

**LIST OF ATTACHMENTS FOR PUBLIC HEARING
ITEM NO. 3 – Hold a Public Hearing and Adopt a
Resolution Approving General Plan Amendments to the
Land Use and Circulation Elements**

- A. City Council Resolution**
- B. Technical Memorandum dated 08/21/2012**
- C. Land Use Element Strikeout Exhibit**
- D. Circulation Element Strikeout Exhibit**
- E. 11/14/2012 Planning Commission Meeting Minutes**
- F. 12/12/2012 Planning Commission Staff Report**
- G. 12/12/2012 Planning Commission Meeting Minutes**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING GENERAL PLAN AMENDMENT NO. GP12-0005, AMENDMENTS TO THE LAND USE AND CIRCULATION ELEMENTS

WHEREAS, on August 21, 2012, the City Council initiated a General Plan Amendment to update the policies of the Land Use and Circulation Elements; and

WHEREAS, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project exempt; and

WHEREAS, on November 14, 2012, the Planning Commission held a duly noticed public outreach hearing on the subject application, and considered evidence presented by City staff, and other interested parties; and

WHEREAS, on December 12, 2012, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, and other interested parties and recommended approval of General Plan Amendment No. GP12-0005 by no less than a majority of its total membership; and

WHEREAS, on January 15, 2013, the City Council held a duly noticed public hearing on the project and considered evidence presented by City staff and other affected parties, including but not limited to the materials and evidence previously presented to the Planning Commission.

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. The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is exempt pursuant to Section 15061(b)(3).
3. The proposed amendments are internally consistent with those portions of the General Plan which are not being amended and do not constitute substantial amendments.
4. The proposed amendments will not adversely affect the public health, safety, and welfare in that the amendments enhance public health, safety and welfare.
5. Therefore, based upon the findings contained herein, General Plan Amendment No. GP12-0005, Land Use and Circulation Element Amendments, as set forth in Exhibits 1 and 2, is approved.
6. Effective Date: This Resolution shall not apply to projects where complete submittals have been filed in conjunction with the project application prior to the effective date. The effective date of this amendment shall be 30 days after its date of adoption of January 15, 2013.

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

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

Exhibit 1

Purpose

The text and policies of the Land Use Element, and the General Plan Diagram (color foldout Figure 2-1) provide the physical framework for development in the Planning Area. The Diagram designates the proposed general location, distribution and extent of land uses. Uses on sites less than two acres in size are generally not depicted on the Diagram. As required by state law, land use classifications, shown as letter designations, labels or graphic patterns on the Diagram, specify a range for population density and building intensity for each type of designated land use. These standards of population density and building intensity allow circulation and public facility needs to be determined; they also reflect the environmental carrying-capacity limitations established by other elements of the General Plan.

Relationship to Other Elements

The Land Use Element correlates land use policies contained in the other elements. Land Use designations on the General Plan Diagram, and building density and intensity standards contained in the Land Use Element provide a basis for determining future traffic conditions and the need for capital facilities, such as street improvements, parks and schools.

2.1 Population and Growth

Population Growth

The Planning Area's 2010 population is 69,100. Between 2000 and 2010, the Planning Area population increase by 6,290 people at a rate of 1.00 percent per year. Build-out under the 2010 land use designations of the General Plan would result in an additional population of approximately 37,000 in the City, or a total population of about 106,100 in the Planning Area. However, this may be affected as a result of any Plan amendments that may subsequently be adopted.

Table 2-1 Population Estimates and Projections						
	2010	2015	2020	2025	2030	2035
City of Milpitas	69,000	74,700	82,300	90,400	98,100	106,000
Milpitas Planning Area	69,100	74,800	82,400	90,500	98,200	106,100
Santa Clara County	1,822,000	1,945,300	2,063,100	1,185,800	2,310,800	2,431,400
Sources: Association Bay Area Governments, Projections and Priorities 2009						

While build-out of the General Plan is expected to occur over a 15- to 25-year period, the time at which build-out would occur is not specified in or anticipated by the Plan.

Land Availability

Table 2-2 summarizes the status, as of May 2010, of developed and vacant land within City limits under the different General Plan land use classifications. About one-third of the developed land in the Valley Floor is devoted to Single Family Low-Density Residential use, with all designated residential areas accounting for about 46 percent of the Valley

Floor. About 25 percent of the Valley Floor is designated for industrial (Manufacturing and Industrial Park) uses. About 15 percent of the total land in the Valley Floor is vacant and available for development.

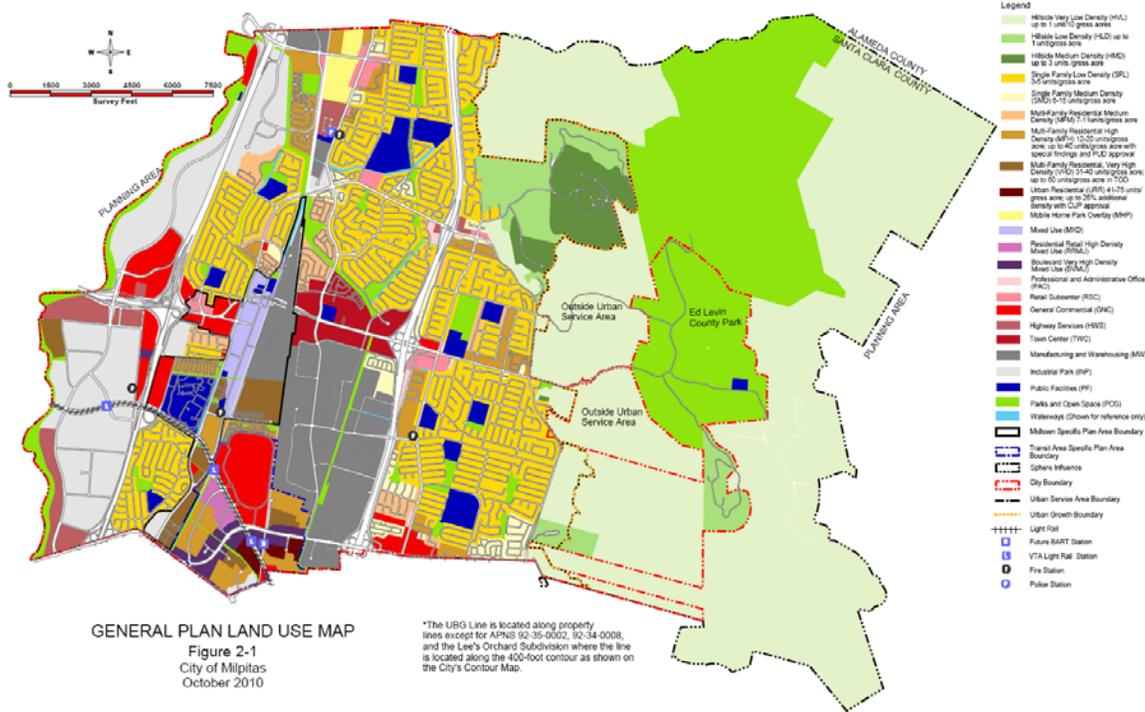
Table 2-2 2010 Citywide Land Availability						
	DEVELOPED		UNDEVELOPED¹		TOTAL	
	Acres	Units	Acres	Units ²	Acres	Units
HILLSIDE						
Hillside Medium Density	234	99	2	6	236	105
Hillside Low Density	297	39	77	23	374	62
Hillside Very Low Density	59	16	551	39	610	55
Ed. R. Levin County Park	1,541	0	0	0	1,541	0
Total Hillside	2,131	154	630	84	2,761	238
VALLEY FLOOR						
Single Family Low Density	1,454	9,500	5	18	1,459	9518
Single Family Mod. Density	121	1,359	10	80	131	1,439
Multi-Family Med. Density	140	1,417	0	0	140	1,417
Multi-Family High Density	257	5,075	77	1,732	334	6,877
Multi-Family Very High Density	79	2,946	71	2,083	150	5,029
Transit Oriented Residential High Density	14	137	34	1,086	48	1,223
Transit Oriented Residential Very High Density	0	0	29	1,172	29	1,172
Mixed Use	57	195	13	298	70	493
Residential-Retail High Density Mixed Use	0	0	29	1,057	29	1,057
Boulevard Very High Density Mixed Use	0	0	66	3,062	66	3,062
Town Center	137	396	0	0	137	396
Professional/Admin. Office	13	0	1	0	14	0
Retail Sub-center	59	0	3	0	62	0
General Commercial	332	0	16	0	348	0
Highway Service	210	563	0	0	210	563
Industrial Park	607	0	116	0	723	0
Manufacturing	651	0	6	0	657	0
Public	301	0	0	0	301	0

**Table 2-2
2010 Citywide Land Availability**

	DEVELOPED		UNDEVELOPED ¹		TOTAL	
	Acres	Units	Acres	Units ²	Acres	Units
Parks and Greenways	199	0	0	0	199	0
Major Streets, Freeways & Rail	329	0	121	0	450	0
Total Valley Floor	4,959	21,896	598	10,682	5,557	32,578

1. Undeveloped acres include parcels that are either vacant or under-developed in terms of their potential under the current General Plan land use designation and reflect anticipated build out growth analyzed in the Midtown Specific Plan and Transit Specific Plan.
2. Estimate of potential number of future dwelling units area based on the 90% of the median density range

Figure 2-1 Land Use



2.2 Land Use Classifications

The following descriptions apply to land uses indicated on the General Plan Diagram. The legend on the General Plan Diagram is an abbreviated version of the descriptions. The classifications represent adopted City policy and are meant to be clear, but broad enough to give the City flexibility in implementing the Plan. The City's Zoning Ordinance contains more detailed use provisions and development standards than are described in the classifications. More than one zoning district may be consistent with a single General Plan land use classification. Table 2-3 shows a correspondence between the General Plan and the Zoning Ordinance.

According to state law, the General Plan must establish standards of population density and building intensity for each land use classification. The General Plan expresses residential density as housing units and persons per gross acre, as established in Table 2-4 and the land use classifications that follow. Density ranges specified for each category are discrete and not cumulative. However, housing types are cumulative (i.e. single family units are permitted in areas designated for multifamily use), provided the overall development project falls within the stipulated density range. If a project's density falls between the density ranges of separate designations, its density is to be rounded to the nearest whole number to determine if it conforms to the indicated General Plan density range. For example, in Multifamily Medium Density (7-11 units per gross acre) areas, a residential project would have to have a gross density of at least 6.5 units per acre and less than 12.5 units per acre in order to be in conformance with that General Plan designation.

For nonresidential uses, a maximum permitted ratio of gross floor area to site area (FAR) is specified. FAR is a broad measure of building bulk that controls both visual prominence and traffic generated. It can be clearly translated to a limit on building floor area in the Zoning Ordinance and is independent of the type of use occupying the building. The Zoning Ordinance will include provisions for reviewing and approving deviations from the FAR limitations for uses with low employee densities, such as wholesaling and distribution, or low peak-hour traffic generation, such as a hospital.

The density/intensity standards do not imply that development projects will be approved at the maximum density or intensity specified for each use. Zoning regulations consistent with General Plan policies and/or site conditions may reduce development potential within the ranges stated in the Plan.

Valley Floor

The following use descriptions apply to the Valley Floor portion of the Planning Area.

RESIDENTIAL

Residential densities are expressed as a range of housing units per gross acre of developable land, provided that at least one housing unit may be built on each existing legally-subdivided parcel designated for residential use. Second units permitted by local regulations (i.e. "granny flats", "in-law units"), and state-mandated density bonuses for affordable housing are in addition to densities otherwise permitted.

Table 2-3 Milpitas General Plan Land Use/Zoning Consistency

General Plan Land Use Designations	Zoning Districts																
	R1-H	R1-6	R1-5	R1-4	R1-3	R1-2.5	R2	R3	CO	C1	C2	HS	TC	M1	M2	MP	A
HILLSIDE																	
Very Low Density	●																
Low Density	● ³																
Medium Density	● ³																
VALLEY FLOOR																	
S.F. ¹ Low Density		● ⁽⁵⁾															● ²
S.F. Moderate Density			● ⁽⁶⁾	● ⁽⁸⁾	● ⁽¹⁰⁾	○ ⁽¹⁵⁾											● ²
M.F. ² Medium Density							● ⁽¹¹⁾										● ²
M.F. High Density								● ⁽²⁰⁾									● ²
Mobil Home Park							● ⁽⁷⁾	● ⁽⁸⁾					● ⁴				● ²
Prof/Admin. Office									●								● ²
Retail Subcenter										●							● ²
General Commercial											●						● ²
Highway Service												●					● ²
Industrial Park													●				● ²
Manufacturing														●		●	● ²
Town Center													●				● ²

¹ Single Family
² Multi Family
³ Existing development built under prior zoning.
⁴ Existing mobile home parks built at higher density than currently allowed by zoning.
⁵ Incentive zoning required for development.

● Consistent
○ Consistent if proposed use is found by the City Council to be consistent with policies and programs of the General Plan and is compatible with the surrounding neighborhood.
○ Consistent only on sites 5 acres or less and if specific findings are made.

(blank) Inconsistent
(20) Maximum number of dwelling units per gross acre for Planned Unit Developments. Minimum number of dwelling units per gross acre where specific findings are made.

Note: Parks, public schools, police and fire stations, and other city-owned buildings may be in any zoning district.

