ROUND BOX OR ONE BALL VALVE PER MANIFOLD OF VALVES. GATE VALVE SIZE SHALL BE SAME AS LARGEST VALVE WITHIN MANIFOLD. ONE VALVE PER BOX- NO EXCEPTIONS. INSTALL BOX AS SHOWN IN BOX INSTALLATION DETAIL.
- 3 FINISH GRADE.
- 4 PVC LATERAL LINE.
- 5 REFER TO IRRIGATION SPECS.
- 6 3" (75mm) MIN. 6" (150mm) MAX.
- 7 VALVE CONTROL WIRE- PROVIDE SEAL PACKS AT ALL SPLICES AND 3' (1m) OF EXCESS UP WIRE IN A 1" (25mm) DIAMETER COIL.
- 8 SCHEDULE 80 PVC NIPPLE (4 TOTAL).
- 9 VALVE I.D. TAG (CONTROLLER AND STATION NUMBER).
- 10 SCHEDULE 80 PVC THREADED UNION.
- 11 PEA GRAVEL OR 3/4" DRAIN ROCK-4" (100mm) DEEP BELOW VALVE (NO SOIL IN VALVE BOX).
- 12 19 GAUGE 1/2" (12mm) SQUARE WIRE MESH.
- 13 UPC APPROVED SCHEDULE 40 PVC TEE.
- 14 SCHEDULE 80 PVC 90° ELBOW (TXT).
- 15 SCHEDULE 80 PVC NIPPLE- LENGTH AS REQUIRED.
- 16 BRICK-1 EACH CORNER.
- 17 PVC MAIN LINE.
- 18 SCHEDULE 80 PVC UNION BALL VALVE (ONE PER VALVE).

1 REDUCED PRESSURE BACKFLOW ASSEMBLY

SCALE: NONE



- 1 FINISH GRADE
- 2 JUMBO RECTANGULAR PLASTIC VALVE BOX WITH BOLT DOWN LID. ONE VALVE PER BOX- NO EXCEPTIONS. INSTALL BOX AS SHOWN IN BOX INSTALLATION DETAIL.
- 3 SCHEDULE 80 PVC UNION BALL VALVE (ONE PER VALVE)
- 4 PRESSURE REGULATOR (INCLUDED IN DRIP ZONE KIT)
- 5 REMOTE CONTROL VALVE DRIP ZONE KIT. (SHALL INCLUDE VALVE, FILTER AND A 40 PSI PRESSURE REDUCING VALVE)
- 6 VALVE I.D. TAG (CONTROLLER AND STATION NUMBER).
- 7 SCHEDULE 40 MALE ADAPTER
- 8 BRICK-1 EACH CORNER.
- 9 PVC MAIN LINE.
- 10 UPC APPROVED SCHEDULE 40 PVC TEE.
- 11 SCHEDULE 80 PVC NIPPLE-(4-TOTAL) LENGTH AS REQUIRED.
- 12 PEA GRAVEL OR 3/4" (20mm) DRAIN ROCK - 4" (102mm) DEEP BELOW VALVE (NO SOIL IN VALVE BOX).
- 13 19 GAUGE 1/2" (13mm) SQUARE WIRE MESH.
- 14 SCHEDULE 80 PVC 90° ELBOW (TXT).
- 15 VALVE CONTROL WIRE- PROVIDE 3M-DBY SEAL PACKS AT ALL SPLICES AND 3' (1m) OF EXCESS UP WIRE IN A 1" (25mm) DIAMETER COIL.
- 16 Y-FILTER (INCLUDED IN DRIP ZONE KIT)

INSTRUCTIONS:

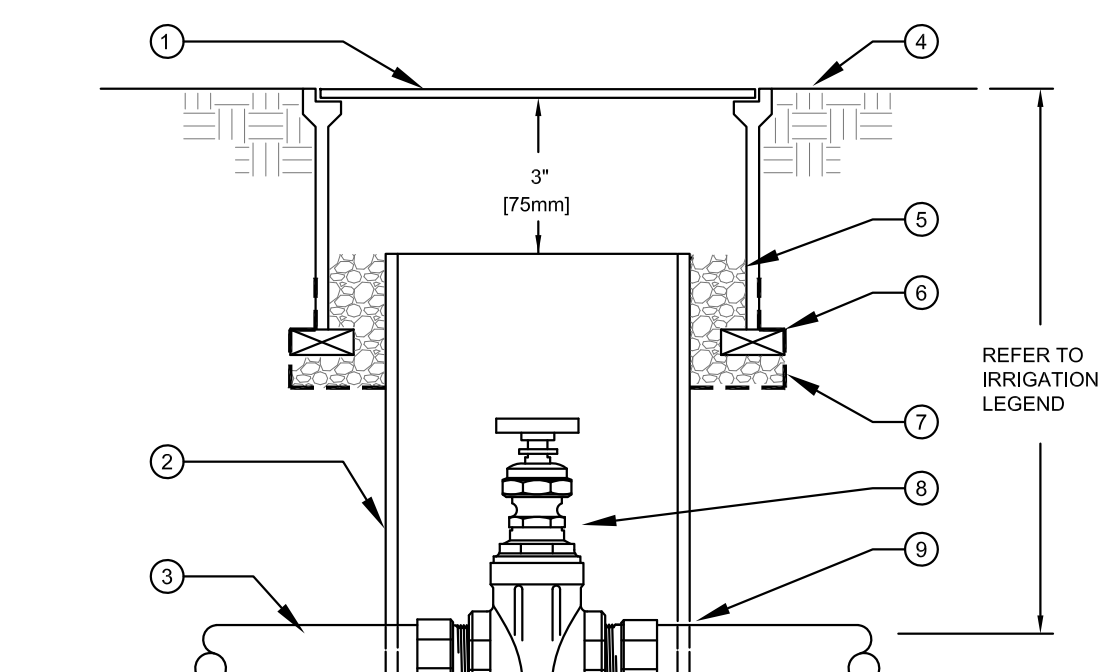
1. STRIP WIRES APPROXIMATELY 1/2" (13 mm) TO EXPOSE WIRE.
2. TWIST CONNECTOR AROUND WIRES CLOCKWISE UNTIL HAND TIGHT, DO NOT OVERTIGHTEN.
3. INSERT WIRE ASSEMBLY INTO PLASTIC TUBE UNTIL WIRE CONNECTOR SNAPS PAST LIP IN BOTTOM OF TUBE.
4. PLACE WIRES WHICH EXIT TUBE IN WIRE EXIT HOLES AND CLOSE CAP UNTIL IT SNAPS.
5. INSPECT FINAL SPLICE ASSEMBLY TO BE SECURE AND FINISHED.

7 WEATHERPROOF WIRE SPLICE ASSEMBLY

SCALE: NONE

3 CONTROLLER - PEDESTAL MOUNT

SCALE: NONE



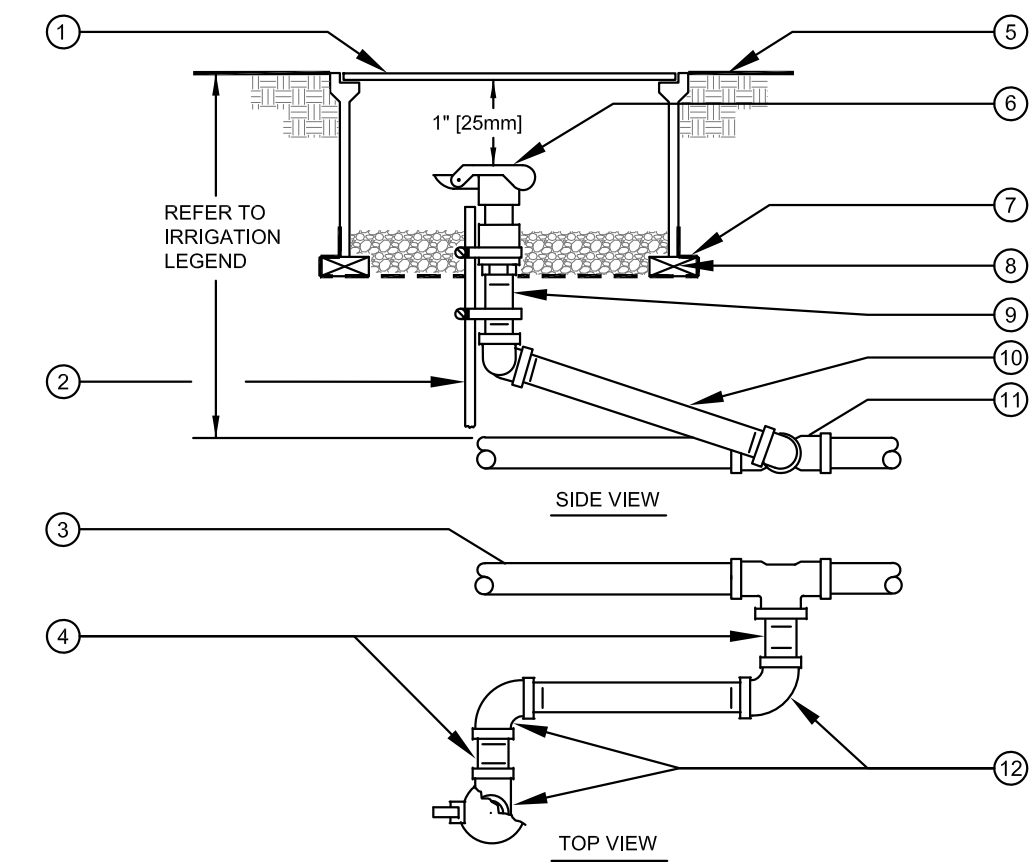
- 1 10" ROUND PLASTIC VALVE BOX WITH BOLT DOWN LID.
- 2 8" (200mm) CLASS 160 OR SCHEDULE 40 PVC PIPE (NOTCH TO FIT OVER MAIN LINE PIPE).
- 3 PVC MAIN LINE.
- 4 FINISH GRADE.
- 5 PEA GRAVEL OR 3/4" (20mm) DRAIN ROCK - 4" (100mm) DEEP (NO SOIL IN VALVE BOX).
- 6 BRICK-2 TOTAL.
- 7 19 GAUGE 1/2" (13mm) SQUARE WIRE MESH.
- 8 GATE VALVE.
- 9 MALE ADAPTER. REFER TO LEGEND FOR FITTING TYPE.

8 GATE VALVE

SCALE: NONE

4 WIRELESS WEATHER SENSOR

SCALE: NONE



- 1 10" ROUND PLASTIC VALVE BOX WITH BOLT DOWN LID.
- 2 1 1/4" x 1 1/4" x 3/16" (30mm x 30mm x 5mm) ANGLE IRON 30" (760mm) LONG W/2 STAINLESS STEEL STRAPS (ONE AROUND QCV).
- 3 PVC MAIN LINE.
- 4 3" (75mm) LONG SCHEDULE 80 PVC THREADED NIPPLE.
- 5 FINISH GRADE.
- 6 QUICK COUPLING VALVE.
- 7 19 GAUGE 1/2" (13mm) SQUARE WIRE MESH.
- 8 BRICK - 2 TOTAL.
- 9 SCHEDULE 80 PVC THREADED NIPPLE.
- 10 10" (250mm) LONG SCHEDULE 80 PVC THREADED NIPPLE.
- 11 UPC APPROVED SCHEDULE 40 PVC TEE OR ELBOW.
- 12 SCHEDULE 80 PVC THREADED 90° ELL.

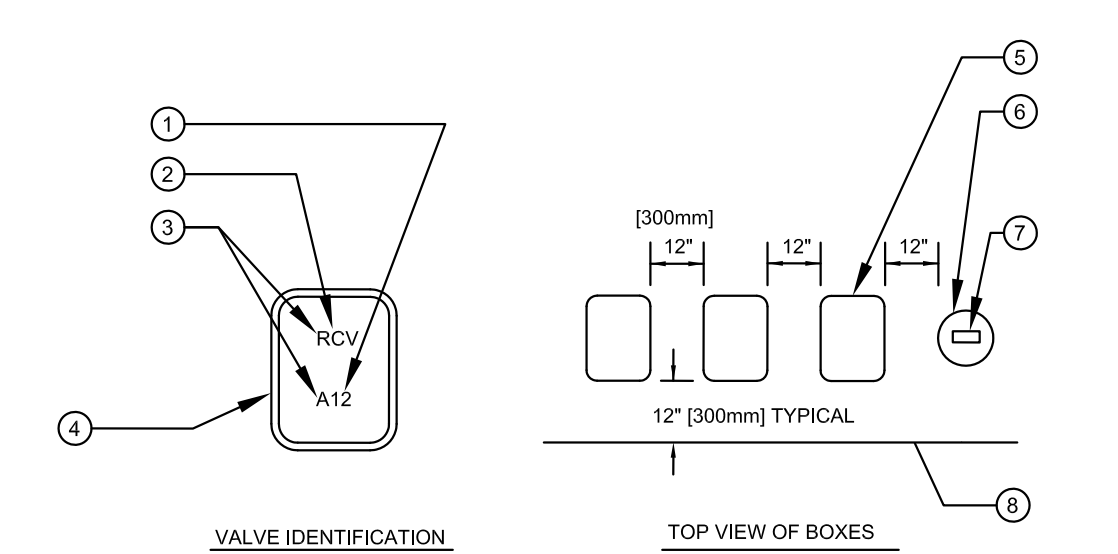
NOTE: NIPPLES AND FITTINGS TO BE SAME SIZE AS VALVE IPT INLET THREAD SIZE.

9 QUICK COUPLING VALVE

SCALE: NONE

5 REMOTE CONTROL VALVE

SCALE: NONE



- 1 CONTROLLER AND STATION
- 2 VALVE TYPE
- 3 HEAT BRAND LETTERS AND NUMBERS INTO LID.
- 4 VALVE BOX COVER
- 5 RECTANGULAR VALVE BOX
- 6 ROUND VALVE BOX FOR QCV AND GATE VALVE
- 7 HEAT BRAND LETTERS AND NUMBERS INTO LID (TYPICAL).
- 8 EDGE OF LAWN, WALK, FENCE, CURB, ETC.

INSTRUCTIONS:

1. CENTER VALVE BOX OVER REMOTE CONTROL VALVE TO FACILITATE SERVICING VALVE.
2. SET BOXES 1" (25mm) ABOVE FINISH GRADE OR MULCH COVER IN GROUND COVER/SHRUB AREA AND FLUSH WITH FINISH GRADE IN TURF AREA.
3. SET RCV AND VALVE BOX ASSEMBLY IN GROUND COVER/SHRUB AREA WHERE POSSIBLE. INSTALL IN LAWN ONLY IF GROUND COVER DOES NOT EXIST ADJACENT TO LAWN.
4. SET BOXES PARALLEL TO EACH OTHER AND PERPENDICULAR TO EDGE OF LAWN, WALK, FENCE, CURB, ETC.
5. AVOID HEAVILY COMPACTING SOIL AROUND VALVE BOXES TO PREVENT COLLAPSE AND DEFORMATION OF VALVE BOX SIDES.
6. INSTALL EXTENSION BY VALVE BOX MANUFACTURER AS REQUIRED TO COMPLETELY ENCLOSE ASSEMBLY FOR EASY ACCESS.

