



**CITY OF MILPITAS
COMPREHENSIVE ZONING ORDINANCE UPDATE
ZONING ADVISORY GROUP MEETING
Thursday, September 26, 2024 6:00 PM**

**COMMITTEE CONFERENCE ROOM
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

and

via teleconference (Zoom webinar)

Register in advance to attend the meeting online here:

<https://ci-milpitas-ca-gov.zoom.us/meeting/register/tZ0qduCrqTMtG9JSSG9AtQ66MvGD2Z-W33CS>

After registering, you will receive a confirmation email with information about joining the meeting.

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may be provided live during the Zoning Advisory Group meeting in person (per City Council direction, attendees must be present in person to give public comment. Community members may attend the meeting as observers only via Zoom). To register for the Zoom meeting 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:

<https://ci-milpitas-ca-gov.zoom.us/meeting/register/tZ0qduCrqTMtG9JSSG9AtQ66MvGD2Z-W33CS>

After you register a link will be sent to you to join the Zoning Advisory Group meeting.

The Chair will call in-person speakers by name to address the Zoning Advisory Group. All comments provided shall be limited to three minutes or less as determined by the Chair. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items.

AGENDA ITEMS

CALL MEETING TO ORDER and ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF PRIOR MEETING SUMMARY NOTES

1. **April 22, 2024 Zoning Advisory Group (ZAG) Meeting #3 Summary**

ZONING ORDINANCE UPDATE

2. **Presentation**
3. **Questions & Discussion**
 - a. Outreach for Draft Zoning Ordinance
 - b. New Content Expected in Updated Zoning Ordinance
 - c. Substantially Revised Content Expected in Updated Zoning Ordinance
 - d. Requests for Final Zoning Advisory Group Meeting
4. **Public Comment**
5. **Wrap Up and Next Steps**

ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

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

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall 455 E. Calaveras Blvd., Milpitas, CA 95035. Phone 408-586-3040.

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities Act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.



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Comprehensive Zoning Ordinance Update – Zoning Advisory Group

City of Milpitas

Zoning Advisory Group (ZAG) Meeting #3 Summary

INTRODUCTION

At 6:00 p.m. on April 22, 2024, the third meeting of the City of Milpitas Zoning Advisory Group (ZAG) commenced. The meeting was conducted in person at Milpitas City Hall and with virtual attendance available via Zoom. Notifications of this meeting were distributed by the City and posted on the project website (www.milpitaszoningupdate.org). The meeting was recorded and posted on the project website so it may be viewed at any time.

ATTENDANCE

ZAG Members

- Prakash Daryani (ZAG Chair) – Economic Development and Trade Commission
- Ricky Davis (ZAG Vice Chair) – Parks, Recreation & Cultural Resources Commission
- Frank Bush – Energy & Environmental Sustainability Commission
- Chris Norwood – Economic Development and Trade
- Becky Strauss – Parks, Recreation & Cultural Resources Commission
- Mercedes Albana – Planning Commission
- Dipak Awasthi – Planning Commission
- Joyita Ghose – Arts Commission

ZAG member John Agg (Arts Commission) was absent.

City Staff

- Holly Pearson – Zoning Update Project Manager
- Kristina Phung – Associate Planner
- Liz Medina – Administrative Assistant
- Ned Thomas – City Manager

Lisa Wise Consulting, Inc.

- Jen Murillo – Director/LWC Project Manager
- Stefano Richichi – Senior Associate

OVERVIEW

The ZAG members approved the agenda for this meeting and approved the summary notes for the August 24, 2023 ZAG meeting.

Jen Murillo introduced the Zoning Ordinance Update item and then gave a PowerPoint-supported presentation. The presentation covered the following topics:

- Project Update
- Draft Uses Matrix
- Alternative Parking Strategies
- Transportation Demand Management (TDM)
- Incentives

After the presentation, time was given for ZAG members to ask general questions about the presentation. Ten questions were used to facilitate discussion, and these questions were listed in the ZAG agenda.

ZAG MEMBER COMMENTS AND QUESTIONS

Below is a summary of responses from ZAG members to each of the 10 discussion questions.