**Table 2-4
Standards For Density And Development Intensity**

Land Use Designation	Residential Density (units/gross acre)	Maximum Permitted Floor-Area Ratio — FAR	Residential Population	
			Persons/Housing Unit ¹	Persons/Acre
VALLEY FLOOR				
Residential				
Single-family Low	3-5	n.a.	3.87	12-20
Single-family Moderate	6-15	n.a.	3.13	19-47
Multifamily Medium ^a	7-11	n.a.	3.13	22-35
Multifamily High	12-20	n.a.	3.13	38-63
Multifamily High with Special PUD approval	21-40	n.a.	2.52	53-101
Multifamily Very High	31-40	n.a.	2.52	79-101
Multifamily Very High with TOD Overlay	41-60	n.a.	2.52	104-152
High Density Transit-Oriented Residential	21-40	n.a.	2.52	53-101
Very High Density Transit-Oriented Residential	41-75 ²	n.a.	2.52	104-189
Mobile home Park	6-7	n.a.	1.6	10-11
Mixed Use				
Mixed Use (Residential)	21-30	n.a.	2.52	56-81
Mixed Use (Residential) with TOD Overlay	31-40	n.a.	2.52	83-108
Mixed Use (Non-Residential)	n.a.	.75	n.a.	n.a.
Mixed Use (Non-Residential) with TOD overlay	n.a.	1.0	n.a.	n.a.
Residential-Retail High Density Mixed Use	31-50 ³	1.5 for office ⁴ No density limit for hotels	2.52	79-126
Boulevard Very High Density Mixed Use	41-75 ³	1.5 ⁴	2.52	104-189

Table 2-4				
Standards For Density And Development Intensity				
Land Use Designation	Residential Density (units/gross acre)	Maximum Permitted Floor-Area Ratio — FAR	Residential Population	
			Persons/Housing Unit¹	Persons/Acre
Commercial				
Town Center	up to 40 ⁵	0.85	Varies ⁶	Varies ⁶
General Commercial ^a	n.a.	0.50	n.a.	n.a.
Retail Sub-center ^a	n.a.	0.35	n.a.	n.a.
Professional and Administrative Office	n.a.	0.5	n.a.	n.a.
Retail Transit-Oriented	n.a.	2.25	n.a.	n.a.
Industrial				
Industrial Park	n.a.	0.5	n.a.	n.a.
Manufacturing and Warehousing ^a	n.a.	0.4	n.a.	n.a.
HILLSIDE				
Residential				
Very Low Density	up to 0.1	n.a.	3.6	less than 1
Low Density	up to 1.0	n.a.	3.6	up to 4
Medium Density	up to 3.0	n.a.	3.6	up to 11
<p>^a The TOD Overlay does not change the standards for density and development intensity for the underlying land use designations.</p> <p>¹ Based on an overall average 3.14 household population per Milpitas total housing unit (Census 2000 baseline with Department of Finance data update).</p> <p>² Up to 90 du/ac with a Use Permit pursuant to the Transit Area Plan.</p> <p>³ Up to 60 du/ac with a Use Permit pursuant to the Transit Area Plan.</p> <p>⁴ Up to 2.5 FAR with a Use Permit pursuant to the Transit Area Plan.</p> <p>⁵ Findings necessary.</p> <p>⁶ Depends on the density of housing provided.</p>				

Single-family Low Density. (3 to 5 units per gross acre) All housing units are to be individually owned, either on separate lots or as part of a clustered Planned Unit Development. Single-unit detached residences will be the typical housing type in this category.

Single-family Moderate Density. (6 to 15 units per gross acre) All housing units are to be individually owned, either on separate lots or as part of a clustered Planned Unit Development. Developments with densities ranging from 7 to 10 units per acre may be approved only if proposals are found to be consistent with policies and programs of the General Plan and compatible with the surrounding neighborhood. Single-unit attached residences will typically be built within this density

range. Densities higher than 10 units per acre would be consistent only for sites of 5 acres or less, accompanied by specific findings relating to:

- Appropriate relationship to surrounding land uses.
- Affordability [for Planned Unit Developments (PUDs) the acceptable floor area range is 600 to 1,100 sq. ft.]

Multifamily Medium Density. (7 to 11 units per gross acre) This density range would allow single-family attached and semi-detached houses and duplexes.

Multifamily High Density. (12 to 20 units per gross acre) This density range would accommodate a variety of housing types, ranging from row houses to triplexes and four-plexes, stacked townhouses and walk-up garden apartments. Densities up to 40 units per gross acre may be permitted for proposals designed as Planned Unit Developments (PUDs) provided that the following criteria are met:

- Sewer and water service is sufficient to accommodate the proposal as well as other developments permitted by the General Plan. Any improvements to the sewer or water system that would be required to accommodate any such higher density proposals would be made conditions of project approval;
- Cumulative traffic, from the increased density and other existing or future projects, must not cause any street intersection to operate below Level of Service (LOS) E; and
- The design of such higher density projects will not have adverse shadow, view obstruction or loss of privacy impacts that are not mitigated to acceptable levels.

Multifamily Very High Density. (31 to 40 dwelling units per gross acre) This density range would accommodate a variety of housing types, ranging from row houses and townhouses to lofts and stacked flats with structured parking. Increased densities are permitted within the Transit Oriented Development overlay zone (TOD). Refer to page 2-15.

High Density Transit-Oriented Residential. A classification similar to the Midtown Plan's "Multifamily Very High Density" designation, these properties are intended for medium-density residential neighborhoods further from BART, at the interior of sub-district neighborhoods. A minimum average gross density of 21 units per acre is required, up to a maximum of 40 units per acre. Residential and related uses are allowed, but not commercial uses.

Very High Density Transit-Oriented Residential. Intended to create residential districts near BART and light rail stations, this designation requires housing to be built at an average density of at least 41 units per gross acre, up to a maximum of 60 and 90 units per gross acre. Small local-serving commercial uses are permitted at the ground floor level, including retail, restaurants, and personal services uses.

Mobile-home Park. This is an overlay category that may be combined with Single-family Low Density, Multifamily Medium Density and Multifamily High Density Residential, or Highway Service classifications. Mobile home Park, along with accessory uses, is the permitted use. Maximum residential density would range from 6 to 7 units per gross acre when combined with the use classifications as follows:

In addition to the above-stipulated densities, one additional housing unit per gross acre may be permitted upon a finding by the Planning Commission that the proposed project is of a superior functional and aesthetic design based upon it exceeding adopted mobile home park development standards.

MIXED USE

Mixed Use. (Residential component: 21 to 30 units per gross acre; non-residential component: FAR of 0.75) This designation allows for commercial offices, retail and services, high density residential and public and quasi-public uses. Mixed-use buildings can contain a combination of residential and commercial uses. The intensity for the non-residential component is a maximum floor area ratio (FAR) of 0.75. The residential density is 21 to 30 units per gross acre and is calculated separately from the non-residential component. Increased residential densities are permitted within the Transit Overlay District (TOD). Refer to page 2-15.

Residential – Retail High Density Mixed Use. This district is intended to be a true mixed use area with retail, restaurants, and services on the ground floor, and residential or office uses on the floors above. The residential density is a minimum average gross density of 31 units per acre and a maximum of between 40 and 60 units per gross acre. In addition, 200 square feet of retail or restaurant space is required per unit, using the minimum density (i.e. the requirement is based on the number of units required to meet the minimum density). Sites may be developed for office and hotel uses without residential development, although ground floor retail or restaurant square footage will still be required. For nonresidential projects, the minimum FAR ranges from 1.5 to 2.25. However there is no FAR limit for hotels. A FAR of 2.5 may be permitted on individual sites with approval of a conditional use permit by the Planning Commission.

Boulevard Very High Density Mixed Use. This classification is intended to provide high-density housing, retail, and employment along Montague Expressway with a landscaped boulevard character. Projects may include a wholly residential or non-residential concept or a project that integrates residential and non-residential uses vertically or horizontally.

Permitted uses include residential, office, commercial, and medical uses. Sites developed with a mix of uses, or non-residential uses, must adhere to the FAR maximum which ranges from 1.5 to 2.25. Residential projects shall have a minimum average gross density of 41 units per acre and can be built up to between 60 to 90 units per acre.

A FAR of 2.5 may be permitted on individual sites with approval of a conditional use permit by the Planning Commission. Special criteria would need to be met, including the following: (1) the proposed uses include a hotel or office uses that create substantial new jobs, and do not include residential uses; (2) the design of the project is on extremely high quality and is compatible with the scale of surrounding buildings; (3) there are no adverse traffic impacts beyond those studied in the Transit Area Plan EIR or the project will be required to mitigate such impacts individually; and (4) buildings do not shade public parks or plazas more than 30% between 10 AM and 3 PM as measured on March 15.

INSTITUTIONAL

The Institutional classification is for parcels owned by public agencies and intended to be accessed by the public. There are three institutional classifications:

1. Schools
2. Correctional Facility
3. Public Facilities

COMMERCIAL

Town Center. This designation provides for a variety of commercial, civic and residential uses appropriate to the Center's role as the functional and visual focus of Milpitas. The Town Center is a meeting place and a market place, the home of commercial and professional firms, an entertainment area and a place for restaurants and hotels. Because of this unique and relatively intensive mix of activities, very high density residential developments (i.e., up to 40 units per acres) may be permitted within the Town Center because of the increased economic support the residents would offer to the commercial uses.

General Commercial. This classification provides for a wide range of retail sales, and personal and business services accessed primarily by the automobile. It includes commercial uses in which shopping may be conducted by people walking to several stores as in a center, and may include uses customarily of a single-purpose character served from an adjacently parked automobile.

Retail Sub-Center. This classification accommodates neighborhood shopping facilities that provide for convenience needs, such as groceries and minor hardgood purchases. The General Plan provides for nine sub-centers, between two and 20 acres in size, distributed throughout the City.

Professional and Administrative Office. This classification provides advantageous locations for medical, law, and similar services required to serve residents and businesses. While office uses can be located in all of the commercial districts, the Professional Administrative Office areas are solely for these uses.

Highway Service. This classification provides for motels, mobile home parks, and non-retail services such as car-rental offices. Eight highway service areas are designated on the General Plan Diagram, typically at the intersection of major streets and/or freeways.

INDUSTRIAL

Manufacturing. This classification encompasses a variety of light and heavy industrial activities, such as manufacturing, packaging, processing, warehousing and distribution, and ancillary support uses.

Industrial Park. This classification accommodates research, professional, packaging and distribution facilities in a park-like setting, free from noise, odor and other such nuisances.

HILLSIDE

The Hillside Area comprises approximately 6,000 acres generally east of Piedmont Road, Evans Road and the portion of North Park Victoria Drive north of Evans Road. The undeveloped portion of the Hillside Area is characterized by gentle to steep slopes, grassy terrain with some chaparral and trees, wildlife, geologically unstable areas, the Ed R. Levin County Regional Park, and a feeling of remoteness from the more urban portions of the City. These conditions warrant Plan proposals and use classifications that differ considerably from those for the Valley Floor Area.

To ensure safety and to preserve its natural ambiance, all development in the Hillside Area is to be of low-density rural residential nature. Three categories of residential uses are provided. The Low and the Medium Density categories accommodate existing development; all new development is to be at a Very Low Density.

RESIDENTIAL

Residential densities are per gross acre of developable land provided that at least one housing unit may be built on each existing parcel designated for residential use. Densities outlined in the classifications are maximums for the classifications; these decrease with increase in slope as outlined in the classifications and defined in detail in the City's Zoning Ordinance. The City may further reduce the permitted density on a site if such a reduction is necessary or appropriate for reasons of site conditions, access, views or geologic hazards. Second units permitted by local regulations and state access-mandated density bonuses for affordable housing are in addition to densities otherwise permitted.

Very Low Density. The maximum permitted density for this classification is one dwelling unit per ten gross acres. The maximum density decreases with increase in slope until 80 acres per housing unit is required for land with an average slope of 50 percent or greater. This designation includes most of the Hillside Area.

Low Density. The maximum density for this classification is 1.0 housing unit per gross acre. This density decreases with increase in slope until ten acres of land are required per housing unit for sites with an average slope of 27 percent or more. Three relatively small areas of the Hillside (representing prior developments) are shown on the General Plan Diagram with this designation.

Medium Density. The maximum density for this classification is approximately 3.0 units per gross acre on level land and decreases with increasing slope until ten acres of land are required per unit for sites with an average slope of approximately 27 percent or more. Areas designated as Medium Density (all existing) include:

- Development along the base of the hillside area;
- Summitpointe residential and golf course;
- Calaveras Ridge PUD; and
- The Country Club Estates.

OVERLAY ZONES

Overlay zones are established in areas with distinct characteristics to have special development standards or guidelines beyond those identified in the underlying land use designation to carry out a vision or goal.

Transit Oriented Development (TOD) Overlay Zone

The Transit Oriented Development (TOD) Overlay Zones are located near transit stations, and are applicable to land generally located within a 2,000 foot walking distance from a Light Rail Station or future BART station. Development within the TOD overlay zone is subject to special requirements regarding development density, parking, mix of uses, and transit supportive design features.

The south Midtown TOD increases densities in the Multifamily-Very High Density designation to a range of 41 to 60 dwelling units per gross acre. The north Midtown TOD increases densities in the Mixed Use designation to a range of 31 to 40 dwelling units per gross acre.

Gateway Office Overlay Zone

The Gateway Office Overlay Zone is located in areas that are well-suited for a 'gateway' higher intensity office development. This overlay zone allows office developments to be developed to an intensity of FAR 1.5 for Class A office only; not for retail or other office buildings.

Recreation and Entertainment Overlay

The purpose of the Recreation and Entertainment (-RE) Overlay District is to encourage the interaction between commercial and entertainment uses to create a destination that attracts visitors to Milpitas, which in turn, enhances retail spending opportunities. The overlay would expand the type of recreation and entertainment uses that could be allowed with a conditional use permit in the non-residential (C2, HS, M1, and MP) zoning districts covered by the district. Such uses include but not limited to conference centers, movie theatres, nightclubs, indoor recreational facilities, etc.

High Rise Overlay

The purpose of the High Rise Overlay is intended to be a special district to allow greater building height and density at strategic locations to frame major City gateways and provide unique housing, shopping and employment opportunities. This overlay would allow between 60-150 dwelling units per gross acre and is intended for areas that are well suited for taller, high density mixed-use buildings located along freeways or expressways.

2.3 Jobs/Housing Relationship

The job/housing balance is the relationship between the number of jobs provided by a community and the number of housing units needed to house the workers in those jobs. The best measure of job/housing balance is the jobs/employed resident ratio. A ratio of 1.00 indicates there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 indicates that a community is “job poor” and that its economic development has not kept pace with its housing growth, which can imply that the community’s tax base is weak and maybe unable to support adequate levels of urban services. It is also an indicator for other factors such as community’s housing cost in relation to worker’s income; travel distances between homes and jobs; and the environment and quality of life in that community.

ABAG 2009 Projections estimated 1.54 workers per household in Milpitas. There were a total of 19,070 households in Milpitas and housed 31,274 workers. The 2035 projected growth in jobs and employed residents for Milpitas and Santa Clara County are summarized in Table 2-5.

