



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, JUNE 2, 2026

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
7:00 PM (PUBLIC BUSINESS)

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-2400

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3072

** To access written translation during the meeting, scan the QR Code.*

The City Council meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

You may watch the Council meeting without providing public comment by accessing it via links here.

Meeting shall be livestreamed - Go to:

Facebook: <https://www.facebook.com/CityofMilpitas/>

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Web Streaming: <https://www.milpitas.gov/webstreaming>

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may only be provided live during the City Council meeting in person, unless the City Council approves remote public comment. 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. Members of the public may submit written comments by email to CityClerk@milpitas.gov

The meeting will be streamed via Zoom for viewing purposes only unless the City Council approves remote public comment. To watch via Zoom, please register at:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_gsXwrcugRaiKqTga1HL8sw

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@milpitas.gov by 12:00 p.m. on the day of the meeting. No presentations will be accepted in person in the Council Chambers.

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.
- Use electronic devices appropriately 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 (7:00 PM)

PLEDGE OF ALLEGIANCE

PUBLIC FORUM

Members of the public are invited to speak on any item that does not appear on today's agenda. Comments will be limited to three minutes or less at the Mayor's discretion. When called to speak, you are encouraged to state your name for the record. As an item not listed on the agenda, no action can be taken, however the City Council may instruct the City Manager to place the item on a future meeting agenda.

APPROVAL OF AGENDA

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.

- C1. Waive the Second Reading and Adopt Ordinance No. 38.861 Adding a New Section to Title XIII, Chapter B.20 of the Milpitas Municipal Code to Create a Transit-Oriented Development Overlay Zoning District to Implement Senate Bill 79 Development Standards (Staff Contact: Jay Lee, Planning Department, 408-586-3077)**

Recommendation: Determine that the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Government Code Section 65912.160(c)(2) and Title 14, Section 15183 of the California Code of Regulations and adopt the findings therefore in the agenda report and move to waive the second reading and adopt Ordinance No. 38.861 approving Zoning Text and Map Amendment no. ZA26-0002 adding a new section to Title XIII, Chapter B.20 of the Milpitas Municipal Code to create a Transit-Oriented Development Overlay (TOD) zoning district and regulations implementing Senate Bill 79 development standards.

- C2. Conduct a Public Hearing to Adopt the 2026-2027 Annual Action Plan and Approve the Community Development Block Grant Allocations for 2026-2027 (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3222)**

Recommendation: Continue to the June 16, 2026 City Council Meeting.

PUBLIC HEARINGS

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.

- 3. Adopt a Resolution to Confirm the 2026 Weed Abatement Assessment Report (Staff Contact: Arthur Belton, Deputy Fire Chief / Fire Marshal, 408-586-3384)**

Recommendation: Adopt a resolution confirming the 2026 Weed Abatement Assessment Report and Assessment List to be entered into the tax assessment rolls.

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. 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 whether to move the item forward. If a majority of the City Council agrees to move the item forward, the City Manager shall place the item on a future agenda.

ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cao@milpitas.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.milpitas.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.milpitas.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.milpitas.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 408-586-3005 or send an e-mail to CityClerk@milpitas.gov prior to the meeting. Larger font agendas are available upon request.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Waive the Second Reading and Adopt Ordinance No. 38.861 Adding a New Section to Title XIII, Chapter B.20 of the Milpitas Municipal Code to Create a Transit-Oriented Development Overlay Zoning District to Implement Senate Bill 79 Development Standards (Staff Contact: Jay Lee, Planning Department, 408-586-3077)
Category:	Consent Calendar-Community Development
Meeting Date:	6/2/2026
Recommendation:	Determine that the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Government Code Section 65912.160(c)(2) and Title 14, Section 15183 of the California Code of Regulations and adopt the findings therefore in the agenda report and move to waive the second reading and adopt Ordinance No. 38.861 approving Zoning Text and Map Amendment no. ZA26-0002 adding a new section to Title XIII, Chapter B.20 of the Milpitas Municipal Code to create a Transit-Oriented Development Overlay (TOD) zoning district and regulations implementing Senate Bill 79 development standards.

BACKGROUND:

This Ordinance was introduced at the City Council meeting held on May 19, 2026, following a duly noticed public hearing. The Ordinance is now ready for its second reading and adoption. The proposed Ordinance adds a new subsection B.20.040 – Transit-Oriented Development Overlay Zone to Chapter B.20 (Overlay Zones and Standards) of the Milpitas Municipal Code, implementing California Government Code Sections 65912.155 through 65912.162.

Senate Bill 79 (SB 79), the Abundant and Affordable Homes Near Transit Act, was signed by Governor Newsom on October 10, 2025, and establishes new statewide requirements for the approval of transit-oriented housing developments near major transit stops. The law becomes operative on July 1, 2026, and preempts local zoning and development standards that are inconsistent with its provisions, unless a city adopts local implementing regulations consistent with SB 79.

The City of Milpitas has three major transit stops and approximately 4,716 properties that would be impacted by SB 79. The TOD Overlay applies to all parcels within the updated half-mile areas surrounding those three major transit stops, as defined by SB 79 and the implementing ordinance.

ANALYSIS:

Waiving the second reading is commonplace for ordinances previously considered by the Council and returning for adoption without substantive changes from the initial introduction. No substantive changes have been made to the Ordinance since its introduction on May 19, 2026. The Ordinance is now ready for its second reading and adoption.

The TOD Overlay Zone establishes development standards for qualifying housing projects:

Table 1: Transit-Oriented Development (-TOD) Overlay Zone Development Standards

Distance	Tier 1	Tier 2
Adjacent to TOD stop (within 200 feet of pedestrian access point)	Height: 95 feet Minimum Density: 60 du/ac Maximum Density: 160 du/ac Residential FAR: 4.5	Height: 85 feet Minimum Density: 60 du/ac Maximum Density: 140 du/ac Residential FAR: 4.0
¼-mile from TOD stop	Height: 75 feet Minimum Density: 60 du/ac Maximum Density: 120 du/ac Residential FAR: 3.5	Height: 65 feet Minimum Density: 60 du/ac Maximum Density: 100 du/ac Residential FAR: 3.0
½-mile from TOD stop	Height: 65 feet Minimum Density: 60 du/ac Maximum Density: 100 du/ac Residential FAR: 3.0	Height: 55 feet Minimum Density: 50 du/ac Maximum Density: 80 du/ac Residential FAR: 2.5

- Projects will be required to follow all other development standards as specified for in the R4-Metro and R5-Metro zoning districts.
- For parcels zoned R1-6 (single-family residential), a qualifying housing project will be subject to a minimum density of 30 du/acre and must follow all other development standards as specified under the R4 zoning district.