6 REMOTE CONTROL VALVE (DRIPZONE)

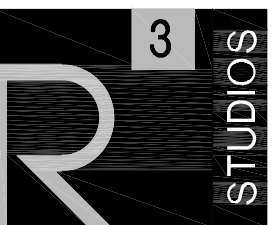
SCALE: NONE

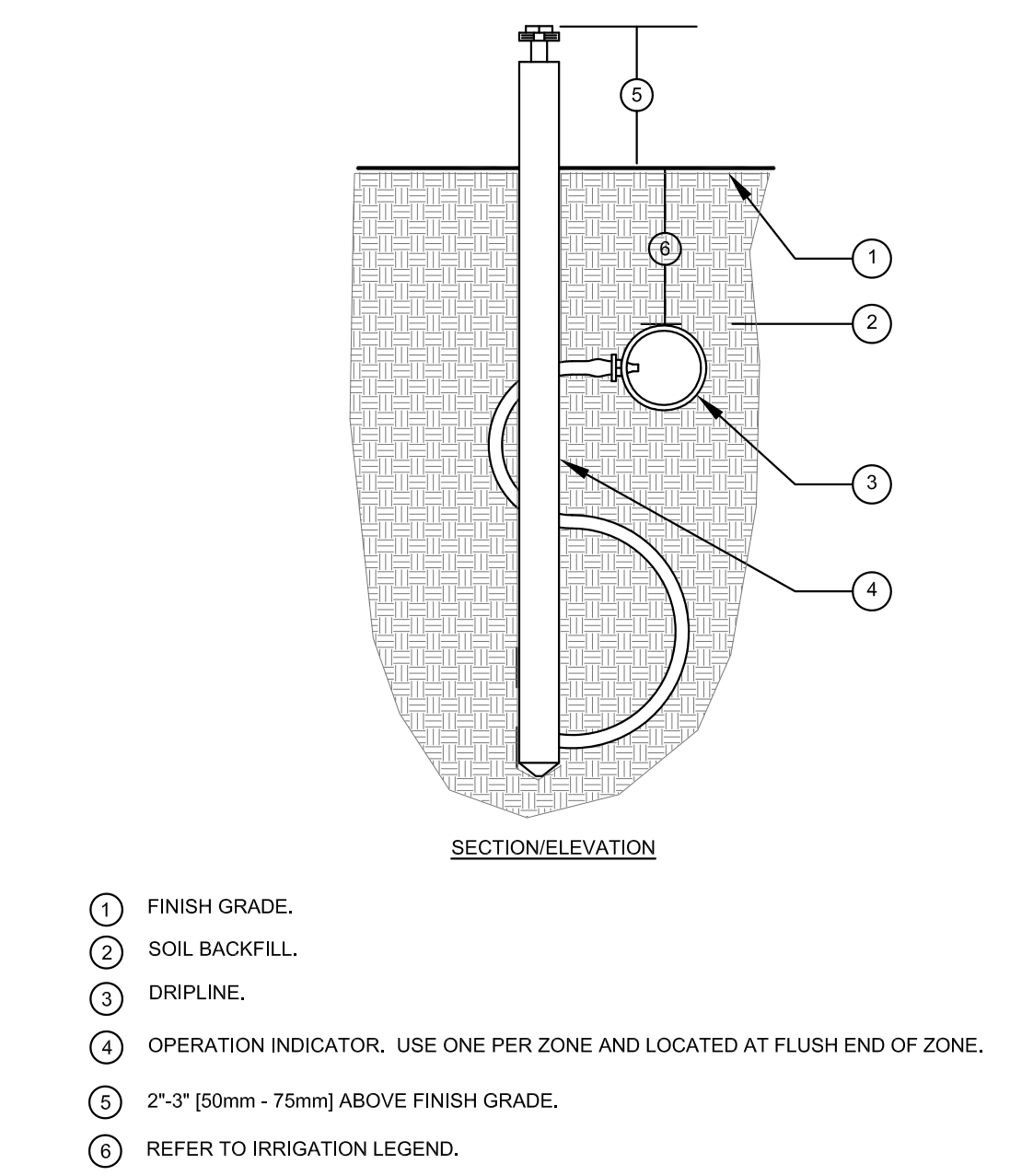
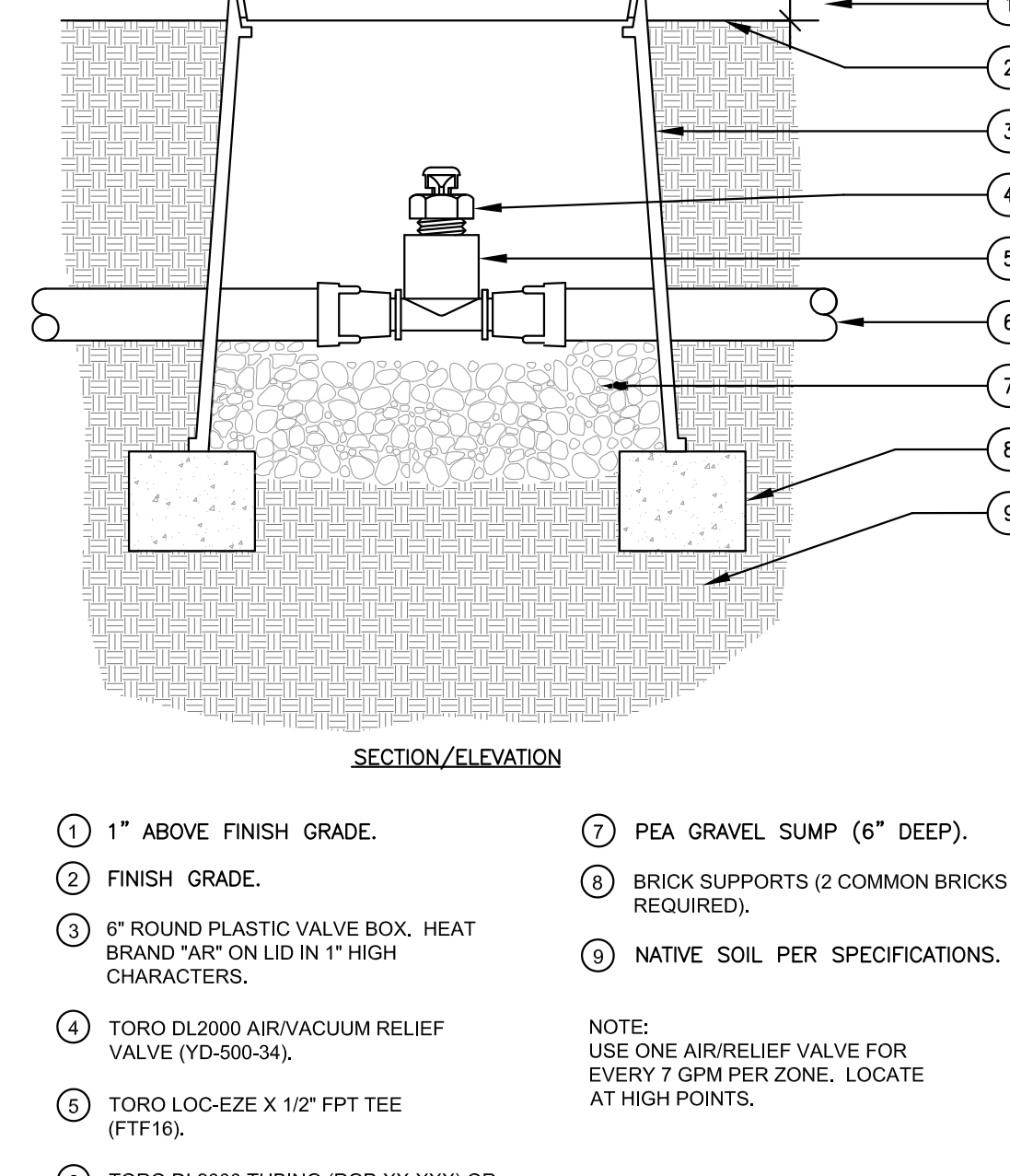
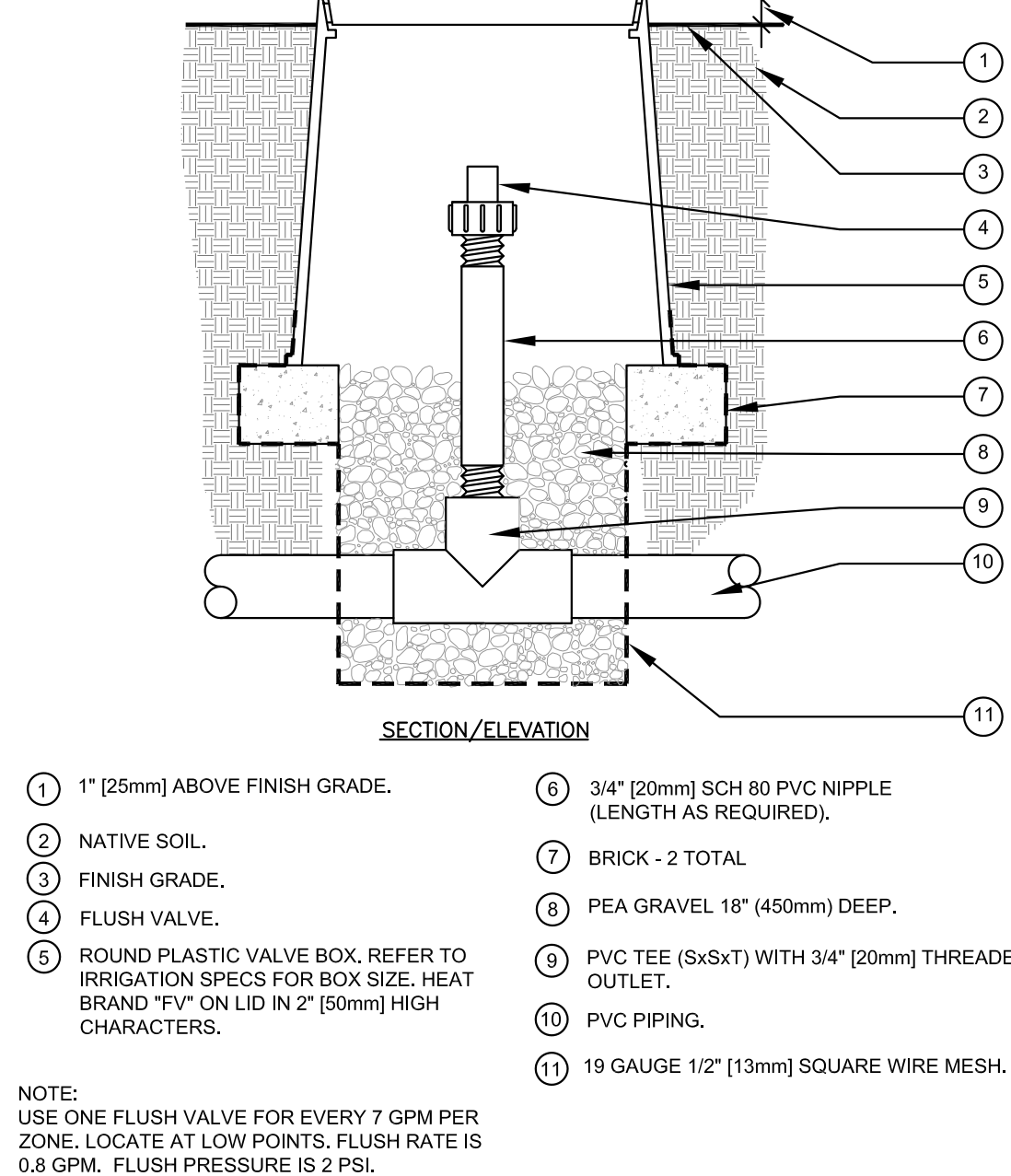
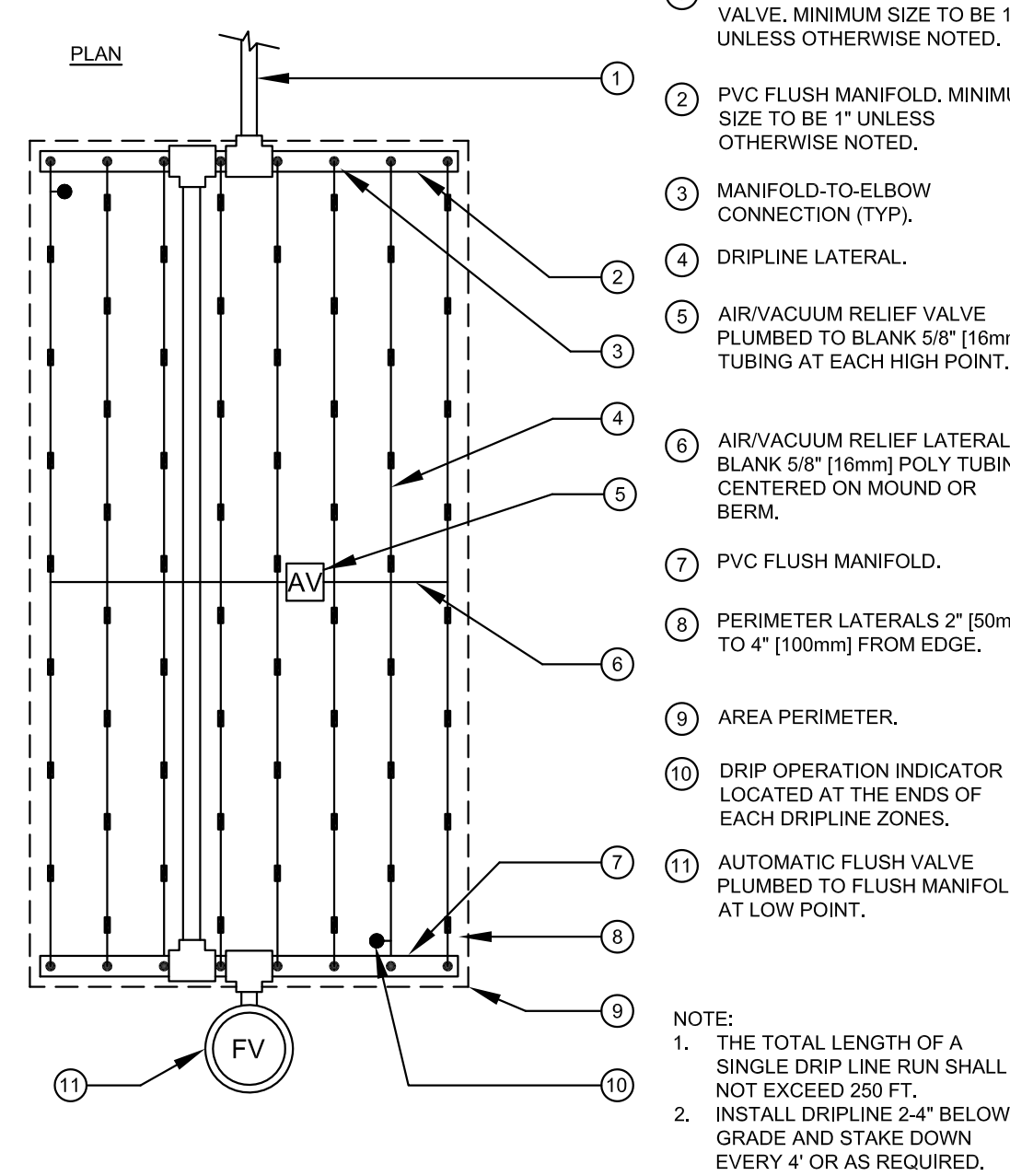
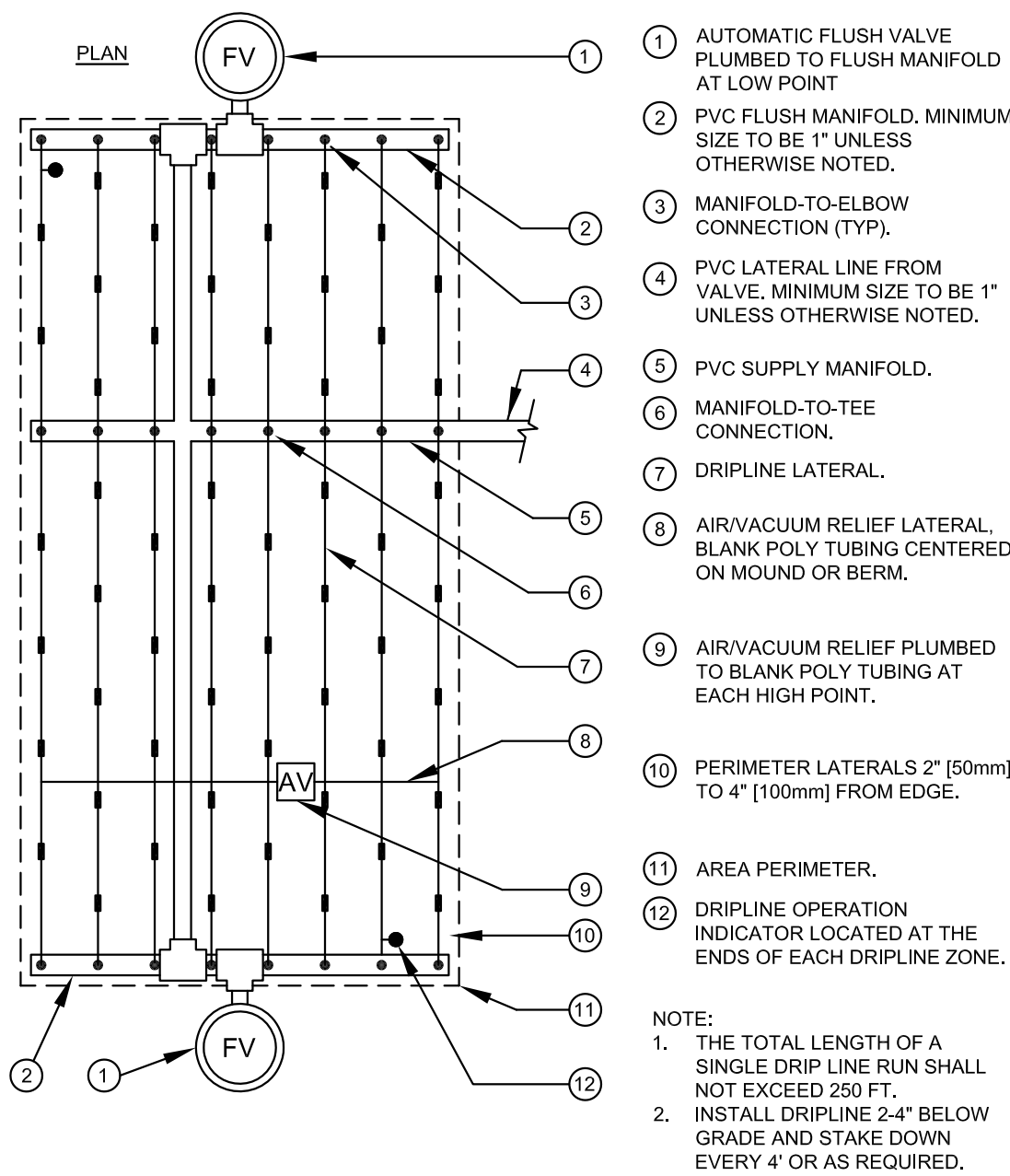
2001 TAROB COURT
Milpitas, CA
September 10, 2021

TTLc Tarob 4, LLC
12647 Alcosta Blvd., Suite 470 San Ramon CA 94583
925.824.4300

Irrigation Details (Privately Maintained Landscape Areas)
L006

PLANNING URBAN DESIGN
LANDSCAPE ARCHITECTURE
201 4th street suite 101B, oakland, ca 94607
phone: 510.452.4190 www.r3studios.com





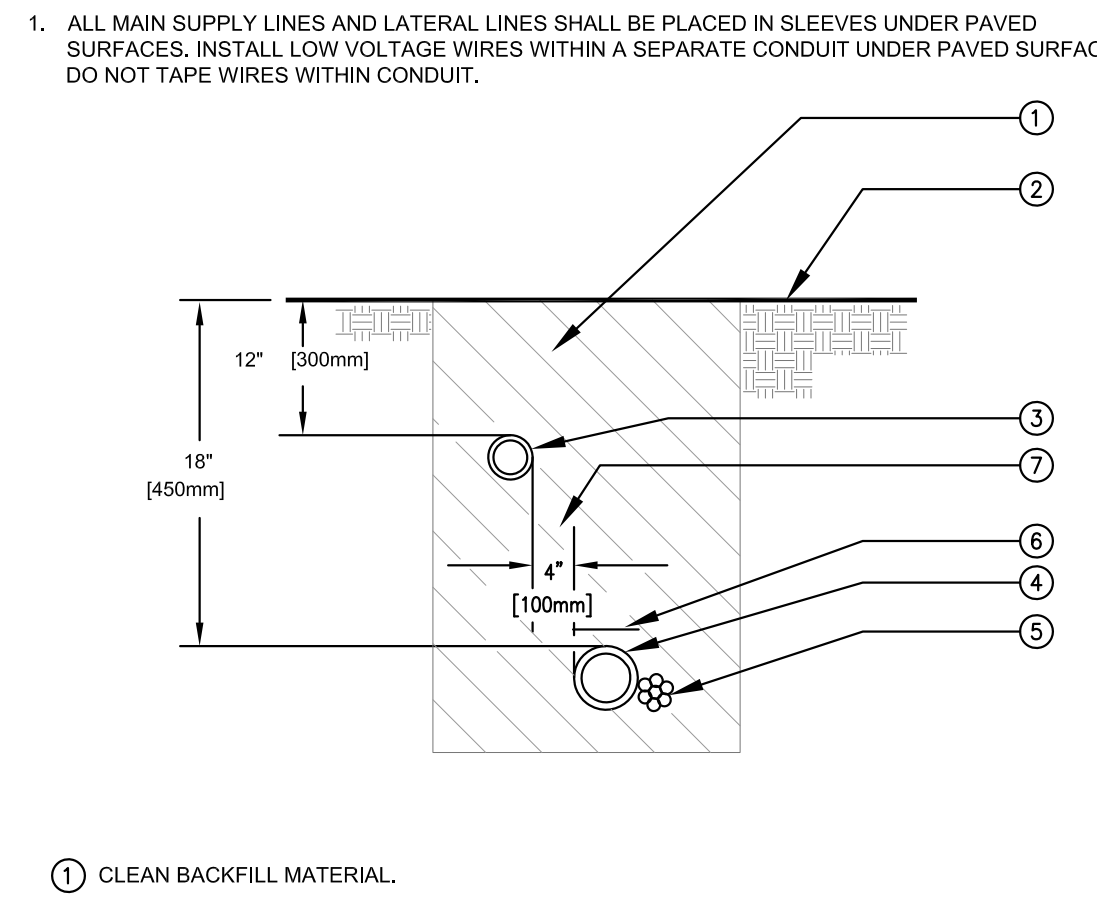
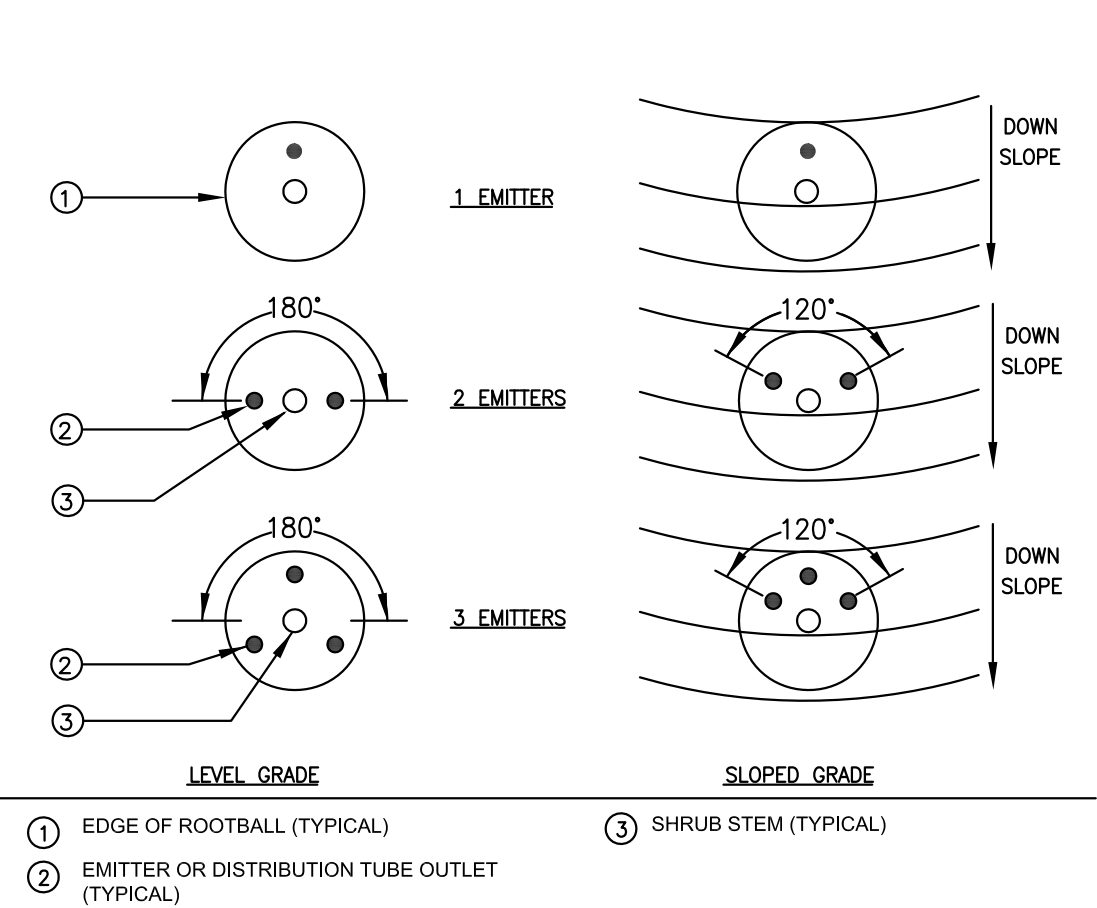
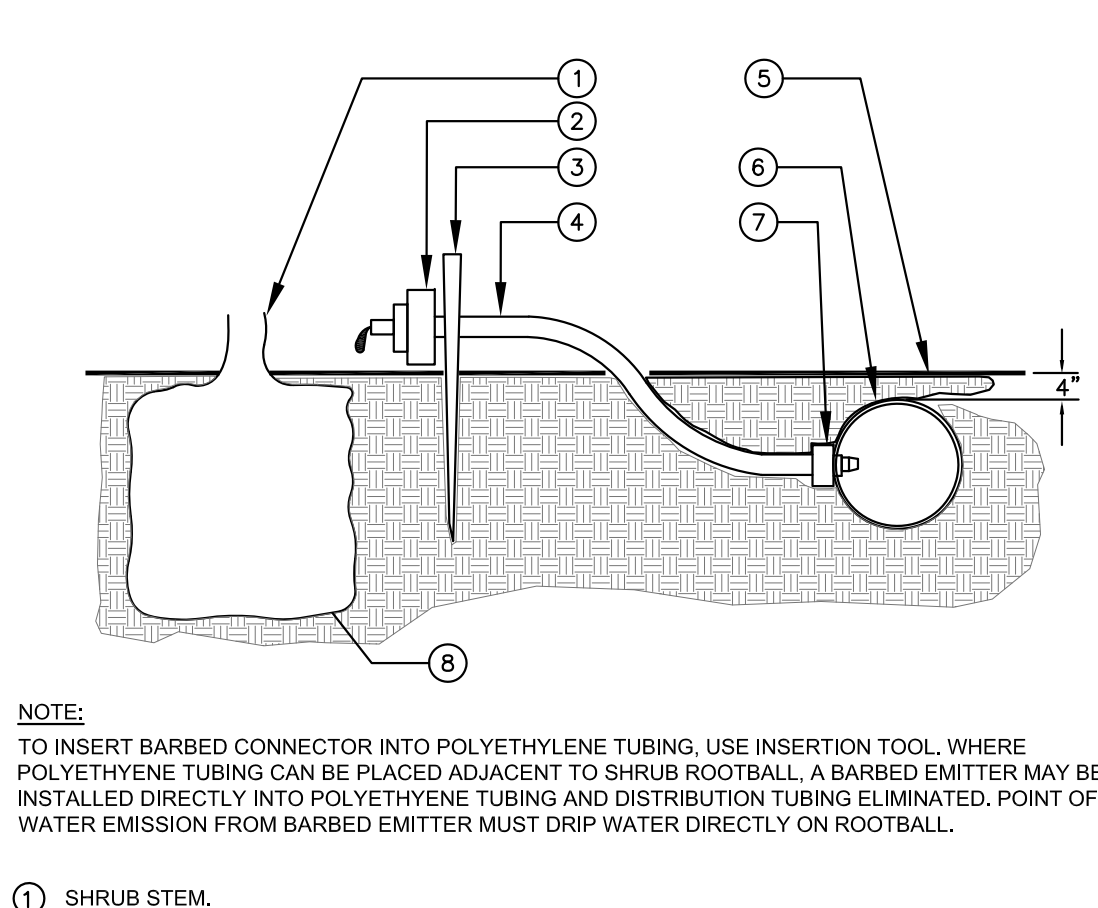
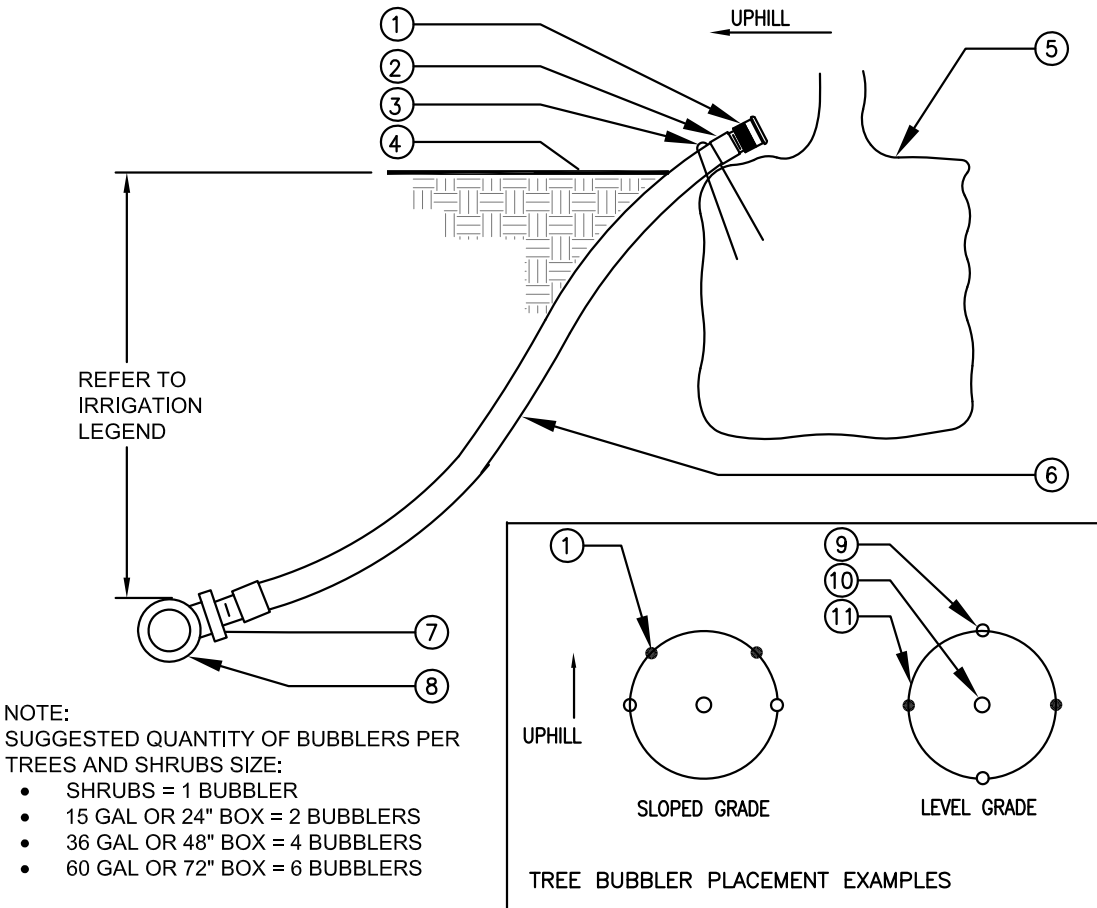
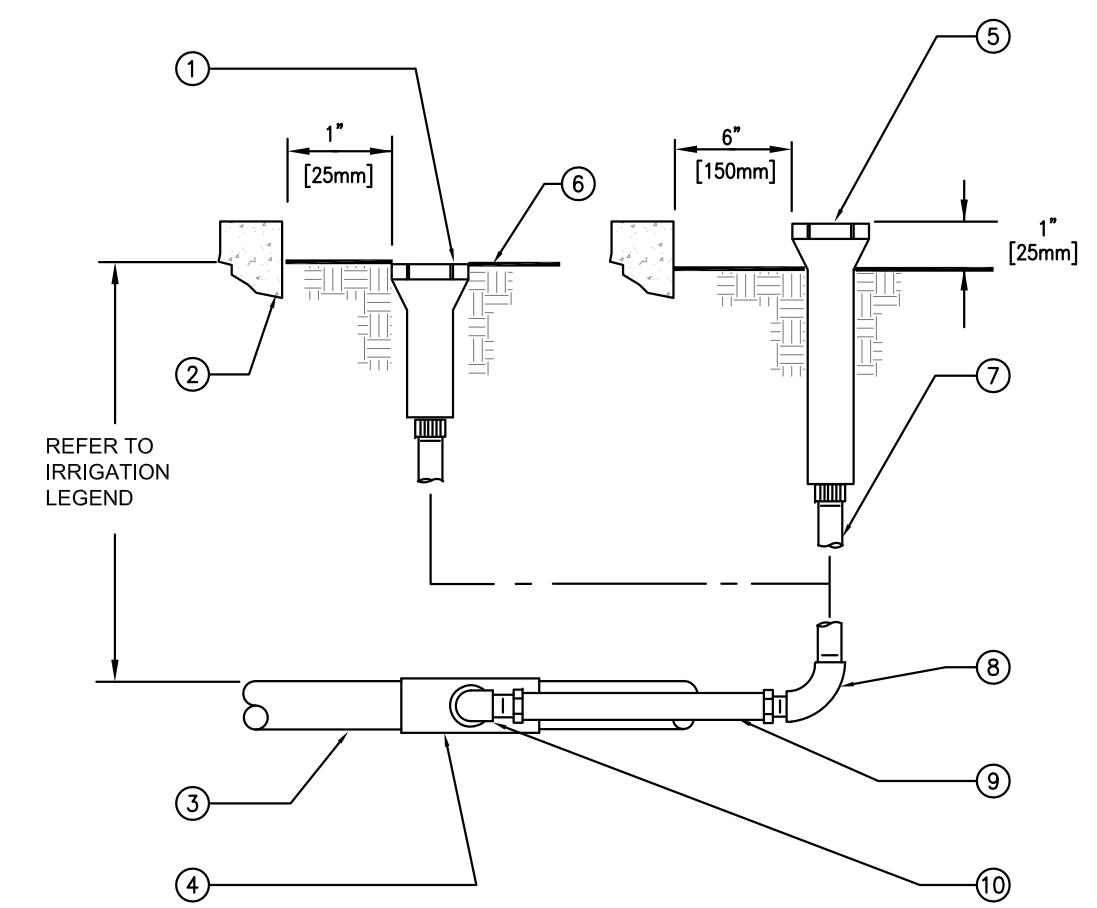
1 TORO DL 2000 CENTER FEED LAYOUT SCALE: NONE