1. Are any uses missing? (Refer to Draft Uses Matrix)

- Discussion regarding ease of the user to find specific uses in the Zoning Ordinance. In addition to streamlining content and defining all uses, the online publisher of the Zoning Ordinance will include text search options.
- Support for the proposed streamlining and modernizing of uses.
- The updated Zoning Ordinance will include advanced manufacturing as a use.

2. Are any uses unnecessary? (Refer to Draft Uses Matrix)

- *No comments received.*

3. Should any proposed use definitions be revised? (Refer to Draft Uses Matrix)

- *No comments received.*

4. What alternative parking strategies are most appropriate for Milpitas? (Refer to Attachment 4)

- Desire for EV charging parking spaces and EV-ready parking spaces.

- The Gateway-Main Specific Plan is underway, updating the Midtown Specific Plan, which will also be looking at alternative parking strategies in the downtown.
5. *Are any alternative strategies missing? (Refer to Attachment 4)*
- Nearby cities (e.g., Mountain View, Montclair, Palo Alto, etc.) have paid/public parking structures with solar panels that support their main streets, as well as parking located behind businesses. Parking in-lieu fees could be put towards the development of these types of parking structures.
6. *Is there a preference for a quantitative (parking reduction defined) vs. qualitative (case-by-case) approach to shared parking? (Refer to Attachment 5)*
- No comments received.
7. *What TDM strategies are most appropriate for Milpitas? (Refer to Attachment 6)*
- The City recently approved TDM strategies for a hotel with a focus on business travelers to reduce parking at the hotel. Measures included passenger pick up/drop off areas (e.g., Uber, Lyft), shuttle to airport, etc. This was considered successful.
 - TDM works well for hotels, business parks, and residential parking.
 - The Metropolitan Transportation Commission (MTC) is funding a lot of projects related to mobility and TDM. Consider this with updates to the Zoning Ordinance.
8. *Which incentives are most appropriate for encouraging lot consolidation? (Refer to Attachment 7)*
- Discussion that incentives would aim to encourage smaller lots to be combined to facilitate the development of multi-family housing on a larger parcel. Incentives could include allowing higher density, additional height, reduced parking, or reduced setbacks.
 - Incentives could apply to vacant properties, parking lots, lots with vacant commercial buildings, etc. The intent is not to consolidate lots that would displace existing residents. State law has provisions to protect low-income housing units and households from displacement.
9. *Which incentives are most appropriate for encouraging larger (3-bedroom) units? (Refer to Attachment 7)*
- There was a question about the need for larger units as family sizes are shrinking.
 - Are there plans for multi-generational dwellings? The Zoning Ordinance will include provisions for accessory dwelling units (consistent with state law), court dwellings, and other housing types.
10. *Are zoning incentives appropriate for sustainability? (Refer to Attachment 7)*
- The Zoning Ordinance will include standards/requirements for reducing reliance on single-occupancy vehicles, encouraging the efficient use of land, and supporting

walking, biking, and transit. Incentives would be for development features that go beyond requirements.

- There is interest in crafting incentives for development that exceeds minimum Green Building Code/City REACH Code requirements.
- Discussion of requiring or incentivizing plants integrated into buildings. The Zoning Ordinance will require landscaping (e.g., trees, plants, and open space for development projects). The Zoning Ordinance can clarify that rooftop gardens/parks could count toward landscape requirements.
- Can community gardens be a sustainability incentive? Community gardens are proposed to be included as an allowed use in the updated Zoning Ordinance and allowed citywide, but since they are typically administered through a public agency rather than a private developer/property owner, they may not be an incentive candidate.
- If possible and when necessary, craft incentives to align with market conditions/fluctuations to catalyze development.

ZAG members also provided other comments, which are as follows:

- How far back does zoning go in Santa Clara County? Interest expressed in how zoning has helped different cities to develop, for example Mountain View compared to Milpitas. Milpitas used to be an agricultural area. Consider appropriate communities for benchmarking against.
- There is significant school-related traffic during peak times. Zoning should encourage schools within residential neighborhoods. Schools should not be more than a 15-minute walk from homes.
- Can ZAG members provide additional comments or questions in the future? Yes, please contact Zoning Update Project Manager Holly Pearson with additional comments or questions. There will be more opportunities for discussion and feedback.