The proposed zoning map amendment implemented the TOD Overlay on the City's Zoning Map, enacted by Title XIII, Chapter A, Section 2.060 of the Milpitas Municipal Code.

The proposed Ordinance is consistent with the City's General Plan, including Policies IM 1-2, LU 2-2, LU 2-3, LU 3-1, and LU 3-2, as well as the Milpitas Metro Specific Plan (Land Use Policies LU2 and LU3) and the Gateway-Main Street Specific Plan.

POLICY ALTERNATIVE(S):

Not applicable. The Council considered policy alternatives at the time of the first reading on May 19, 2026. The alternative of not adopting the Ordinance was evaluated and not recommended, as the absence of a local implementing ordinance would forfeit the City's opportunity to maintain consistency with its General Plan and specific plans, and would increase the likelihood that projects are approved under state default standards that may not align with the City's adopted planning objectives, specific plan policies, or community design preferences.

PROJECT SCHEDULE/KEY MILESTONES

The following timeline outlines the key steps for implementation:

- May 19, 2026: Urgency Ordinance no. 38.860 adopted.
- Immediate: Ordinance becomes effective upon adoption by a four-fifths vote, ensuring no lapse in local regulatory authority.
- May 19, 2026: First reading and introduction of Ordinance.
- May–June 2026: Publication and posting of the adopted Ordinance in accordance with Government Code Section 36933.
- June 2, 2026: Second reading and adoption of the permanent Ordinance.
- July 1, 2026: SB 79 becomes operative statewide; City's urgency ordinance ensures local standards remain in effect.
- July 2, 2026: Permanent Ordinance goes into effect and the urgency ordinance is automatically repealed.

FISCAL IMPACT:

There is no direct fiscal impact associated with adoption of the proposed ordinance. Any administrative costs associated with ordinance adoption and California Department of Housing and Community Development (HCD) coordination would be absorbed within existing departmental resources.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The City Council finds, pursuant to Government Code Section 65912.160(c)(2), the adoption of the Ordinance does not constitute a project and therefore is statutorily exempt from the CEQA. Government Code Section 65912.160(c)(1) explicitly contemplates that such an exempt ordinance may include objective development standards, conditions, and policies beyond those required by SB 79. The City Council further finds that the Ordinance does not physically preclude development consistent with the applicable housing development standards contained within Government Code section 65912.157.

Additionally and alternatively, the City Council further finds, pursuant to Title 14, Section 15183 of the California Code of Regulations, that the present action is consistent with the development density established by existing zoning, community or general plan policies for which an environmental impact report ("EIR") was certified, including the Milpitas 2040 General Plan and the corresponding EIR (SCH #2020070348), and does not present specific significant effects peculiar to the present action or the properties at issue, and therefore is exempt from further CEQA review. The present action permits no more development than SB 79 and otherwise applicable law and standards allow. The standards of development hereby placed upon SB 79 development are consistent with the standards of development placed upon comparable densities of development in conformance with the General Plan and present substantially similar environmental impacts, including in kind and severity, to those impacts that were adequately studied and addressed in the EIR for the General Plan.

The California Legislature in adopting SB 79 permitted residential densities of development far in excess of the minimum residential densities and development standards contemplated by the present action, declared that such development consistent with the standards of SB 79 be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision, and determined that ordinances such as the present action shall not be considered a project subject to CEQA review, such that the environmental impacts of residential development at or below such densities of development permitted by SB 79 are not a discretionary choice for which the City is responsible to conduct environmental inquiry, including pursuant to Public Resources Code section 21080.

ATTACHMENT(S):

(a) Ordinance No. 38.861

REGULAR

NUMBER: 38.861

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING THE ZONING MAP AND MILPITAS MUNICIPAL CODE TITLE XIII, CHAPTER B.20, TO ADD THE TRANSIT-ORIENTED DEVELOPMENT OVERLAY DISTRICT AND REGULATIONS IMPLEMENTING SENATE BILL 79 DEVELOPMENT STANDARDS.

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:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Christian M. Curtis, City Attorney

RECITALS AND FINDINGS:

WHEREAS, Senate Bill 79 (“SB 79”) was signed on October 10, 2025, and codified as California Government Code Sections 65912.155 et seq., and states, among other things, that notwithstanding local law to the contrary, a housing development project, as defined, within a specified distance of a transit oriented development stop, as defined, is an allowed use as a transit-oriented housing development on any site zoned for residential, mixed, or commercial development, if the development complies with applicable requirements, as specified; and

WHEREAS, SB 79 is anticipated to affect development near three (3) transit-oriented development stops within Milpitas; and

WHEREAS, California Government Code Sections 65300 et seq. require each city to prepare and adopt a comprehensive, long-term general plan for the physical development of the county or city; and

WHEREAS, on March 9, 2021, the Milpitas City Council adopted the Milpitas 2040 General Plan, updating and revising the land use policies, goals, and objectives contained in the City’s previous General Plan; and

WHEREAS, on September 2, 2025, the Milpitas City Council adopted a comprehensive update to the zoning ordinance, including the addition of a new Title XIII – Zoning to the Milpitas Municipal Code and amendments to various other sections of the Municipal Code for consistency with the updated Zoning Ordinance and amended the Zoning Map of the City of Milpitas to achieve consistency between the updated Zoning Ordinance and Zoning Map; and

WHEREAS, pursuant to the City’s General Plan and the implementing Zoning Ordinance, the following zoning districts allow residential, mixed, or commercial development: General Commercial (C2), Metro Business Park Research and Development – Limited Residential (BPRD-R-Metro), Metro Multi-Family High Density Residential (R3-Metro), Metro Multi-Family Very High Density Residential (R4-Metro), Metro Urban Residential (R5-Metro), Metro High Density Mixed Use (MXD2-Metro), Metro Very High Density Mixed Use (MXD3-Metro), Multi-Family (R3), Multi-Family Very High Density (R4), Single-Family (R1), Mixed Use (MXD), and Main Street Mixed-Use (MS-MU); and

WHEREAS, pursuant to the City’s General Plan and the implementing Zoning Ordinance, the following zoning districts are not zoned for residential, mixed, or commercial development: Heavy Industrial (M2), Institutional (I), Park and Public Open Space (POS), Business Park Research and Development (BPRD), and Metro Business Park Research and Development (BPRD-Metro). The City Council finds and determines that it is not and was not its intent to zone properties in these districts for residential, mixed, or commercial development and that any residential, mixed, or commercial use allowed in these zones is incidental and neither determinative nor reflective of the purpose for which these properties were zoned; and

WHEREAS, California Government Code Section 65912.160 provides that a local government may enact an ordinance to make its zoning code consistent with SB 79 and that such an ordinance is not considered a project subject to environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code (the California Environmental Quality Act or “CEQA”); and