Table 2-5									
Growth in Jobs and Employed Residents									
Milpitas and Santa Clara County									
	2010			2020			2035		
	Employed Residents	Jobs	Jobs/ Employed Resident s	Employed Resident s	Jobs	Jobs/ Employed Resident s	Employed Resident s	Jobs	Jobs/ Employed Resident s
Milpitas	31,340	48,450	1.54	39,650	52,650	1.32	54,730	59,280	1.08
Santa Clara County	815,800	1,044,130	1.08	985,400	938,330	1.06	1,252,500	1,365,810	1.02

Sources: Association of Bay Area Governments, Projections and Priorities 2009

In comparison to other cities in the Santa Clara County, Milpitas has one of the highest Employed Residents per Household ratio based on 2035 Estimates. Figures for other cities in Santa Clara County are shown in Table 2-6:

Table 2-6						
Jobs/Housing Comparison in the Ten Largest Cities in Santa Clara County						
2035 Estimates						
Jurisdiction	Jobs	Households	Employed Residents	Jobs per Household	Jobs per Employed Residents	Employed Residents per Household
San Jose	728,100	453,610	723,010	1.61	1.01	1.59
Sunnyvale	110,200	68,290	94,430	1.61	1.17	1.38
Santa Clara	153,940	60,430	92,730	2.55	1.66	1.53
Mountain View	79,300	42,500	57,800	1.87	1.37	1.36
Palo Alto	107,000	40,760	54,740	2.63	1.95	1.34
Cupertino	37,890	21,800	27,390	1.74	1.38	1.26
Campbell	28,900	20,180	27,430	1.43	1.05	1.36
Milpitas	59,280	30,510	54,730	1.94	1.08	1.79
Los Gatos	22,850	14,370	16,890	1.59	1.35	1.18
Gilroy	32,540	22,470	36,370	1.45	0.89	1.62

Employment Growth Prospects

According to projections by the Association of Bay Area Governments, Milpitas will add about 10,830 jobs between 2010 and 2035. Application of average development and employment intensities to vacant sites shows that Milpitas would be able to accommodate about 22,000 new jobs under current General Plan designations (Table 2-7), more than enough to meet projected needs over the next 20 years.

Table 2-7				
Land Availability For Job Growth, 2010				
General Plan Land Use Designation	2010 Vacant and Under-developed Land (Acres)	Estimated Potential New Jobs¹	Assumptions	
			Average FAR	Building square feet/employee
Retail Sub-center	3	65	.25	500
General Commercial	16	348	.25	500
Industrial Park	116	4716	.35	375
Manufacturing	6	244	.35	375
Mixed Use	67	5150	.75	425
Mixed Use w/ TOD Overlay	87	8917	1.0	425
General Commercial w/ Gateway Office Overlay	14	2439	1.5	375
Total	309 Acres	21,881 Jobs		

FAR = Building floor area to site area ratio.
¹ Estimated new jobs rounded to nearest 10.

2.4 Schools

Facilities and Enrollment

The Planning Area is served by the Milpitas Unified School District (MUSD), Berryessa Union High School District and Eastside Union School District. MUSD operates nine elementary (grades K-5; Burnett, Curtner, Pameroy, Randall, Rose, Sinnott, Spangler, Weller and Zanker), two middle (grades 6-8; Rancho Milpitas and Russell) and two high (grades 9-12; Milpitas High and Calaveras Hills) schools. In addition to public schools, private and parochial schools also serve the Area. A total of 9,869 students were enrolled in the MUSD in April 2010; less than the total capacity of 11,466 (Table 2-8). The Berryessa Union High School District had a total enrollment of 8,361 students; less than the capacity of 9,764 and the Eastside Union School District had a total enrollment of 24,728 students as of April 2010.

Table 2-8			
Capacity, Enrollment, and Projected Increase			
Milpitas Unified School District			
Grade¹	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
K-6	6,270	5,203	667
7-8	1,641	1,484	101
9-12	3,555	3,182	223
Total	11,466	9,869	992
Berryessa Union School District			
Grade	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
K-8	8,965	8,361	329
Total	8,965	8,361	329
Eastside Union School District			
Grade	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
9-12	25,040	24,728	107
Total	5000	4,200±	107
Source: Milpitas Unified School District, September 2010, Bessie Louie and Charito Cabantac. East Side Union High School District, May 2010, Nadia Davis Berryessa Union School District, May 2010, Pamela Becker Methodology for additional enrollment is based on additional housing units multiplied by student generation rates obtained from the Projected Enrollments from 2009-2019 Report, Enrollment Projection Consultants, February 2/15/10			

Projections

Growth from the buildout of the General Plan would result in the addition of 1,428 students. Table 2-8 lists the additional students that would be generated by grade category using Milpitas Unified School District (MUSD) student generation rates of 0.031 students for Single Family Dwelling developments, 0.12 students for Regular Attached developments, and 0.40 for Below Market-Rate (BMR) developments ; and broken down by grade in proportion to the current enrollment.¹

¹ Source: Enrollment Projection Consultants, February 15, 2010.

Milpitas currently levies state-mandated fees for new residential, commercial and industrial development at the time of building permit issuance in accordance with more recent statutes and court decisions.

2.5 Public Facilities and Utilities

For information on safety services and emergency management please see Chapter 5: Seismic and Safety Element. For water conservation, see Section 4.4: Water Quality and Conservation.

Government Facilities

The Civic Center (consisting of City Hall, Community Center and Senior Center) is adjacent to the Town Center. The library is located on southwest corner of North Main Street and Weller Avenue near Calaveras Boulevard overpass. The Police Station and Corporation Yard are located on the west side of North Milpitas Boulevard. There are four fire stations located throughout the Valley Floor Area. The locations of these City facilities, as well as the County's Elmwood Correctional Facility on Abel Street, are indicated on the General Plan Diagram.

Water Supply

The City receives water from the San Francisco Water Department (SFWD) through the Hetch-Hetchy system by connections on two of the four local aqueducts that transport water from mountain reservoirs to San Francisco and the Peninsula. While the SFWD aqueduct is able to meet the City's demand, the City's 1980 *Water Master Plan* concluded that it would be more cost effective for the City to obtain some of its water from the Santa Clara Valley Water District (SCVWD). As a result, industrial areas in the southwestern part of the City have since August 1993 been receiving water from the SCVWD.

The 2009/2010 average water consumption in the City was approximately 11,500 acre feet per year. The projected domestic water purchases for 2010/2011 is 10,500 acre feet per year. The City's current Water Master Plan was adopted in Spring 2010.

Wastewater Services

The San Jose/Santa Clara Water Pollution Control Plant (WPCP), the wastewater treatment facility for the City, is located in San Jose. It is a tertiary regional facility serving San Jose, Santa Clara, Milpitas, West Valley Sanitation District, Cupertino Sanitary District, County Sanitary District 2-3, Burbank Sanitary District, and the Sunol Sanitary District. Milpitas wastewater service area is contiguous with the City boundaries.

Capacity and Discharge. In 2009/2010, the City discharged 8.4 million gallons per day (mgd) and is contractually limited to a flow of 14.25 mgd. The dry weather flow rate was 7.2 mgd in 2010/2011. The WPCP has a dry-weather total capacity of 167 mgd, and a current average daily flow of approximately 121 mgd. There are no plans to increase the capacity of the WPCP. To mitigate a discharge-limit cap, conditions to WPCP's National Pollution Discharge Elimination System discharge permit have been imposed (see Section 4.4). The WPCP staff is preparing a master plan to establish a 30-year plan for equipment and process upgrades.

Current Programs. In order to allow the WPCP to meet the more stringent discharge requirements into the Bay, Milpitas is participating in water conservation programs and plans to divert flows to reclamation systems. Recycled water to supplement potable irrigation water became available in 2000. Future recycled water uses include industrial process, cooling towers, and dual plumbing of non-residential buildings.

The City completed an inflow and infiltration sewer remedial program in 1989. The City also updated its sewer master plan in May 2010.

2.6 Land Use Principles and Policies

a. Land Use

Guiding Principles

- 2.a-G-1** Maintain a land use program that balances Milpitas' regional and local roles by providing for a highly amenable community environment and a thriving regional industrial center.
- 2.a-G-2** Maintain a relatively compact urban form. Emphasize mixed-use development to the extent feasible, to achieve service efficiencies from compact development patterns and to maximize job development and commercial opportunities near residential development.
- 2.a-G-3** Provide for a variety of housing types and densities that meet the needs of individuals and families.
- 2.a-G-4** The Town Center will be the “heart” of Milpitas’ civic, cultural, business, and professional life.
- 2.a-G-5** A park-like setting will be created by a series of local parks, school sites, trails, and a greenway system laced throughout all living areas.
- 2.a-G-6** Implement the Midtown Specific Plan goals, policies and development standards and guidelines to create a mixed-use community that includes high-density, transit-oriented housing and a central community ‘gathering place’ while maintaining needed industrial, service and commercial uses.
- 2.a-G-7** When considering development proposals, seek “community benefit”, such as upgrading infrastructure facilities, constructing new infrastructure facilities, and funding contributions to programs.
- 2.a-G-8** The City should consider a long term approach to managing its income/job generating lands and the impacts of development on public services.
- 2.a-G-9** The city should make land use decisions that improve the City’s fiscal condition. Manage the City’s future growth in an orderly, planned manner that is consistent with the City’s ability to provide efficient and economical public services, to maximize the use of existing and proposed public facilities, and to achieve equitable sharing of the cost of such services and facilities.
- 2.a-G-10** Consider long-term planning and strong land use policy in managing the City’s fiscal position.
- 2.a-G-11** Promote land use policy and implementation actions that improve the City’s fiscal sustainability. Maintain and enhance the City’s projected total net revenue through amendments made to the General Plan. Discourage proposed re-zonings or other discretionary land use actions that could significantly diminish revenue to the City or significantly increase the City’s service costs to the City without offsetting increases in revenue.

Implementing Policies

Development Intensity

- 2.a-I-1** New developments should not exceed the building intensity limits established in the General Plan. *Housing density standards consistent with the General Plan are already established in the Zoning Ordinance. Limits on development intensity are required by state law.*
- 2.a-I-2** Land use conversions from employment/sales tax generation properties to residential shall only be considered once there is 80% buildout in the Midtown and Transit Area Specific Plans.

Growth and Expansion

- 2.a I-2** Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.
- 2.a I-2.1** Maintain an Urban Growth Boundary in the hillside area, as shown on the General Plan Land Use Map, that shall be effective until December 31, 2018 and, except as otherwise provided below, shall not be moved until that time.

A. City Services Prohibited in Area Outside the Urban Growth Boundary and Outside the City

Limits: The City shall not process, approve or authorize construction or provision of any City service or City service extension to any property or people in that area located both outside of the Urban Growth Boundary and outside of the city limits of the City of Milpitas, except as expressly provided in this Policy 2.a I-2.1A. "City service" means any water, sanitary sewer, storm drain, flood control, road maintenance, sidewalk maintenance, police, fire or emergency medical service, including construction of related infrastructure that the City, its agents, its departments, or its contractors, provides to any property or people within the City limits. The City may provide a City service or City service extension to property or people outside of the Urban Growth Boundary only if:

1. *Declared Public Emergency:* The City Council declares a local emergency pursuant to Government Code § 8630 et seq. or Milpitas Municipal Code Title V, Chapter V-1 as they presently exist or may be amended in the future and the City Council finds, based on substantial evidence, that: (1) the extension or provision of service on a temporary basis is necessary to ensure public safety and (2) the extension or provision of service is for a specified limited time period;
2. *Urgent Public Health or Safety Concern Affecting Existing Development:* The City Council finds, based on substantial evidence, that: (1) an urgent public health or safety concern exists; (2) an independent, certified professional engineer approved by the City has concluded that the only economically justifiable solution to that public health or safety concern is to provide or extend City service; (3) on or before November 3, 1998, the legal parcel affected by that public health or safety concern had either a vested right to develop an approved land use or an approved and recorded final subdivision map pursuant to which residential units had been constructed within said subdivision; and 4) the applicant for the provision or extension of such City service has agreed to pay for its proportionate share of the service or service extension costs including, but not limited to, any engineering, design, inspection, land acquisition or review or other capital or operating costs incurred by the City. Any City service extension constructed under this Policy 2.a I-2.1A.(ii) shall be constructed in accordance with Section XI-1-7 of the Milpitas Municipal Code (regarding developer installation of improvements);

3. *Parks and Open Space:* The City Council finds, based on substantial evidence, that: (1) the property is operated as park or open space for the benefit of the general public and owned by either a private open-space trust or a government agency, authority, or district; (2) there would be minimal alteration (e.g. trails and fire roads) of the natural land forms as a result of any land use approval or modification; and (3) the property either will be used exclusively for passive recreational uses consistent with the rural character and indigenous plant and animal species of the hillsides, or contains a designated historic building(s) or setting that will be used for a purpose related to the historic significance of the site. Any property that is extended or provided City service under this Policy 2.a I-2.1.A.(i) shall not be used as golf course, ball field, ball court, amphitheater, amusement park, gymnasium or auditorium; or
4. *Mutual Aid Agreements with Other Public Agencies:* The City Council finds, based on substantial evidence, that: (1) the City services to be provided are limited to police, fire or emergency medical services, (2) such services are provided pursuant to a written agreement between the City of Milpitas and another public agency, (3) the agreement provides mutual benefits to both the City of Milpitas and the other agency to the agreement, and (4) the agreement benefits all or substantially all of the residents of the City of Milpitas.

B. Limited City Services Available in Areas Outside the Urban Growth Boundary and Within the City Limits: The City may provide police, fire or emergency medical service to any property or people in that area located both outside of the Urban Growth Boundary and within the city limits of the City of Milpitas. "City police, fire or emergency medical service" means any police, fire or emergency medical service, including construction of directly related infrastructure [except new stations] that the City, its departments, agents or contractors provides to any property or people within the City limits. Other than police, fire and emergency medical services specified herein, the City shall not process, approve or authorize construction or provision of any City service or City service extension to any property or people in that area located both outside of the Urban Growth Boundary and within the city limits of the City of Milpitas, except as expressly provided in this Policy 2.a I-2.1A. For purposes of this section, "City service" means any water, sanitary sewer, storm drain, flood control, road maintenance, sidewalk maintenance, including construction of related infrastructure that the City, its agents, its departments, or its contractors, provides to any property or people within the City limits. Notwithstanding any prohibition provided in this paragraph, the City may continue to maintain and/or repair that portion of Calaveras Road within the City limits and outside of the Urban Growth Boundary.