PUBLIC COMMENT AND ADJOURNMENT

After the ZAG member discussion, there was an opportunity for public comment. Public comment included:

- Homeowner association (HOA) fees are a big obstacle to affording a home. People with limited incomes cannot afford HOA fees. There was discussion that tenants of apartment (i.e., rental) units are not required to pay HOA fees.

At 7:32 p.m., the meeting adjourned. The next ZAG meeting is expected to be held in Fall 2024. There will also be opportunities for comment through an upcoming community survey.



City of Milpitas Comprehensive Zoning Ordinance Update Phase 2

Zoning Advisory Group (ZAG) Meeting #4

September 26, 2024

City of Milpitas

Committee Conference Room at City Hall, 455 East Calaveras Blvd, Milpitas, CA, 95035



www.ci.milpitas.ca.gov



408-586-3000



Outline

- **Project Overview and Outreach**
- **New Content Expected in the Updated Zoning Ordinance (ZO)**
- **Substantially Revised Content Expected in the Updated ZO**
- **Discussion Questions**
- **Wrap Up & Next Steps**

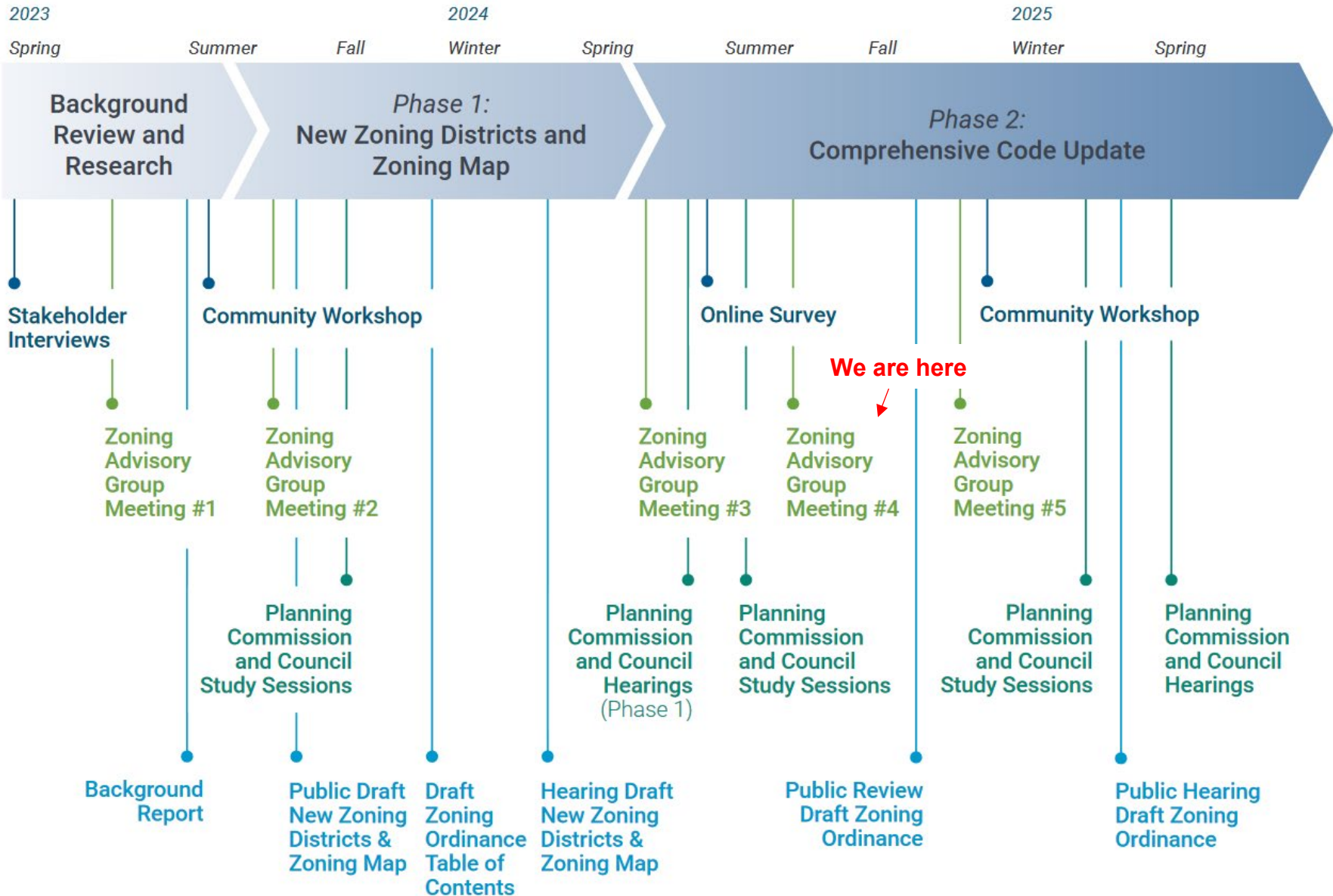


Zoning Ordinance Update Objectives

1. **Modernize** the Zoning Ordinance
2. Make the Zoning Ordinance more **user-friendly**
3. Ensure **consistency** across all applicable City documents