WHEREAS, without waiving its objection to the California Legislature’s ill-conceived decision to override local control and planning, the City wishes to enact this ordinance to regulate the development that SB 79 permits; and

WHEREAS, consistent with California Government Code Section 65912.160(d), at least 14 days prior to the adoption of this ordinance, the City submitted a draft of this ordinance to the California Department of Housing and Community Development (“HCD”) and received and acted upon any feedback received from HCD; and

WHEREAS, the Planning Commission is an advisory body to the City Council; and

WHEREAS, the City Council is the final authority on General Plan, Specific Plan, and Zoning amendments, including amendments to the Land Use Map and Zoning Map; and

WHEREAS, on April 22, 2026, the Planning Commission held a duly noticed public hearing and having duly considered testimony and written materials provided recommended the adoption of this ordinance to the City Council; and

WHEREAS, on May 19, 2026, the City Council held a lawfully-noticed public hearing and after considering all testimony and written materials provided in connection with that hearing introduced this ordinance and waived the reading thereof; and

WHEREAS, all prerequisites for the adoption of this ordinance have been met.

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. ZONING ORDINANCE TEXT AND MAP AMENDMENT FINDINGS (XIII-D.6.050)

The City Council makes the following findings based on the evidence in the public record in support of Zoning Amendment No. ZA26-0002:

- a. The proposed Zoning Amendment is consistent with and conforms to the goals and policies of the General Plan;*

The proposed text and map amendments are specifically consistent with General Plan Policy IM 1-2, which states to require the City’s Zoning Ordinance, planning documents, master plans, infrastructure projects, and development projects to be consistent with the General Plan and State law. This zoning ordinance and map amendment will implement recent legislation (SB 79) and bring the Zoning Ordinance into conformance with state housing law. The proposed text and map amendments are also consistent with General Plan Policy LU2-3, which states to allow densities and intensities which exceed the generally allowed ranges defined by the underlying land use for projects utilizing Density Bonus provisions including bonuses for senior housing, affordable housing, and for projects within designated

overlay districts, as well as General Plan Policy LU2-2, which states to continue to utilize Overlay Zoning Districts as needed to supplement land use and zoning standards with additional allowances and regulations that reflect and use and policy objectives for a particular area. The intent of SB 79 is to build more homes near transit to reduce housing and transportation costs for California families and promote environmental sustainability, economic growth, and reduce traffic congestion. Implementing the TOD Overlay District will not only bring the Zoning Ordinance into conformance with state law but also permit a greater variety of housing types in densities in areas close to major transit stops. The proposed text and map amendments are also consistent with General Plan Policy LU3-1, which states to support regional efforts that promote higher densities near major transit and travel facilities, and reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit; support local and regional land use decisions that promote safe access to and the use of alternatives to auto transit, as well as General Plan Policy LU3-2, which states to continue to utilize planning tools (including specific plans and overlay districts) that promote transit-oriented and mixed-use development objectives near the Milpitas Transit Center. The TOD Overlay District will coincide with regional efforts and conform with state law to allow higher densities near transit and specifically continue to promote housing near the Milpitas Transit Center.

- b. The proposed Zoning Amendment is consistent with and conforms to the goals and policies of any Specific Plan, if applicable;*

The proposed zoning text and map amendments are consistent with and conform to the goals and policies of the Milpitas Metro Specific Plan (Metro). The core of the Metro Plan Vision is to create a complete and unique urban neighborhood. The proposed zoning text and map amendments are specifically consistent with Metro Specific Plan Land Use Policy LU2 (Transit Orientation), which states to capitalize on the transit orientation of the Plan Area to support transit ridership, reduce traffic congestion and greenhouse gas emissions, and support livability, and LU3 (Housing Diversity and Affordability), which states to provide transit-oriented housing that is accessible and affordable for a range of household types and income levels. The TOD Overlay District will not only conform with state law to allow higher densities near transit but also specifically continue to promote a variety of housing near the Milpitas Transit Center. The proposed zoning text and map amendments are also consistent with and conform to the goals and policies of the Gateway-Main Street Specific Plan (Gateway). While the proposed zoning map and text amendment would only affect the southern end (South of O'Toole Elms Park to Curtis Avenue) of the Main Street District, South Railyards District, Elmwood District, and the Curtis neighborhood of the Gateway Plan, the TOD Overlay District will help implement the Plan's vision of Main Street as a walkable, mixed-use urban village accessible from the surrounding community. One of the guiding principles of the Gateway Plan is to integrate a mix of housing types, scales, and affordability, including mixed-use, housing for families, smaller unit homes, live-work, senior housing, and affordable housing. The TOD Overlay District will allow higher densities near the Great Mall

Light Rail Station, which will continue to facilitate a variety of housing types at different affordability levels near transit.

- c. The proposed Zoning Amendment will not be detrimental to the public interest, health, safety, convenience, and general welfare;*

The proposed zoning text and map amendments will not be detrimental to the public interest, health, safety, convenience, and general welfare, because the action would allow varying residential densities in the TOD Overlay District that are consistent with State law and bring the overall Zoning Ordinance into conformance with State law. They would help facilitate new, higher density and transit-oriented development in appropriate areas, which would serve to advance numerous City goals related to community design, environment, and economic development. Moreover, the City retains authority through any future discretionary approvals to address project-specific health, safety, and welfare concerns in the TOD Overlay District.

- d. The proposed Zoning Amendment is in compliance with the provisions of California Environmental Quality Act;*

The proposed zoning text and map amendments are not a project under CEQA pursuant to Government Code Section 65912.160(c)(2). Adoption of the ordinance is a statutory implementation action.

- e. When considering a reduction of residential density, ensure compliance with California Government Code Section 65863 by either finding that the remaining sites identified in the Housing Element are adequate to accommodate the City's share of the regional housing need or by identifying sufficient additional, adequate, and available sites with an equal or greater density so that there is no net loss in residential density;*

This finding is not applicable. The zoning text and map amendments are not reducing residential density.

- f. The proposed Zoning Amendment would not result in a net loss of potential housing units;*

The proposed Zoning Amendment would not result in a net loss of potential housing, as the Project amends the Zoning Ordinance to allow for qualifying housing projects in transit-oriented development zones pursuant to State law (SB 79).