2 TORO DL 2000 END FEED LAYOUT SCALE: NONE

3 TORO DL 2000 FLUSH VALVE (PVC TEE) SCALE: NONE

4 TORO DL 2000 AIR VACUUM RELIEF VALVE SCALE: NONE

5 TORO DL 2000 OPERATION INDICATOR SCALE: NONE



- 1 POP-UP LAWN SPRAY SPRINKLER
- 2 WALL, WALK, CURB OR BUILDING
- 3 PVC LATERAL LINE
- 4 UPC APPROVED SCHEDULE 40 PVC TEE OR ELBOW
- 5 POP-UP SHRUB SPRAY SPRINKLER OR BUBBLER
- 6 FINISH GRADE
- 7 1/2" [13mm] SCHEDULE 80 PVC THREADED NIPPLE (LENGTH AS REQUIRED).
- 8 1/2" [13mm] SCHEDULE 40 PVC THREADED 90° ELL.
- 9 1/2" [13mm] FLEXIBLE IPS HOSE 6" [150mm] LONG WITH MALE ADAPTERS OR 1/2" [13mm] FLEXIBLE SWING JOINT (1/2" x 6") [13mm x 150mm] WITH A MINIMUM PRESSURE RATING OF 100 PSI [690kPa].
- 10 1/2" [13mm] SCHEDULE 40 PVC STREET ELL.

- 1 BUBBLER (TO BE INSTALLED ON TOP OF ROOTBALL).
- 2 1/2" [13mm] SCH. 40 MALE ADAPTER.
- 3 6" [150mm] STEEL STAPLE.
- 4 FINISH GRADE.
- 5 TREE OR SHRUB ROOTBALL.
- 6 1/2" [13mm] IPS FLEXIBLE PVC.
- 7 PVC TEE (SST), ELBOW (ST) OR FEMALE ADAPTER.
- 8 PVC LATERAL LINE.
- 9 TREE STAKES.
- 10 TREE OR SHRUB.
- 11 EDGE OF ROOTBALL (TYPICAL).

- 1 SHRUB STEM.
- 2 EMITTER REFER TO EMITTER SCHEDULE FOR QUANTITY OF EMITTERS PER PLANT.
- 3 TUBING SUPPORT STAKE (SALCO DTS-200-400)
- 4 1/4" TUBING DO NOT EXCEED 3' [1m] IN LENGTH.
- 5 FINISH GRADE.
- 6 SALCO PVC FLEX HOSE, INSTALL 4" [100mm] BELOW FINISH GRADE.
- 7 BARBED MALE ADAPTER.
- 8 EDGE OF ROOTBALL.

EMITTER SCHEDULE			
PLANT SIZE	EMITTER SPECIFICATION	FLOW (GPH)/PER EMITTER OR OUTLET	QUANTITY OF EMITTERS PER SHRUB/TREE
1 GALLON SHRUBS	USE SLV-PS-CV-1	1 GPH	2
5 GALLON SHRUBS	USE SLV-PS-CV-2	2 GPH	2
15 GALLON	USE SLV-PS-CV-2	2 GPH	3

MAXIMUM AMOUNT OF FLOW PER DRIP TUBING RUN IS 240 GPH

- 1 CLEAN BACKFILL MATERIAL.
- 2 FINISH GRADE.
- 3 LATERAL LINE.
- 4 MAIN LINE.
- 5 LOW VOLTAGE CONTROL WIRE, TAPE AND BUNDLE TUBING OR WIRING AT 10 FT. INTERVALS. WIRING SHALL BE LAID OUT LOOSELY IN THE TRENCH.
- 6 DETECTABLE WARNING TAPE OVER MAIN LINE - 3" [75mm] ABOVE PIPE.
- 7 TYPICAL DISTANCE BETWEEN PIPES.

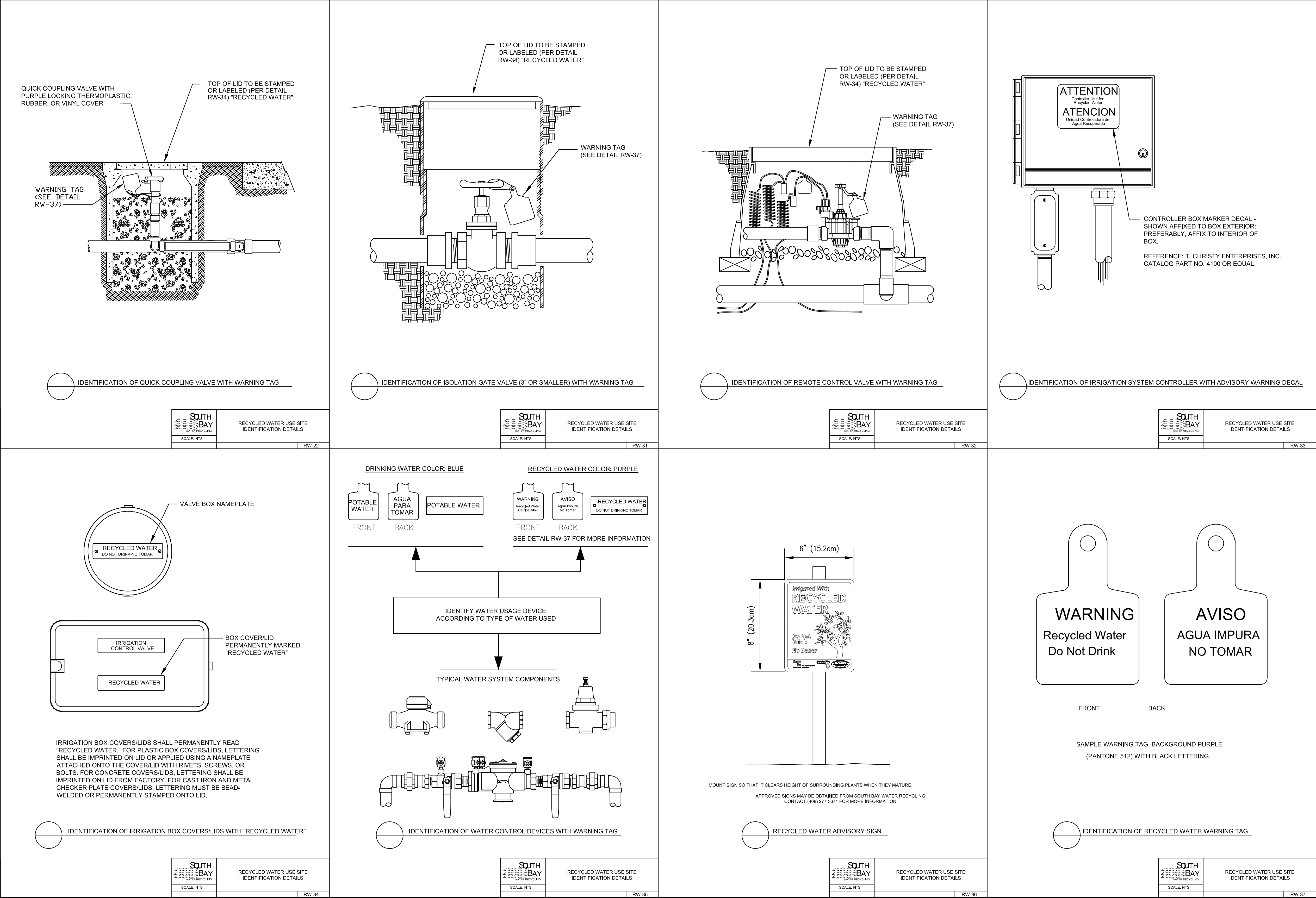
6 POP-UP SPRAY SPRINKLER RISER SCALE: NONE

7 TREE AND SHRUB BUBBLER SCALE: NONE

8 SALCO FLEX TUBING EMITTER PLACEMENT SCALE: NONE

9 SALCO EMITTER PLACEMENT AND SCALE: NONE

10 TRENCHING SCALE: NONE



2001 TAROB COURT
Milpitas, CA
September 10, 2021

Irrigation Details (Publicly Maintained Landscape Areas)
L008

PROPOSED PLANT PALETTE

BOTANICAL NAME	COMMON NAME	MINIMUM CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
STREET TREES:					
PISTACIA CHINENSIS	CHINESE PISTACHE	24" BOX	SUN	STANDARD	M
NARROW EVERGREEN TREES:					
ARBUTUS 'MARINA'	NCN	24" BOX	N/A	STANDARD	M
MAGNOLIA GRANDIFLORA 'TEDDY BEAR'	MAGNOLIA	36" BOX	SUN/SHADE	STANDARD	M
MAGNOLIA 'LITTLE L GEM'	LITTLE GEM MAGNOLIA	24" BOX	N/A	STANDARD	L
TRISTANIA LAURINA	NCN	24" BOX	N/A	STANDARD	L
ACCENT TREES:					
AGONIS 'AFTERDARK'	NCN	24" BOX	N/A	STANDARD	M
SMALL FLOWERING ACCENT TREES:					
CHIONANTHUS RETUSUS	NCN	24" BOX	SUN/SHADE	STANDARD	L
CERCIS CANADENSIS 'FOREST PANSY'	EASTERN REDBUD	24" BOX	N/A	STANDARD	M
LAGERSTROEMIA INDICA 'MUSKOGEE'	LAVENDER CRAPE MYRTLE	24" BOX	SUN	STANDARD	L
MALUS SPECIES	CRABAPPLE	24" BOX	SUN	STANDARD	L
FOUNDATION SHRUBS:					
COLEONEMA PULCHRUM	PINK BREATH OF HEAVEN	5 GALLON	SUN		L
CORREA SPECIES	AUSTRALIAN FUCHSIA	5 GALLON	SUN/ PART SHADE		L
HIMALAYACALAMUS FALCONERI 'DAMARAPA'	CANDY STRIPE BAMBOO	5 GALLON	SUN/ PART SHADE		L
LOROPETALUM CHINESE	NCN	5 GALLON	PART SHADE		M
RAPHIOLEPIS INDICA 'SPRING RAPTURE'	INDIAN HAWTHORN	5 GALLON	SUN/ PART SHADE		L
ROSMARINUS 'BLUE SPIRES'	UPRIGHT ROSEMARY	5 GALLON	SUN/ PART SHADE		L
OSMANTHUS FRAGRENS	NCN	5 GALLON	SUN/ PART SHADE		L
INTERMEDIATE SHRUBS:					
CORREA SPECIES	AUSTRALIAN FUCHSIA	5 GALLON	SHADE/SUN		L
DIETES VEGETA	FORTNIGHT LILY	5 GALLON	SHADE/SUN		L
LIRIOPE GIGANTEA	LIRIOPE	5 GALLON	SHADE/SUN		L
NAIDINA DOMESTICA	HEAVENLY BAMBOO	5 GALLON	SHADE/SUN		M
PHORMIUM SPECIES	NEW ZEALAND FLAX	5 GALLON	SUN		L
PITTOSPORUM TOBIRA 'WHEELER'S DWARF'	PITTOSPORUM	5 GALLON	SUN/SHADE		L
ROSA SPECIES	SHRUB ROSE	5 GALLON	SUN		M
LAVANDULA SPECIES	LAVENDER	5 GALLON	SUN		L
FOREGROUND SHRUBS:					
AGAPANTHUS SPECIES	LILY OF THE NILE	1 GALLON	SHADE/SUN		M
HEMEROCALLIS HYBRIDS	EVERGREEN DAYLILY	1 GALLON	SUN		M
'ORANGE/YELLOW MIX 50/50'					
KNIPHOFIA	RED-HOT POKER	1 GALLON	SUN		L
LAVANDULA 'MUNSTEAD'	ENGLISH LAVENDER	1 GALLON	SUN		L
LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LILY	1 GALLON	SHADE		M
ANIGOZANTHOS	KANGAROO PAW	1 GALLON	SUN		L
PHORMIUM SPECIES (DWARF)	NEW ZEALAND FLAX	1 GALLON	SUN		L
SEDUM SPECIES	NCN	1 GALLON	SUN		L
SENECIO SPECIES	NCN	1 GALLON	SUN		L
CAREX SPECIES	CAREX	1 GALLON	SUN/SHADE		L
PITTOSPORUM SPECIES	TOBIRA	5 GALLON	SUN		L
GROUNDCOVERS:					
GREVILLEA LANIGERA 'COASTAL GEM'	NCN	1 GALLON	SUN/SHADE		L
ROSA 'PEACH DRIFT'	PEACH DRIFT	2 GALLON	SUN		M
ROSA 'PINK DRIFT'	PINK GROUNDCOVER ROSE	2 GALLON	SUN		L
ZAUSCHNERIA SPECIES	CALIFORNIA FUCHSIA	1 GALLON	SUN		L
GRASSES:					
CALOMOGROTIS SPECIES	REED GRASS	1 GALLON	SUN		L
FESTUCA MAIREI	ATLAS FESCUE	1 GALLON	SUN		L
LOMANDRA	LOMANDRA	1 GALLON	SUN		L
MUHLENBERGIA SPECIES	DEER GRASS	1 GALLON	SUN		L
PENNISETUM SPECIES	FOUNTAIN GRASS	1 GALLON	SUN		L
VINES:					
FICUS PUMILA	CREEPING FIG	5 GALLON	SUN/SHADE		M
PARTHENOCISSUS TRICUSPIDATA	BOSTON IVY	5 GALLON	SUN/SHADE		M
JASMINUM SPECIES	JASMINE	5 GALLON	SUN/SHADE		M
STORM WATER TREATMENT SHRUBS AND GRASSES:		1 GALLON	MIX EVENLY		
SPECIES/COMMON NAME					
ARISTIDA PURPUREA - PURPLE THREE-AWN	JUNCUS PATENS - BLUE RUSH				
BOUTELOUA GRACIS - BLUE GRAMA	LEYMUS CONDENSATUS - GIANT WILD RYE				
CAREX TEMULICOLA - BERKELEY SEDGE	MELICA CALIFORNICA - CALIFORNIA MELIC				
CHONDRPETALUM TECTORUM - CAPE RUSH	MIMULUS SPECIES - MONKEY FLOWER				

NOTE:

SEVERAL TREE SPECIES ARE LISTED PER TREE TYPE TO ALLOW FOR FLEXIBILITY IN THE EVENT THAT A SPECIFIC SPECIES IS UNAVAILABLE AT INSTALLATION OR PLANTING AREA IS LIMITED BY UTILITIES. NOT ALL SPECIES OF TREES, SHRUBS, GROUNDCOVERS OR GRASS WILL BE PROPOSED FOR CONSTRUCTION DOCUMENTS.

MINIMUM TREE CLEARANCE NOTE:

1. SMALL TREES (15' TALL/WIDE) SHALL BE PLACED A MINIMUM OF 6' FROM BUILDINGS AND A MINIMUM OF 2' FROM EDGES OF PAVING, CURBS OR WALLS.
2. MEDIUM TREES (25' TALL/WIDE) SHALL BE PLACED A MINIMUM OF 10' FROM BUILDINGS AND A MINIMUM OF 3' FROM PAVING, CURBS OR WALLS.
3. LARGE TREES (ABOVE 25' TALL/WIDE) SHALL BE PLACED A MINIMUM OF 15' FROM BUILDINGS AND A MINIMUM OF 3' FROM PAVING, CURBS OR WALLS.
4. 5' MINIMUM FROM JOINT TRENCH, WATER LINES, WATER METERS AND FIRE HYDRANTS.
5. 8' MINIMUM FROM SANITARY SEWER AND STORM DRAINS.

WATER CONSERVATION CONCEPT STATEMENT:

THE IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET CURRENT WATER EFFICIENCY STANDARDS AND STATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AB1881 AS REQUIRED BY LOCAL JURISDICTIONS WHILE ACHIEVING THE FOAL OF EFFECTIVELY AND EFFICIENTLY PROVIDING THE LANDSCAPE WITH WATER BY MEANS OF HIGH EFFICIENCY SPRAY IRRIGATION TO THE TURN AND GROUNDCOVER AREAS AND DRIP IRRIGATION BUBBLERS TO RESTRICTED SHRUB PLANTING AND SHRUB MASS PLANTING AREAS AS APPLICABLE.

IRRIGATION SYSTEMS SHALL BE DESIGNED TO ACCOMMODATE RECYCLED WATER WHERE AVAILABLE EITHER CURRENTLY OR IN THE FUTURE AS DIRECTED BY THE LOCAL WATER PURVEYOR. RECYCLED WATER SYSTEMS SHALL BE DESIGNED IN ACCORDANCE WITH LOCAL AND STATE CODES.

IRRIGATION SYSTEMS FOR LANDSCAPES GREATER THAN 5,000 S.F. SHALL HAVE A DEDICATED WATER METER FOR IRRIGATION.

A WATER EFFICIENT LANDSCAPE WORKSHEET SHALL BE INCLUDED WITH HYDROZONE INFORMATION TABLE, WATER BUDGET CALCULATIONS AND IRRIGATION OPERATION SCHEDULES.

A STATE OF THE ART ET BASED SELF ADJUSTING IRRIGATION CONTROLLER SHALL BE SPECIFIED FOR THIS PROJECT TO AUTOMATICALLY CONTROL THE WATER ALLOCATED TO EACH VALVE GROUPED PER INDIVIDUAL HYDROZONE (BASED ON PLANT TYPE AND EXPOSURE). THIS SHALL INCLUDE RAIN AND FLOW SENSORS AS APPLICABLE FOR A HIGHER LEVEL OF WATER CONSERVATION.

TREE BUBBLERS SHALL BE INCLUDED ON SEPARATE CIRCUITS TO ISOLATE THE IRRIGATION TO THE TREES AND PROVIDE DEEP WATERING TO PROMOTE A DEEPER ROOT STRUCTURE.

SPRAY IRRIGATION SYSTEMS FOR GROUNDCOVER AREAS GREATER THAN 8' WIDE IN ANY DIRECTION SHALL BE DESIGNED WITH COMMERCIAL SERIES SPRAY HEADS WITH HIGH EFFICIENCY NOZZLES THAT INCLUDE INTERNAL CHECK VALVES AND RPRESSURE COMPENSATION DEVICES. THE HEADS SHALL BE DESIGNED IN A HEAD TO HEAD LAYOUT TO ACHIEVE AN EVEN LEVEL OF PRECIPITATION THROUGHOUT THE IRRIGATION SYSTEM. THE NOZZLES DELIVER WATER AT A MINIMUM 70% EFFICIENCY WITH A LOW PRECIPITATION RATE THAT MATCHES THE INFILTRATION RATE OF THE SOIL.

THE DRIP SYSTEM SHALL INCORPORATE PRESSURE COMPESATING DRIP BUBBLERS WITH 1/4" DRIP TUBES TO EACH PLANT WHICH DELIVERS WATER AT 90% EFFICIENCY AT AN APPLICATION RATE THAT MATCHES THE SOIL TYPE.