4. Promote more **compact, mixed-use and transit-oriented** development types, where appropriate



Project Timeline

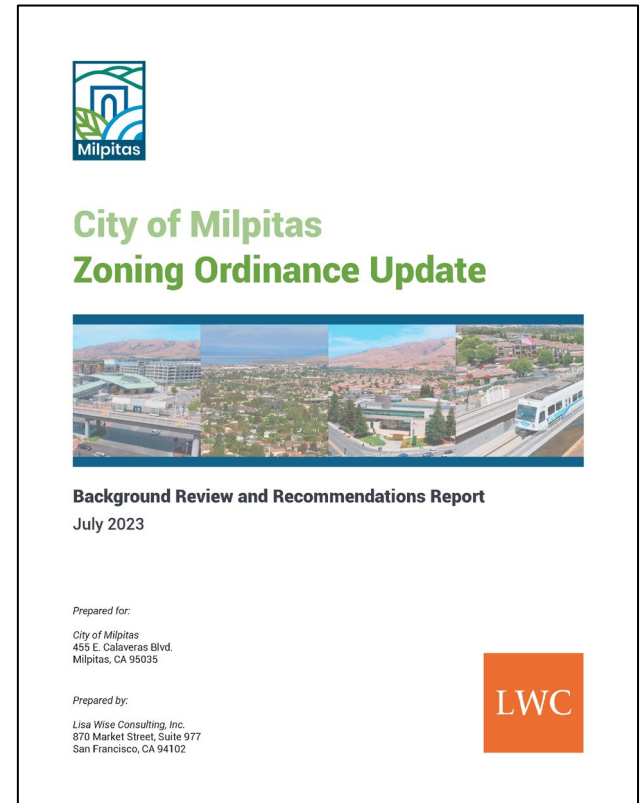




Background/Recommendations Report

JULY 2023

- Evaluated effectiveness of the current Ordinance
- Reviewed inconsistencies between the Ordinance and City policy documents
- Provided recommendations for...
 - Code organization
 - Zoning districts
 - Use regulations
 - Development and design standards
 - Sign standards
 - Administration and procedures



Outreach



▶ **Technical Advisory Committee Meetings**



▶ **Stakeholder Interviews**



▶ **Zoning Advisory Group Meetings**



▶ **Community Workshops**



▶ **Planning Commission & City Council Study Sessions**



<https://www.milpitaszoningupdate.org/>



Draft Zoning Ordinance Future Outreach

**Draft Zoning Ordinance Public Review Period:
November 2024 – March 2025**

- **Zoning Advisory Group Meeting**
- **Community Workshop**
- **Planning Commission & City Council Study Sessions**
- **Office hours (in-person/virtual)**

New Zoning Ordinance Content Expected

- Incentives
- Landscaping standards
- Single-family residential design standards
- And others

New transportation demand management (TDM) strategies are expected to be integrated into parking requirements.