- g. The proposed Zoning Ordinance Text Amendment is internally consistent with other applicable provisions of this Title;*

The proposed Zoning Ordinance Text Amendment is instituting changes to the Zoning Ordinance that reflect and conform with recent State law (SB 79). The purpose of the Zoning Ordinance is to promote public health, safety, comfort, and

general welfare, and to enable appropriate and orderly development. More specifically, the Zoning Ordinance was adopted to provide standards for orderly growth and development of the city, and guide and control the use of land to provide a safe, harmonious, attractive, and sustainable community, as well as achieve the arrangement of land uses depicted in the General Plan, consistent with the goals and policies of the General Plan. The proposed zoning text amendment will create a Transit-Oriented Development Overlay District that will specifically apply to qualifying housing projects within a half mile of qualifying transit-oriented development stops. The amendments are consistent with the Zoning Ordinance as a whole and do not create any internal inconsistencies.

- h. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities, to accommodate the uses and development densities or intensities allowed in the proposed new zone; and*

The proposed Zoning Map Amendment is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities, to accommodate the uses and development densities or intensities allowed in the proposed zone. The TOD Overlay would simply bring the Zoning Ordinance and Map into conformance with development density ranges into consistency with State law (SB 79). They would help facilitate new, higher density and transit-oriented development in appropriate areas, which would serve to advance numerous City goals related to community design, environment, and economic development. The TOD Overlay would also establish residential development standards for sites that are not zoned for residential development but subject to SB 79. Moreover, the City retains authority through any future discretionary approvals to address project-specific health, safety, and welfare concerns in the TOD Overlay District. If the projects are eligible for streamlining under State law, they would still be subject to the City's Objective Design Standards.

- i. If located within or adjacent to residential areas, the requested zone change is compatible with the character of the residential neighborhood.*

The proposed zoning map amendment would create a TOD Overlay District in the half mile areas around three transit-oriented development stops within the City. The proposed map amendment is generally compatible with the character of the residential neighborhoods. The TOD Overlay would bring the Zoning Ordinance and Map into conformance with development density ranges into consistency with State law (SB 79). They would help facilitate new, higher density and transit-oriented development in appropriate areas, which would serve to advance numerous City goals related to community design, environment, and economic development. The TOD Overlay would also establish residential development standards for sites that are not zoned for residential development but subject to SB 79. Moreover, the City retains authority through any future discretionary approvals to address project-specific health, safety, and welfare concerns in the TOD Overlay District. If the projects are

eligible for streamlining under State law, they would still be subject to the City's Objective Design Standards.

SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE XIII, CHAPTER B.20

Title XIII, Chapter B.20 of the Milpitas Municipal Code is hereby amended to add Section B.20.040 Transit-Oriented Development Overlay Zone and reads as follows:

- A. Purpose.** The Transit-Oriented Development (TOD) Overlay Zone implements California Government Code Sections 65912.155 et seq., herein referred to as Senate Bill 79 (SB 79).
- B. Applicability.** The TOD Overlay Zone is applicable to any zoning district on lands that are within one-half mile from a transit-oriented development stop, as defined by Section 21064.3 of the California Public Resources Code. This Section is only applicable so long as SB 79 is operative and effective and shall thereafter be of no force or effect, including if transit-oriented housing development projects are no longer required by applicable state law to be an allowed use on sites zoned for residential, mixed, or commercial use within the TOD Overlay Zone.
- C. Definitions.** The following definitions included in California Government Code Section 65912.156 are incorporated herein by reference and shall be applied to this Section only:
 - 1. Housing Development Project;
 - 2. Residential Floor Area Ratio;
 - 3. Tier 1 Transit-Oriented Development Stop;
 - 4. Tier 2 Transit-Oriented Development Stop;
 - 5. Transit-Oriented Development Stop; and
 - 6. Transit-Oriented Development Zone.

Additional definitions provided in California Government Code Section 65912.156 are not directly incorporated in this Section but may be referenced as applicable to this Section only.

The following additional definitions, which do not appear in California Government Code Section 65912.156, also apply to this Section only:

“Transit-oriented housing development project” shall mean housing development projects allowed pursuant to California Government Code Section 65912.157.

- D. Permitted, Accessory, and Conditionally Permitted Uses.** Notwithstanding anything to the contrary in this Section, the permitted, accessory, and conditional uses allowed within the TOD Overlay Zone are the same uses as allowed within the underlying base zones, except as otherwise required by SB 79.

E. Tier 1 and Tier 2 Transit-Oriented Development Stops

- 1. The following Tier 1 TOD stops are located within the City of Milpitas:

- a. Milpitas BART Station
- 2. The following Tier 2 TOD stops are located within the City of Milpitas:
 - a. Great Mall VTA Light Rail Station
 - b. Alder Light VTA Rail Station

F. Development Standards. The development standards for the underlying base zoning district shall apply, except as modified below:

- 1. A housing development project shall be an allowed use as a transit-oriented housing development project on any site zoned for residential, mixed, or commercial development within one-half or one-quarter mile of a transit-oriented development stop, if the development complies with the following requirements in addition to all otherwise applicable laws:
 - a. Includes at least five dwelling units.
 - b. The average total area of floor space for the proposed units in the transit-oriented housing development project does not exceed 1,750 net habitable square feet.
 - c. For a transit-oriented housing development project within one-quarter mile of a Tier 1 transit-oriented development stop, all of the following apply, unless otherwise permitted under the applicable Specific Plan:
 - (i) Max height: 75 feet
 - (ii) Min Density: 60 du/acre; Max density: 120 du/acre
 - (iii) Residential floor area ratio max: 3.5
 - (iv) Follow all other development standards as specified for the R5-Metro zoning district.
 - d. For a transit-oriented housing development project further than one-quarter mile but within one-half mile of a Tier 1 transit-oriented stop, all of the following apply, unless otherwise permitted under the applicable Specific Plan:
 - (i) Max height: 65 feet
 - (ii) Min Density: 60 du/acre; Max density: 100 du/acre
 - (iii) Residential floor area ratio max: 3
 - (iv) Follow all other development standards as specified for the R5-Metro zoning district.
 - e. For a transit-oriented housing development project within one-quarter mile of a Tier 2 transit-oriented development stop, all of the following apply, unless otherwise permitted under the applicable Specific Plan:

- (i) Max height: 65 feet
 - (ii) Min Density: 60 du/acre; Max density 100 du/acre
 - (iii) Residential floor area ratio max: 3
 - (iv) Follow all other development standards as specified for the R5-Metro zoning district.
 - f. For a transit-oriented housing development project further than one-quarter mile but within one-half mile of a Tier 2 transit-oriented development stop, all of the following apply, unless otherwise permitted under the applicable Specific Plan:
 - (i) Max height: 55 feet
 - (ii) Min Density: 50 du/acre; Max density 80 du/acre
 - (iii) Residential floor area max: 2.5
 - (iv) Follow all other development standards as specified under the R4-Metro zoning districts.
 - g. Areas zoned R1-6: For a qualifying transit-oriented housing development project within the R1 zoning district, the following apply:
 - (i) Include at least five dwelling units; and
 - (ii) Max height: See Tier 1 or 2 standards
 - (iii) Min density: 30 du/acre; Max: See Tier 1 or 2 standards.
 - (iv) Follow all other development standards as specified under the R4 zoning district.
 - h. Adjacency Bonus: A transit-oriented housing development project that is immediately adjacent to a transit-oriented development stop (200 feet proximity) shall be eligible for an adjacency intensifier to:
 - (i) Increase the height limit by an additional 20 feet; and
 - (ii) Increase the maximum density by an additional 40 du/acre
 - (iii) Increase the residential floor area ratio by 1
2. For the purposes of this Section, the distance of a transit-oriented housing development project from a transit-oriented development stop shall be measured in a straight line from the nearest edge of the parcel containing the proposed project to a pedestrian access point for the transit-oriented development stop.
 3. Transit-oriented housing development projects shall not be located on either of the following:
 - a. A site containing more than two units where the development would require the demolition of housing that is subject to any form of rent or

price control that has been occupied by tenants within the past seven years.