- C. Amendments to the Urban Growth Boundary:** Until December 31, 2018, the Urban Growth Boundary may only be amended as follows:
1. The Urban Growth Boundary may be amended by a vote of the People of the City of Milpitas;
 2. To comply with state law regarding the provision of housing for all economic segments of the community, the City Council may amend the Urban Growth Boundary to accommodate lands designated or to be designated for residential uses. No more than 3 acres of land may be brought within the Urban Growth Boundary for this purpose in any calendar year. Land added to the Urban Growth Boundary pursuant to this section must be contiguous to land already within the Urban Growth Boundary. Such amendment may be adopted only if the City Council makes all of the following findings, based on substantial evidence:
 - a. That the land is to be included within the Urban Growth Boundary not designated as existing regional parks in the Santa Clara County General Plan adopted December 20, 1994, as amended through August 3, 1998; and
 - b. That the land is immediately adjacent to (i) the existing Urban Growth Boundary, and (ii) existing serviceable water and sewer connections;
 - c. That the proposed development will consist of primarily low and very low income housing pursuant to the Housing Element of this General Plan; and

- d. That there is no existing residentially designated land within the Urban Growth Boundary to accommodate the proposed development and it is not reasonably feasible to accommodate the proposed development by redesignating lands inside the Urban Growth Boundary for low and very low income housing; and
 - e. That the proposed development is necessary to comply with state law requirements for provision of low and very low income housing and the area of land within the proposed development will not exceed the minimum necessary to comply with state law; or
3. The City Council may amend the Urban Growth Boundary if it makes both of the following findings:
- a. The application of any aspect of the Urban Growth Boundary above would constitute an unconstitutional taking of a landowner's property; and
 - b. That the amendment and associated land use designation under consideration by the City Council will allow additional land uses approved by the City Council only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property.

D. Review of the Urban Growth Boundary: In 2015, prior to its expiration in 2018, the City shall begin a comprehensive review of the Urban Growth Boundary.

2.a I-2.2 Not later than 45 days after approval of this General Plan Amendment, the City shall take all necessary actions to apply for and request that the Santa Clara County Local Agency Formation Commission ("SC LAFCO") relocate the Urban Service Area boundary so that it is coterminous with the Urban Growth Boundary. The City shall take all actions within the scope of its jurisdiction to support and facilitate SC LAFCO's action regarding the City's request to relocate the Urban Service Area Boundary.

Economic Development

- 2.a-I-3** Encourage economic pursuits which will strengthen and promote development through stability and balance.
- 2.a-I-4** Publicize the position of Milpitas as a place to carry on compatible industrial and commercial activities with special emphasis directed toward the advantages of the City's location to both industrial and commercial use.
- 2.a-I-5** Maintain policies that promote a strong economy which provides economic opportunities for all Milpitas residents within existing environmental, social fiscal and land use constraints.
- 2.a-I-6** Endeavor to maintain a balanced economic base that can resist downturns in any one economic sector.
- 2.a-I-7** Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.
- 2.a-I-8** Establish redevelopment projects to secure funds that can be used to attract commercial, industrial, and residential development in order to eliminate blight and improve an area.

- 2.a-I-9** Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use incompatibility issues.
- 2.a-I-10** Maintain an inventory of industrial lands and periodically assess the condition, type, and amount of industrial land available to meet projected demands.
- 2.a-I-11** Encourage supportive and compatible commercial and office uses in industrial areas designated for those uses. In areas reserved for industrial uses, only limited ancillary and incidental commercial uses, such as small eating establishments, may be permitted when such are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area.
- 2.a-I-12** Consider conversion from one employment land use to another, where the conversion would retain or expand employment capacity and revenue generation, particular for intensification on-site if the proposed conversion would result in a net increase in revenue generation.
- 2.a-I-13** When considering land use conversions from commercial or industrial lands to residential, the City should contemplate substantial economic benefit through negotiable development agreements with contributions towards the Economic Development Corporation to spur economic development.

Land Use Compatibility

- 2.a-I-14** When new uses are proposed in proximity to existing industrial uses, incorporate conditions upon the new use to minimize its negative impacts on existing nearby land uses and to promote the health and safety of individuals at the new development site.
Prohibit social organization uses within industrial areas. Consider these uses in other areas in the City.

Fiscally Beneficial Land Use

- 2.a-I-15** Maintain and expand the total amount of land with industrial designations. Do not add overlays or other designations that would allow non-industrial, employment uses within industrially designated areas.

Community Identity

- 2.a-I-16** Preserve and maintain the historical landmarks of Milpitas and its physical setting so the residents will recognize they are a part of a distinctive and dynamic community.
- 2.a-I-17** Foster community pride and growth through beautification of existing and future development.

Detailed policies related to historic preservation are in Section 4.9.

Residential Development

- 2.a-I-18** Create a park-like quality for all residential areas through the PUD process and the judicious siting of parks, schools and greenways throughout those areas.
- 2.a-I-19** Use zoning for new residential developments to encourage a variety and mix in housing types and costs. *This policy is also in the Housing Element*
- 2.a-I-20** Geographically disperse similar development types throughout the community so that denser districts are not concentrated within a single area of the City. *This policy is also in the Housing Element*

Hillside Development

(For policies relating to crestline and scenic resources protection, see Section 4.9: Scenic Resources and Routes: for safety issues related to hillside development, See Section 5.5: Seismic and Geologic Hazards.)

- 2.a-I-21** Encourage clustered housing and planned unit developments to reduce the visual impact as viewed from the Valley Floor, preserve natural topographic features, avoid geologic hazards and provide open space in residential areas.
- 2.a-I-22** Where planned unit developments are not undertaken, protect major portions of the subdivision with open space easements.
- 2.a-I-23** Limit new development in the Hillside Area to only to Very Low Density Residential, open space and park uses.
- 2.a-I-24** In order to preserve the natural topography of the hillside, limit densities otherwise permitted in the hillside according to a slope-density formula. *Section XI-10-45.03 of the Zoning Ordinance elaborates upon these requirements.*
- 2.a-I-25** To ensure that development in the foothills is in keeping with the natural character of the hillside, and that views are protected, require city review and approval of all proposed development or major alterations to existing development in the hillside. As part of the review, ensure that:
- landscaping is of a type indigenous to the area;
 - that building designs, materials and colors blend with the environment; and
 - grading is minimized and contoured to preserve the natural terrain quality.
- 2.a-I-26** Establish crestline protection areas around the ridges which will ensure that buildings and grading west of the first ridge do not visually penetrate a band of land that lies 100 feet vertically below the apparent crestline when viewed from certain specific sites on the valley floor and that no structures just east of the crestline extend above the crestline sight line.

Town Center

- 2.a-I-27** Develop the Town Center as an architecturally distinctive mixed-use complex which will add to Milpitas' identity and image.

- 2.a-I-28** Require development in the Town Center to conform to the adopted design principles/requirements of the Milpitas Redevelopment Agency.

Midtown

- 2.a-1-29** Develop the Midtown area, as shown on the Midtown Specific Plan, as an attractive and economically vital district that accommodates a mixture of housing, shopping, employment, entertainment, cultural and recreational activities organized within a system of landscaped boulevards, streets and pedestrian/bicycle linkages.
- 2.a-1-30** Require development in the Midtown area to conform to the adopted design guidelines/requirements contained in the Midtown Specific Plan.

Transit Area

- 2.a 1-31** Develop the Transit area, as shown on the Transit Area Plan, as attractive, high density, urban neighborhoods with a mix of land uses around the light rail stations and the future BART station. Create pedestrian connections so that residents, visitors, and workers will walk, bike, and take transit. Design streets and public spaces to create a lively and attractive street character, and a distinctive identity for each sub-district.
- 2.a 1-32** Require development in the Transit area to conform to the adopted design guidelines/requirements contained in the Transit Area Plan.

Child Care

- 2.a-I-33** Encourage the establishment of day care facilities consistent with State standards, including the issuance of use permits for large day care facilities where compatible with surrounding neighborhoods and commercial uses, particularly in public facilities such as community centers, churches, schools and in employment centers and large housing developments.
- 2.a-I-34** Consider zoning code modifications to encourage day care facilities through development bonuses, flexible parking regulations, design provisions for modular units, and similar incentives.
- 2.a-I-35** Collect and disseminate information regarding existing day care facilities and programs to major employees.

Land Use Element Revision

- 2.a-I-36** Undertake a comprehensive revision of the Land Use Element, including the General Plan Diagram prior to the next five year comprehensive review of the General Plan.

b. Jobs/Housing Relationship

Guiding Principle

- 2.b-G-1** Support jobs/housing balance programs at the local and regional scale intended to reduce the distance needed to commute.

Implementing Policies

- 2.b-I-1** Monitor the jobs/housing balance within the City on an annual basis.

- 2.b-I-2** Consider locating housing in close proximity to industrial developments where they can be served by existing city services and facilities.

This policy is also in the Housing Element

- 2.b-I-3** Provide housing opportunities in Milpitas by meeting the City's regional fair-share housing obligations.

- 2.b-I-4** Support jobs/housing balance programs at the regional scale that reduce in- and out-commuting from Milpitas.

Despite the presence of a greater number of jobs than employed residents, only one-fifth of workers living in Milpitas actually work in the City. Local programs to balance jobs and housing would be effective only if they are part of an overall regional strategy.

c. Schools

Guiding Principle

- 2.c-G-1** Provide adequate school facilities for the City's residents.

The quality of educational programs and facilities is an important component of the community's quality of life and the desirability of the City to new residents and businesses.

Implementing Policies

- 2.c-I-1** Continue working with 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.

- 2.c-I-2** Locate future school sites on the General Plan Diagram if and when any amendments to the Plan are made that would necessitate new schools.

A future school site is identified in the Transit Area Specific Plan Land Use Map.

- 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 fee when necessary to comply with statutory changes.

d. Public Facilities and Utilities

Guiding Principles

- 2.d-G-1** Provide all possible community facilities and utilities of the highest standards commensurate with the present and anticipated needs of Milpitas, as well as any special needs of the region.

- 2.d-G-2** Develop adequate civic, recreational, and cultural centers in locations for the best service to the community and in ways which will protect and promote community beauty and growth.

Implementing Policies

- 2.d-I-1** Coordinate capital improvement planning for all municipal service infrastructure with the location and timing of growth.
- 2.d-I-2** Periodically update the City's water and sewer master plans.
- 2.d-I-3** When reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.
- 2.d-I-4** Use the design review process to consider and weigh the long term maintenance, resource needs, and costs of the design of private streets and other private infrastructure improvements.
- 2.d-I-5** When considering development proposals that are consistent with the underlying land use designation, seek opportunities for infrastructure improvements that would benefit the proposed project as well as the adjacent development that would lessen the burden on the overall tax base.

Exhibit 2

Purpose

The Circulation Element designates the general location and extent of existing and proposed major thoroughfares, transportation routes--including those for bicycles and pedestrians--and other local public facilities.

Relationship to Other Elements

The Circulation Element is systematically and reciprocally correlated with the Land Use Element, which includes policies related to the physical framework for development that the circulation system is designed to serve. The trails and bikeways identified in this element are also related to the recreational plans and policies identified in the Open Space and Environmental Conservation Element. Projected noise conditions in the Noise Element are also based on the traffic analysis conducted as part of the Circulation Element.

Much of Milpitas' evolution and recent growth can be attributed to its strategic location at the narrow plain between the Diablo Range and the San Francisco Bay that connects the East Bay and the South Bay. Several major regional transportation facilities traverse the City including Interstates 680 and 880, State Route 237-Calaveras Boulevard, Montague Expressway, The Santa Clara Valley Transportation Authority (VTA) Light Rail line, the Union Pacific Railroad tracks and the future Bay Area Rapid Transit (BART) commuter rail line. These major routes serve as major regional thoroughfares; however also act as barriers for local access.

Milpitas accommodates significant regional traffic as commuters from the East Bay and Central Valley travel to employment centers in Milpitas and Santa Clara County. The predominant direction of travel is south and west during the morning and east and north during the evening commute. Mean travel time to work for City residents was 22.7 minutes in 2009, compared to 23.8 minutes for County residents as a whole.

The residents' mode of transportation to work was quite similar to that of County residents as detailed in the 2009 American Community Survey 1-Year Estimates, with about 77 percent of the workers relying on the automobile as the primary mode (Table 3-1). Carpooling is slightly higher than the County average with 14 percent Milpitas residents sharing a vehicle over the County's 11 percent. A small amount of Milpitas residents travel by public transportation and about 2 percent of Milpitas residents walk or use another means of transportation which is assumed bicycling.

Table 3-1		
Mode of Transportation to Work for Residents		
	Percent of Total	
	Milpitas	Santa Clara County
Car, Truck or Van Drove Alone	76.7%	75.7%
Carpooled	13.8%	11.0%
Public Transportation	1.6%	3.2%
Walked	1.8%	2.2%
Other Means	2.9%	3.5%
Worked at Home	3.2%	4.5%
Total Workers	35,043	947,930
Note: Percentages may not add to 100 because of independent rounding.		
Source: 2009 American Community Survey 1-Year Estimates		

The Circulation Element provides a framework to guide growth of Milpitas' transportation-related infrastructure over the next 20 years. The Element is closely integrated with the Land Use Element to maintain acceptable level of service as the City grows and to plan an adequate street network to serve future development.

3.1 Relationship to Regional Programs

For a discussion of the Bay Area Air Quality Management District's programs, see Section 3.4.

A recognition of the functional relationships between transportation, land use and air quality, as well as of the need for jurisdictional cooperation, has led to a long history of legislation. In accordance with California Statute, Government Code 65088, Santa Clara County established a Congestion Management Program (CMP) to develop a comprehensive transportation improvement program among local jurisdictions that will reduce traffic congestion and improve land use decision-making and air quality. In 1991, Congress enacted the landmark Intermodal Surface Transportation Efficiency Act (ISTEA) followed by TEA-21 (expired in mid-2003) to provide a “national intermodal transportation system that is economically efficient and environmentally sound, and moves people and goods in an energy-efficient manner”. This allowed state and metropolitan planning organization to take a broader view of the transportation system and its performance. In 2005, congress approved the Safe, Accountable, Flexible, and Efficient Transportation Equity Act- A Legacy for Users or SAFETEA-LU. Like its predecessors, SAFETEA-LU provided dollars to fund federal highways public transportation, highway safety and motor carrier safety program. The program promotes projects of national significance and it gives state and local transportation decision makers the financial flexibility to solve transportation problems in their communities.

The state of California has adopted two legislative mandates to guide the development of local plans and strategies:

AB 32 California Global Warming Solutions Act of 2006. This bill requires the State board to adopt regulations to require the reporting and verification of Statewide greenhouse gas emissions and to monitor and enforce compliance with this program

SB 375 2008 Transportation Planning: Travel Demand Models; Sustainable Communities Strategy; Environmental Review. This bill requires the California Transportation Commission (CTC) to maintain guidelines, as specified, for travel demand models used in the development of the regional transportation plans by metropolitan planning organizations. This bill would also require the regional transportation plan for regions of the State with a metropolitan planning organization to

adopt a sustainable communities strategy, as part of its regional transportation, designed to achieve certain goals for the reduction of greenhouse gas emissions from automobiles and light trucks in a region.