Incentives – Potential Incentives

Large Affordable Rental Units

- Count as only 1 unit for density
- Reduced setbacks (max. 30%)
- Reduced open space required (max. 30%)

Lot Consolidation for Housing

- Reduced setbacks (max. 10%)
- Reduced open space required (max. 10%)
- Reduced guest parking (max. 20%)

Sustainable Buildings

- Streamlined approval

Landscaping Standards – Areas Required To Be Landscaped

- Front and street-side setbacks
- Interior side and rear setbacks
- Common open space areas
- Unused areas
- Parking areas



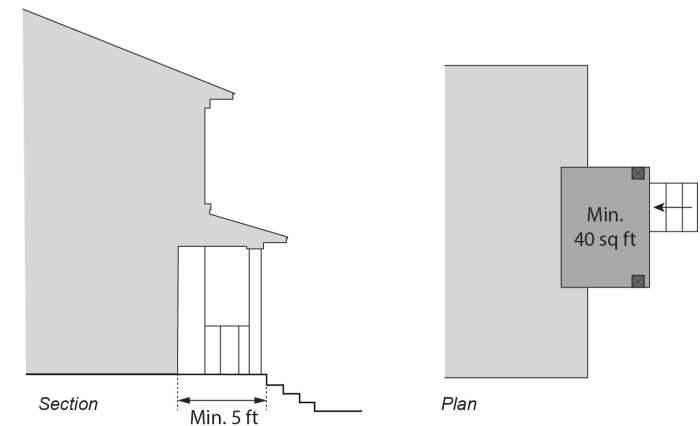
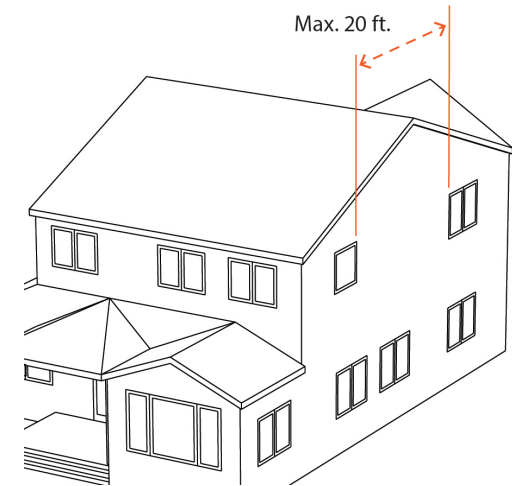
Landscaping Standards – General

- › Landscape components (i.e., combination of ground covers, shrubs, vines, and trees)
- › Drought-tolerant species requirement
- › Invasive plants prohibited
- › Allowed ground cover materials
- › Turf allowances
- › Plant size and spacing standards
- › Tree and shade requirements
- › Installation standards
- › Maintenance requirements



Single-Family Residential Design Standards – Potential Standards

- Limit blank exterior walls
- Require 360-degree design
- Privacy requirements for 2nd story windows
- Require entrances to be oriented to the street
- Require entrances to be weather protected



Single-Family Residential Design Standards – Considerations

- Consider requiring design standards for the sides of the home that are visible to the public (e.g., facing a street)
- Do not require existing single-family homes to comply with new design standards (or be considered nonconforming)



Other New Items Expected

- › Drive-through standards
- › Service stations and car washes standards
- › Lighting standards expanded
- › New parking requirements (bicycle parking, transportation demand management)
- › New procedures (development agreements, minor deviations)

Parking requirements and Zoning Ordinance **procedures** will have new content added and revisions to existing content.



Substantially Revised Zoning Ordinance Content Expected

- **Reduced Minimum Parking Requirements**
- **Sign Standards**
- **Procedures for Permit Applications & Zoning Decisions**
- **And others**

Parking Requirements – General

- Parking reform
- Reductions to the minimum number of vehicle parking spaces required
 - State law, Housing Element, General Plan, Climate Action Plan



Additional Parking Requirements

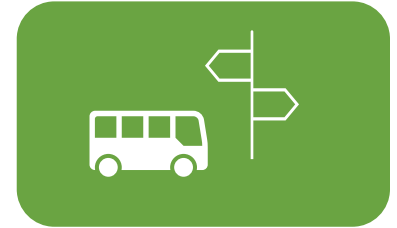
› Bicycle parking requirements

- Short-term and long-term bicycle parking spaces



› Transportation demand management (TDM)

- Aim to reduce vehicle trips and reduce congestion without building more roads
- Require a TDM Plan for new projects of a certain size



› Alternative parking strategies

- Allow desired/alternative types of parking to reduce overall number of parking spaces required
- Shared parking, off-site parking, car share parking, etc.