- b. A site that was previously used for more than two units of housing that were demolished within seven years before the development proponent submits an application under this Section and any of the units were subject to any form of rent or price control.
4. Transit-oriented housing development projects proposed pursuant to this Section shall meet the labor standards of subparagraphs (A), (B), (C), (D), (F) and (G) of paragraph (8) of subdivision (a) of California Government Code Section 65913.4 for any building over 85 feet in height.

G. Additional Requirements. Transit-oriented housing development projects allowed pursuant to this Section remain subject to local requirements otherwise applicable to housing development projects, including but not limited to:

- 1. Development plans must be approved pursuant to all applicable design review procedures under Chapter C.2 (General Development Standards), including the Milpitas Residential and Mixed-Use Objective Design Standards.
- 2. Developments proposing to remove protected trees shall comply with Milpitas Municipal Code Section X-2-7.01 (Existing Trees Protected).
- 3. All applicable projects must comply with the affordable housing requirements in Milpitas Municipal Code Chapter XII-1 (Affordable Housing Ordinance).
- 4. Developments proposing to utilize State Density Bonus Law shall comply with the procedures in Chapter C.12 (Density Bonus for Affordable Housing Developments).
 - a. Developments under this Section shall be eligible for a density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios pursuant to California Government Code Section 65915, using the density allowed under this Section as the base density. If the development proposes a height under this Section in excess of the height limit, then the City shall not be required to grant the waiver, incentive, or concession pursuant to California Government Code Section 65915 for additional height beyond specified in this Section.
 - b. A development shall be eligible for the following additional concessions, if it meets the applicable density thresholds specified:
 - (i) For a development providing housing for extremely low income households, three additional concessions.
 - (ii) For a development providing housing for very low income households, two additional concessions.
 - (iii) For a development providing housing for low-income households, one additional concession.

- (iv) To qualify for these additional concessions, the development must meet the following applicable density thresholds:
 - a. For a transit-oriented housing development project within one-quarter mile of a Tier 1 transit-oriented development stop achieve a minimum density of 90 du/acre.
 - b. For a transit-oriented housing development project further than one-quarter mile but within one-half mile of a Tier 1 transit-oriented stop, achieve a minimum density of 75 du/acre.
 - c. For a transit-oriented housing development project within one-quarter mile of a Tier 2 transit-oriented development stop, achieve a minimum density of 75 du/acre.
 - d. For a transit-oriented housing development project further than one-quarter mile but within one-half mile of a Tier 2 transit-oriented development stop, achieve a minimum density of 60 du/acre.
- 5. Developments shall comply with all applicable development impact fees.
- 6. Developments proposing subdivision of land shall comply with Milpitas Subdivision Ordinance (Title XI, Chapter 1).
- 7. Developments shall comply with California Government Code Section 66300.6, including any local requirements or processes implementing the provisions of Section 66300.6.
- 8. Developments shall comply with any applicable local demolition and anti-displacement standards established through a local ordinance pursuant to California Government Code Section 65912.157(f) and Title XII (Housing).
- 9. All standards otherwise applicable under this Title, the General Plan, and any applicable Specific Plan, Planned Use Development, or Development Agreement.

H. Affordability Provisions. A housing development proposed pursuant to this Section shall include on-site housing for lower income households by complying with one of the following requirements:

- 1. Any of the following:
 - a. At least 7 percent of the total units are dedicated to extremely low income households, as defined in Section 50106 of the California Health and Safety Code.
 - b. At least 10 percent of the total units are dedicated to very low income households, as defined in Section 50105 of the California Health and Safety Code.

- c. At least 13 percent of the total units are dedicated to lower income households, as defined in Section 50079.5 of the California Health and Safety Code.
- 2. This Subsection shall not apply to any development of 10 units or less.
- 3. All units dedicated to extremely low income, very low income, and low-income households pursuant to the above section shall meet both of the following:
 - a. The units shall have an affordable housing cost, as defined in Government Code Section 50052.5 of the Health and Safety Code, or an affordable rent, as defined in Government Code Section 50053 of the Health and Safety Code.
 - b. The development proponent shall agree to the continued affordability of all affordable rental units included pursuant to this section for 55 years and all affordable ownership units included pursuant to this section for a period of 45 years.
- 4. If the City of Milpitas's inclusionary housing requirement in Milpitas Municipal Code Chapter XII-1 (Affordable Housing Ordinance) mandates a higher percentage of affordable units or a deeper affordability than that described above, then the City's inclusionary housing requirement mandate shall apply in addition to the requirements above.

I. Streamlining Incentives.

- 1. A housing development project proposed pursuant to this Section shall be eligible for streamlined ministerial approval pursuant to California Government Code Section 65913.4 in accordance with all of the following:
 - a. The proposed project shall be exempt from subparagraph (A) of paragraph (4) of, and paragraph (5) of, subdivision (a) of California Government Code Section 65913.4.
 - b. The proposed project shall comply with the affordability requirements in subclauses (I) to (III), inclusive of clause (i) of subparagraph (B) of paragraph (4) of subdivision (a) of California Government Code Section 65913.4.
 - c. The proposed project shall comply with all other requirements of Government Code Section 65913.4, including, but not limited to, the prohibition against a site that is within a very high fire hazard severity zone, pursuant to subparagraph (D) of paragraph (6) of subdivision (a) of California Government Code Section 65913.4.
- 2. Any housing development proposed pursuant to this Section not seeking streamlined approval under California Government Code Section 65913.4 shall be reviewed according to the City of Milpitas's development review process and California Government Code Section 65589.5, except that any zoning standard that conflicts with the requirements of this Section shall not apply.