Major street improvements to meet the needs for a long-range planning horizon are identified in Section 3.3 of this Element. These projects will later be studied in greater detail and funding and implementation sources would be identified. Many of the projects are part of local and regional programs, including the City's Capital Improvement Program, the Santa Clara County Congestion Management Program (CMP), and Regional Transportation Plans as discussed below.

AB 1358 California Complete Streets Act of 2008. In order to fulfill the commitment to reduce greenhouse gas emissions, make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity, transportation planners must find innovative ways to reduce vehicle miles traveled (VMT) and to shift from short trips in the automobile to biking, walking and use of public transit. There is no singular design prescription for Complete Streets; each one is unique and responds to its community context.

Regional Transportation Plan

As the designated metropolitan planning organization for the Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for preparing a long range Regional Transportation Plan (RTP). With the adoption of the Regional Transportation Plan in 2009, three principles of sustainability guide the Bay Area: a prosperous and globally competitive economy, a healthy and safe environment, and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system. These principles are benchmarks to measure the progress of the Bay Area's transportation system.

In addition, to remain eligible for federal transportation funds, a region must demonstrate that the highway and transit projects contained in its RTP will help attain and maintain federal air quality standards. Once adopted, a RTP serves as a guide for the region's Transportation Improvement Programs (TIPs) in which projects and their specific funding sources are listed.

Santa Clara County Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA), in its role as the Congestion Management Agency (CMA) for Santa Clara County, is responsible for preparing and periodically updating the Valley Transportation Plan (VTP), the long range vision for transportation in the County. The VTP identifies existing and future transportation related needs, considers all modes of travel and identifies what can be completed within the anticipated available funding for projects and programs. It provides a roadmap for the planning, policy development and programming of transportation funds in Santa Clara County for the next 25 years according to State and Federal requirements. It considers all travel modes and addresses the links between transportation and land use planning, air quality, energy use and community livability. The VTP updates every 4-5 years on a cycle coinciding with the Bay Area's Regional Transportation Plan (RTP)

The Congestion Management Program (CMP) is administered by the Santa Clara Valley Transportation Authority, the County's Congestion Management Agency, which is also responsible for overseeing local agency compliance with state law. The CMP promotes an integrated approach to transportation planning decision-making and mobility in Santa Clara County by establishing traffic and transit standards, trip-reduction and travel-demand requirements, and by incorporating the transportation implications of land-use decisions in planning efforts.

Cities within the County are responsible for conformance with the adopted service level standards on the principal arterial system defined by the CMP, and for transit standards. They are also responsible for the adoption and implementation of a trip-reduction and travel-demand ordinance and for developing a program to analyze the impacts of land use decisions. Where deficiencies in the system exist, deficiency plans must be adopted and methods of correcting the deficiencies identified. If deficiencies go unmitigated, a city could lose its entitlement to a portion of its gas tax revenues.

Capital Improvements Program (CIP). The CMA maintains a CIP which includes a list of transportation facility improvements that is submitted to the MTC for inclusion in the Valley Transportation Plan 2040 (VTP 2040), or for funding from the state (Flexible Congestion Relief Funds) or from the federal Surface Transportation and the Congestion Mitigation/Air Quality programs.

Traffic level of service (LOS) standards adopted as part of the CMP is discussed in Section 3.2 and the street network in Section 3.3.

3.2 Standards for Traffic Service

Because much of the City is built-out, the primary traffic issues in Milpitas are the feasibility of improvements and achievement of an acceptable level of service, particularly along two major commute corridors that bisect the city. Areas along the local street system not constrained by available rights-of-way are few.

Level of service (LOS) is a measure of quality of traffic service along a roadway or at an intersection. As described in Table 3-2, it ranges from A to F, with LOS A being best and LOS F being worst. LOS A, B and C indicate conditions where traffic can move relatively freely. LOS D describes conditions where delay is noticeable. LOS E indicates significant delays and traffic volumes are generally at or close to capacity. Finally, LOS F characterizes traffic flow at very slow speeds (stop-and-go), and large delays (more than one minute) with queuing at signalized intersections; in effect, traffic demand on the roadway exceeds the roadway's capacity.

CMP Level-of-Service Standards

As required by state law, the Santa Clara County CMP includes level-of-service standards for the designated CMP Roadway System as follows:

- The LOS basic standard is LOS E;
- The LOS goal for the CMP system is LOS D, however member agencies (including the City of Milpitas) are not required to conform to the goal.
- Intersections that have a baseline (1991) LOS F are grandfathered in as LOS F.
- If the baseline LOS for a CMP System facility was LOS F and the facility is not included in an approved deficiency plan, then changes to traffic conditions caused by a project shall not be allowed to increase LOS by more than the criteria outlined in the CMP Traffic LOS Impact criteria for intersections- four or more second increase of average stopped delay for the critical movements and increase in critical volume-to-capacity ration (v/c) by 0.01 or more. In the event that the project causes CMP System facilities to worsen below baseline conditions, either a mitigation proposal to improve traffic LOS shall be provided, or an approved deficiency plan must be approved.

Level of Service (LOS)	Traffic Flow Conditions	Maximum Volume to Capacity Ratio
A	Describes primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the arterial class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Stopped delay at signalized intersections is minimal.	0.6
B	Represents reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the arterial class. The ability to maneuver within the traffic stream is only slightly restricted and stopped delays are not bothersome. Drivers are not generally subjected to appreciable tension.	0.7
C	Represents stable operations. However, ability to maneuver and change lanes in midblock locations may be more restricted than in LOS B, and longer queues and/or adverse signal coordination may contribute to lower average travel speeds of about 50 percent of the average free-flow speed for the arterial class. Motorists will experience an appreciable tension while driving.	0.8

D	Borders on a range on which small increases in flow may cause substantial increases in approach delay and, hence decreases in arterial speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes, or some combination of these. Average travel speeds are about 40 percent of free-flow speed.	0.9
E	Characterized by significant approach delays and average travel speeds of one-third the free-flow speed or lower. Such operations are caused by some combination or adverse progression, high signal density, extensive queuing at critical intersections, and inappropriate signal timing.	1.0
F	Characterizes arterial flow at extremely low speeds, below one-third to one-quarter of the free flow speed. Intersection congestion is likely at critical signalized locations, with high approach delays resulting. Adverse progression is frequently a contributor to this condition.	>1.0

Source: *Highway Capacity Manual*, 1985.

Traffic Analysis

The City completed two major planning documents in order to address community needs as it relates to land use and transportation. The Midtown Specific Plan provides a new vision for the approximately 589 acre area of land in central Milpitas. This area provides for approximately 1400 units of housing, reinvestment in the Great Mall, the VTA Light Rail and the future Bay Area Rapid Transit line. Recent additions to Midtown Milpitas include the Milpitas Library and the County’s multi-regional Medical Facility. The Transit Area Specific Plan is a plan for the redevelopment of an approximately 437-acre area in the southern portion of the City that currently includes a number of industrial uses near the Great Mall shopping center. This plan proposes redevelopment of this area with 7,109 dwelling units, 993,843 square feet of office space, 340 hotel rooms and 287,075 square feet of retail space centered around the proposed Milpitas BART station and the VTA Light Rail system. Both these plans forecast traffic conditions include 2030 development as well as the VTA estimates of land use in the year 2030 in all parts of the County outside of the City’s Planning Area.

In the Planning Area, overall employment projections based on ABAG’s Projections 2009 were appropriately converted to land uses and distributed based on the Midtown and Transit Area Specific Plan designations. The model was used to produce forecasts of peak-hour traffic on the freeways, arterials and many of the collector streets in the City. Results of the traffic analysis are included in Appendix A. Major improvements needed to accommodate these anticipated traffic increases are discussed in Section 3.3.

3.3 Street Network and Classification

A hierarchy of streets will be required to provide access to future development and maintain acceptable levels of service. The circulation network in the General Plan Diagram (Figure 2-1) identifies the functional classifications of key routes. A route’s design is determined by the projected traffic level on the street. The classifications and their required access standards are identified in Table 3-3. Street widths, number of lanes, and the need for on-street parking are to be tailored to individual conditions.

Table 3-3 Street Classifications			
Street Type	Function	Access	Discussion
Freeway	Provides for intra- and inter- regional mobility.	Restricted to primary arterials and expressways via interchanges.	Interstates 880 and 680 and State Route 237 west of 880 are the freeways in the Planning Area.

Street Type	Function	Access	Discussion
Expressway	Provide for movement of through-traffic.	Limited accesses to abutting properties; varies according to situation.	
Arterial	Collect and distribute traffic from freeways and expressways to collector streets, and vice versa.	Varies according to situation.	State Route 237 east of 880 is a signalized arterial being used as a regional freeway to freeway connector.
Collector	Serve as connectors between local and arterial streets and provide direct access to parcels.	Driveways and/or intersecting streets or collector streets should be no closer than 300 – 400 feet apart. Joint-Use driveway is encouraged.	
Local Street	Provide access to parcels.	Access is not restricted.	Local streets constitute the largest part of the City's circulation system.

Major Improvements Needed

Due to regional through-traffic along sub-regional routes, such as State Route 237 and Montague Expressway, a large increase in traffic by year 2035 is anticipated. In addition, the completion of the Midtown Specific Plan and Transit Area Specific Plan, along with recent development activity has forecasted the increase of cumulative traffic. It is anticipated that segments of the following Milpitas roadways will have higher levels of traffic volume by year 2030:

- Abel Street
- Dixon Landing Road
- Main Street
- McCarthy Boulevard
- Milpitas Boulevard
- Montague Expressway
- Tasman Drive/Great Mall Parkway

Mitigation measures have been identified in order to alleviate the traffic pressure on these roadways. Major improvement projects are reviewed annually and are included in the VTP/RTP in order to be eligible for funding. Currently, these projects included are:

- Calaveras Boulevard Widening- bridge replaced between Milpitas Boulevard and Abel Street to accommodate 6 lanes and pedestrian bicycle facilities in both directions;
- Dixon Landing Road Widening- Widening from Interstate-880 to N. Milpitas Blvd from four to six lanes, including pedestrian and bicycle facilities
- Dixon Landing Road/Milpitas Boulevard Intersection and Widening Improvements.

Consistency with the Capital Improvement Program

Because of the incremental nature of development, the General Plan does not outline a schedule for the improvements to the City's street system discussed above. Projects identified in the Plan will be prioritized and included in the City's

ongoing Capital Improvement Program (CIP). Modifications to the CIP are to be made as a normal part of the City's budgeting and implementation process and do not require amendment of the General Plan.

3.4 Transportation Demand Management

The term "Transportation Demand Management" (TDM) refers to measures designed to reduce peak-period auto traffic, by making more efficient use of existing transportation resources, and expanding and emphasizing more sustainable non-auto alternatives. These include public transit, flexible working hours, telecommuting, carpooling and vanpooling, and incentives to increase the use of these alternatives. TDM has become increasingly important in the effort to enhance mobility through efficient use of alternative modes of transportation, and in meeting federal and state air quality standards.

A successful TDM program is an essential and important element in the continuing effort to achieve acceptable levels of traffic service based on the standards in Section 3.2. The specific objectives of TDM are to:

- Reduce peak hour traffic congestion by reducing the number of single-occupant vehicle trips associated with commuting by provide travelers with alternate mobility choices;
- Reduce or delay the need for street improvements by making more efficient use of existing facilities;
- Reduce future air pollution concentrations and strive towards meeting state and federal ambient air pollution standards by reducing the number of single-occupant vehicle trips associated with commuting; and
- Reduce consumption of energy for transportation uses, thereby contributing to the national policy to increase energy self-sufficiency.

Transportation Control Measures

Under the California Clean Air Act (CCAA) of 1988, the Bay Area Air Quality Management District (BAAQMD) is required to prepare a Clean Air Plan (CAP) to achieve state standards for ozone and carbon monoxide. The Bay Area 2010 Clean Air Plan (CAP) provides a comprehensive plan to improve Bay Area air quality and protect public health. The CAP defines a control strategy that the Air District and its partners will implement to: (1) reduce emissions and decrease ambient concentrations of harmful pollutants; (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily impacted by air pollution; and (3) reduce greenhouse gas (GHG) emissions to protect the climate.

The CCAA states that attainment plans should emphasize reducing emissions from transportation and area wide sources. The Act requires air districts to adopt, implement, and enforce Transportation Control Measures (TCMs). TCMs are defined in state law as "any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions." Although cars are about 90 percent cleaner than they were 20 years ago and fleet turnover will produce the bulk of mobile source emission reductions in the future, the state plan still requires TCMs as a complementary strategy. MTC develops and updates a list of TCMs to the BAAQMD.

Transit

Only 1.6 percent of Milpitas' workforce uses public transportation to travel to work (see Table 3–1). The primary function of transit in the City is to transport residents from the City to commercial and employment centers and to other transit stations in surrounding jurisdictions. The bus transfer station and park-and-ride lot, at the Great Mall transit center acts as a hub for most of the bus lines that serve Milpitas. Frequent service (less than 30 minute headway) is offered primarily during peak hours (6 AM to 9 AM and 3 PM to 6 PM on weekdays) while headway increase to 30 minutes or more during the midday, after 6 PM and on weekends and holidays.

Bus. The VTA provides a majority of the bus service for Milpitas. Local bus routes provide service to Mountain View, Sunnyvale, Great America, southeast and east San Jose, and Evergreen College, at average headway of 15 to 30 minutes during commute hours. Service to the Fremont BART station is provided by express buses. Additionally, Alameda County (AC) Transit provides lines from Milpitas to the Fremont including the Fremont BART Station. Details on transit service are included in Appendix B.

Light Rail. The Alum Rock-Santa Teresa Line travels through Milpitas stopping at 3 locations: Montague Expressway, Great Mall Transit Center (bus transfer station) and I-880/Milpitas at Tasman Drive/Alder. Both the Great Mall Transit Center and I-880/Milpitas have park and ride facilities. The Montague Expressway stop will link with the future BART station and bus transfer center, being the first multimodal station in Santa Clara County.

Bay Area Rapid Transit. The Milpitas Station is scheduled to open in 2017 that will link the Berryessa Station to the south in San Jose with the remainder of the BART system to the East Bay and San Francisco. BART will provide Milpitas regional transit connectivity to San Mateo, San Francisco, Alameda, and Santa Clara Counties.

3.5 Pedestrian and Bicycle Circulation

The relatively flat topography of the Valley Floor and the City's mild Mediterranean climate are conducive to walking and bicycling. Yet, few residents utilize these means of transportation for commuting. Walking and bicycling constituted only about 4.7 percent of the total trips made by City's employed residents in 2009² (see Table 3-1). Measures aggressively promoting and accommodating alternative mode choice should prove to increase this percentage in the future.