Parking Requirements – Considerations

- Alternative transportation options should be provided in conjunction with reduced parking requirements
- Infrastructure is needed to support reduced parking
- Parking enforcement will be important
- Support for developers to determine how much parking their project will need

Some people will still need to drive for daily needs (senior citizens, etc.)

Signs – Content Neutrality

- What does sign say?
- Message determines if it stays up or down, or applicable regulations

X



“Political Sign”

- Time
- Place
- Manner

✓



“Freestanding Sign”

➤ As of 2015, sign regulations must be content neutral

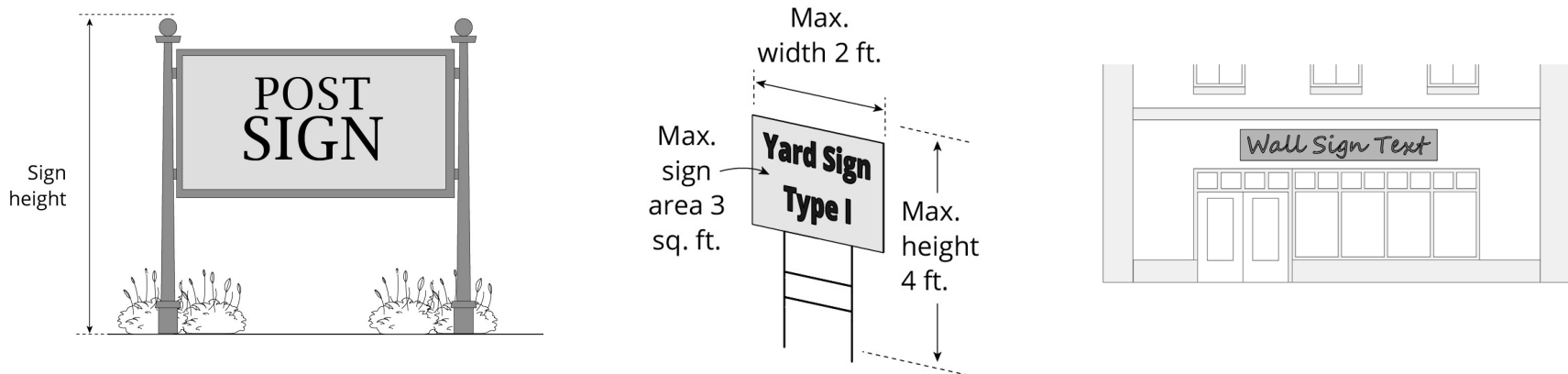
- *Reed v. Town of Gilbert*, US Supreme Court No. 135 S.C.T. 2218, 2015

➤ Sign codes must regulate based on time, place, and manner rather than content

- 1st Amendment, freedom of speech
- e.g., “Political signs” cannot be differentiated from other signs of the same time, place, and manner (but different content)

Signs – Revising Current Standards

- Remove sign regulations that are not content-neutral
- Reorganize logically
- Specific standards for each sign type, grouped as permanent or portable/temporary types



Procedures – Development Applications and Zoning Decisions

- **Clarifications and expanded content**
- **Reorganization**
- **Tables** (review authorities, noticing)
- **New Minor Deviation** (minor variance)
 - Enables minor deviations from measurable standards
 - Identifies maximum deviations (e.g., 20%)
 - Required findings for approval
 - Zoning Administrator approval

Procedures – Revising Site Development Permit (SDP) Thresholds

Planning Commission Approval

- 10,000 s.f. new floor area (higher thresholds for commercial and mixed-use zones not adjacent to residential)
- 10+ dwelling units

Zoning Administrator Approval

- 1-9 dwelling units (including new single-family homes)
- Certain single-family home additions

Director Approval

- Accessory dwelling units
- New accessory structures
- Minor changes to nonresidential building exteriors