WATER USE RATING LEGEND:

EBMUD CATEGORIES OF WATER NEEDS FROM:
PLANTS & LANDSCAPES FOR SUMMER DRY CLIMATES OF THE SAN FRANCISCO BAY REGION BY THE EAST BAY MUNICIPAL UTILITY DISTRICT, 2004

MOD	MODERATE WATER
OCC	OCCASIONAL WATER
INF	INFREQUENT WATER
NONE	NO ADDITIONAL WATER

WUCOLS III CATEGORIES OF WATER NEEDS FROM:
UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION, CALIFORNIA DEPARTMENT OF WATER RESOURCES, UNITED STATES BUREAU OF RECLAMATION

H	HIGH
M	MODERATE
L	LOW
VL	VERY LOW

CALIFORNIA NATIVE PLANTS (CNP) FOR THE GARDEN BY CAROL BORNSTEIN, DAVID FROSS, BART O'BRIEN

MOD	MODERATE WATER
OCC	OCCASIONAL WATER
INF	INFREQUENT WATER

ON-SITE	TOTAL PLANTS	SUBTOTAL PLANTS WITH OCC/INF/NONE/ LOW/VERY LOW WATER REQUIREMENTS
PERCENTAGE OF PLANTS MEETING LOW WATER REQUIREMENTS: 94.7% MORE THAN 75% REQUIRED		

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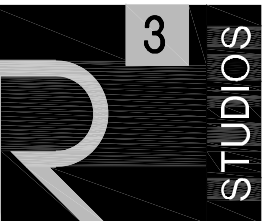


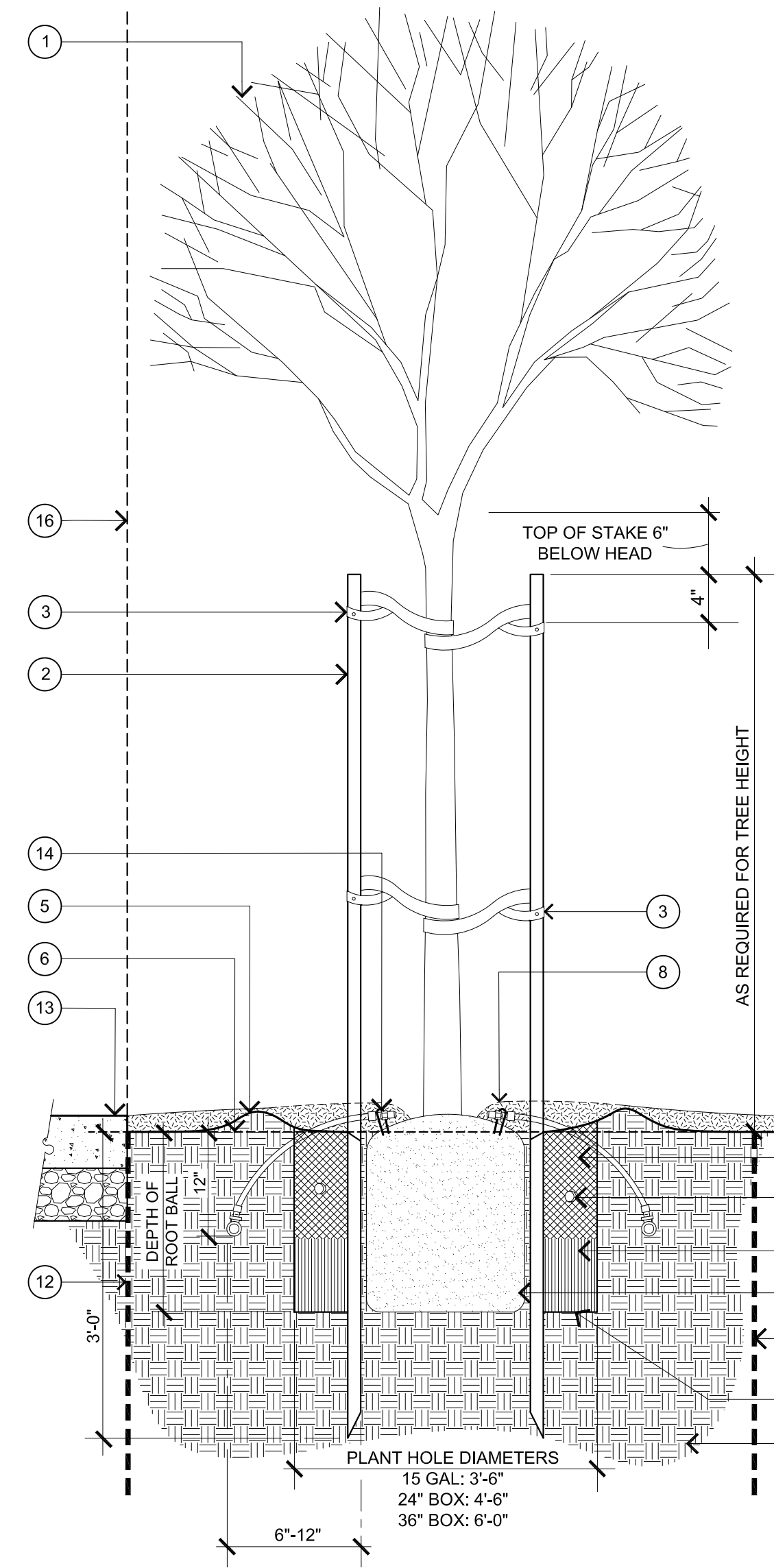
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Proposed Plant Palette
L009

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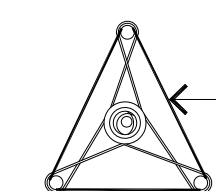




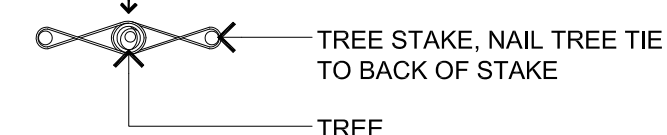
- 1 TREE: REFER TO PLANTING PLAN FOR LOCATION AND PLANTING LEGEND FOR SPECIES
- 2 LODGE POLE PINE TREE STAKES: 3"x10' LONG TREE STAKES FOR WINDY CONDITIONS AND 36" BOX AND LARGER TREES
- 3 TREE TIE: WONDER TREE-TIE(800-910-2810) MODEL# W14-46, W24-84 OR APPROVED EQUAL. LOOP IN A FIGURE EIGHT AND NAIL TO BACK OF STAKE WITH GALVANIZED THREADED NAILS. ALLOW 3" OF MOVEMENT OF TREE IN ALL DIRECTIONS.
- 4 TREE ROOTBALL SET ON 12" LAYER UNDISTURBED NATIVE SOIL. DO NOT PENETRATE ROOTBALL WITH STAKES. TAMP SOIL TO 85% RELATIVE COMPACTION. SET CROWN OF ROOTBALL 2" ABOVE FINISH GRADE.
- 5 3" EARTH BERM FOR WATER BASIN
- 6 FINISH GRADE. SET 1" BELOW AT TURF AREAS AND 2" AT SHRUB AND GROUNDCOVER AREAS
- 7 BACK FILL MIX: (TOP 12 INCHES ONLY): 70% PULVERIZED NATIVE SOIL, 30% NITROGEN FORTIFIED FIR OR REDWOOD SAWDUST.
- 8 BARK MULCH: 3" DEPTH, KEEP CLEAR FROM TRUNK OF TREE
- 9 PULVERIZED NATIVE SOIL
- 10 FERTILIZER TABS (21 GRAM, 20-10-5):
- 15 GAL: 7 TABS
- 24" BOX: 15 TABS
- 36" BOX: 24 TABS
- 11 PLANTING HOLE, PULVERIZED NATIVE SOIL BELOW 12" FROM FINISHED GRADE: SCARIFY WALLS
- 12 ROOT BARRIER(AS NEEDED): REFER TO PLANTING NOTES AND SPECIFICATIONS
- 13 PAVING: REFER TO PLAN
- 14 1/4 GPM IRRIGATION BUBBLER, OFFSET FROM TREE TUCKED TO ROOTBALL
- 15 COMPACTED SUBGRADE OR ENGINEERED FILL PER SOILS REPORT
- 16 BUILDING OR WALL

NOTES:

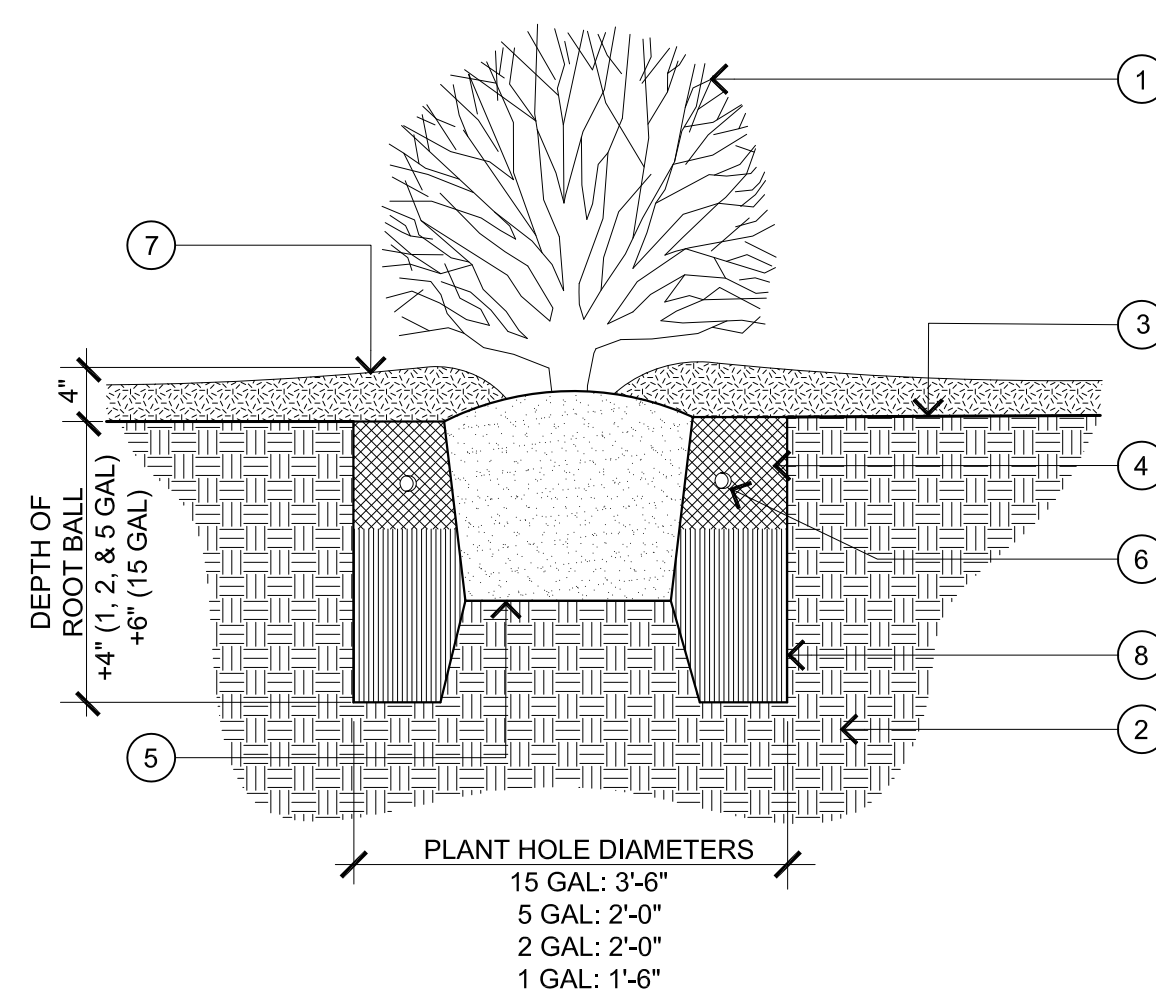
ALL PLANTING AREAS TO BE TREATED WITH PRE-EMERGENT.



PREVAILING WIND



TREE



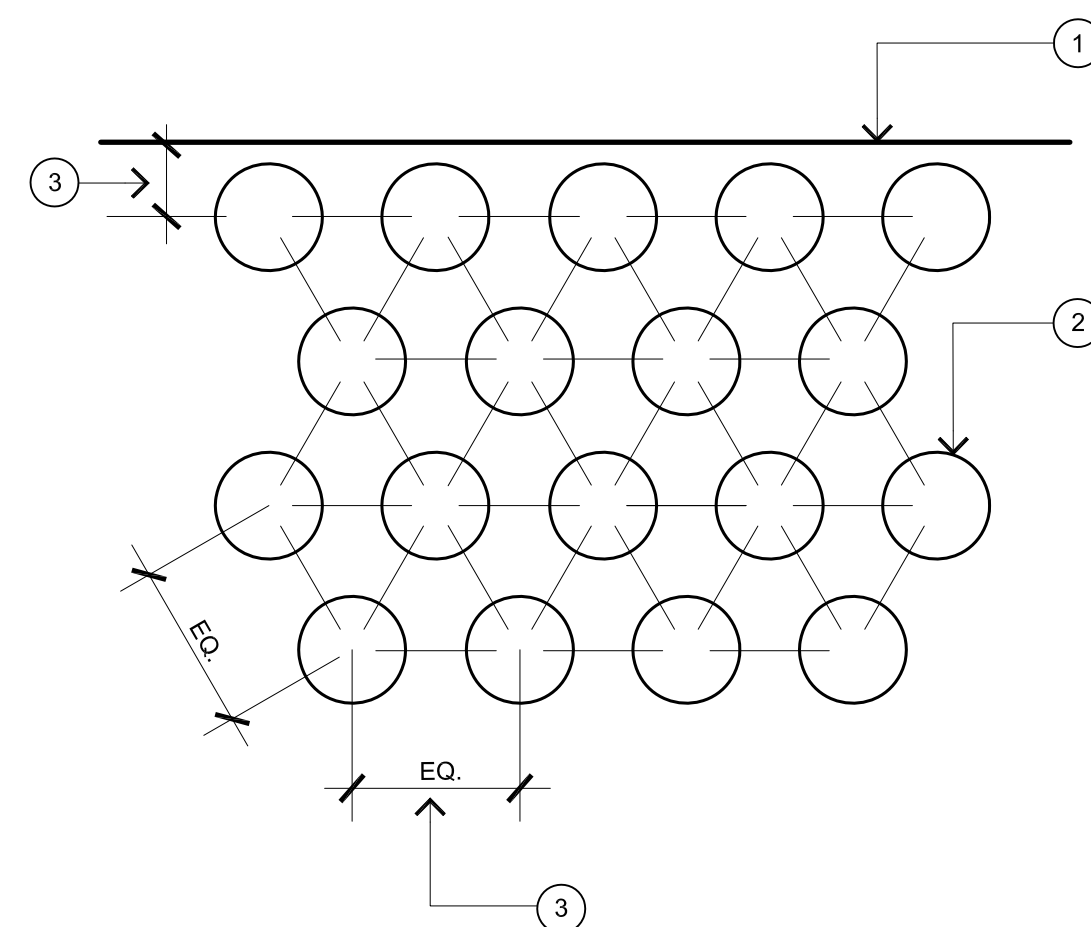
- 1 SHRUB: REFER TO PLANTING PLAN FOR LOCATION AND PLANTING LEGEND FOR SPECIES
- 2 COMPACTED SUBGRADE OR ENGINEERED FILL PER SOILS REPORT
- 3 FINISH GRADE
- 4 BACK FILL MIX: (1/2 DEPTH OF ROOT BALL HEIGHT): 70% PULVERIZED NATIVE SOIL, 30% NITROGEN FORTIFIED FIR OR REDWOOD SAWDUST.
- 5 SHRUB ROOTBALL SET ON LIGHTLY TAMPED SOIL. SET CROWN OF ROOTBALL 1" ABOVE FINISH GRADE.
- 6 FERTILIZER TABS (21 GRAM, 20-10-5):
- 1 GALLON: 1 TAB
- 2 GALLON: 2 TABS
- 5 GAL: 3 TABS
- 15 GAL: 5 TABS
- 7 BARK MULCH: 3" DEPTH, KEEP CLEAR FROM ROOT BALL CROWN
- 8 PULVERIZED NATIVE SOIL

NOTES:

ALL PLANTING AREAS TO BE TREATED WITH PRE-EMERGENT

2 SHRUB PLANTING

N.T.S.



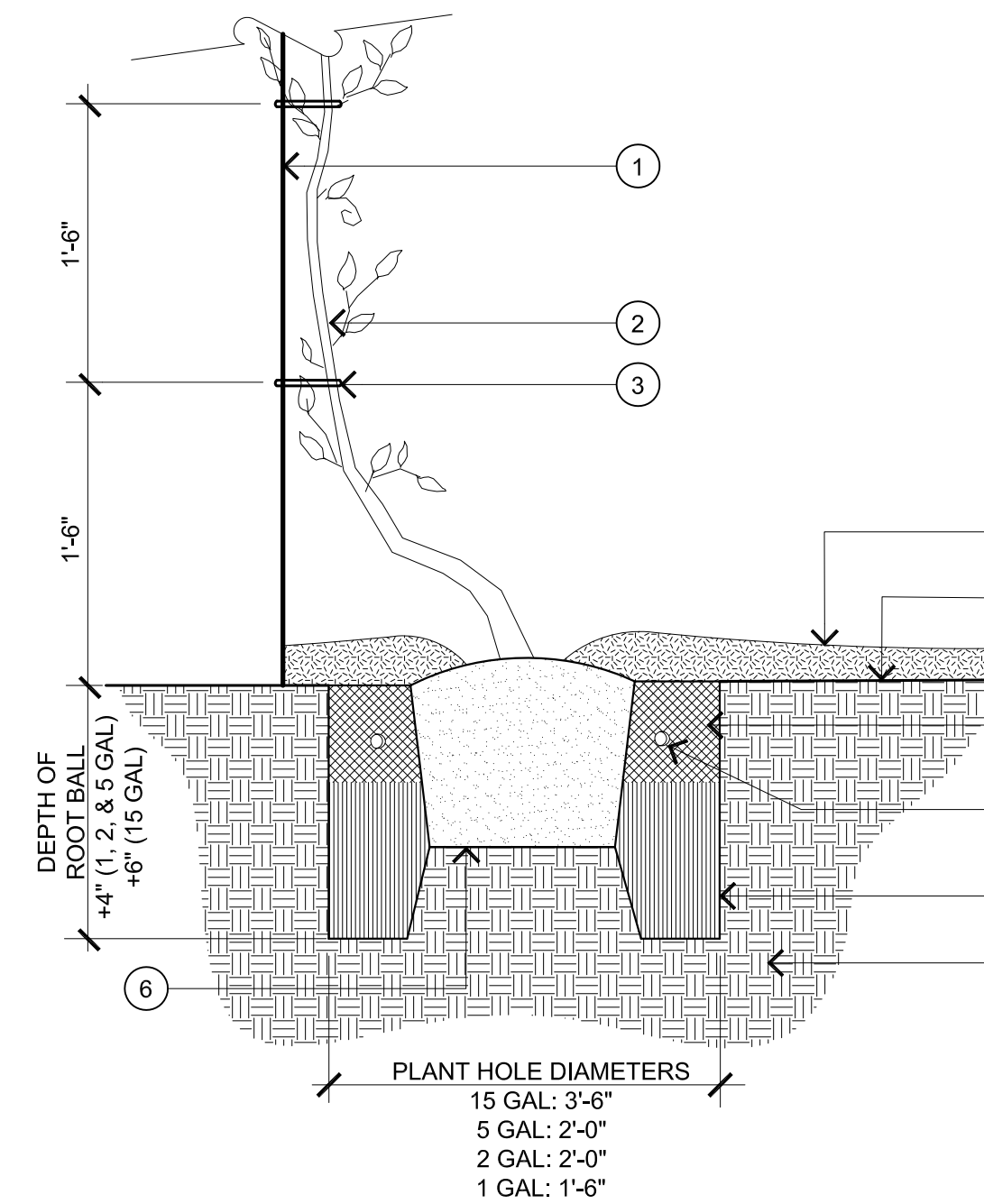
- 1 EDGE OF PAVING, HEADER, FACE OF BUILDING, WALL, ETC.
- 2 GROUNDCOVER OR SHRUB: REFER TO PLANTING PLAN FOR LOCATION AND PLANTING LEGEND FOR SPECIES
- 3 GROUNDCOVER AND SHRUB SPACING PER PLANTING PLAN AND LEGEND

NOTES:

1. ALL PLANTS SHALL BE PLANTED AT EQUAL SPACING (TRIANGULAR) UNLESS OTHERWISE SPECIFIED ON THE PLANS.
2. CENTERLINE OF PLANTS SHALL BE 1/2 OF EQUAL SPACING MINIMUM FROM EDGE OF PLANTING AREA.
3. INFILL PLANTS AS REQUIRED TO MAINTAIN SPACING AT IRREGULAR EDGES.
4. KEEP MULCH CLEAR OF PLANT BASE.
5. ALL PLANTING AREAS TO BE TREATED WITH PRE-EMERGENT.

4 GROUNDCOVER PLANTING

N.T.S.