Many parts of the City also hold good potential for recreational biking and walking, including along Coyote Creek and within the Hillside Area. There are also additional opportunities along many of the creek channels and the Hetch-Hetchy rights-of-way.

Milpitas is crossed by two freeways and two railroad tracks; which fragment the City's circulation system, including facilities for biking and walking. In addition, many shopping centers and neighborhoods are accessed through a limited number of entrances, through which pedestrians and bicyclists must compete with the automobile for safe passage to their destination. As Milpitas is approaching build out, it is critical that bikeways and trails be addressed with each planned development and redevelopment program.

Bicycling and walking are recognized as vital forms of transportation in the Federal legislation, which calls upon the states to maximize the efficiency of the existing roadway system and to provide for intermodal transportation. Pedestrians and bicyclists are integral to the success of the intermodal system.

Bikeways

The City's existing system of bike lanes and routes support this transportation mode. The City's Bicycle Pedestrian Advisory Committee (BPAC) serves as an advisory body to the City Council on matters relating to planning, modifications and expansion of the City's Bikeway System. BPAC also promotes safety, education and awareness of bicycling and pedestrian issues.

The City has adopted a Bikeways Master Plan which includes:

- Goals, objectives, and benchmarks for bicycling
- A review of existing bicycling conditions
- Descriptions of Relevant Local and Regional Plans and Policies related to Bicycling
- An analysis of bicycling needs
- Recommended Bicycling Projects, Cost Estimates, and Priorities for implementation
- Recommended Bicycling Programs
- Funding Sources for Bicycle Projects and Programs
- Design Guidelines with best practices for implementing bikeways

<p>Table 3-4 Bikeway Classifications</p>
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² 2009 American Community Survey 1-Year Estimates

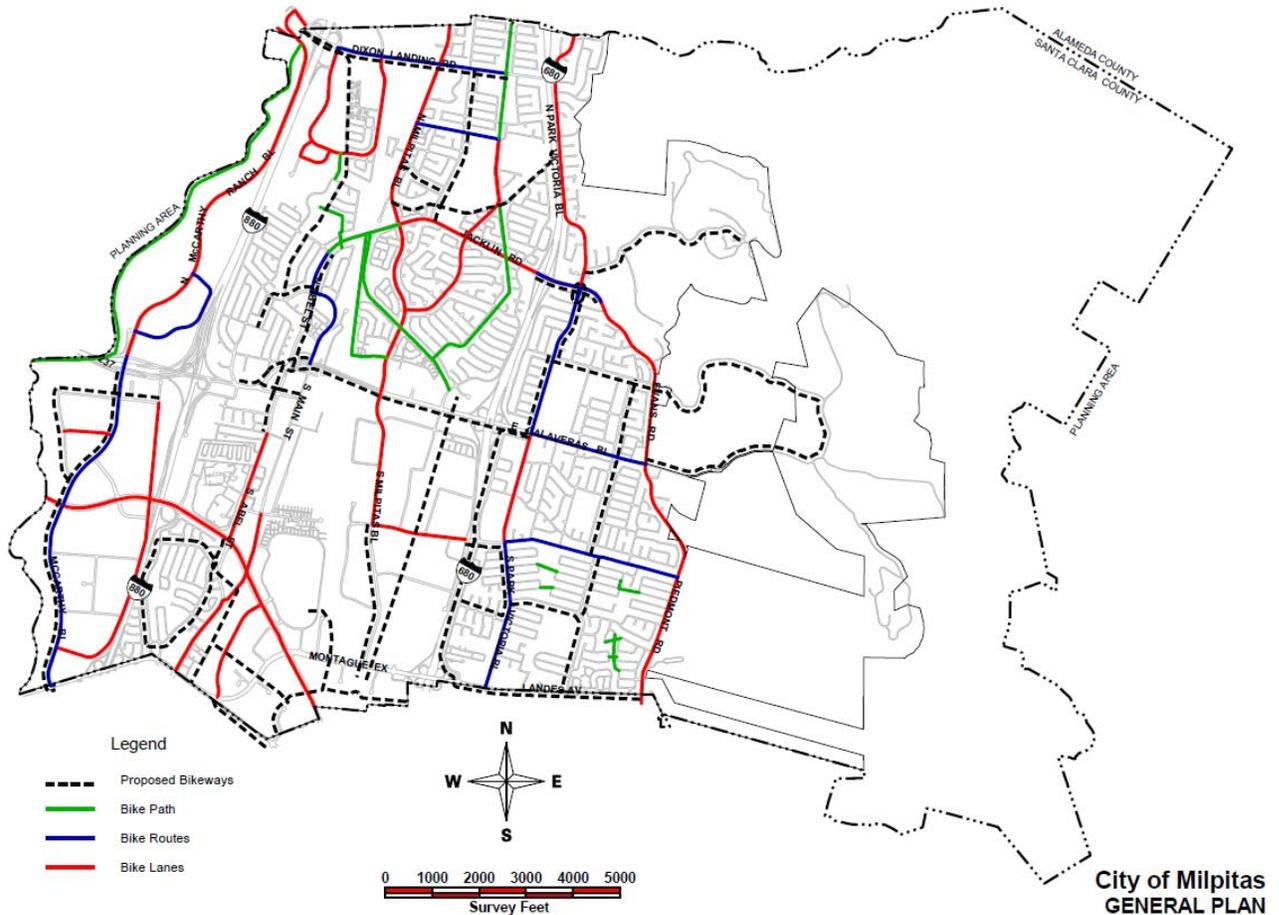
Classification	Function
Bike Paths	Provide exclusive right-of-way for bicyclists with cross flows by motorists minimized to the extent possible.
Classification	Function
Bike Lanes	To provide preferential use of the paved area of roadway for bicyclists by establishing specific lines of demarcation between areas reserved for bicycles and motorists.
Bike Routes	To provide continuity of bikeway system along routes not served by Bike Lanes or Bike Paths. Bike Routes are shared facilities, either with motor vehicles on the street or with pedestrians on sidewalks.

The VTA Bicycle Plan identifies regional bicycle routes that provide for inter-city commuting. Portions of the Milpitas Bikeway System are identified in this regional plan. The VTA Bicycle Technical Guidelines is a guide for local agencies in Santa Clara County that present standards for planning, designing, operating retrofitting, and maintaining roadways and bikeways as best practices.

Trails

Milpitas Trails Master Plan. Recognizing that an off-street trail system will enhance the quality of life within Milpitas by providing an alternative transportation system, expanding recreational opportunities and improving the environmental conditions of those trail corridors that parallel creeks, the City Council adopted the Milpitas Trails Master Plan on June 3, 1997. Several of the trail corridors identified in the Trails Master Plan will provide direct, grade-separated routes from home to work, school and shopping. The direct access and lack of street crossings provided by grade separated facilities enhances the convenience of the off-street trail system. This added convenience encourages more people to bicycle and walk. The trail system will provide access to the Town Center, the Great Mall, all of the major employment centers, numerous schools and parks and the Tasman Corridor Light Rail stations.

Approximately 35 miles of trails are identified in the Master Plan. Of these, 6 miles have been built and 29 miles are proposed, including about 4 miles of on-street connectors proposed to link together the off-street system. The majority of trails identified in the plan follow the creeks, rail corridors and utility right of ways that traverse the City. In addition, the Midtown Specific Plan promotes the development of these trails. The trails are categorized into the following four groups:



- Regional Trails are those routes identified in the Santa Clara County Trails Master Plan as having national, state or regional significance. In Milpitas these are the Coyote Creek Trail, the San Francisco Bay Trail and the Juan Bautista de Anza National Historic Trails (which share the same alignment in Milpitas), and the Bay Area Ridge Trail.
- City Trails provide north-south and east-west cross-town routes and extend beyond the City limits to Fremont and San Jose. These trails provide recreation and transportation benefits by linking neighborhoods with employment centers, shopping districts, schools, and transit facilities. City Trails include the Berryessa Creek Trail, Calera Creek Trail, Hetch-Hetchy Trail, Penitencia Creek Trail, and Wrigley Creek/Union Pacific Railroad Trail.
- Neighborhood Trails connect homes with schools and parks and provide pedestrian and bicycle access to local shops and markets. They include the Hillcrest Park/Ben Rogers Park Trail, McCarthy Ranch Jogging Trail and Par Course, Rancho Milpitas Middle School/Sinnott School Trail and the Yellowstone Park Trail.
- On-Street Connectors consist of on-street bicycle lanes and routes that link segments of the off-street trail system where no other route is available. They include Calaveras Road, Yosemite Drive and North Park Victoria Drive.

The Trails Master Plan details trail types and the specific corridors included in the plan, offers general analysis, prioritizes trail projects and provides preliminary budget estimates. The Master Plan notes that detailed trail alignment studies for each corridor will be needed as trail projects move forward towards development.

Pedestrian Support

Sidewalks and Streetscapes. In general, pedestrian support has similar infrastructure and safety needs as bikeways and trails. It should be identified that pedestrian activity (as well as the enjoyment of walking) is increased when walkway facilities are safe, comfortable and attractive for all users including children, seniors and persons with disabilities. Some of the best ways to enhance walkways are through the provision of adequate sidewalk width, lighting, buffers between the pedestrians, median islands, curb extensions, safe crossing opportunities, and ample landscaping, particularly street trees. In addition, other enhancements at signalized crossings such as adequate pedestrian crossing timing and accessible pedestrian signals near senior complexes and medical facilities further improve access for users with slower walking pace and sensory loss. Obstructions to movement should be removed to the extent feasible and planned for accordingly.

Street Trees. Street trees have soothing visual impact, provide shade and a habitat for wildlife and add to property values. However, City maintenance costs can be expected to increase as street trees grow taller, requiring additional and more difficult pruning. Sidewalk damage is one of the difficult problems in street maintenance, and one reason for the increased use of monolithic sidewalks located next to the curb, which widens the appearance of the street and reduces pedestrians' sense of safety by putting them closer to traffic.

Planning for Children. The Milpitas Suggested Routes to School program encourages parents and students to walk or bike to school by identifying obstacles, promoting safety, and suggested improvements. A strong education component is included in the program.

Planning for Seniors. Adequate pedestrian timing and accessible pedestrian signals for crossing should be in place at signalized crossings in the vicinity of senior residential complexes, civic and medical facilities to improve the pedestrian experience for senior citizens.

Planning for Persons with Disabilities. As with the measures suggested for senior citizens, adequate pedestrian timing and accessible pedestrian signals for signalized crossings should be in place where appropriate, such as civic and medical facilities. Obstructions to movement should also be removed and placed in appropriate locations during the planning stages to maximize movement for those with disabilities.

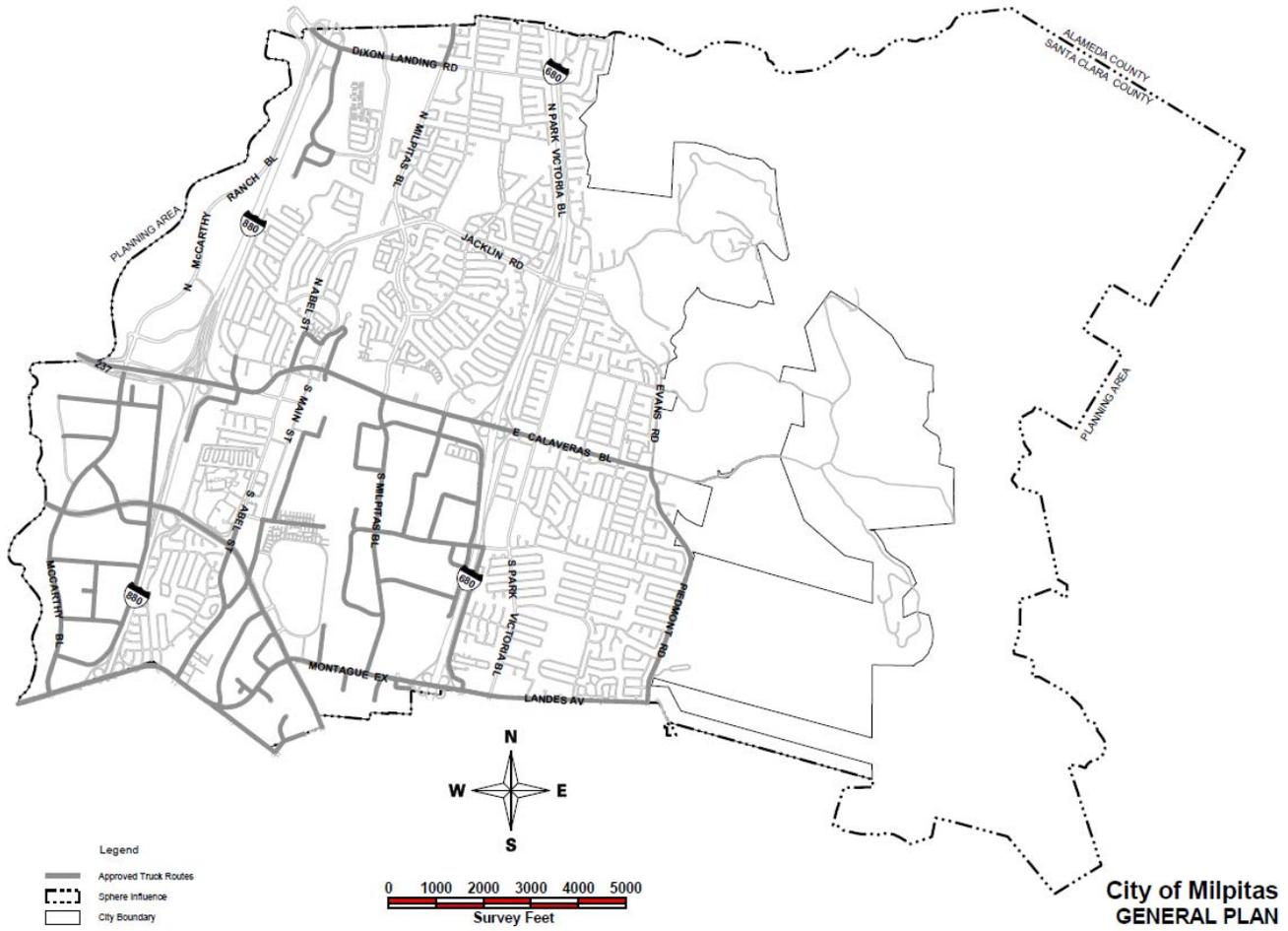
3.6 Goods Movement

Providing adequate circulation for trucks is necessary for economic development of the City by facilitating transportation of goods and products. In Milpitas, there is a four-ton weight limit restriction on all streets, except those shown on Figure 3-3. Therefore, by default, through truck traffic can only utilize the exempted streets, which can be referred to as "truck routes." The routes shown in the Figure serve as primary commercial truck movements entering and leaving the City. Trucks, however, can use any street to get to and from specific delivery locations when a restricted street is on the direct path to the origin or destination and there is no other permitted facility.