SECTION 4. AMENDMENT OF THE ZONING MAP OF THE CITY OF MILPITAS

The Zoning Map of the City of Milpitas, as amended, which was adopted as part of Ordinance No. 38.858, enacted as Title XIII, Chapter A, Section 2.060 of the Milpitas Municipal Code (“Zoning Map”), is hereby amended by rezoning the land use designation of only those parcels depicted within the depicted map as attached hereto as **Exhibit A**.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds, pursuant to Government Code Section 65912.160(c)(2), the provisions of this Ordinance do not constitute a project and therefore are statutorily exempt from the California Environmental Quality Act.

SECTION 6. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision, or part has no effect on the validity of the remainder.

SECTION 7. EFFECTIVE DATE AND POSTING

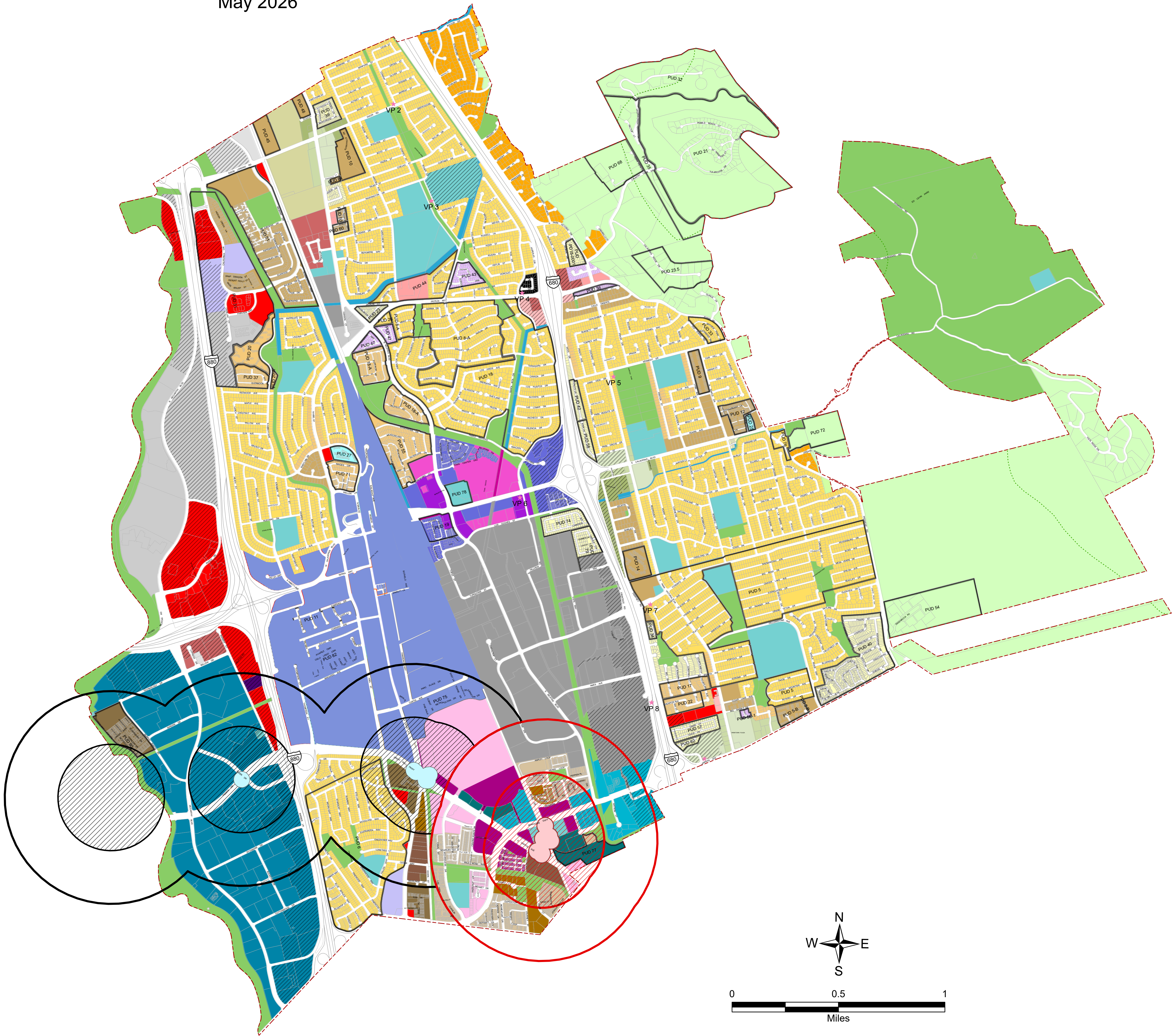
In accordance with Section 36937 of the Government Code of the State of California, this Ordinance takes effect 30 days from the date of its passage. The City Council hereby directs the City Clerk to cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

Exhibit A: Zoning Map Amendment

CITY OF MILPITAS

ZONING MAP WITH TOD OVERLAY

May 2026



Zones

- Single-Family minimum lot size 2,500 s.f. (R1-2.5)
- Single-Family minimum lot size 3,000 s.f. (R1-3)
- Single-Family minimum lot size 4,000 s.f. (R1-4)
- Single-Family minimum lot size 5,000 s.f. (R1-5)
- Single-Family minimum lot size 6,000 s.f. (R1-6)
- Single-Family minimum lot size 10,000 s.f. (R1-10)
- Single-Family with Hillside Combining District (R1-H)*
- One or Two-Family (R2)
- Multi-Family (R3)
- Multi-Family Very High Density (R4)
- Mobile Home Park (MHP)
- Mixed Use (MXD)
- Very High Density Mixed Use (MXD3)
- Town Center (TC)
- Town Center (TC1)
- Town Center (TC2)
- Town Center (TC3)
- Neighborhood Commercial Mixed Use (NCMU1)
- Neighborhood Commercial Mixed Use (NCMU2)
- Neighborhood Commercial Mixed Use (NCMU3)
- Administrative and Professional Office (CO)
- Neighborhood Commercial (C1)
- General Commercial (C2)
- Highway Services (HS)
- Light Industrial (M1)
- Heavy Industrial (M2)
- Industrial Park (MP)
- Business Park Research & Development (BPRD)
- Institutional (I)
- Agricultural (A)
- Park and Open Space (POS)
- Waterway

Milpitas Metro Specific Plan Zones

- Metro Multi-Family High Density Residential (R3-Metro)
- Metro Multi-Family Very High Density Residential (R4-Metro)
- Metro Urban Residential (R5-Metro)
- Metro High Density Mixed Use (MXD2-Metro)
- Metro Very High Density Mixed Use (MXD3-Metro)
- Metro Business Park Research & Development, Limited Residential (BPRD-R-Metro)
- Metro Business Park Research & Development (BPRD-Metro)
- See Milpitas Gateway-Main St. Specific Plan for zones

Overlay

- Freeway Corridor Overlay (FC)

TOD Overlay

- Tier 1 - Half Mile
- Tier 1 - Quarter Mile
- Tier 1 - 200ft
- Tier 2 - Half Mile
- Tier 2 - Quarter Mile
- Tier 2 - 200ft

Other Features

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

*Note: The "H" Hillside Combining District is mapped as R1-H. The Site and Architectural (S) Overlay was adopted through a voter initiative and is not currently mapped on any parcel.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Confirm the 2026 Weed Abatement Assessment Report (Staff Contact: Arthur Belton, Deputy Fire Chief / Fire Marshal, 408-586-3384)
Category:	Public Hearings-Public Safety
Meeting Date:	6/2/2026
Recommendation:	Adopt a resolution confirming the 2026 Weed Abatement Assessment Report and Assessment List to be entered into the tax assessment rolls.