Other Substantial Revisions Expected

- Reorganization (new Title)
- Clean up of zones/overlays
- Consolidation of use categories and uses
- Updates and revisions to definitions
- Adjusted permit requirements where appropriate (e.g., Minor Conditional Use Permit vs. Conditional Use Permit)
- Incorporate state law where applicable



Discussion Topics

- Outreach for Draft Zoning Ordinance
- New Content Expected
- Substantially Revised Content Expected
- Requests for Final ZAG Meeting

Wrap Up & Next Steps

➤ Public Review Draft Ordinance

- Draft Ordinance Available for Review and Comment - Late November 2024
- Outreach (Late 2024 - Early 2025)
 - Zoning Advisory Group Meeting - December 3, 2024
 - Community Workshop - Early 2025
 - Planning Commission Study Session - Early 2025
 - Council Study Session - Early 2025



➤ Adoption Hearings - Late Spring/Early Summer 2025



City of Milpitas

455 E. Calaveras Blvd., Milpitas, CA 95035

 www.ci.milpitas.ca.gov  408-586-3000



Comprehensive Zoning Ordinance Update – Zoning Advisory Group

City of Milpitas

September 26, 2024

Zoning Advisory Group (ZAG) Meeting #4 Discussion Sheet

QUESTIONS & DISCUSSION

a. Outreach for Draft Zoning Ordinance

- What types of outreach do you suggest for getting community feedback on the Draft Zoning Ordinance, which is anticipated to be available in late November? (e.g., workshops, Commission/Council study sessions, staff office hours, social media, etc.) Any new ideas for outreach strategies?

b. New Content Expected in Updated Zoning Ordinance

- Do you have any comments or suggestions about new content expected to be included in the Draft Zoning Ordinance (e.g., incentives, landscaping, single-family design standards, etc.)?

c. Substantially Revised Content Expected in Updated Zoning Ordinance

- Do you have any comments or suggestions about substantially revised Zoning Ordinance content expected (e.g., parking, signs, procedures, etc.)?

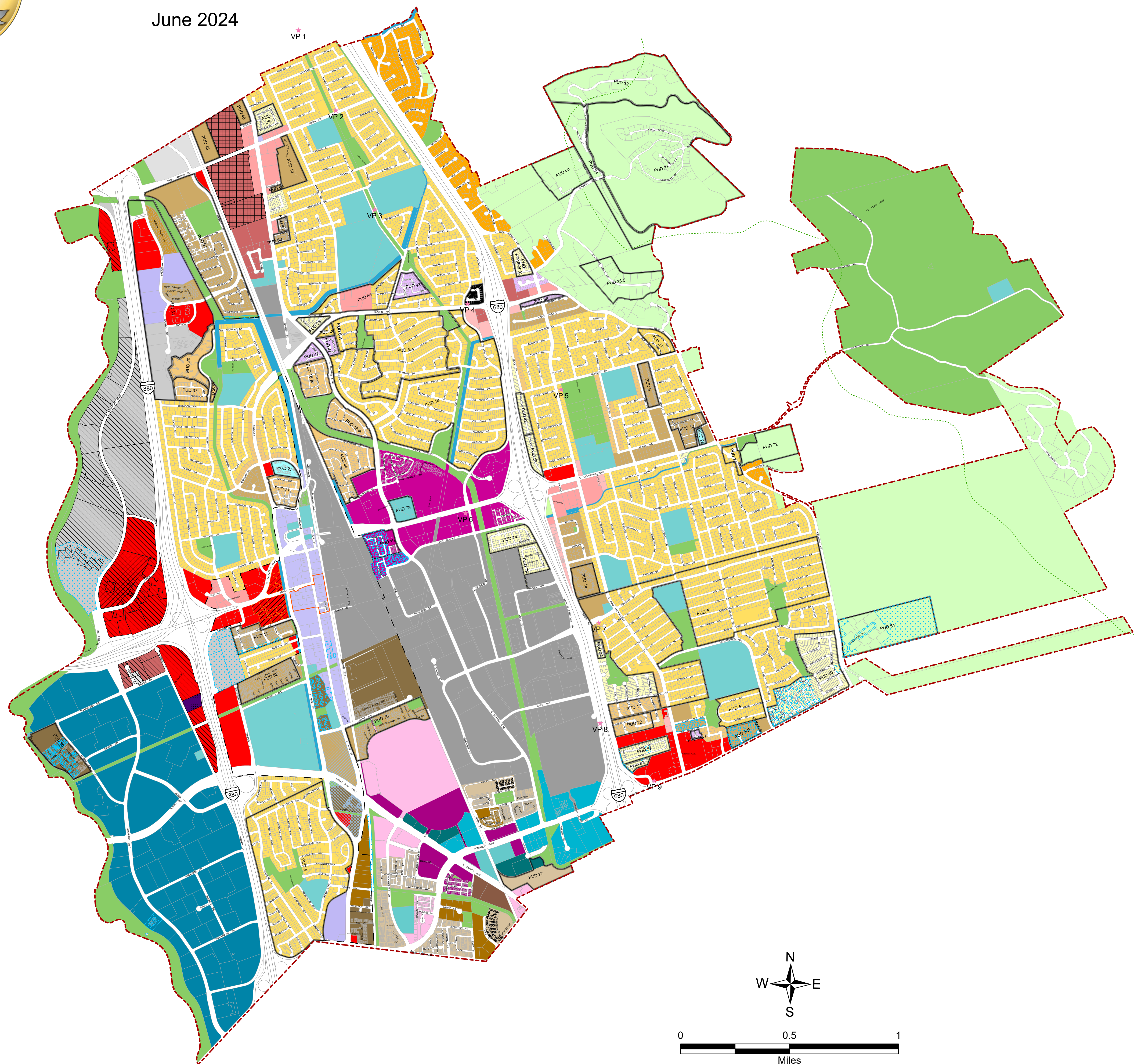
d. Requests for Final Zoning Advisory Group Meeting