Where feasible, efforts should be made to minimize conflicts along streets with heavy pedestrian activities by implementing parallel corridors for goods movements.

Figure 3-3 Truck Routes

Approved Truck Routes
Figure 3-3



3.7 Circulation Principles and Policies

a. Standards for Traffic Circulation

Guiding Principles

- 3.a-G-1** Continue to utilize the City's adopted Level of Service standards in evaluating development proposals and capital improvements. *Current City LOS standards apply only to development east of I-880.*
- 3.a-G-2** Maintain acceptable service standards for all major streets and intersections.
- 3.a-G-3** Create accessible transportation networks system to meet the needs of all segments of the population, including youth, seniors, persons with disabilities and low-income households.

Implementing Policies

- 3.a-I-1** Strive to maintain CMP LOS standards and goals for the CMP Roadway System in Milpitas.
- 3.a-I-2** For collectors and arterials east of Interstate 880 operating at baseline (1991) LOS F, require any development project that impacts the facility at or greater than one percent of facility capacity to implement mitigation measures to reduce the development project's impacts below the one percent level. These mitigations shall not adversely impact the safety, circulation, or accessibilities of pedestrian, bicycle, and transit travel. If an identified location cannot be mitigated, measures designed to improve system-wide levels of service can be implemented. These system-wide improvement strategies will be contained in the Citywide Deficiency Plan. *Conforms to CMA requirements and existing City LOS policy.*
- 3.a-I-3** Recognize that the City's development pattern and deficiencies in the regional network have resulted in substandard service levels on certain streets where capacity cannot be increased.
- 3.a-I-4** On streets where substandard service levels are anticipated, investigate and implement improvement projects that will enhance traffic operations.
- 3.a-I-5** Continue to monitor traffic service levels and implement Circulation Element improvements prior to deterioration in levels of service to below the stated standard.
- 3.a-I-6** Implement street standards that remove barriers and increase accessibility for pedestrians and bicyclists.

b. Street Network and Classification Principles and Policies

Guiding Principles

- 3.b-G-1** Develop a street network integrated with the pattern of living, working and shopping areas, and which provides for safe, inviting, convenient, and efficient intermodal movement within the City and to other parts of the region.
- 3.b-G-2** Direct special consideration toward the circulation needs of a modern, convenient central business district, including adequate off-street parking.
- 3.b-G-3** Create a street pattern that encourages industrial growth and promote livable community where all people – regardless of age, ability or mode of transportation – feel safe & welcome on the streets.
- 3.b-G-4** Use the “Major Improvements Needed” sub-section as a basis for identifying, scheduling, and implementing transportation improvements as development occurs in the future.

Implementing Policies

- 3.b-I-1** Require new development to pay its share of street and other transportation improvements based on its impacts.
- 3.b-I-2** Require all projects that generate more than 100 peak-hour (A.M. or P.M.) vehicle trips to submit a transportation impact analysis that follows guidelines established by CMP. *This is part of the CMP requirements.*
- 3.b-I-3** As part of the Capital Improvement Program (CIP), annually update a five-year program of projects required to construct and/or update circulation facilities.
- 3.b-I-4** Continue to actively seek funding from regional, state, federal, and other agencies for projects identified in Table 3-4 and others included in the City's CIP.
- 3.b-I-5** Create a balanced multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable in respect to the community context of the general plan.

c. Transportation Demand Management

Guiding Principles

- 3.c-G-1** Implement measures that increase transit use and other non-motorized travel modes that lead to improved utilization of the existing transportation system, such as improvements to access public transit stops and stations by walking and biking, and provide transit stops near employment centers and higher density residential developments.
- 3.c-G-2** Cooperate with other private entities and public agencies to promote local and regional transit serving Milpitas.

Implementing Policy

- 3.c-I-1** Support regional planning efforts for the development of mass transit facilities such as transit priority for designated bus rapid transit, bus queue jump lanes, exclusive bus queue jump lanes, and exclusive transit lanes,
- 3.c-I-2** Implement measures to enhance transit efficiency where feasible as such farside bus stop locations and bus stop pullouts.
- 3.c-I-3** Encourage feeder services to carry commuters to transit stations, including shuttle connections from businesses, residences, and attractions to bus and rail services.

d. Pedestrian and Bicycle Circulation Principles and Policies

Guiding Principles

- 3.d-G-1** Implement the goals, objectives, and benchmarks of the Bikeways Master plan.
- 3.d-G-2** Promote walking and bicycling for transportation and recreation purposes by providing a comprehensive system of sidewalks, bicycle lanes and routes and off-street trails that connects all parts of the City.
- 3.d-G-3** Provide adequate bicycle parking and end-of-trip support facilities for bicyclists at centers of civic, retail, recreation, education, and work activity.
- 3.d-G-4** Promote intermodal commuting options by developing connected system of streets, roads, bridges, and highways that provides continuous, efficient, safe and convenient travel for all users regardless of age or ability.
- 3.d-G-5** Encourage a mode shift to non-motorized transportation by expanding and enhancing current pedestrian and bicycle facilities to accommodate casual and experienced cyclists and pedestrians.

Implementing Policies

- 3.d-I-1** Complete the on-street bicycle and the off-street circulation systems as depicted and described in the Bikeways and Trails Master Plans.
- 3.d-I-2** Develop connections between the off-street trail system and on-street bicycle system to fully integrate these facilities. Maximize linkages to other trail and bikeway systems to provide alternative transportation routes for pedestrians and bicyclists.
- 3.d-I-3** View all public capital improvement projects as opportunities to enhance the bicycle and pedestrian systems, and incorporate bicycle and pedestrian facilities into the design of such projects wherever feasible.

- 3.d-I-4** Encourage walking, biking and transit use by improving bicycle and pedestrian connections to transit centers, specifically the Great Mall transit centers and light rail stations and the proposed commuter/passenger rail stations.

- 3.d-I-5** Distribute the Milpitas Bicycle Map, Trail Map, bicycle safety information and other related materials at City buildings and schools, and special events.

- 3.d-I-6** Use funds from the Streets budget for bicycle and pedestrian projects as appropriate.

- 3.d-I-7** Actively pursue external grant funds for bicycle and pedestrian capital improvement projects.

- 3.d-I-8** Consider developing additional local sources of funding for trails and bikeways such as special assessment districts, nonprofit corporations and ballot initiatives.

- 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 civic, recreation, education, work, and retail centers.

- 3.d-I-10** Require developer contributions toward pedestrian and bicycle capital improvement projects, bicycle parking, and end-of-trip support facilities to promote alternate modes of transportation.

- 3.d-I-11** Support Safe Routes to School Projects, including infrastructure improvements and education, as an important source for encouragement of walking and bicycling to school as well as supporting the reduction of green house gas emissions

- 3.d-I-12** Design streets to include detached sidewalks with planting strips or wider, attached sidewalks with tree-wells to encourage pedestrian use and safety, as well as to remove barriers and increase accessibility.

Bikeway Policies

- 3.d-I-13** Make improvements to roads, signs, and traffic signals as needed to improve bicycle travel.

- 3.d-I-14** Discourage speed bumps and other street features that hinder bicycling on public streets and private parking lots.

Provide bicycle actuated traffic signals, detection, loop detector stencils

- 3.d-I-15** Where appropriate, install bicycle lockers and/or racks at public parks, civic buildings and other community facilities. Ensure required amount of bicycle racks for residential, commercial and mixed use projects as required in the Milpitas Zoning Ordinance.
- 3.d-I-16** Include evaluation of bicycle facility needs in all planning applications for new developments and major remodeling or improvement projects.
- 3.d-I-17** Require new developments to provide end-of-trip facilities such as secure bicycle parking, and on-site showers and clothing storage lockers, etc. where feasible.
- 3.d-I-18** Support bicycle education programs.
- 3.d-I-19** Link City pedestrian and bicycle circulation to existing and planned regional networks.

Trail Policies

- 3.d-I-20** Acquire adequate set backs and right of way to complete the Trails master Plan.
- 3.d-I-21** Provide and accommodate recreational and transportation use of the trail system.
- 3.d-I-22** Preserve and enhance the natural environment of the creek corridors in conjunction with each trail project.
- 3.d-I-23** Monitor proposed developments and work with applicants to design projects that preserve the integrity of the identified trail routes.
- 3.d-I-24** Support building bridges or under-crossings across creek channels, railroad lines and roadways to facilitate bicycling and walking between high density residential developments, retail centers, and civic buildings, and recreational centers..
- 3.d-I-25** Use existing cul de sacs, bridges and other public improvement areas as trail access points wherever possible.
- 3.d-I-26** Use existing parks, schools and other public facilities as staging areas wherever possible.
- 3.d-I-27** Where appropriate, require new development provide public access points to the trail system and/or contribute to staging areas.
- 3.d-I-28** Encourage existing businesses to provide access to the trail system.

Sidewalk Policies

- 3.d-I-29** Require sidewalks on both sides of the street-as a condition of development approval, where appropriate with local conditions.
- 3.d-I-30** Review City street improvement standards to see if there are ways to increase walking enjoyment and safety, particularly with regards to increased sidewalk width, landscape buffers between sidewalks, streets and pedestrian lighting, and other amenities.
- 3.d-I-31** Develop a Streetscape Master Plan that identifies goals and policies for improving the appearance and enjoyment of public streets and sidewalks in Milpitas, particularly with regards to landscaping, street furniture and the identification of significant entryways and corridors.
- 3.d-I-32** Remove obstructions to facilitate pedestrian movements taking into account persons with disabilities.

Pedestrian Crossing Policies

- 3.d-I-33** Provide accessible pedestrian signals and appropriate signal timing to pedestrian crossings near senior residential complexes, civic and medical facilities.
- 3.d-I-34** Concentrate pedestrians crossing activity at a specific location to minimize their exposure to vehicular conflicts and position pedestrians to be more visible by motorists

e. Goods Movement

Guiding Principle

- 3.e-G-1** Provide adequate circulation and off-street parking and loading facilities for trucks.

Implementing Policies

- 3.e-I-1** Restrict trucks to designated non-restricted routes.
- 3.e-I-2** Ensure that adequate pavement depth, lane widths, bridge capacities, loading areas, and turn radii are maintained on the permitted streets.
- 3.e-I-3** Minimize conflicts with pedestrians where feasible by creating parallel corridors for truck routes.

Truck routes in the City are regulated by Section V-100.12.05 of the Municipal Code.

MEMORANDUM

Department of Planning and Neighborhood Services



B

To: Honorable Mayor and Council members
From: Sheldon S. Ah Sing, Senior Planner
Through: Tom Williams, City Manager
Subject: **Technical Analysis and Work Plan for General Plan Updates**
Date: August 21, 2012

Background

The City has recently seen a significant interest among property owners and developers seeking the rezone of areas currently designated for industrial or commercial uses in the Milpitas Zoning Code to residential uses. Such interest comes after several significant conversions that have already been approved by the City Council such as Fairfield residential project on Murphy Ranch Road, the Landmark Tower project at the former Billings Chevrolet site, and the Los Coches Avenue Rezone on the north side of Los Coches from Sinclair Frontage Road to Topaz Street.

In response to this, issue, the City began a temporary moratorium on February 7, 2012. The moratorium allowed staff to begin assessing and inventorying infrastructure and utility supplies available in the event of continued rezoning, review the projected jobs to housing balance, fiscal and economic impacts, school impacts, and to also prepare, if necessary, amendments to the Zoning Code, the General Plan, and/or Specific Plans. The moratorium is necessary to study unwarranted impacts upon public health and safety such as the placement of housing adjacent to potential exposure to vibration, noise, toxic and chemical releases associated with day to day operations of industrial uses; the potential to have inadequate emergency response access and access to basic commercial services. The study also needed to address the affects of a potentially weakened job to housing balance and its affects on attracting quality job generating companies to the City.

The City Council adopted Urgency Ordinance No. 38.804 extending the moratorium on certain land use conversions for four months and 15 days, which would expire on August 5, 2012.

Any zoning code or other amendments may potentially require CEQA analysis, which needs to be accounted for in the project timeframe. Staff completed analysis of the infrastructure and utility supplies and this report summarizes all of the issues and provides recommendations.

Areas of Study

The areas of study include “Utilities and Solid Waste Capacity”, “Traffic”, “Affordable Housing”, “Fiscal/Economic Impacts”, “Land Use Compatibility”, “Schools”, and “General Plan Update Fee”.

Utilities and Solid Waste Capacity

Water

The Engineering Division finds that the City has adequate water supply and flow to serve additional residential units. The City has approximately 0.4 million gallons per day (mgd) of unused capacity from SFPUC and the City does not have a contractual cap or limit on SCVWD supply. The City will need to complete water supply assessments for any development exceeding 500 dwelling units regardless of the zoning (pursuant to State law), but this does not present a cap or limit. The City has already completed

the water supply assessment for the development within the Transit Area Specific Plan. The Midtown Specific Plan predated the current law.

Recommendation:

Monitor capacity annually to ensure sufficient supplies.

Sewer

The City's consultant, RMC evaluated the City's sewer capacity needs projection with the recent rezoning approvals and they found that the City will still have about 0.4 mgd excess sewer capacity. This would roughly allow for at least an additional 2,000 moderate to high density dwelling units, not factoring in the allowance for the lost commercial/industrial use (credits to capacity).

Recommendation:

Monitor capacity annually to ensure sufficient supplies.

Solid Waste

Garbage does not have a capacity or volume limit and is not impacted by zoning.

Traffic

The following is a qualitative analysis of potential new traffic trips generated by land use developments not conforming to General Plan and Specific Plans Policies have on the City's transportation system.

The City's General Plan and Specific Plans (adopted plans) establish Transportation Policies for the movement of people, goods, and vehicles through the City based on adopted land and development use assumptions. As part of these adopted plans development processes, the City's transportation system was studied to assess future traffic operations, identify potential deficiencies, and address transportation infrastructure needs based on the approved land and development use assumptions.

Utilizing these adopted plans' policies and findings, long range transportation infrastructure projects are identified and funding mechanisms are established for implementation of transportation infrastructure improvements to mitigate traffic impacts by the horizon year.

If land use designations change significantly from adopted plans, total new trips from non-conforming land use projects may result in unanticipated deficiencies in new areas of the city. Consequently, this may create significant transportation infrastructure needs that are not planned for and could result in considerable time lag before resultant deficiencies can be mitigated.