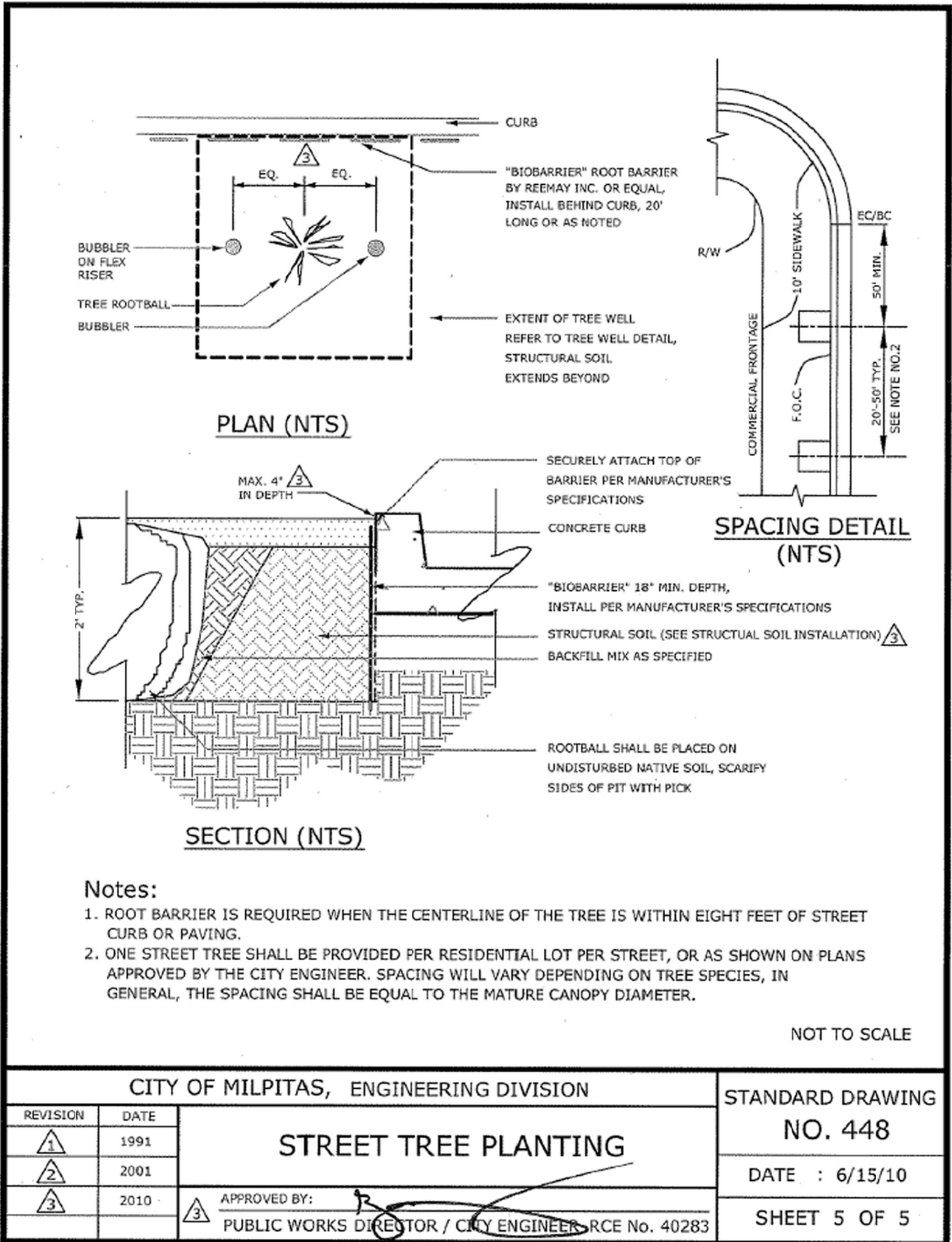
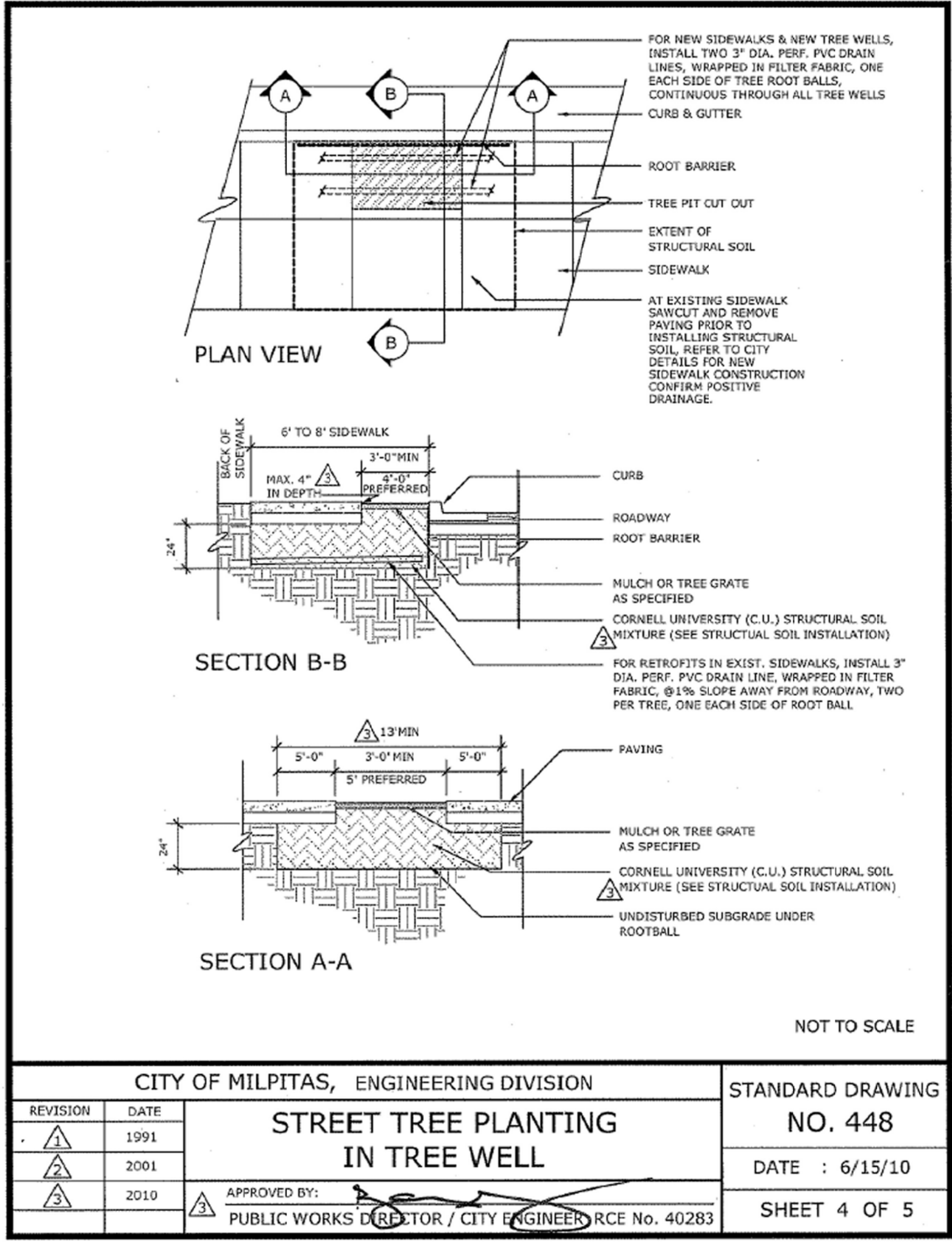
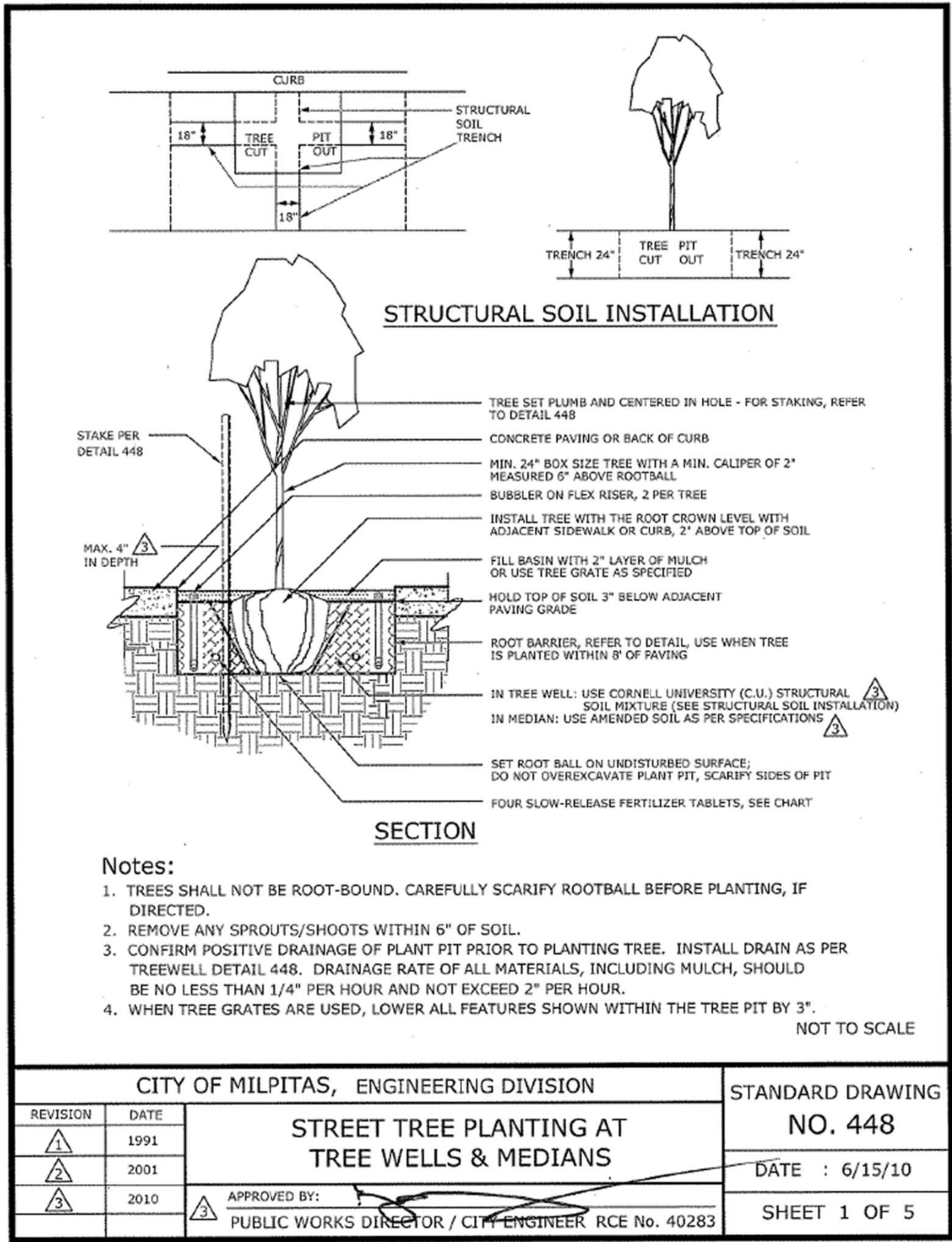
- 1 WELDED WIRE MESH FENCE ON RETAINING WALL - REFER TO DETAIL 1 SHEET L004
- 2 VINE: REFER TO PLANTING PLAN FOR LOCATION AND PLANTING LEGEND FOR SPECIES
- 3 VINE TIES AT 1'-6" INTERVALS AS SHOWN: REFER TO SPECIFICATIONS
- 4 FINISH GRADE
- 5 BACK FILL MIX: (1/2 DEPTH OF ROOT BALL HT.): 70% PULVERIZED NATIVE SOIL, 30% NITROGEN FORTIFIED FIR OR REDWOOD SAWDUST.
- 6 VINE ROOTBALL SET ON LIGHTLY TAMPED SOIL. SET CROWN OF ROOTBALL 1" ABOVE FINISH GRADE
- 7 FERTILIZER TABS (21 GRAM, 20-10-5):
- 1 GALLON: 1 TAB
- 2 GALLON: 2 TABS
- 5 GAL: 3 TABS
- 15 GAL: 5 TABS
- 8 BARK MULCH: 3" DEPTH, KEEP CLEAR FROM ROOT BALL CROWN
- 9 PULVERIZED NATIVE SOIL
- 10 COMPACTED SUBGRADE OR ENGINEERED FILL PER SOILS REPORT

NOTES:

ALL PLANTING AREAS TO BE TREATED WITH PRE-EMERGENT

3 VINE PLANTING/STAKING

N.T.S.



Lillian VanHua

From: Leah Beniston <lbeniston@thetruelifecompanies.com>
Sent: Wednesday, October 20, 2021 9:59 AM
To: Lillian VanHua
Subject: Fw: 2001 Tarob Court Draft Conditions of Approval & CEQA Question

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links.

Hi Lillian,

Below are FCS's responses to LSA's comments.

Please let me know if this will suffice.

Thanks,

Leah

From: Jason Brandman <jbrandman@fcs-intl.com>
Sent: Wednesday, October 20, 2021 9:56 AM
To: Leah Beniston <lbeniston@thetruelifecompanies.com>
Cc: Harris Arielle <arielle.harris@msrlegal.com>
Subject: RE: 2001 Tarob Court Draft Conditions of Approval & CEQA Question

Hi Leah,

Thanks you for the opportunity to respond to the August 4, 2021 Peer Review from LSA.

As it relates to Item #1, TTLC Tarob 4, LLC has entered into a Remedial Action Agreement with the Santa Clara County Department of Environmental Health (SCCDEH). The applicant's consultant will be preparing a Site Management Plan (SMP) for SCCDEH's review/approval. The applicant's consultant is currently preparing a workplan for additional sampling. Those results will then be presented in the SMP.

Additionally, in terms of Item #2, the project will no longer have traffic utilizing the Lunday driveway, in or out, which was previously identified as an Emergency Vehicle Access (EVA) point. That said, in consultation with TJKM, no further analysis as it relates to EVA is necessary.

Please let us know if you have any follow-up questions and we would be happy to address.

Thanks,

Jason

--

Jason Brandman

Vice President/Director

Mobile 925.200.1656

Skype jbrandman1117

FirstCarbon Solutions (FCS)

An [ADEC Innovation](#)

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Liz Medina

From: Lillian VanHua
Sent: Monday, October 25, 2021 9:21 AM
To: Liz Medina; Ned Thomas
Subject: FW: Regarding the proposed 32-townhome project at 2001 Tarob Court...

Public comment.

LILLIAN VANHUA, AICP

Acting Senior Planner
City of Milpitas / Planning Department
lvanhua@ci.milpitas.ca.gov / (408) 586-3073

From: John Doll <[REDACTED]>
Sent: Sunday, October 24, 2021 12:25 PM
To: Lillian VanHua <lvanhua@ci.milpitas.ca.gov>
Subject: Regarding the proposed 32-townhome project at 2001 Tarob Court...

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links.

Dear Ms. Van Hua:

The beauty of a city is highly influenced by the beauty of its buildings.

Along Montague Expressway, I find that the colors of the new buildings run the gamut from dreary / garish to attractive / cheerful. We should ask ourselves whether the proposed color scheme for a project is one that we would be happy to come home to.

In my view, the planned color scheme for this project is unattractive, especially the "Dried Thyme" dull green.

I recommend colors that are cheerful, but not garish---light pastel yellows, beiges, blues, and pinks, for example. I'm not fond of the "Needlepoint Navy" either, but maybe an alternating combination of a medium blue and a light pastel blue would provide visual interest and pleasing contrast.

Please acknowledge receipt of this input. Thank you.

Regards,
John Doll
31-year Milpitas resident



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Milpitas Affordable Housing Ordinance Update
Category:	Community Development
Meeting Date:	1/18/2022
Staff Contact:	Sharon Goei, Building Safety and Housing Director, 408-586-3260
Recommendation:	Following the reading of the title by the City Attorney, move to waive the first reading beyond the title and introduce Ordinance No. 297.1 amending Milpitas Municipal Code Title XII, Chapter 1 (Affordable Housing Ordinance).

Executive Summary:

In June 2018, the City Council adopted the current Affordable Housing Ordinance. In 2021, the City Council directed staff to find ways to ensure that residential developers would build more affordable units on-site, rather than paying in-lieu fees.

In this Affordable Housing Ordinance update, proposed amendments still provide developers with alternatives to building affordable units on-site because staff and legal counsel believe that providing alternative means of compliance is needed in order to comply with existing state law. However, staff has proposed substantial changes to the process for granting exceptions to building affordable units on-site for ownership housing, which include strengthening the City Council's required findings before allowing alternative means of compliance for ownership housing and incentivizing developers to build affordable units on-site.

For rental residential development, the proposed changes give developers the option to either build affordable rental units on-site or utilize any of the alternatives listed in the ordinance under certain conditions. While rental development would have a more flexible standard for compliance than ownership development, this flexibility is to ensure consistency and compliance with existing state law governing inclusionary housing as set forth in the Government Code.

Staff has also proposed additional changes to the Affordable Housing Ordinance relating to fractional units, design and distribution of affordable units, clarification of accessory dwelling units, allowing mixed tenure compliance, removing credit transfer option, extending ownership unit affordability from 45 to 55 years, broadening the criteria for preferences, among others. These proposed changes are for the most part consistent with the existing ordinance and are primarily intended to add clarity and consistency to the ordinance.

Community and stakeholder feedback on the proposed ordinance was overall positive and focused on having flexibility and a range of alternatives to meet the requirements of the Affordable Housing Ordinance.

Staff recommends that Council move forward with the steps toward adopting the proposed ordinance amendments.

Background:

On June 19, 2018, the City Council adopted Affordable Housing Ordinance No. 297, which applies to any land use entitlement application not deemed complete by July 20, 2018. The purpose of this ordinance is to, "(a) Enhance the public welfare and assure that further housing development contributes to the attainment of the

City's housing goals by increasing the production of residential units affordable by households of very low, low and moderate income, and (b) Assure that the limited remaining developable land in the City's planning area is utilized in a manner consistent with the City's housing policies and needs.”

Under the Affordable Housing Ordinance, new residential development projects with 10 or more units must include 15% of very-low or low-income units for rental development and 15% of very-low, low, or moderate-income units for ownership development. These units must remain affordable for a minimum of 45 to 55 years. The ordinance allows several alternatives to building the required affordable housing on-site, including payment of in-lieu fees, building affordable housing off-site, dedicating land for affordable housing, and using credit transfers when a developer builds more affordable units than required.

On March 5, 2019, the City Council adopted Resolution No. 8852, which approved the affordable housing fee schedule for a residential in-lieu fee and a non-residential impact fee. The Resolution became effective on July 1, 2019. The affordable housing fee level is adjusted July every year for inflation using the Engineering News Record Building Cost Index. If granted an exception to pay in-lieu fees, a developer must pay the Affordable Housing Ordinance in-lieu fees prior to receiving a building permit.

On December 15, 2020, the City Council directed staff to explore changes to the in-lieu fee provisions in the ordinance. The City Council was interested in finding ways to ensure that developers would build more affordable units on-site, rather than paying in-lieu fees. Currently, the City needs to gather fee revenue for multiple years before it can support a new affordable housing project. On January 5, 2021, staff provided an [information memorandum](#) on the Affordable Housing Ordinance in-lieu fee options to the City Council. At the March 16, 2021 City Council meeting, Council directed staff to proceed with work on this item.

Analysis:

In alignment with Council direction, staff is proposing changes to the Affordable Housing Ordinance to encourage more on-site affordable housing production. Staff is also proposing changes to add clarity and consistency throughout the ordinance.

Staff has compiled a comprehensive summary of proposed changes to the Affordable Housing Ordinance along with the reason for the proposed changes. Please refer to Attachment 1 for the summary.

Key Proposed Changes to Milpitas Municipal Code Title XII (Housing), Chapter 1 (Affordable Housing Ordinance)

This section describes and highlights key proposed changes to the Affordable Housing Ordinance.

- **Section 2: Definitions**

Eight definitions are proposed to be added or modified to provide clarity. The proposed changes are intended to make the definitions more explicit and to remove ambiguity. The changes are staying consistent with the current ordinance.

- **Section 3.00: 15 percent affordability requirement**

Sometimes the 15% calculation of required affordable housing results in a fraction. The current ordinance provides that in-lieu fees are paid for all fractional units and there is no rounding. In Section 3.00, the proposed changes state that if the 15% calculation results in a fractional unit that is less than 0.5, the developer may pay an in-lieu fee for that fractional unit. If the 15% calculation results in a fractional unit that is equal to or greater than 0.5, the requirement is rounded up to the next whole number, resulting in one more unit.

Another proposed change in Section 3.00 adds language to clarify that accessory dwelling units shall not be included in the calculation of the total number of units subject to the on-site 15% inclusionary requirement. This is in concert with the proposed change in Section 2 that clarifies that accessory dwelling units cannot be used to meet inclusionary requirements.

- **Section 3.02: Conditions of approval**

The proposed changes clarify that the ordinance applies to mixed-use projects. A list of data and information that needs to be submitted is also delineated in order to clarify the documents that must be provided for staff to review the project.

- **Section 3.03: Concurrent construction of affordable units**

Proposed language is added to explain how construction of affordable units must be carried out for phased developments and to further clarify that affordable units must be constructed in advance of, or concurrently with, market rate units within each phase.

- **Section 3.04: Design and distribution of affordable units**

More specific language is added on how the design and distribution of affordable units should be ensured and to clarify how the quality of affordable units must be reasonably consistent with the market rate units.

- **Section 4: Exceptions to on-site development of 15% affordable units**

- **Section 4A: Ownership projects**

For ownership projects, substantial changes are proposed to the process for granting exceptions to building affordable units on-site. The changes encourage building affordable ownership units on-site by providing more stringent standards for ownership projects to use alternative means of compliance such as in-lieu fees, off-site units, or land dedication.

In the proposed ordinance, a developer must construct on-site affordable ownership units unless the City Council makes findings that allowing the developer to use one of the listed alternatives will

1. further the City's low and moderate income housing goals; *and*
2. *either* (i) result in a greater amount of affordable housing or deeper affordability by meeting at least two of four listed criteria in the ordinance; *or* (ii) provide other community benefits that exceed the benefit of constructing on-site affordable units.

Consistent with Council direction to incentivize on-site affordable housing construction, the proposed ordinance requires that for an ownership project to not construct affordable units on-site and to use one of the alternative means of compliance, the City Council must make the above findings. In other words, if a developer intends to use one of the alternatives for an ownership project, the developer would need to provide a greater contribution to affordable housing or other greater community benefit, as compared to building the units on-site.

From a legal perspective, it is recommended that the City retain alternatives for ownership projects as part of the ordinance, rather than requiring all affordable units on-site. The key court case that upheld cities' authority to require inclusionary housing is the California Supreme Court case of *California Building Industry Association v. City of San Jose* (2009). In that case, the California Supreme Court found that a city could require the development of affordable housing as part of a market rate development, but also indicated that it was important to provide a menu of alternatives to developers to provide flexibility in the event that on-site development is infeasible. The court did indicate that the alternatives could require a larger contribution to affordable housing in order to incentivize on-site construction. Therefore, in the proposed ordinance, the City can require the additional findings outlined above before allowing developers to use an alternative in ownership projects.

In alignment with Council direction, the proposed ordinance clarifies and strengthens the findings required for City Council to approve exceptions to building affordable units on-site, thereby encouraging more on-site affordable housing construction. This sets a higher standard that must be met in order for developers to use any of the alternatives. The proposed ordinance gives the City Council more control in determining when and if to accept ownership development proposals that do not include on-site affordable housing units.

- **Section 4B: Rental projects**

The proposed changes clarify that the City may allow an exception to the requirement to construct on-site affordable units for a residential rental project if requested by the applicant, provided that applicant shall be required to contribute to the City's affordable housing needs through one of the alternative means of compliance (i.e., paying in-lieu fees, constructing units off-site, or making a land dedication).

In other words, the proposed ordinance allows rental project developers to either build affordable units on-site, or satisfy their obligations through utilizing any of the alternative means of compliance listed in the ordinance. Therefore, for rental projects, the proposed ordinance provides a more flexible standard than ownership projects. This flexibility is provided for rental development to ensure compliance with existing state law governing inclusionary housing as set forth in the Government Code. The legal background is described below.

In 2009, in a California Court of Appeals decision in the case of *Palmer/Sixth Street Properties v. City of Los Angeles*, the court held that a city inclusionary requirement to include affordable housing (or pay a fee in lieu of doing so) violated the Costa-Hawkins Rental Housing Act. As a result of the *Palmer* decision, cities could not require developers to construct on-site affordable housing as part of a private development until 2018, when AB 1505 was enacted. Intended to allow for inclusionary rental housing, AB 1505 amended Government Code Section 65850 to authorize cities to adopt inclusionary housing ordinances for residential rental projects and indicated that any ordinance must include alternative means of compliance, such as payment of an in-lieu fee, land dedication, off-site construction, or the like.

In light of the current state law and the explicit statutory requirement from AB 1505 to provide alternatives for residential rental development, the proposed ordinance provides alternatives for rental projects in order to ensure compliance with AB 1505. The proposed ordinance allows developers to utilize any of the listed alternative means of compliance. Developers will still be incentivized to build on-site units based on potential density bonus benefits (waivers, incentives, and increased density).

For policy discussion, staff has evaluated a different set of options for rental projects to encourage on-site affordable housing construction while providing flexibility for developers. This set of options is as follows:

- (A) Developer may construct 50% of required units on-site, and pay 50% of requirement in-lieu fees without City Council findings;
- (B) Developer may pay 100% in in-lieu fees if the City Council makes the same findings required for ownership alternatives (i.e., fees will further the City's low and moderate income housing goals, and result in a greater amount of affordable housing or deeper affordability or will provide other community benefits that are greater than constructing on-site units);
- (C) Developer may meet the requirement through land dedication or off-site construction, provided that the standards in the Affordable Housing Ordinance are met.

This approach still provides developers with alternatives to on-site construction, but limits a developer's ability to meet the full requirement through in-lieu fee payment. This approach still likely complies with existing state law governing inclusionary housing ordinances, but is not as straightforward as the proposed language.

- **Section 4.00: Payment of fees in lieu of creation of affordable units**

Proposed language is added to clarify that calculation of in-lieu fees must be based on the total gross square footage of all dwelling units developed as part of the project, including any accessory dwelling units.

- **Section 4.01: Off-site projects**

Proposed language is added to clarify that off-site projects must be located within the City of Milpitas. New language is also proposed that would allow developers flexibility to build off-site affordable units with a different tenure from the market rate units. The proposed change would require more square footage of affordable units off-site at an equivalent or lower income category. These proposed changes provide flexibility so developers can creatively develop more market rate and affordable housing while encouraging on-site construction.

- **Section 4.02: Land dedication**

Proposed language is added to clarify that dedicated land must be located within City limits and be zoned and usable for the required amount of housing. Dedicating non-residentially zoned land is unacceptable, as it would require the conversion of employment lands.

- **Sections 4.03, 4.04, and 7: Credit transfers**

Under the existing ordinance, upon request of the applicant, the City Council may permit an applicant to apply for affordable unit credits for units constructed in excess of the number required in one project and use those

credits to satisfy the requirements for another project in the City. The proposed changes delete credit transfers as an alternative means of compliance. To date, this alternative has not been used and it would be very staff intensive to administer.

- **Sections 6.00 and 6.02: Ownership affordability term**

The proposed updates change the affordability covenant for ownership units from 45 to 55 years to be consistent with rental unit affordability and to gain a longer-term affordability. This change would apply 55 years to all affordable units created under the Affordable Housing Ordinance.

- **Section 6.03: Selection criteria**

The current ordinance states that the City shall endeavor to make housing available for Milpitas residents and employees. Proposed language is added to broaden the criteria for preferences under the ordinance to add displaced former Milpitas residents and households with children enrolled in the Milpitas Unified School District that have inadequate housing as defined under the federal McKinney-Vento Homeless Assistance Act. Language is also added to clarify the need to conform with state and federal fair housing laws.

Stakeholder and Community Outreach

On December 8, 2021, the City posted the proposed amendments to the Affordable Housing Ordinance on the City's website. The packet of materials included a cover letter to the community and developers, policy discussion on rental inclusionary alternatives, summary of proposed changes, redlined version of proposed changes, and clean version of proposed changes.