BACKGROUND:

Fire risk in California with regard to climate has been steadily increasing each wildfire season. Much of the loss to property and life is attributed to areas known as Wildland Urban Interface (WUI) where housing development has been integrated into traditionally open land space. However, some notable firestorms have not been limited to WUI, resulting in rapid fire spread within fully developed urban landscapes. Three factors that contribute to wildfire behavior and spread are weather, topography, and fuel load. Of these factors, fuel load is the one that can be managed proactively to reduce the risk of fire initiation and spread. As a result, community fire prevention efforts focus on factors such as fuel reduction and defensible space. Weeds are significant contributors to initial and escalating fire growth. Categorized as light, flashy fuels, they are an easily ignitable fuel source that burns rapidly, increasing fire risk both in frequency and size. For many years Milpitas has been successful in reducing the fire risk posed by these light, flashy fuels through a weed abatement program.

On February 2, 1976, an Agreement was established and approved to abate weeds by the County of Santa Clara for the City of Milpitas. On [June 21, 2022](#), the City Council approved an amended and restated agreement, authorizing the City Manager to execute and sign the updated agreement. The Agreement promotes the efficiency and economy of operations in the abatement of weeds by the City and the County. The major procedural functions to be performed by the County and / or City shall include but are not limited to:

1. The County shall prepare the list of parcels requiring abatement of weeds in the City and transmit the said list to the City for review and approval for processing.
2. The County shall prepare the notice of weed abatement and cause such notice to be mailed to the owners of the parcels requiring weed abatement.
3. The City Council shall conduct public hearings on the proposed removal of weeds pursuant to the provisions of the City Ordinance when the City Fire Marshal presents such appropriate resolutions for adoption. The City Council may by resolution declare the weeds on the respective parcels of the land as nuisance and make the determination to proceed with the abatement of weeds and authorize the performance of the service to remove the weeds in accordance with the aforementioned Agreement.
4. Upon proper authorization by the City, the County shall remove the weeds on the designated properties.
5. The County shall render to the City an itemized assessment report for the cost of the weed abatement services performed on the respective parcels.
6. The City Council, after a public hearing, shall require the County Assessor's Office to include the costs of the weed abatement services performed for the City for the current year as a special assessment on bills for taxes levied against the affected parcels. Such special assessments shall be liens on the respective properties.
7. Pursuant to California Health and Safety Code 14915, a copy of the report, as confirmed, shall be turned over to the auditor of the County, on or before the tenth day of August following such confirmation, and the auditor shall enter the amounts of the assessments against the respective parcels of land as they appear on the current assessment roll, (Amended by Stats. 1939, Ch. 354).

ANALYSIS:

On [March 3, 2026](#), the City Council adopted Resolution No. 9486 declaring noxious or dangerous weeds growing upon specific listed properties to be a public nuisance that must be abated by the removal of the weeds. If the public nuisance was not removed from a property by the owner, the City contracted with the County of Santa Clara Consumer and Environmental Protection Agency- Weed Abatement Program (County) to remove weeds and abate the nuisance. This work has been completed by the County. In accordance with Title V, Chapter 202 of the Milpitas Municipal Code, the County filed with the City Clerk a report and assessment list on weeds that they abated, and the associated costs incurred, within the City as nuisances. This report is included as Exhibit A.

A notice for this public hearing was sent by the City Clerk's Office to the local newspaper for publication, as well as mailed to the affected property owners by the Fire Marshal's Office pursuant to Milpitas Municipal Code Section V-202-9.00.

The City's Municipal Code requires City Council to hear the report together with any objections from property owners liable to be assessed and make such modifications on the proposed assessment as it deems necessary.

Following adoption by the City Council, the resolution will be recorded and charges thereon become a lien on the land involved to be collected in the same manner as property taxes. A copy of the assessment list and the proposed resolution confirming the weed abatement report are included in the Council's agenda packet.

POLICY ALTERNATIVE(S):

There are no policy alternatives other than what is outlined under the Recommendations section. Pursuant to the amended agreement approved on June 21, 2022, the County under the provisions of the Health and Safety Code of the State of California and its ordinance has the authority to enforce the abatement of weeds. Likewise, the City under the California Fire Code and Milpitas Municipal Code, Title V, Chapter 202 has the authority to enforce the abatement of weeds.

FISCAL IMPACT:

At a City Council meeting prior to August 10th of each year during a public hearing, the City Municipal Code provides the City Council hear the assessment report for the list of weeds abated within the City, together with any objections of the property owners liable to be assessed, and to make such modifications on the proposed assessment as it deems necessary. Following adoption by the City Council, the resolution will be recorded and charges thereon become a lien on the respective land to be collected in the same manner as property taxes. There is no fiscal impact to the City by approving the resolution presented by staff. However, as the costs have already been incurred by the County, if the City Council chooses to remove any properties from the list as shown in Exhibit A, the City would be liable to pay the County for the services rendered on those property(s). In total, the County incurred \$30,741.20 in total costs over 65 properties through the City.

There are no City-owned parcels listed on Exhibit A for weed abatement services. If the money collected from property owners in Santa Clara County for weed abatement services does not cover the County's fixed costs, the County may request the City to pay its fair share of the deficit by September 1. The City's deficit share is determined by the percentage of parcels in the City that received weed abatement services compared to the total number of parcels serviced by the County. The County payment request would include details about the total shortfall, any available program revenues to offset it, and the City's calculated share of the shortfall.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is not a project pursuant to Pub. Resources Code, § 21065 and Cal. Code Regs., tit. 14, § 15378. Even if a project, the action is exempt from further CEQA review pursuant to Cal. Code Regs., tit. 14, § 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The action is a continuing administrative or maintenance activity and is not a project pursuant to Cal. Code Regs., tit. 14, § 15378. The action entails the maintenance of existing public or private property involving negligible or no expansion of existing or former use and is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15301.