- Do you have any requests for the final Zoning Advisory Group Meeting (12/3/24), where we will present and discuss the Draft Zoning Ordinance (focus of meeting, specific discussion topics, etc.)?



CITY OF MILPITAS ZONING MAP

June 2024



Legend

Zones

- Single Family Residential minimum lot size 2,500 s.f. (R1-2.5)
- Single Family Residential minimum lot size 3,000 s.f. (R1-3)
- Single Family Residential minimum lot size 4,000 s.f. (R1-4)
- Single Family Residential minimum lot size 5,000 s.f. (R1-5)
- Single Family Residential minimum lot size 6,000 s.f. (R1-6)
- Single Family Residential minimum lot size 10,000 s.f. (R1-10)
- Single Family Residential with Hillside Combining District (R1-H)
- One or Two Family (R2)
- Multi-Family Residential, High Density (R3)
- Multi-Family Residential, Very High Density (R4)
- Mixed Use (MXD)
- Mixed Use, Very High Density (MXD3)
- Administrative and Professional Offices (CO)
- Neighborhood Commercial (C1)
- General Commercial (C2)
- Highway Services (HS)
- Town Center (TC)
- Light Industrial (M1)
- Heavy Industrial (M2)
- Industrial Park (MP)
- Business Park Research & Development (BPRD)
- Institutional (I)
- Agricultural (A)
- Parks and Open Space (POS)
- Waterway

Milpitas Metro Specific Plan Zones

- Metro High Density Mixed Use (MXD2-Metro)
- Metro Very High Density Mixed Use (MXD3-Metro)
- Metro Multi-Family High Density Residential (R3-Metro)
- Metro Multi-Family Very High Density Residential (R4-Metro)
- Metro Urban (R5-Metro)
- Business Park Research & Development (BPRD-Metro)
- Business Park Research & Development, Limited Residential (BPRD-R-Metro)

Overlays

- Freeway Corridor Overlay (FC)
- High Rise Overlay (HR)
- Mobile Home Park Overlay (MHP)
- Office Overlay (OO)
- Recreation and Entertainment Overlay (RE)
- Site and Architectural Overlay (S)
- Transit Oriented Development Overlay (TOD)

Other Features

- Planned Unit Development (PUD)
- Precise Plan Area
- Midtown Specific Plan Area
- City Boundary
- Parcels
- Crestline
- View Points