On December 16, 2021, the City hosted a Community Development Roundtable to gather input from developers and real estate professionals on the proposed changes to the Affordable Housing Ordinance. Eleven stakeholders attended this meeting. The Building Industry Association commented that they do not want policy changes that would discourage market rate projects or discourage development overall, and encouraged the City to adopt policy changes that help achieve the City's upcoming Regional Housing Needs Allocation goals. Questions were addressed to clarify how accessory dwelling are considered in the ordinance. Questions were also addressed regarding how current projects meet the existing ordinance. Developers commented that flexibility is important and the ability to pay in-lieu fees where Council deems appropriate is important, and that the City can utilize the fees collected to support potential projects.

On December 17, 2021, the City hosted a virtual community meeting to gather input from the broader community and residents on the proposed changes to the Affordable Housing Ordinance. Nine stakeholders attended this meeting, including SV@Home, residents, Commissioners, and Homelessness Task Force members. Attendees were very engaged with staff in active discussions and question and answer session. Comments were overall positive with discussions around income levels, providing a range of options, balancing between fee level versus building units, different policy for ownership and rental projects, among others. The robust discussions at this meeting also helped to inform and educate about some details of the Affordable Housing Ordinance. Please refer to Attachment 4 for SV@Home's comment letter.

Residential Development

Since the Affordable Housing Ordinance took effect, six residential development projects subject to the Affordable Housing Ordinance have received approval from the City. The six residential projects consist of three rental and three ownership developments. Five of these six projects are building affordable units on-site and not using any alternative means of compliance. The sixth project, which is an ownership development, is building almost all of the required affordable units on-site but is paying a fee in-lieu of building one unit and a fractional unit. Therefore, all six residential projects developed since the Affordable Housing Ordinance was adopted in 2018 are meeting almost all of their inclusionary housing obligations by incorporating affordable units on-site within the development.

With the proposed amendments to the ordinance, the City will further encourage more on-site affordable housing construction.

Action Steps

To achieve Council intent to encourage more on-site affordable housing production, and to add clarity and consistency to the Affordable Housing Ordinance, staff recommends that Council move forward with the first reading and introduce the ordinance on January 18, 2022.

The second reading and ordinance adoption is scheduled to take place at the February 1, 2022 Council meeting.

Policy Alternative:

Alternative: Do not amend the Affordable Housing Ordinance.

Pros: The current Affordable Housing Ordinance would remain without additional staff time.

Cons: The current Affordable Housing Ordinance would not have the benefit of the amendments for added clarity and consistency and encouraging on-site affordable housing construction.

Reason not recommended: The proposed amendments to the Affordable Housing Ordinance would achieve Council intent to encourage on-site affordable units and add clarity and consistency throughout the ordinance.

Fiscal Impact:

Many of the proposed changes would facilitate administration of the Affordable Housing Ordinance and save staff time. Limiting developers' ability to pay in-lieu fees may slow the growth of the City's Affordable Housing Fund, but it may result in more on-site affordable units. These proposed changes have no immediate fiscal impact.

California Environmental Quality Act:

The introduction and adoption of this Ordinance is (1) not a Project under the California Environmental Quality Act (CEQA) and is therefore exempt, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(4)(4), that adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) because it constitutes a governmental fiscal activity that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; (2) statutorily exempt pursuant to CEQA Guidelines section 15267 (Financial Assistance to Low or Moderate Income Housing); (3) not intended to apply to specifically identified affordable housing projects and as such it is speculative to evaluate any such future project now and, moreover, they will be subject to appropriate environmental review at such time as approvals for those affordable housing project are considered; and/or (4) not intended to, nor does it, provide CEQA clearance for future development-related projects by mere establishment or payment of the fees. Each of the foregoing provides a separate and independent basis for CEQA compliance and, when viewed collectively, provides an overall basis for CEQA compliance.

Recommendation:

Following the reading of the title by the City Attorney, move to waive the first reading beyond the title and introduce Ordinance No. 297.1 amending Milpitas Municipal Code Title XII, Chapter 1 (Affordable Housing Ordinance).

Attachments:

1. Summary of proposed changes to the Affordable Housing Ordinance
2. Ordinance No. 297.1 for introduction
3. Redline comparison showing changes to the Affordable Housing Ordinance
4. SV@Home comment letter

Summary of Proposed Changes to the Milpitas Affordable Housing Ordinance

Ordinance Section	Proposed Change to the Ordinance	Reason for Proposed Change
Entire document	Minor numbering and text changes have been made throughout the document.	To update the numbering and to maintain consistency. These minor changes are highlighted in the “redline” of the ordinance but are not included in this summary table.
XII-1-2.01	Updated reference to Accessory Dwelling Unit (ADU) definition	To match changes in the Municipal Code.
XII-1-2.02	Added definition for “Affordable Housing Cost”	To clarify that affordable housing cost includes utilities cost and is determined using official HCD income limits.
XII-1-2.04	Updated definition for an “Affordable Unit”	To clarify that ADUs shall not be counted as an affordable unit to satisfy on-site affordable housing requirements.
XII-1-2.07	Created separate definition for “Low Income Household”	To further clarify that “Low Income Household” is defined the same as in state law and that state HCD income limits apply to this program, not federal TCAC income limits.
XII-1-2.08	Added a definition for mixed use development.	To clarify that the ordinance applies to both vertical and horizontal mixed use projects.
XII-1-2.09	Created separate definition for “Moderate Income Household”	To further clarify that “Moderate Income Household” is defined the same as in state law and that state HCD income limits apply to this program, not federal TCAC income limits.
XII-1-2.11	Added definition for “on-site” development of affordable housing	To further clarify that on-site development must be within the boundaries of the proposed development. Otherwise it is considered to be off-site.
XII-1-2.16	Created separate definition for “Very Low Income Household”	To further clarify that “Very Low Income Household” is defined the same as in state law and that state HCD income limits apply to this program, not federal TCAC income limits.
XII-1-3.00	Sometimes 15% of the total units results in a fraction. This change would require developers to round up the number of affordable units they are required to build if the fraction is equal to or greater than 0.5. If the fraction is less, the developer could pay an in-lieu fee	This change reduces a developer’s ability to pay in-lieu fees for fractional units greater than 0.5. It could result in 1 extra affordable unit being built on-site per project. It also clarifies that ADUs are not factored into the calculation of the total number of

	for that fraction of a unit. This change also clarifies that ADUs shall not be included in the calculation of the total number of units subject to the on-site 15% inclusionary requirement.	units subject to the 15% on-site inclusionary requirement.
XII-1-3.02	Added mixed-use to the “Conditions of Approval” section and a list of documents needed for staff to review.	To further clarify that this ordinance applies to mixed-use projects that include residential and to clarify key documents that must be provided for staff to review.
XII-1-3.03	Added language to explain how concurrent construction of affordable housing units must be carried out for phased developments before final discretionary permits are issued. If extenuating circumstances exist, a developer must provide a schedule showing how the affordable units will be built expeditiously and this schedule must be approved by the City Manager or designee.	To further clarify that affordable units must be constructed in advance of or concurrently with market rate units within each phase.
XII-1-3.04	Added more specific language on how the design and distribution of affordable units should be ensured.	To further clarify how the quality of affordable units shall be reasonably consistent with the market rate units.
Section 4A (Ownership)	Made substantial changes to the process for granting exceptions to building affordable <u>ownership</u> units on-site. Added more specific findings for Council approval.	To clarify the City Council findings required for certain exceptions to on-site construction of affordable units and to encourage the production of more on-site ownership units.
Section 4B (Rental)	Added text relating to rental projects and exceptions to the on-site requirement.	To clarify that developers of rental projects do not need City Council approval to utilize alternative forms of compliance as set forth in Subsections XII-1-4.00-XII-1-4.02. However, staff is exploring options for an alternative approach to providing alternatives to development of on-site affordable units.
XII-1-4.00	Clarified how to calculate in-lieu fees and that ADUs are included when calculating the gross square footage for the in-lieu fee.	The existing ordinance does not explain how in-lieu fees are calculated.
XII-1-4.01	Added text clarifying that off-site projects must be located within the City of Milpitas.	To clarify where off-site projects can be located.
XII-1-4.01	Added new language that would allow developers flexibility to build off-site affordable units with a	To provide flexibility so developers can creatively develop more market

	different tenure from the market rate units. The current ordinance is silent about this. The proposed change would require more square footage of affordable units off-site at an equivalent or lower income category.	rate and affordable housing while encouraging on-site construction.
XII-1-4.02	Added text clarifying that dedicated land must be within the City of Milpitas and must be zoned and usable for the required amount of housing.	To provide specifics on what land is acceptable for dedication under the ordinance. Dedicating non-residentially zoned land is unacceptable as it would require the conversion of employment lands.
XII 1-4.03	Removed credit transfers as a compliance option.	To date this option has not been used and would be very staff intensive to administer. As an alternative, staff has proposed allowing mixed tenure off-site compliance for added flexibility.
XII-1-4.04	Removed "Transfer of square foot equivalent" section.	No longer needed as addressed in other sections.
XII-1-6.00	Changed affordability covenant for ownership from 45 to 55 years. Updated the time by which affordable housing agreement should be recorded to prior to the City allowing occupancy.	To be consistent with the rental affordability term and to gain a longer-term affordability. To provide reasonable timeframe for completing affordable housing agreement.
XII-1-6.02	Changed affordability covenant for ownership from 45 to 55 years.	To be consistent with the rental affordability term and to gain a longer-term affordability. The change would apply 55 years to all affordable units created under this ordinance.
XII-1-6.03	Updated selection criteria to ensure that prioritization conforms with state and federal fair housing laws. Added broader language about setting aside some of the affordable units for households that live, are employed in, or have been displaced from Milpitas.	To clarify the need to conform with fair housing laws and to apply local preferences for the affordable housing units under the ordinance.
Section 7	Removed "Affordable Unit Credits" section.	The credits option has not been used and would be very staff intensive to administer. As an alternative, staff has proposed allowing mixed tenure off-site compliance for added flexibility.
Section 9	Renumbered as Section 8 and revised Affordable Housing Ordinance Fund to Affordable Housing Fund.	To provide consistency with the definition in Section 2.

REGULAR

NUMBER: 297.1

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS
AMENDING TITLE XII, CHAPTER 1 OF THE MILPITAS MUNICIPAL CODE
RELATING TO AFFORDABLE HOUSING AND MAKING CEQA EXEMPTION
FINDINGS

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of _____, upon motion by _____ and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Wendy Wood, City Clerk

Rich Tran, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the Bay Area is experiencing a severe housing crisis, especially in providing housing affordable to very low, low and moderate-income households; and

WHEREAS, existing local, state and federal resources are insufficient to meet the City of Milpitas' needs for affordable housing; and

WHEREAS, the City's 2015-2023 Housing Element provides that the City will facilitate the development of new affordable housing units, and

WHEREAS, the courts have recognized that a city can impose requirements to include that new developments include a percentage of affordable housing units as a valid exercise of the city's police power;

WHEREAS, in 2017, the State of California enacted AB 1505, codified at California Government Code §§ 65850-65850.1, which supersedes the court's ruling in *Palmer/Sixth Street Properties v. City of Los Angeles*, and establishes that cities can adopt ordinances requiring that rental housing development include a percentage of units affordable to very low, low or moderate income households; and

WHEREAS, on June 19, 2018, the City Council adopted Ordinance No. 297 adding Title XII, Chapter 1 to the Milpitas Municipal Code (the Affordable Housing Ordinance) to establish inclusionary affordable housing requirements and a fee program to foster the development of affordable housing projects within the City and the region; and

WHEREAS, the adoption of the Affordable Housing Ordinance has been effective in furthering the City's affordable housing goals, and has resulted in the development of additional affordable housing units within the City; and

WHEREAS, in addition to ensuring that affordable housing units are built within the City, the City Council desires to ensure that affordable housing developed within the City is integrated with new market rate housing development and not segregated to select areas of the City; and

WHEREAS, in order to ensure that affordable housing constructed pursuant to the Affordable Housing Ordinance is integrated into new market rate residential development to the greatest extent possible, the City Council directed staff to prepare an amendment to the Affordable Housing Ordinance to incentivize and ensure on-site development of affordable housing to the extent possible, and to make other clarifying amendments to the Affordable Housing Ordinance; and

WHEREAS, consistent with Council direction, City staff prepared proposed amendments to the Affordable Housing Ordinance to strengthen the City Council's required findings before allowing alternative means of compliance for ownership housing and incentivizing developers to build affordable units on-site, while still retaining alternative means of compliance with the Affordable Housing Ordinance in order to maintain flexibility and ensure that the Affordable Housing Ordinance will not serve as an impediment to residential development in the City; and

WHEREAS, on December 8, 2021, City staff posted the proposed amendments to the Affordable Housing Ordinance on the City's website along with a written summary of the proposed changes, and City staff thereafter presented the proposed amendments to the Affordable Housing Ordinance to

stakeholders in the local development community as part of a Community Development Roundtable meeting on December 16, 2021, and received feedback on the proposed amendments from those stakeholders; and

WHEREAS, on December 17, 2021, City staff hosted a virtual community meeting to gather input from the broader community and residents on proposed amendments to the Affordable Housing ordinance. City staff presented the proposed amendments at this meeting and received feedback from the members of the community; and

WHEREAS, on January 18, 2022, the City Council held a duly noticed public meeting and considered the proposed amendments to the Affordable Housing Ordinance as set forth in this Ordinance, together with all other information relevant to evaluation and adoption of this Ordinance, including but not limited to the staff materials provided herewith, staff presentations and all oral and written communications received at or before the duly noticed public meeting; and

WHEREAS, this Ordinance is consistent with the Milpitas General Plan as a whole and implements the Milpitas adopted Housing Element, as well as other General Plan goals, policies and programs.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which includes but is not limited to all City staff reports, including reports presented to the City Council, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are an integral part of the Council's decision and are hereby adopted as findings and incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE XII, CHAPTER 1

Chapter 1 of Title XII of the Milpitas Municipal Code is hereby amended to read as follows:

TITLE XII - HOUSING

CHAPTER 1 - AFFORDABLE HOUSING ORDINANCE

Section 1 - Purpose

This Chapter shall be known as the "Affordable Housing Ordinance."

XII-1-1.00 - Purpose

Purpose of this Chapter is to:

- (a) Enhance the public welfare and assure that further housing development contributes to the attainment of the City's housing goals by increasing the production of residential units affordable by households of very low, low and moderate income.

(b) Assure that the limited remaining developable land in the City's planning area is utilized in a manner consistent with the City's housing policies and needs.

XII-1-1.01 - Applicability

All land use entitlement applications not determined or deemed "complete" as defined in Government Code Section 65943 by the effective date of the ordinance are subject to the requirements of this Chapter.

Section 2 - Definitions

XII-1-2.00

As used in this Chapter, each of the following terms shall be defined as follows:

XII-1-2.01

“Accessory dwelling unit” shall have the meaning set forth in Section XI-10-13.8 of this Code.

XII-1-2.02

"Affordable Housing Cost" means the maximum amount that a household may be required to pay to live in an affordable unit. The City shall determine affordable housing costs for each affordable unit type within a proposed development at the time of project approval, and the affordable housing cost may be adjusted annually to reflect the current area median income for Santa Clara County.

For rental units, Affordable Housing Cost shall be an annual rent amount, inclusive of an allowance for tenant payment of utilities, that does not exceed 30% of maximum gross income level for very low or low income households as defined herein (as applicable to the affordable unit), adjusted for household size.

For ownership units, Affordable Housing Cost shall be a sales price that results in annual housing expenses that do not exceed 35% of the maximum gross income level for very low, low or moderate income households as defined herein (as applicable to the affordable unit) adjusted for household size.

The City may adopt administrative guidelines to establish criteria to be utilized in calculating affordable housing cost pursuant to this Section.

XII-1-2.03

"Affordable Housing Fund" or "Fund" means a fund established pursuant to the Chapter as described in Section XII-1-8.00, et seq., and in which all fees collected through this Chapter shall be placed.

XII-1-2.04

"Affordable unit" means an ownership or rental dwelling unit, including senior housing, that is rented or sold at an affordable housing cost to households with very low, low, or moderate incomes as defined in this Chapter, provided, however, that an accessory dwelling unit shall not be counted as an

affordable unit for purposes of satisfying the affordability requirements set forth in Section 3 of this Chapter.

XII-1-2.05

"Applicant" means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities (including but not limited to a "developer") that seeks city real property development permits or approvals or bears any responsibility with respect to the subject real property.

XII-1-2.06

"Dwelling unit" means a dwelling designed and intended for occupancy by one household.

XII-1-2.07

"Low Income Household" shall have the same definition as set forth for the term "lower income household: in California Health & Safety Code section 50079.5. The income limits for low income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

XII-1-2.08

"Mixed Use Development" means a development that includes residential and non-residential uses in a vertical or horizontal orientation. All of the provisions of this Chapter that pertain to residential development shall apply to the residential uses and all of the provisions of Section 5 of this Chapter shall apply to the non-residential uses, respectively.

XII-1-2.09

"Moderate Income Household" shall have the definition as set forth in California Health & Safety Code section 50093(b). The income limits for moderate income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

XII-1-2.10

"Non-Residential development project" means any planned district, subdivision map, conditional use permit or other discretionary or non-discretionary City land use approval, which authorizes new construction of gross square feet of nonresidential space, the conversion of residential use to a nonresidential use, or the conversion of exempt space to non-exempt space, including, but not limited to, retail, hotel, motel (including motel, motor hotel, inn and auto court), office, professional office, other commercial, light industrial, data centers and warehouses.

XII-1-2.11

"On-site" means that the affordable units are provided within the boundaries of the proposed development

XII-1-2.12

"Residential Ownership Project" means any residential project that includes the creation of residential dwelling units that may be sold individually. A residential ownership project also includes condominium conversions.

XII-1-2.13

"Residential Rental Project" means a residential project or property under common ownership, or portion thereof that creates living units that cannot be sold individually.

XII-1-2.14

"Resale controls and/or rent restrictions" means legal restrictions by which the affordable units shall be restricted to ensure that the unit remains affordable to very low, low, or moderate income households, as applicable, for a period of not less than 55 years. With respect to rental units, such rent restrictions shall be in the form of a regulatory agreement recorded against the applicable property. With respect to owner-occupied units, such resale controls shall be in the form of resale restrictions, deeds of trust, and/or other similar documents recorded against the applicable property.

XII-1-2.15

"Residential development" includes, without limitation, detached single-family dwellings, multiple-dwelling structures, groups of dwellings, condominium or townhouse developments, condominium conversions, cooperative developments, mixed use developments that include dwelling units, and residential land subdivisions intended to be sold to the general public.

XII-1-2.16

"Very Low Income Household" shall have the definition as set forth in California Health & Safety Code section 50105. The income limits for very low income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

Section 3 - Minimum Residential Development General Requirements

XII-1-3.00 - 15 Percent Affordability Requirement

All new residential development projects of ten units or more designed and intended for permanent occupancy shall construct 15 percent of the total number of dwelling units within the development as affordable units, except as otherwise provided by this Chapter. Accessory dwelling units shall not be included to calculate the total number of dwelling units that must be constructed pursuant to this section. The foregoing requirement shall be applied no more than once to an approved development (and generally at the tentative map stage), regardless of the changes in the character or ownership of the development, provided the total number of units does not change. If the 15 percent calculation results in a fractional unit that is less than 0.5 (i.e., less than half a unit), the developer may pay an in-lieu fee for that fractional unit, as more specifically outlined in Section 4 of this Chapter. A fractional unit equal to 0.5 or greater shall be rounded up, and the project must provide one affordable unit on-site to satisfy any fractional obligation where an in-lieu fee is not paid.

XII-1-3.01 - Allocation of units to income levels

Affordable units provided pursuant to this Section shall be allocated to households with a minimum percentage of very low, low, and moderate income levels as follows:

	Rental Units	Ownership Units
Very low or low income households	100%	0%
Very low, low or moderate income households	0%	100%

XII-1-3.02 - Conditions of approval

Any tentative map, conditional use permit, or site development review approving residential or mixed-use development projects subject to this Chapter shall contain conditions sufficient to ensure compliance with the provisions of this Chapter. Such conditions shall detail the number of affordable units required, specify the schedule of construction of affordable units, set forth the applicant's manner of compliance with this Chapter, and require the execution of an agreement imposing appropriate resale controls and/or rental restrictions on the affordable units. Any omission or failure to adopt conditions of approval or any of the details or other specifications regarding compliance with this Chapter shall not waive the City's rights to enforce any provision, nor relieve any applicant of its obligations to comply with, all requirements of this Chapter.

At the time of filing a planning application for a residential development subject to this article, the developer shall provide the following information in addition to information specified elsewhere for the applicable planning permit(s):

1. The number of market rate and affordable units proposed on-site, which should include the distribution of units by bedroom size (i.e., studio, one bedroom, two bedroom, etc.) for the total project, market rate units, and affordable units.
2. The tenure of the market rate and affordable units.
3. Gross square footage of building by each use including parking uses.
4. Gross square footage of project's proposed total residential area and gross square footage of existing residential area.
5. Gross square footage of project's proposed non-residential floor area, gross square footage of existing non-residential floor area that will remain as is, and any square footage of new or proposed to be converted non-residential floor area that is exempt from paying affordable housing impact fees pursuant to Section 5 of this Chapter.
6. Habitable square feet for residential units, and net residential square feet of the total project, affordable units and market rate units.
7. The unit sizes (net residential square feet per unit) for the total project, market rate units, and affordable units.
8. The proposed location of the market rate and affordable units by building and location on each floor of a building.
9. Any interior amenities in the affordable units that would differ from market rate units, including, but not limited to, floor coverings, appliances, plumbing and electrical fixtures.
10. The schedule for production of affordable units in phased residential development.

11. Any exceptions or alternatives proposed to comply with this article, including reasons why the findings required to approve such exceptions or alternatives can be met.

XII-1-3.03 - Concurrent construction of affordable units

All affordable units in a project or phase of a project shall be constructed prior or concurrently with market-rate units, unless the City Manager or designee determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. In phased developments, the affordability requirement will be calculated on the basis of the whole development, but affordable units shall be developed in advance or concurrently with market rate units in each phase unless the City Manager or designee determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. If this occurs, a schedule must be developed by the applicant and approved by the City Manager to ensure that affordable units are built expeditiously and before final discretionary permits are issued. Each phase must include the required number of affordable units based on the number of market-rate units in that phase, and on-site affordable housing units must be developed concurrently with the market-rate units in each phase.

XII-1-3.04 - Design and distribution of affordable units

Affordable units shall meet the following requirements:

1. The bedroom mix of the affordable units should be proportionate to the bedroom mix of market rate units, provided that the City may allow a different unit mix to meet other City goals as determined by the City Council.
2. The square footage of the affordable housing units must be reasonably consistent with the market rate units in the development although smaller unit sizes may be allowed by the Director or Building Safety and Housing if the developer provides adequate justification and reasons why the provision of small unit sizes would further the City's housing goals and this Chapter.
3. All affordable units shall be reasonably comparable in terms of floor plan and base finish amenities to market rate units in the proposed development.
4. The quality of the exterior design, landscaping, and construction of the affordable units shall be consistent with the other units in the proposed development. When affordable units are built off-site they shall be of equivalent or of higher quality compared with the market rate units.
5. Affordable units shall have the same access to common entrances from the exterior as market rate units;
6. Affordable units shall have the same access to all project amenities and recreational facilities available to market rate units. Off-site projects shall have convenient access to equivalent project amenities and recreational facilities compared to the market rate units.
7. All affordable units shall be reasonably dispersed throughout the project and for residential structures higher than eight stories, the affordable units shall be evenly distributed throughout the bottom 60% of the floors or higher.