ATTACHMENT(S):

- (a) 2026 Weed Abatement Assessment Report
- (b) Resolution

**2026 WEED ABATEMENT PROGRAM
CITY OF MILPITAS
ASSESSMENT REPORT**

EXHIBIT A

	Situs	APN	Tax Roll Amount
1	634 N ABEL ST	022-06-010	\$296.00
2	7280 MARYLINN DR	022-07-007	\$1,545.00
3	99 S MAIN ST	022-24-017	\$296.00
4	111 S MAIN ST	022-24-040	\$296.00
5	0 VALLEY WY	022-28-026	\$1,545.00
6	1735 CALIFORNIA CL	022-37-002	\$296.00
7	CALIFORNIA CL	022-38-026	\$592.00
8	CALIFORNIA CL	022-38-027	\$592.00
9	81 DIXON RD	026-05-021	\$296.00
10	0 DIXON RD	026-05-023	\$296.00
11	DIXON RD	026-06-012	\$296.00
12	1720 ARIZONA AV	026-07-016	\$296.00
13	1840 ARIZONA AV	026-07-051	\$296.00
14	1640 ARIZONA AV	026-11-067	\$296.00
15	0 BOTHELO LN	028-23-017	\$296.00
16	RAILROAD AVE	028-24-006	\$296.00
17	1390 EL CAMINO HIGUERA	029-02-007	\$296.00
18	980 CALAVERAS RIDGE DR	029-03-023	\$296.00
19	1327 CALLE ORIENTE	029-05-010	\$296.00
20	880 EVANS RD	029-06-003	\$296.00
21	666 EVANS RD	029-06-008	\$401.00
22	826 CALAVERAS RIDGE DR	029-06-031	\$296.00
23	1220 COUNTRY CLUB DR	029-52-014	\$296.00
24	1039 CAMARILLO CT	029-52-015	\$296.00
25	673 QUINCE LN	029-59-014	\$296.00
26	517 VISTA RIDGE DR	042-30-009	\$296.00
27	519 VISTA RIDGE DR	042-30-010	\$296.00
28	529 VISTA RIDGE DR	042-30-015	\$296.00
29	410 VISTA RIDGE DR	042-30-024	\$296.00
30	350 VISTA RIDGE DR	042-30-025	\$296.00
31	531 VISTA RIDGE DR	042-30-029	\$296.00
32	0 SERRA WY	083-06-006	\$1,545.00
33	0 MAIN ST	083-06-008	\$296.00
34	0 S MAIN ST	083-07-015	\$401.00
35	91 MONTAGUE EX	083-42-002	\$296.00
36	HAMMOND WAY	086-25-018	\$296.00
37	0 S MAIN ST	086-25-028	\$296.00
38	HAMMOND WAY	086-25-030	\$296.00
39	HAMMOND WAY	086-25-032	\$296.00
40	BOTHELLO AVE	086-26-040	\$296.00

41	HAMMOND WAY	086-26-042	\$296.00
42	HAMMOND WAY	086-26-043	\$2,399.50
43	0 MILPITAS BL	086-28-006	\$592.00
44	0 VISTA WY	086-29-005	\$296.00
45	0 WRIGLEY WY	086-29-036	\$1,249.00
46	0 YOSEMITE DR	086-29-047	\$296.00
47	876 YOSEMITE DR	086-30-047	\$697.00
48	0 YOSEMITE DR	086-30-048	\$296.00
49	0 AMES AV	086-30-060	\$296.00
50	SINCLAIR RD	086-31-003	\$296.00
51	MILPITAS BLVD	086-32-084	\$296.00
52	1646 CENTRE POINTE DR	086-33-110	\$297.00
53	COSTA ST	086-41-014	\$296.00
54	1001 S MILPITAS BL	086-42-033	\$296.00
55	GARDEN ST	086-94-014	\$296.00
56	375 DEMPSEY RD	088-01-002	\$296.00
57	534 S PARK VICTORIA DR	088-06-039	\$296.00
58	1459 CANTON DR	088-09-039	\$296.00
59	1496 JUPITER CT	088-09-089	\$296.00
60	575 CARLSBAD ST	088-20-102	\$296.00
61	1791 ROCKY MOUNTAIN AV	088-23-075	\$296.00
62	1966 YOSEMITE DR	088-26-149	\$296.00
63	0 OLD PIEDMONT RD	092-34-008	\$1,766.00
64	1250 PIEDMONT RD	092-34-014	\$1,918.70
65	2235 URIDIAS RANCH RD	092-37-050	\$401.00
		TOTAL	\$30,741.20

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
CONFIRMING A WEED ABATEMENT ASSESSMENT REPORT AND
ASSESSMENT LIST TO BE ENTERED ON TAX ASSESSMENT ROLLS**

WHEREAS, on March 3, 2026, the City Council of the City of Milpitas adopted Resolution No. 9486 declaring noxious or dangerous weeds growing upon and/or the accumulation of rubbish, refuse or dirt upon certain described property to be a public nuisance that must be abated by removal; and

WHEREAS, if the public nuisance was not removed from the properties by the owner, the City contracted with the Office of Santa Clara County Agricultural and Environmental Management to remove the weeds, rubbish, refuse and/or dirt and abate the nuisance; and

WHEREAS, the Office of Santa Clara County Agricultural and Environmental Management filed a report and abatement assessment list with the City Clerk in conformance with Title V, Chapter 202 of the Milpitas Municipal Code; and

WHEREAS, notice of the report and abatement assessment list was posted in accordance with Milpitas Municipal Code, Section V-202-9.00; and

WHEREAS, on June 2, 2026 a public hearing was held on said report and assessment list, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City Council heard and overruled any objections of the property owners liable to be assessed for the abatement.

NOW, THEREFORE, the City Council 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. The City Council hereby confirms the 2026 Weed Abatement Assessment Report and Abatement List by the County of Santa Clara for the City of Milpitas, filed by the Office of Santa Clara County Agricultural and Environmental Management, without modification.
3. The City Council orders that the cost of abating such public nuisance upon the various properties respectively referred to in the 2026 Weed Abatement Assessment Report and Assessment List shall constitute special assessments against such respective parcels of land and shall constitute a lien against such parcels for the amount of such assessments.
4. The City Manager shall cause a certified copy of this Resolution confirming the 2026 Weed Abatement Assessment Report and Assessment List to be recorded in the Office of the Santa Clara County Recorder and to be filed with the County Tax Assessor and Collector's office and the County Auditor's office in order for said assessments to be entered on the tax rolls as provided by Title V, Chapter 202 of the Milpitas Municipal Code.

PASSED AND ADOPTED this 2nd day of June, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Christian M. Curtis, City Attorney