Section 4 - Exceptions to On-Site Development of 15 Percent Affordable Units

Project applicants' projects shall construct 15 percent of the total number of dwelling units within any development as affordable units, except as provided pursuant to this Section. All exceptions to the requirement to construct affordable units on-site for a project with ownership units shall require City Council approval, which shall be obtained at or prior to the last discretionary approval for development of the project.

A. Ownership Projects: The City may allow an exception to the requirement to construct on-site affordable units for a residential ownership project when the applicant contributes to the City's affordable housing needs through one of the alternatives set forth in Subsections XII-1-4.00-XII-1-4.02, provided that prior to City Council approval to the requested exception, the City Council must make the following findings:

1. The development as proposed with the exception as provided pursuant to this Section would further the City's low and/or moderate income housing goals as contained in the Housing Element; and

2. The development with the exception either (i) will result in at least two of the following;

a. The development of a larger number of deed-restricted affordable units than would be created under the on-site requirement;

b. The development of a larger number of deed-restricted affordable bedrooms than would be created under the on-site requirement;

c. The development of a larger amount of deed restricted affordable living area than would be created under the on-site requirement;

d. The development of deed-restricted affordable units at a lower average income target as compared to the affordable units that would be created under the on-site requirement;

or (ii) will provide other community benefits that exceed the benefit of constructing on-site affordable units.

B. Rental Projects: The City may allow an exception to the requirement to construct on-site affordable units for a residential rental project if requested by the applicant, provided that as a condition of such exception that applicant shall be required to contribute to the City's affordable housing needs through one of the alternatives set forth in Subsections XII-1-4.00-XII-1-4.02.

XII-1-4.00 - Payment of fees in lieu of creation of affordable units

Upon request of the applicant and subject to the requirements of this Section 4 as set forth above, the City Council may permit the applicant to pay a fee in lieu of constructing the affordable units that the applicant would otherwise be required to construct pursuant to this Chapter. In-lieu fees shall also be paid for requirements to construct fractional units of less than 0.5 units as set forth in Section XII-1-3.00. The City shall adopt, by resolution, current affordable housing in-lieu fee levels as well as administrative guidelines necessary for the implementation of this Chapter.

Fees paid in-lieu of constructing affordable units must be paid prior to the issuance of the building permit for the project, and fees shall be deposited into the City's Affordable Housing Ordinance Fund. The in-lieu fee shall be calculated based on the gross square footage constructed for each new residential use, taking into account any fee credits that would be applicable based on existing building area. While accessory dwelling units are not counted towards either calculating or meeting the 15% on-site affordable housing requirement pursuant to Section XII-1-3.00, any payment of in-lieu fees must be based on the total gross square footage of all dwelling units developed as part of the project, including any accessory dwelling units.

Unless otherwise specified by resolution of the City Council or amendment to this Chapter, every July 1, or the following business day, if applicable, the City will adjust the affordable housing fees for

inflation using the Engineering News Record Building Cost Index for San Francisco. If this index ceases to exist, the Director of Building Safety and Housing shall substitute another construction cost index, which in his/her judgment is as nearly equivalent to the original index as possible.

XII-1-4.01 - Off-site projects

Upon request of the applicant, the City Council may permit an applicant to comply with the requirements of this Chapter by constructing the affordable units not physically within the development but within the City of Milpitas in lieu of constructing some or all of the affordable units within the development, with the approval of the City Council, if the City Council finds that:

1. Construction of the units off-site in lieu of constructing units on-site is consistent with the Chapter's goal of creating, preserving, maintaining, and protecting housing for very low, low and moderate income households.
2. The units to be constructed off site are consistent with Section XII-1-3.04 above.
3. It would be infeasible or impractical to construct affordable units on-site.
4. Conditions of approval for the project require that the off-site affordable units would be governed by the terms of a deed restriction and, if applicable, rental restrictions similar to that used for the on-site affordable units.
5. The conditions of approval for the project, or other security such as a cash deposit, bond, or letter of credit, are adequate to require the construction of the off-site affordable units prior or concurrently with the completion of the construction of the residential development.

Affordable units can be built off-site using a different tenure than the subject development (i.e., rental affordable units for an ownership residential project) provided that the square footage of livable space of affordable units provided off-site is greater than what would be required on-site. In this case, the above requirements shall be met and the income-category shall be equivalent to or lower than what would be required for affordable units with the same tenure. The term of the affordable housing and/or resale restrictions shall be determined by the tenure of the affordable units and shall be consistent with sections XII-1-6.00 through XII-1-6.02 of this Chapter as applicable.

XII-1-4.02 - Land dedication

Upon request of the applicant, the City Council may permit an applicant to dedicate land within the City of Milpitas to the City or a City-designated local non-profit housing developer in lieu of construction of some or all of the required affordable units, if the Council finds that:

1. Dedication of land in lieu of constructing units is consistent with the Chapter's goal of creating, preserving, maintaining, and protecting housing for very low, low and moderate income households.
2. The dedicated land is zoned and useable for its intended purpose, is free of toxic substances and contaminated soils, and is fully improved, with infrastructure, adjacent utilities, grading, and all development-impact fees paid, including development-impact fees required by the Milpitas Unified School District but excluding any affordable housing ordinance fees.
3. The proposed land dedication property includes a minimum of _0.75 acres of developable area, and is of sufficient size and value to meet the following requirements:

a. The dedication property includes land sufficient to construct the number of units that the applicant would otherwise be required to construct by Section XII-1-3.00 based on (i) the size of lots in the subdivision for which the applicant is meeting its obligation if the applicant's project is an ownership project, or (ii) the size of the parcel needed to construct the required number of affordable units if the applicant's project is a rental project and assuming the affordable rental units are of comparable size to the market rate units; and

b. In addition, the dedication property includes additional land the market value for which is equal to or exceeds the difference between the value of a market-rate, 1200-square foot for-sale unit and the price at which such a unit could be sold as an affordable moderate income unit (which amount shall be set forth in a resolution adopted from time to time by the City Council) times the number of on-site affordable units that would otherwise be required for the development.

XII-1-4.03 - Waiver of requirements

As part of the development application, the applicant may request and the City Council, at its discretion, may waive, wholly or partially, the requirements of this Chapter and approve alternate methods of compliance with this Chapter if the applicant demonstrates, and the City Council finds, either (1) that such alternate methods meet the purposes of this Chapter and the Council can make the findings for such alternative methods as set forth in Section 4.A of this Chapter; or (2) that there is no reasonable relationship between the impact of the proposed development and the contested requirement or that applying the requirements of this Chapter would take property in violation of the United States Constitution or California Constitution or would result in any other unconstitutional result.

Section 5 - Non-Residential Affordable Housing Impact Fee

XII-1-5.01 - Applicability

Any non-residential development, applicable under the definition set forth in Section XII-1-2.05, is subject to payment of a non-residential affordable housing impact fee. The City shall adopt, by resolution, current non-residential affordable housing impact fee levels. Every July 1, or the following business day, if applicable, the City will adjust affordable housing fees for inflation annually using the Engineering News Record Building Cost Index for San Francisco. If this index ceases to exist, the Director of Building Safety and Housing shall substitute another construction cost index, which in his/her judgment is as nearly equivalent to the original index as possible.

The applicant shall pay the non-residential impact fees prior to issuance of the building permit. Applicable fees will be determined at time of payment. All payment of fees made to the City under this Chapter shall be deposited into the City Affordable Housing Ordinance Fund.

XII-1-5.02 - Calculation of impact fee

The impact fee will be calculated on a per square foot basis for net new gross floor area. The formula below shall be used in calculating the amount of the housing impact fee: (Gross square feet of total non-residential floor area) minus (square feet of existing non-residential floor area) multiplied by (per square foot fee) equals (total housing impact fee).

XII-1-5.03 - Exemptions

The following non-residential uses that will be exempt from the fee include:

- a. New construction of non-residential uses of less than 5,000 square feet.
- b. Additions to existing non-residential uses where the square footage increase is less than 5,000 square feet.
- c. Assembly uses.
- d. Day care, nursery and school facilities.
- e. Hospitals.
- f. Other non-residential uses not listed above, but which the City Council determines will have a minimal impact upon the demand for affordable housing and to be exempt pursuant to City Council resolution.

Section 6 - General Procedures for Implementing Affordable Housing Requirements

XII-1-6.00 - Agreements

Prior to the City allowing occupancy for an affordable unit, resale restrictions or rental controls, or both, as the case may be, shall be set forth in an agreement between the City and the applicant, which agreement shall be recorded against the property containing the affordable units. The agreement shall be executed by the City Manager or designee, and its requirements shall run with the land and bind the applicant's successors. Covenants on the affordable units shall not be less than 55 years.

XII-1-6.01 - Rental units; occupancy; annual report

Agreements involving rental units shall require the owner of the affordable units to ensure that the units are occupied by tenants whose monthly income levels do not exceed very low-, low-, or moderate income levels, as the case may be, and shall preclude tenants from subletting or subleasing the unit. The agreement shall also require the owner of the affordable unit to submit an annual report to the City Manager, in a format approved by the City. The report shall include, but not be limited to the following information: an identification of the affordable units within the project; the monthly rents charged and proposed to be charged; vacancy information for the prior year; and the monthly income for tenants of each affordable unit throughout the prior year.

XII-1-6.02 - Ownership Units; Occupancy; City's Purchase Option

Agreements for ownership units shall specify that the inclusionary units must be occupied by the owner or owners and may not be leased or rented without the written approval of the City. The resale restrictions shall provide that in the event of the sale of an affordable unit, the City shall have the right to purchase any affordable owner-occupant unit at the maximum price that could be charged to an eligible household. Ownership units will have a 55-year resale restriction covenant with a purchase option to the City. Homeowners will be subject to the City's monitoring program for owner-occupancy.

XII-1-6.03 - Selection criteria

No household shall be permitted to occupy a unit that is required under this Chapter to be affordable unless the City Manager or designee has approved the household's eligibility. Eligible potential occupants of affordable units will be qualified on the basis of household income, the median combined household income statistics for Santa Clara County published periodically by the California

Department of Housing and Community Development, all sources of household income and assets, the relationship between household size and the size of available units, and any further criteria required by law. The applicant shall use an equitable selection method established in conformance with the terms of this Chapter and subject to approval by the City. The selection criteria may not distinguish between adults and children. Subject to the requirements of state and federal fair housing laws and regulations, the City shall endeavor to make housing available for Milpitas residents, former Milpitas residents who have been displaced, households with children enrolled in the Milpitas Unified School District that have inadequate housing as defined in the federal McKinney-Vento Homeless Assistance Act, and employees employed within the boundaries City of Milpitas, and may develop selection criteria to implement these goals. The applicant will pursue active marketing, conduct affordable housing workshops, extensive advertising and other measures to ensure that residents and employees are informed and educated about the availability of affordable units.

To qualify as "Employed within the boundaries of the City of Milpitas," the person shall currently be employed within the City of Milpitas or have been offered employment for a job within the City of Milpitas.

To qualify as a "Milpitas resident," the person shall have been a resident of the City of Milpitas for at least a one-year period prior to the eligibility determination. Residency may be demonstrated by providing a rent or utility bill, or similar documentation.

Section 7 - Incentives to Encourage On-Site Construction of Affordable Units

XII-1-7.00

Applicants shall receive incentives as specified in this Section 8 to encourage the on-site construction of affordable units. If an applicant provides affordable units in excess of 20 percent of the total number of units in the project the City will provide the following incentives to include:

A. Planning Waivers. In addition to waivers, incentives and/or concessions that may be provided pursuant to density bonus law as outlined in Section XI-10-54.15 in the Milpitas Municipal Code if the applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed below in this Section that help increase the feasibility of the construction of affordable units. The applicant will receive an additional two waivers from the list below for every additional five percent of affordable units provided above the 20 percent. The applicant may choose from the following waivers:

1. Priority processing.
2. Reduced setback requirements not to exceed 50 percent of the minimum required setback.
3. Greater floor area ratio (FAR) not to exceed 50 percent of the maximum FAR for commercial space in mixed use zoning.
4. Reduced landscaping requirements.
5. Reduced interior or exterior amenities.
6. A maximum 20 percent reduction in parking requirements.

7. Height restriction waivers not to exceed 20 percent of the maximum zoning height limitations and in no event to exceed the general plan height limitations.

B. Fee Deferral.

1. Development Processing Fees. The City Manager may approve deferred payment of City processing fees applicable to the review and processing of the project. The terms and payment schedule of the deferred fees shall be subject to the approval of the City Manager.

2. Development Impact Fees. The City Manager may authorize the deferred payment of development impact fees applicable to the affordable units. Approval of this incentive requires demonstration by the Applicant that the deferral increases the project's feasibility. The applicant must provide appropriate security to ensure future payment of such fees.

Section 8 - Affordable Housing Fund

XII-1-8.00 - Affordable Housing Fund

In lieu fees shall be deposited into a fund known as the "Affordable Housing Fund" ("Fund").

XII-1-8.01 - Use of Funds

All monies in the Fund, together with any interest earnings on such monies less reasonable administrative charges, shall be used or committed to use by the City for the purpose of providing very low, low, and moderate income ownership or rental housing in the City of Milpitas.

Section 9 - Violations

XII-1-9.00

It shall be unlawful for any person, firm, corporation, partnership or other entity to violate or fail to comply with any provision of this Chapter. In addition to other fines, penalties or other remedies provided by State municipal law, including without limitation, those provided in Title I, Chapter 1, Section 4 of the Milpitas Municipal Code, the City may revoke or suspend any permit issued to an applicant, owner or any other party who violates this Chapter, as set forth in Section XII-I-11.00. The City's right to take action pursuant to this section shall exist in addition to, and independent of, any other rights and remedies available to the City and shall exist notwithstanding the existence or lack thereof of any condition of approval imposed on an individual development project.

Section 10 - Enforcement

XII-1-10.00 - General

The City Manager shall enforce this Chapter, and its provisions shall be binding on all agents, successors, and assigns of an applicant. The City Manager may suspend or revoke any building permit or approval upon finding a violation of any provision of this Chapter. No land use approval, building permit, or certificate of occupancy shall be issued for any development unless in compliance with this Chapter or unless expressly exempted by action of the City Council. Not in limitation of any other authorization, right or remedy, the City may institute any appropriate legal actions or proceedings

necessary to ensure compliance herewith, including, but not limited to, actions to revoke, deny, or suspend any permit or development approval.

XII-1-10.01 - Excessive rents/legal action

If the City Manager determines that rents in excess of those allowed by operation of this Chapter have been charged to a tenant residing in an affordable unit, the City may take appropriate legal action to recover, and the project owner shall be obligated to pay to the tenant, or to the City in the event the tenant cannot be located, any excess rents charged.

SECTION 3. CEQA- EXEMPTION. The City Council finds and determines the adoption of this Ordinance is (1) not a Project under the California Environmental Quality Act (CEQA) and is therefore exempt, pursuant to Title 14 of the California Code of Regulations, Section 15378(b)(4)4), that adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) because it constitutes a governmental fiscal activity that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; (2) statutorily exempt pursuant to CEQA Guidelines section 15267 (Financial Assistance to Low or Moderate Income Housing; (3) not intended to apply to specifically identified affordable housing projects and as such it is speculative to evaluate any such future project now and, moreover, they will be subject to appropriate environmental review at such time as approvals for those affordable housing project are considered; and/or (4) not intended to, nor does it, provide CEQA clearance for future development-related projects by mere establishment or payment of the fees. Each of the foregoing provides a separate and independent basis for CEQA compliance and, when viewed collectively, provides an overall basis for CEQA compliance.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 5. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

SECTION 6. This Ordinance is enacted to serve the public interest and is necessary to protect the health, safety and/or welfare of the citizens of Milpitas and is enacted pursuant to the California Constitution, the City's General Plan, specific plan and other land use plans, policies and ordinances.

SECTION 7. The City Council hereby authorizes the City Manager or designee to make non-substantive, technical conforming changes (essentially correction of typographical and clerical errors), including omnibus cross-referencing conforming changes throughout the City Municipal Code, prior to formal publication of this Ordinance in the Milpitas Municipal Code.

SECTION 8. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal or state law.

Chapter 1 - AFFORDABLE HOUSING ORDINANCE

Section 1 - Purpose

This Chapter shall be known as the "Affordable Housing Ordinance."

XII-1-1.00 - Purpose

Purpose of this Chapter is to:

- (a) Enhance the public welfare and assure that further housing development contributes to the attainment of the City's housing goals by increasing the production of residential units affordable by households of very low, low and moderate income.
- (b) Assure that the limited remaining developable land in the City's planning area is utilized in a manner consistent with the City's housing policies and needs.

XII-1-1.01 - Applicability

All land use entitlement applications not determined or deemed "complete" as defined in Government Code Section 65943 by the effective date of the ordinance are subject to the requirements of this Chapter.

Section 2 - Definitions

XII-1-2.00

As used in this Chapter, each of the following terms shall be defined as follows:

XII-1-2.01

"Accessory dwelling unit" shall have the meaning set forth in Section XI-10-13.8 of this Code.

XII-1-2.02

"Affordable Housing Cost" means the maximum amount that a household may be required to pay to live in an affordable unit. The City shall determine affordable housing costs for each affordable unit type within a proposed development at the time of project approval, and the affordable housing cost may be adjusted annually to reflect the current area median income for Santa Clara County.

For rental units, Affordable Housing Cost shall be an annual rent amount, inclusive of an allowance for tenant payment of utilities, that does not exceed 30% of maximum gross income level for very low or low income households as defined herein (as applicable to the affordable unit), adjusted for household size.

For ownership units, Affordable Housing Cost shall be a sales price that results in annual housing expenses that do not exceed 35% of the maximum gross income level for very low, low or moderate income households as defined herein (as applicable to the affordable unit) adjusted for household size.

The City may adopt administrative guidelines to establish criteria to be utilized in calculating affordable housing cost pursuant to this Section.

XII-1-2.03

"Affordable Housing Fund" or "Fund" means a fund established pursuant to the Chapter as described in Section XII-~~1-9.00~~1-8.00, et seq., and in which all fees collected through this Chapter shall be placed.

XII-~~1-2.02~~1-2.04

"Affordable unit" means an ownership or ~~rental housing~~rental dwelling unit, including senior housing, that is rented or sold at an affordable housing cost to households with ~~very-low~~very low, low, or moderate incomes as defined in this Chapter, provided, however, that an accessory dwelling unit shall not be counted as an affordable unit for purposes of satisfying the affordability requirements set forth in Section 3 of this Chapter.

~~1. Rental units are deemed affordable units if the annual rent does not exceed 30% of maximum income level for very low-, low- and moderate-income households, adjusted for household size and as defined below.~~

~~2. Ownership units are deemed affordable units if the sales price results in annual housing expenses that do not exceed 35 percent of the maximum income level for very low-, low-, and moderate-income households, adjusted for household size and as defined below.~~

XII-~~1-2.03~~1-2.05

"Applicant" means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities (including but not limited to a "developer") that seeks city real property development permits or approvals or bears any responsibility with respect to the subject real property.

XII-~~1-2.04~~1-2.06

"Dwelling unit" means a dwelling designed and intended for occupancy by one household.

XII-~~1-2.05~~1-2.07

~~"Very Low, Low-, and Moderate-income levels" means those income and eligibility levels determined periodically by the California Department of Housing and Community Development based on Santa Clara County median income levels adjusted for family size. Such levels shall be calculated on the basis of gross annual household income considering household size and number of dependents, income of all wage earners, elderly or disabled family members, and all other~~

~~sources of household income and will be recertified as set forth by local standards, and state and federal housing law. For purposes of this Chapter, "Very Low" shall include income and eligibility levels identified as "Extremely Low" by the California Department of Housing and Community Development as described in the foregoing sentence.~~

"Low Income Household" shall have the same definition as set forth for the term "lower income household: in California Health & Safety Code section 50079.5. The income limits for low income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

XII-~~1-2.06~~1-2.08

"Mixed Use Development" means a development that includes residential and non-residential uses in a vertical or horizontal orientation. All of the provisions of this Chapter that pertain to residential development shall apply to the residential uses and all of the provisions of Section 5 of this Chapter shall apply to the non-residential uses, respectively.

XII-1-2.09

"Moderate Income Household" shall have the definition as set forth in California Health & Safety Code section 50093(b). The income limits for moderate income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

XII-1-2.10

"Non-Residential development project" means any planned district, subdivision map, conditional use permit or other discretionary or non-discretionary City land use approval, which authorizes new construction of gross square feet of nonresidential space, the conversion of residential use to a nonresidential use, or the conversion of exempt space to non-exempt space, including, but not limited to, retail, hotel, motel (including motel, motor hotel, inn and auto court), office, professional office, other commercial, light industrial, data centers and warehouses.

XII-~~1-2.07~~1-2.11

"On-site" means that the affordable units are provided within the boundaries of the proposed development

XII-1-2.12

"Residential Ownership Project" means any residential project that includes the creation of residential dwelling units that may be sold individually. A residential ownership project also includes condominium conversions.

XII-~~1-2.08~~1-2.13

"Residential Rental Project" means a residential project or property under common ownership, or portion thereof that creates living units that cannot be sold individually.

XII-~~1-2.09~~1-2.14

"Resale controls and/or rent restrictions" means legal restrictions by which the affordable units shall be restricted to ensure that the unit remains affordable to ~~very-low~~very low, low-, or ~~moderate-income~~moderate income households, as applicable, for a period of not less than 55 years. With respect to rental units, such rent restrictions shall be in the form of a regulatory agreement recorded against the applicable property. With respect to owner-occupied units, such resale controls shall be in the form of resale restrictions, deeds of trust, and/or other similar documents recorded against the applicable property.

XII-~~1-2.10~~1-2.15

"Residential development" includes, without limitation, detached single-family dwellings, multiple-dwelling structures, groups of dwellings, condominium or townhouse developments, condominium conversions, cooperative developments, mixed use developments that include ~~housing~~dwelling units, and residential land subdivisions intended to be sold to the general public.

XII-1-2.16

"Very Low Income Household" shall have the definition as set forth in California Health & Safety Code section 50105. The income limits for very low income households in Santa Clara County are published and updated periodically by the State Department of Housing and Community Development in California Code of Regulations, Title 25, Section 6932.

Section 3 - Minimum Residential Development General Requirements

XII-1-3.00 - 15 Percent Affordability Requirement

All new residential development projects of ten units or more designed and intended for permanent occupancy shall construct 15 percent of the total number of dwelling units within the development as affordable units, except as otherwise provided by this Chapter. Accessory dwelling units shall not be included to calculate the total number of dwelling units that must be constructed pursuant to this section. The foregoing requirement shall be applied no more than once to an approved development (and generally at the tentative map stage), regardless of the changes in the character or ownership of the development, provided the total number of units does not change. ~~It is applying and calculating the affordability requirement, any decimal fraction will be required to pay the appropriate impact fee for the fractional unit.~~ If the 15 percent calculation results in a fractional unit that is less than 0.5 (i.e., less than half a unit), the developer may pay an in-lieu fee for that fractional unit, as more specifically outlined in Section 4 of this Chapter. A fractional unit equal to 0.5 or greater shall be rounded up, and the project must provide one affordable unit on-site to satisfy any fractional obligation where an in-lieu fee is not paid.

XII-1-3.01 - Allocation of units to income levels

Affordable units provided pursuant to this Section shall be allocated to households with a minimum percentage of very low-, low-, and ~~moderate-income~~moderate income levels as follows:

	Rental Units	Ownership Units
Very low- or low-income <u>low income</u> households	100%	0%
Very low-, low- or moderate-income <u>moderate income</u> households	0%	100%

XII-1-3.02 - Conditions of approval

Any tentative map, conditional use permit, or site development review approving residential or mixed-use development projects subject to this Chapter shall contain conditions sufficient to ensure compliance with the provisions of this Chapter. Such conditions shall detail the number of affordable units required, specify the schedule of construction of affordable units, set forth the applicant's manner of compliance with this Chapter, and require the execution of an agreement imposing appropriate resale controls and/or rental restrictions on the affordable units. Any omission or failure to adopt conditions of approval or any of the details or other specifications regarding compliance with this Chapter shall not waive the City's rights to enforce any provision, nor relieve any applicant of its obligations to comply with, all requirements of this Chapter.

At the time of filing a planning application for a residential development subject to this article, the developer shall provide the following information in addition to information specified elsewhere for the applicable planning permit(s):

1. The number of market rate and affordable units proposed on-site, which should include the distribution of units by bedroom size (i.e., studio, one bedroom, two bedroom, etc.) for the total project, market rate units, and affordable units.
2. The tenure of the market rate and affordable units.
3. Gross square footage of building by each use including parking uses.
4. Gross square footage of project's proposed total residential area and gross square footage of existing residential area.
5. Gross square footage of project's proposed non-residential floor area, gross square footage of existing non-residential floor area that will remain as is, and any square footage of new or proposed to be converted non-residential floor area that is exempt from paying affordable housing impact fees pursuant to Section 5 of this Chapter.
6. Habitable square feet for residential units, and net residential square feet of the total project, affordable units and market rate units.
7. The unit sizes (net residential square feet per unit) for the total project, market rate units, and affordable units.
8. The proposed location of the market rate and affordable units by building and location on each floor of a building.

9. Any interior amenities in the affordable units that would differ from market rate units, including, but not limited to, floor coverings, appliances, plumbing and electrical fixtures.
10. The schedule for production of affordable units in phased residential development.
11. Any exceptions or alternatives proposed to comply with this article, including reasons why the findings required to approve such exceptions or alternatives can be met.

XII-1-3.03 - Concurrent construction of affordable units

All affordable units in a project or phase of a project shall be constructed prior or concurrently with market-rate units, unless the City Manager or designee determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. In phased developments, the affordability requirement will be calculated on the basis of the whole development, but affordable units shall be developed in advance or concurrently with market rate units in each phase unless the City Manager or designee determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. If this occurs, a schedule must be developed by the applicant and approved by the City Manager to ensure that affordable units are built expeditiously and before final discretionary permits are issued. Each phase must include the required number of affordable units based on the number of market-rate units in that phase, and on-site affordable housing units must be developed concurrently with the market-rate units in each phase.

XII-1-3.04 - Design and distribution of affordable units

~~All affordable units shall reflect the range of numbers of bedrooms provided in the project as a whole and shall not be distinguished by exterior design, construction, or materials. Affordable units may be of smaller size than the units in the project and may have fewer amenities than the market rate units in the project. All affordable units shall be reasonably dispersed throughout the project.~~

Affordable units shall meet the following requirements:

1. The bedroom mix of the affordable units should be proportionate to the bedroom mix of market rate units, provided that the City may allow a different unit mix to meet other City goals as determined by the City Council.
2. The square footage of the affordable housing units must be reasonably consistent with the market rate units in the development although smaller unit sizes may be allowed by the Director or Building Safety and Housing if the developer provides adequate justification and reasons why the provision of small unit sizes would further the City's housing goals and this Chapter.
3. All affordable units shall be reasonably comparable in terms of floor plan and base finish amenities to market rate units in the proposed development.
4. The quality of the exterior design, landscaping, and construction of the affordable units shall be consistent with the other units in the proposed development. When affordable units are built off-site they shall be of equivalent or of higher quality compared with the market rate units.
5. Affordable units shall have the same access to common entrances from the exterior as market rate units;
6. Affordable units shall have the same access to all project amenities and recreational facilities available to market rate units. Off-site projects shall have convenient access to equivalent project amenities and recreational facilities compared to the market rate units.

7. All affordable units shall be reasonably dispersed throughout the project and for residential structures higher than eight stories, the affordable units shall be evenly distributed throughout the bottom 60% of the floors or higher.

Section 4 - Exceptions to On-Site Development of 15 Percent Affordable Units

Project applicants' projects shall construct 15 percent of the total number of dwelling units within any development as affordable units, ~~unless subject to an exception obtained in accordance with the procedures set forth in~~ except as provided pursuant to this Section. All exceptions to the requirement to construct affordable units on-site for a project with ownership units shall require City Council approval, which shall be obtained at or prior to the last discretionary approval for development of the project. ~~Second family units as defined in Section XI-10-13.0 of the Milpitas Municipal Code are exempt from this requirement.~~

~~Prior~~ A. Ownership Projects: The City may allow an exception to the requirement to construct on-site affordable units for a residential ownership project when the applicant contributes to the City's affordable housing needs through one of the alternatives set forth in Subsections XII-1-4.00-XII-1-4.02, provided that prior to City Council approval to the requested exception, ~~affirmative findings to the City Council must make~~ the following ~~must be made~~ findings:

~~1. The exception requested exceeds the minimum affordable requirements; and~~

1. The development as proposed with the exception as provided pursuant to this Section would further the City's low and/or moderate income housing goals as contained in the Housing Element; and

2. The ~~project is better served~~ development with the exception either (i) will result in at least two of the following; -or

a. The development of a larger number of deed-restricted affordable units than would be created under the on-site requirement;

b. The development of a larger number of deed-restricted affordable bedrooms than would be created under the on-site requirement;

c. The development of a larger amount of deed restricted affordable living area than would be created under the on-site requirement;

d. The development of deed-restricted affordable units at a lower average income target as compared to the affordable units that would be created under the on-site requirement;

~~3. The~~ or (ii) will provide other community benefits that exceed the ~~project benefits~~ benefit of constructing on-site affordable units.

~~Exceptions the applicant may request include:~~

B. Rental Projects: The City may allow an exception to the requirement to construct on-site affordable units for a residential rental project if requested by the applicant, provided that as a

condition of such exception that applicant shall be required to contribute to the City's affordable housing needs through one of the alternatives set forth in Subsections XII-1-4.00-XII-1-4.02.

XII-1-4.00 - Payment of fees in lieu of creation of affordable units

Upon request of the applicant and subject to the requirements of this Section 4 as set forth above, the City Council may permit the applicant to pay a fee in lieu of constructing the affordable units that the applicant would otherwise be required to construct pursuant to this Chapter. In-lieu fees shall also be paid for requirements to construct fractional units of less than 0.5 units as set forth in Section XII-1-3.00. The City shall adopt, by resolution, current affordable housing ~~impact~~in-lieu fee levels as well as administrative guidelines necessary for the implementation of this Chapter. ~~To the extent State law may require, applicants for development of rental units will not require the approval of City Council for the payment of in-lieu fees, but shall otherwise be subject to all requirements herein.~~

Fees paid in-lieu of constructing affordable units must be paid prior to the issuance of the building permit for the project, and fees shall be deposited into the City's Affordable Housing Ordinance Fund. The in-lieu fee shall be calculated based on the gross square footage constructed for each new residential use, taking into account any fee credits that would be applicable based on existing building area. While accessory dwelling units are not counted towards either calculating or meeting the 15% on-site affordable housing requirement pursuant to Section XII-1-3.00, any payment of in-lieu fees must be based on the total gross square footage of all dwelling units developed as part of the project, including any accessory dwelling units.

Unless otherwise specified by resolution of the City Council or amendment to this Chapter, every July 1, or the following business day, if applicable, the City will adjust the affordable housing fees for inflation using the Engineering ~~New~~News Record ~~McGraw-Hill Construction Weekly~~ Building Cost Index for San Francisco. If this index ceases to exist, the Director of Building Safety and Housing shall substitute another construction cost index, which in his/her judgment is as nearly equivalent to the original index as possible.

~~The applicant shall pay any in-lieu fees authorized pursuant to this Chapter prior to issuance of the building permit. Applicable fees will be determined at time of payment. All payment of in-lieu fees and other penalties and payments made to the City under this Chapter shall be deposited into the Affordable Housing Ordinance Fund.~~

XII-1-4.01 - Off-site projects

Upon request of the applicant, the City Council may permit an applicant to comply with the requirements of this Chapter by constructing the affordable units not physically within the development but within the City of Milpitas in lieu of constructing some or all of the affordable units within the development, with the approval of the City Council, if the City Council finds that:

1. Construction of the units off-site in lieu of constructing units on-site is consistent with the Chapter's goal of creating, preserving, maintaining, and protecting housing for very low-, low- and ~~moderate-income~~moderate income households.
2. The units to be constructed off site are consistent with Section XII-1-3.04 above.
3. It would be infeasible or impractical to construct affordable units on-site.

4. Conditions of approval for the project require that the off-site affordable units would be governed by the terms of a deed restriction and, if applicable, rental restrictions similar to that used for the on-site affordable units.

5. The conditions of approval for the project, or other security such as a cash deposit, bond, or letter of credit, are adequate to require the construction of the off-site affordable units prior or concurrently with the completion of the construction of the residential development.

Affordable units can be built off-site using a different tenure than the subject development (i.e., rental affordable units for an ownership residential project) provided that the square footage of livable space of affordable units provided off-site is greater than what would be required on-site. In this case, the above requirements shall be met and the income-category shall be equivalent to or lower than what would be required for affordable units with the same tenure. The term of the affordable housing and/or resale restrictions shall be determined by the tenure of the affordable units and shall be consistent with sections XII-1-6.00 through XII-1-6.02 of this Chapter as applicable.

XII-1-4.02 - Land dedication

Upon request of the applicant, the City Council may permit an applicant to dedicate land within the City of Milpitas to the City or a City-designated local non-profit housing developer in lieu of construction of some or all of the required affordable units, if the Council finds that:

1. Dedication of land in lieu of constructing units is consistent with the Chapter's goal of creating, preserving, maintaining, and protecting housing for very low-, low- and ~~moderate-income~~moderate income households.

2. The dedicated land is zoned and useable for its intended purpose, is free of toxic substances and contaminated soils, and is fully improved, with infrastructure, adjacent utilities, grading, and all development-impact fees paid, including development-impact fees required by the Milpitas Unified School District but excluding any ~~inclusionary-zoning~~affordable housing ordinance fees.

3. The proposed land dedication property includes a minimum of 0.75 acres of developable area, and is of sufficient size and value to meet the following requirements:

a. The dedication property includes land sufficient to construct the number of units that the applicant would otherwise be required to construct by Section XII-1-3.00 based on (i) the size of lots in the subdivision for which the applicant is meeting its obligation; and if the applicant's project is an ownership project, or (ii) the size of the parcel needed to construct the required number of affordable units if the applicant's project is a rental project and assuming the affordable rental units are of comparable size to the market rate units; and

b. In addition, the dedication property includes ~~such~~-additional land the market value for which is equal to or exceeds the difference between the value of a market-rate, 1200-square foot for-sale unit and the price at which such a unit could be sold as an affordable moderate income unit (which amount shall be set forth in a resolution adopted from time to time by the City Council) times the number of on-site affordable units that would otherwise be required for the development.

~~XII-1-4.03 - Credit transfers~~

~~An applicant may fully or partially satisfy the requirements of XII-1-3.00 through the use of transfer credits created pursuant to XII-1-7.00. Credit certificates shall be presented to the Director of Building Safety and Housing, who shall note at the time of project approval the credit certificate by number. Credit certificates may only be used to satisfy the requirements for inclusionary units for the income category (i.e., very low, low, or moderate) and number of bedrooms for which they are issued.~~

~~XII-1-4.04 - Transfer of square foot equivalent~~

~~The applicant may choose to provide more units in an overall development; however the gross square footage of the proposed affordable units cannot be less than the square footage of the required affordable units.~~

~~XII-1-4.05~~XII-1-4.03 - Waiver of requirements

As part of the development application, the applicant may request and the City Council, at its discretion, may waive, wholly or partially, the requirements of this Chapter and approve alternate methods of compliance with this Chapter if the applicant demonstrates, and the City Council finds, either (1) that such alternate methods meet the purposes of this Chapter and the Council can make the findings for such alternative methods as set forth in Section 4.A of this Chapter; or (2) that there is no reasonable relationship between the impact of the proposed development and the contested requirement or that applying the requirements of this Chapter would take property in violation of the United States Constitution or California Constitution or would result in any other unconstitutional result.

Section 5 - Non-Residential Affordable Housing Impact Fee

XII-1-5.01 - Applicability

Any non-residential development, applicable under the definition set forth in Section XII-1-2.05, is subject to payment of a non-residential affordable housing impact fee. The City shall adopt, by resolution, current non-residential affordable housing impact fee levels. Every July 1, or the following business day, if applicable, the City will adjust affordable housing fees for inflation annually using the Engineering ~~News~~Record ~~McGraw-Hill Construction Weekly~~ Building Cost Index for San Francisco. If this index ceases to exist, the Director of Building Safety and Housing shall substitute another construction cost index, which in his/her judgment is as nearly equivalent to the original index as possible.

The applicant shall pay the non-residential impact fees prior to issuance of the building permit. Applicable fees will be determined at time of payment. All payment of fees made to the City under this Chapter shall be deposited into the City Affordable Housing Ordinance Fund.

XII-1-5.02 - Calculation of impact fee

The impact fee will be calculated on a per square foot basis for net new gross floor area. The formula below shall be used in calculating the amount of the housing impact fee: (Gross square feet of total non-residential floor area) minus (square feet of existing non-residential floor area) multiplied by (per square foot fee) equals (total housing impact fee).

XII-1-5.03 - Exemptions

The following non-residential uses that will be exempt from the fee include:

- a. New construction of non-residential uses of less than 5,000 square feet.
- b. Additions to existing non-residential uses where the square footage increase is less than 5,000 square feet.
- c. Assembly uses.
- d. Day care, nursery and school facilities.
- e. Hospitals.
- f. Other non-residential uses not listed above, but which the City Council determines will have a minimal impact upon the demand for affordable housing and to be exempt pursuant to City Council resolution.

Section 6 - General Procedures for Implementing ~~Inclusionary~~ ~~Zoning~~Affordable Housing Requirements

XII-1-6.00 - Agreements

Prior to the ~~issuance of a building permit~~City allowing occupancy for an affordable unit, resale restrictions or rental controls, or both, as the case may be, shall be set forth in an agreement between the City and the applicant, which agreement shall be recorded against the property containing the affordable units. The agreement shall be executed by the City Manager or designee, and its requirements shall run with the land and bind the applicant's successors. Covenants on the affordable ~~rental~~ units shall not be less than 55 years.

XII-1-6.01 - Rental units; occupancy; annual report

Agreements involving rental units shall require the owner of the affordable units to ensure that the units are occupied by tenants whose monthly income levels do not exceed very low-, low-, or moderate income levels, as the case may be, and shall preclude tenants from subletting or subleasing the unit. The agreement shall also require the owner of the affordable unit to submit an annual report to the City Manager, in a format approved by the City. The report shall include, but not be limited to the following information: an identification of the affordable units within the project; the monthly rents charged and proposed to be charged; vacancy information for the prior year; and the monthly income for tenants of each affordable unit throughout the prior year.

XII-1-6.02 - Ownership Units; Occupancy; City's Purchase Option

Agreements for ownership units shall specify that the inclusionary units must be occupied by the owner or owners and may not be leased or rented without the written approval of the City. The resale restrictions shall provide that in the event of the sale of an affordable unit, the City shall have the right to purchase any affordable owner-occupant unit at the maximum price that could be charged to an eligible household. Ownership units will have a ~~45~~55-year resale restriction covenant with a purchase option to the City. Homeowners will be subject to the City's monitoring program for owner-occupancy.

XII-1-6.03 - Selection criteria

No household shall be permitted to occupy a unit that is required under this Chapter to be affordable unless the City Manager or designee has approved the household's eligibility. Eligible potential occupants of affordable units will be qualified on the basis of household income, the median combined household income statistics for Santa Clara County published periodically by the California Department of Housing and Community Development, all sources of household income and assets, the relationship between household size and the size of available units, and any further criteria required by law. The applicant shall use an equitable selection method established in conformance with the terms of this Chapter and subject to approval by the City. The selection criteria may not distinguish between adults and children. ~~The~~Subject to the requirements of state and federal fair housing laws and regulations, the City shall endeavor to make housing available for Milpitas residents ~~and employees,~~ former Milpitas residents who have been displaced, households with children enrolled in the Milpitas Unified School District that have inadequate housing as defined in the federal McKinney-Vento Homeless Assistance Act, and employees employed within the boundaries City of Milpitas, and may develop selection criteria to implement these goals. The applicant will pursue active marketing, conduct affordable housing workshops, extensive advertising and other measures to ensure that residents and employees are informed and educated about the availability of affordable units.

To qualify as "Employed within the boundaries of the City of Milpitas," the person shall ~~have been~~currently be employed within the City of Milpitas ~~for at least six months~~or have been offered employment for a job within the City of Milpitas.

To qualify as a "Milpitas resident," the person shall have been a resident of the City of Milpitas for at least a one-year period prior to the eligibility determination. Residency may be demonstrated by providing a rent or utility bill, or similar documentation.

~~Section 7 – Affordable Unit Credits~~

~~XII-1-7.00 – Creation~~

~~An applicant may apply to the City affordable unit credits, which may be granted by the City Council, in its discretion. One affordable unit credit certificate shall be issued for each affordable unit constructed in excess of the number of affordable units required to be constructed for the project by Section XII-1-3.00. The certificate shall designate a specific income category (i.e., very-low, low, or moderate income) and number of bedrooms for which they are issued.~~

~~XII-1-7.01 – Ownership and use of credits~~

~~If granted, affordable unit credit certificates are issued to and become the possession of the project owner, who may then use them to satisfy the requirements of this Chapter for another project in the City. If a project owner proposes to sell credit certificates, the parties shall first obtain the consent of the City Manager or designee, who will document the transfer by certificate number.~~

Section 87 - Incentives to Encourage On-Site Construction of Affordable Units

XII-~~1-8.00~~1-7.00

Applicants shall receive incentives as specified in this Section 8 to encourage the on-site construction of affordable units. If an applicant provides affordable units in excess of 20 percent of the total number of units in the project the City will provide the following incentives to include:

A. Planning Waivers. In addition to waivers, incentives and/or concessions that may be provided pursuant to density bonus law as outlined in Section XI-10-54.15 in the Milpitas Municipal Code if the applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed below in this Section that help increase the feasibility of the construction of affordable units. The applicant will receive an additional two waivers from the list below for every additional five percent of affordable units provided above the 20 percent. The applicant may choose from the following waivers:

1. Priority processing.
2. Reduced setback requirements not to exceed 50 percent of the minimum required setback.
3. Greater floor area ratio (FAR) not to exceed 50 percent of the maximum FAR for commercial space in mixed use zoning.
4. Reduced landscaping requirements.
5. Reduced interior or exterior amenities.
6. A maximum 20 percent reduction in parking requirements.
7. Height restriction waivers not to exceed 20 percent of the maximum zoning height limitations and in no event to exceed the general plan height limitations.

B. Fee Deferral.

1. Development Processing Fees. The City Manager may approve deferred payment of City processing fees applicable to the review and processing of the project. The terms and payment schedule of the deferred fees shall be subject to the approval of the City Manager.

2. Development Impact Fees. The City Manager may authorize the deferred payment of development impact fees applicable to the affordable units. Approval of this incentive requires demonstration by the Applicant that the deferral increases the project's feasibility. The applicant must provide appropriate security to ensure future payment of such fees.

Section ~~98~~ - Affordable Housing ~~Ordinance~~-Fund

XII-~~1-9.00~~1-8.00 - Affordable Housing ~~Ordinance~~-Fund

In lieu fees shall be deposited into a fund known as the "Affordable Housing ~~Ordinance~~-Fund" ("Fund").

XII-~~1-9.01~~1-8.01 - Use of Funds

All monies in the Fund, together with any interest earnings on such monies less reasonable administrative charges, shall be used or committed to use by the City for the purpose of providing ~~very-low~~very low, low-, and ~~moderate-income~~moderate income ownership or rental housing in the City of Milpitas.

Section ~~109~~ - Violations

XII-~~1-10.00~~1-9.00

It shall be unlawful for any person, firm, corporation, partnership or other entity to violate or fail to comply with any provision of this Chapter. In addition to other fines, penalties or other remedies provided by State municipal law, including without limitation, those provided in Title I, Chapter 1, Section 4 of the Milpitas Municipal Code, the City may revoke or suspend any permit issued to an applicant, owner or any other party who violates this Chapter, as set forth in Section XII-I-11.00. The City's right to take action pursuant to this section shall exist in addition to, and independent of, any other rights and remedies available to the City and shall exist notwithstanding the existence or lack thereof of any condition of approval imposed on an individual development project.

Section ~~11~~10 - Enforcement

XII-~~1-11.00~~1-10.00 - General

The City Manager shall enforce this Chapter, and its provisions shall be binding on all agents, successors, and assigns of an applicant. The City Manager may suspend or revoke any building permit or approval upon finding a violation of any provision of this Chapter. No land use approval, building permit, or certificate of occupancy shall be issued for any development unless in compliance with this Chapter or unless expressly exempted by action of the City Council. Not in limitation of any other authorization, right or remedy, the City may institute any appropriate legal actions or proceedings necessary to ensure compliance herewith, including, but not limited to, actions to revoke, deny, or suspend any permit or development approval.

XII-~~1-11.01~~1-10.01 - Excessive rents/legal action

If the City Manager determines that rents in excess of those allowed by operation of this Chapter have been charged to a tenant residing in an affordable unit, the City may take appropriate legal action to recover, and the project owner shall be obligated to pay to the tenant, or to the City in the event the tenant cannot be located, any excess rents charged.

Sharon Goei

From: Rick Gosalvez <rick@siliconvalleyathome.org>
Sent: Monday, January 10, 2022 12:34 PM
To: Rich Tran; Carmen Montano; Evelyn Chua; Karina Dominguez; Anthony Phan; Housing
Cc: City Clerk; Mathew Reed; Sharon Goei
Subject: SV@Home Comment RE: Affordable Housing Ordinance (AHO) Updates
Attachments: SV@Home RE AHO Updates.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links.

Dear Mayor Tran, Vice Mayor Montano, and Councilmembers Chua, Dominguez, and Phan,

On behalf of our members, we write today to provide comments regarding proposed changes to the rental inclusionary alternatives as part of the Affordable Housing Ordinance adopted by Council on June 19, 2018 (Ordinance No. 297).

SV@Home supports staff's recommendation to clarify language and definitions, as well as increase the number of alternative options developers can explore to help achieve and incentivize the creation of inclusionary rental housing on-site.

Offering additional options for new residential and mixed-use developments seeking to build more than 10-units, affords flexibility and improves a developer's ability to be responsive to the city's interests and priorities.

We support staff recommending ownership project standards that incentivize compliance with the affordable housing program as intended and encourage the city to clarify the acceptable mix of affordability as to not exceed 80% AMI. Creating such mechanisms will help ensure that applicants are able to submit compliant applications based on clearly defined and achievable objective standards. Crafting a viable mix of inclusionary options will help ensure that residents of Milpitas can have affordable housing choices throughout the city for years to come.

We would like to thank city staff for their extensive outreach to stakeholders and for working to bring this proposed ordinance before you. We would also like to thank the Council for your leadership on housing issues and look forward to working with you to address the housing crisis facing Milpitas and the surrounding community.

Sincerely,
Rick Gosalvez
Housing Production Senior Assoc.
350 W Julian St. #5, San Jose, CA 95110
408.840.3169 | [Website](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [Become a Member](#)

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Destination: Home

Mary Murtagh
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Chris Neale
The Core Companies

Kelly Snider
Kelly Snider Consulting

Staff
Regina Celestin Williams
Executive Director

January 7, 2022

Mayor Tran and City Councilmembers
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035

Dear Mayor Tran, Vice Mayor Montano, and Councilmembers Chua, Dominguez,
and Phan,

RE: Affordable Housing Ordinance (AHO) Updates

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Sincerely,



Mathew Reed
Director of Policy