This analysis focuses on critical locations in the city where roadways and intersections are currently operating unacceptably. These locations have been identified by recently completed traffic impact analysis and Citywide Signal Timing Project to be deficient. Without mitigations, these locations are anticipated to continue to operate unacceptably with a steady traffic increase assumption.

The following are deficient roadways and intersections that are currently operating unacceptably (LOS F) during one or more peak hour periods:

1. Dixon Landing Road from N. Milpitas Blvd to Milmont Ave
2. I880 southbound ramps/Tasman Dr
3. SR237 EB ramps/McCarthy Blvd
- 4. Calaveras Blvd from Abbott Street to Milpitas Blvd**
- 5. Montague Expressway within city limits**

The City Council approved a development traffic impact fee for the implementation of Calaveras Blvd Widening Project; thus, Calaveras Boulevard deficiency is expected to be mitigated by 2035.

Santa Clara County Roads and Airports have already programmed the Montague Expressway Widening Project, so the Montague Expressway deficiency is also expected to be mitigated by 2035.

Traffic mitigations for the remaining deficient roadways and intersections would likely require roadway capacity improvements to bring them to acceptable level of service. This would entail right-of-way acquisitions and/or modifications to freeway overcrossing structures. There currently is no funding or project identified to collect funding and implement capacity improvements at these locations.

The following map highlights approximate areas where new projects would directly attribute new traffic trips that exacerbate unacceptable traffic conditions at the above unmitigated locations. Although areas outside of these approximated areas could contribute new traffic trips to the deficient areas, they would be expected to cause less than significant impacts.



There may be additional transportation elements that will fall into unacceptable level of service in 2035 horizon year based on Metropolitan Transportation Commission (MTC) 2035 traffic forecast model. However, accuracy of MTC's 2035 traffic volume projection would require additional validations, especially in areas where City land use decisions greatly influence outcomes. Identifying all deficient transportation elements based on the projected traffic volume growth would require an extensive quantitative study effort that is not included in this analysis.

Recommendation:

Include intersections that may have foreseeable impacts in the City's Capital Improvement Projects Program, so that the City collects funds either from Milpitas development or adjacent jurisdiction's developments (such as project's in Fremont or San Jose) through the CEQA process.

Affordable Housing

The State requires that Cities make provisions for affordable housing. The City's General Plan and implementing documents include a goal to provide affordable housing.

Recommendation:

With the loss of the Redevelopment Agency and the ability to set aside tax increment revenue, the City should consider alternative ways to achieve affordable housing goals. Milpitas will continue to work with residential developers on providing affordable housing opportunities. Development Agreements, support of Low Income Housing Tax Credits Program, Department of Housing and Community Development (HCD) grants and loans and limited financial support from Milpitas Housing Authority are opportunities, which should be explored to further support affordable housing.

Fiscal/economic impacts

With the loss of the Redevelopment Agency and the ability to raise revenue through increment taxation, the City should consider negotiating with developers when development proposals are made. Specifically, development agreements should be considered when land use changes are proposed in certain situations.

Recommendations:

Add the following policies to the City's General Plan:

1. When considering land use conversions from commercial or industrial lands to residential, the City should contemplate substantial economic benefit through negotiable development agreements with contributions towards the Economic Development Corporation to spur economic development. (NEW)
2. When considering development proposals that are consistent with the underlying land use designation, evaluate opportunities for infrastructure improvements that would benefit the proposed project as well as the adjacent development that would lessen the burden on the overall tax base. (NEW)

Land Use Compatibility

Staff conducted research on how other cities have addressed a similar issue of land use compatibility where land use conversions have occurred and perceived as an issue. While the City already practices some of these recommended policies, actually having a General Plan policy will strengthen the City's position when making findings. Land use compatibility for the purposes of this discussion is broken down into three separate categories: "Designation Compatibility", "Fiscally Sustainable Land Use" and "Fiscally Beneficial Land Use". The following are suggested policies to be included in the General Plan:

Designation Compatibility

The City should consider policies that look at the overall land use plan spatially and behaviorally, taking into account overall characteristics such as business operators' and residents' preferences and ensuring that the two are not inconsistent.

Recommendations:

Add the following policies to the City's General Plan:

1. Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use incompatibility issues. (NEW)
2. When new uses are proposed in proximity to existing industrial uses, incorporate conditions upon the new use to minimize its negative impacts on existing nearby land uses and to promote the health and

safety of individuals at the new development site. (Already doing through zoning, but strengthens position with new policy)

3. Encourage supportive and compatible commercial and office uses in industrial areas designated for those uses. In areas reserved for industrial uses, only limited ancillary and incidental commercial uses, such as small eating establishments, may be permitted when such are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area. (Already doing zoning, but strengthens position with new policy)
4. Monitor the City's jobs/housing balance and provide the City Council with an annual update. (NEW)
5. Maintain an inventory of industrial lands and periodically assess the condition, type, and amount of industrial land available to meet projected demands. (New)
6. Prohibit social organization uses within industrial areas. Consider these uses in other areas in the City. (Already doing with zoning, but strengthens position with new policy)

Fiscally Sustainable Land Use

Besides land use compatibility, the City should consider fiscal sustainability in its land use decisions. The following suggest policies that may be added to the General Plan.

The city should make land use decisions that improve the City's fiscal condition. Manage the City's future growth in an orderly, planned manner that is consistent with the City's ability to provide efficient and economical public services, to maximize the use of existing and proposed public facilities, and to achieve equitable sharing of the cost of such services and facilities.

Recommendations:

Add the following policies to the City's General Plan:

1. Consider long-term planning and strong land use policy in managing the City's fiscal position. (NEW)
2. Promote land use policy and implementation actions that improve the City's fiscal sustainability. Maintain or enhance the City's projected total net revenue through amendments made to the General Plan. Discourage proposed re-zonings or other discretionary land use actions that could significantly diminish revenue to the City or significantly increase the City's service costs to the City without offsetting increases in revenue. (NEW)

Fiscally Beneficial Land Use

The City should consider a long term approach to managing its income/job generating lands and the impacts of development on public services.

Recommendations:

Add the following policies to the City's General Plan:

1. Maintain and expand the total amount of land with industrial designations. Do not add overlays or other designations that would allow non-industrial, employment uses within industrially designated areas. (NEW)
2. Consider conversion from one employment land use to another, where the conversion would retain or expand employment capacity and revenue generation, particular for intensification on-site if the proposed conversion would result in a net increase in revenue generation. (NEW)

3. Emphasize mixed-use development to the extent feasible, to achieve service efficiencies from compact development patterns and to maximize job development and commercial opportunities near residential development. (Already doing, but strengthens position)
4. When reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels. (Already doing on case by case basis, but strengthens position with new policy)
5. Use the design review process to consider and weigh the long term maintenance, resource needs, and costs of the design of private streets and other private infrastructure improvements. (Already doing on case by case basis, but strengthens position with new policy)
6. Land use conversions from employment/sales tax generation properties to residential shall only be considered once there is 80% buildout in the Midtown and Transit Area Specific Plans. (NEW)

Schools

According to the City's General Plan an additional 992 students are expected to enroll in the district (between 2009 and 2019) as a result of the General Plan buildout, resulting in a total of 10,879 students by 2035.

Based on the two General Plan amendment projects currently in process an additional 20 students would be projected to enroll in the school district. The approval of these two projects will not cause a near term capacity issue for the district.

However, the school districts constantly evaluate their capacities and project enrollments. According to the Milpitas Unified School District (May 2012), the District has a total capacity of 10,891 students. The District identifies that 9,967 students are currently enrolled in the district. They project by 2021 that 11,025 students will be enrolled, which exceeds the current capacity.

Senate Bill 50 enacted in 1998 imposes limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of approving new development. SB 50 provides authority for three different levels of fees for school districts. Education Code Section 17620 provides the basic authority for school districts to levy fees against construction for the purpose of funding construction or reconstruction of school facilities, subject to limits set forth in Government Code Section 65995. According to *Government Code* Section 65996, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation." In summary, it is the responsibility of the school district to set the school impact fees within the limits of the law and to collect the fee.

Recommendation:

No action needed.

Complete streets

With the passage of Assembly Bill 1358 (AB1358) "The Complete Streets Act", California requires that any city substantively amending the circulation element of their General Plan, "modify the circulation element for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan." This bill imposes a state-mandated local program.

In addition, the City has a Priority Development Area (PDA). PDAs are locally-identified, infill development opportunity areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to

meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area had to be within an existing community, near existing or planned fixed transit or served by comparable bus service, and planned for more housing. Designation of PDAs in the Bay Area expresses the region's priorities for growth and informs regional agencies which jurisdictions want and need assistance. This assistance comes in the way of financial grants. One of the requirements to receiving grants is having the City's implement "complete streets" within their general plan prior to October.

When the City's Transit Area Specific Plan was adopted in 2008 (predating the Complete Streets Act), the circulation element of the General Plan was amended to include policies similar to those in the complete streets act.

Recommendation:

Amend the City's General Plan Circulation Element to include the State's Office of Planning Research guidelines for complete streets, which would represent minor changes to the general plan. The changes include recognizing the General Plan's relationship with the Complete Streets Act; the revising of certain policies; and the addition of new policies to support the Act.

General Plan Update Fee

The City's General Plan has not been comprehensively updated since the mid-1990s. State law requires that a City's General Plan be comprehensively updated from time to time. In addition, the environmental analysis documentation as required by the California Environmental Quality Act (CEQA) is outdated.

Recommendation:

A new fee is established to pay for the updating of the City's General Plan. A survey can be done to see what other jurisdictions levy.

Timeframe

Since these recommended changes together are substantial, it is recommended that there should be some outreach to the community and the City's Transportation and Land Use Subcommittee to achieve feedback and consensus.

It is expected that after the outreach is completed, staff can, if directed bring the amendments forward to the Planning Commission during the latter part of the year along with a Negative Declaration for a recommendation to the City Council. At the very least, the amendments to the General Plan Circulation Element for the Complete Streets Act consistency must occur as not to jeopardize future grants and funding from the MTC by January 2013.

Conclusion

The suggested recommendations bolster the City's General Plan and its response to pressures on land use conversions. In addition, the amendments to the Circulation Element allow the City to compete for regional grants supporting the City's growth vision.

Purpose

The text and policies of the Land Use Element, and the General Plan Diagram (color foldout Figure 2-1) provide the physical framework for development in the Planning Area. The Diagram designates the proposed general location, distribution and extent of land uses. Uses on sites less than two acres in size are generally not depicted on the Diagram. As required by state law, land use classifications, shown as letter designations, labels or graphic patterns on the Diagram, specify a range for population density and building intensity for each type of designated land use. These standards of population density and building intensity allow circulation and public facility needs to be determined; they also reflect the environmental carrying-capacity limitations established by other elements of the General Plan.

Relationship to Other Elements

The Land Use Element correlates land use policies contained in the other elements. Land Use designations on the General Plan Diagram, and building density and intensity standards contained in the Land Use Element provide a basis for determining future traffic conditions and the need for capital facilities, such as street improvements, parks and schools.

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2.1 Population and Growth

Population Growth

The Planning Area's 2010 population is 69,100. Between 2000 and 2010, the Planning Area population increase by 6,290 people at a rate of 1.00 percent per year. Build-out under the 2010 land use designations of the General Plan would result in an additional population of approximately 37,000 in the City, or a total population of about 106,100 in the Planning Area. However, this may be affected as a result of any Plan amendments that may subsequently be adopted.

	2010	2015	2020	2025	2030	2035
City of Milpitas	69,000	74,700	82,300	90,400	98,100	106,000
Milpitas Planning Area	69,100	74,800	82,400	90,500	98,200	106,100
Santa Clara County	1,822,000	1,945,300	2,063,100	1,185,800	2,310,800	2,431,400
Sources: Association of Bay Area Governments, Projections and Priorities 2009						

While build-out of the General Plan is expected to occur over a 15- to 25-year period, the time at which build-out would occur is not specified in or anticipated by the Plan.

Land Availability

Table 2-2 summarizes the status, as of May 2010, of developed and vacant land within City limits under the different General Plan land use classifications. About one-third of the developed land in the Valley Floor is devoted to Single Family Low-Density Residential use, with all designated residential areas accounting for about 46 percent of the Valley Floor. About 25 percent of the Valley Floor is designated for industrial (Manufacturing and Industrial Park) uses. About 15 percent of the total land in the Valley Floor is vacant and available for development.

Table 2-2 2010 Citywide Land Availability						
	DEVELOPED		UNDEVELOPED¹		TOTAL	
	Acres	Units	Acres	Units ²	Acres	Units
HILLSIDE						
Hillside Medium Density	234	99	2	6	236	105
Hillside Low Density	297	39	77	23	374	62
Hillside Very Low Density	59	16	551	39	610	55
Ed. R. Levin County Park	1,541	0	0	0	1,541	0
Total Hillside	2,131	154	630	84	2,761	238
VALLEY FLOOR						
Single Family Low Density	1,454	9,500	5	18	1,459	9518
Single Family Mod. Density	121	1,359	10	80	131	1,439
Multi-Family Med. Density	140	1,417	0	0	140	1,417
Multi-Family High Density	257	5,075	77	1,732	334	6,877
Multi-Family Very High Density	79	2,946	71	2,083	150	5,029
Transit Oriented Residential High Density	14	137	34	1,086	48	1,223
Transit Oriented Residential Very High Density	0	0	29	1,172	29	1,172
Mixed Use	57	195	13	298	70	493
Residential-Retail High Density Mixed Use	0	0	29	1,057	29	1,057
Boulevard Very High Density Mixed Use	0	0	66	3,062	66	3,062
Town Center	137	396	0	0	137	396
Professional/Admin. Office	13	0	1	0	14	0
Retail Sub-center	59	0	3	0	62	0
General Commercial	332	0	16	0	348	0
Highway Service	210	563	0	0	210	563

**Table 2-2
2010 Citywide Land Availability**

	DEVELOPED		UNDEVELOPED¹		TOTAL	
	Acres	Units	Acres	Units ²	Acres	Units
Industrial Park	607	0	116	0	723	0
Manufacturing	651	0	6	0	657	0
Public	301	0	0	0	301	0
Parks and Greenways	199	0	0	0	199	0
Major Streets, Freeways & Rail	329	0	121	0	450	0
Total Valley Floor	4,959	21,896	598	10,682	5,557	32,578
<p>1. Undeveloped acres include parcels that are either vacant or under-developed in terms of their potential under the current General Plan land use designation and reflect anticipated build out growth analyzed in the Midtown Specific Plan and Transit Specific Plan.</p> <p>2. Estimate of potential number of future dwelling units area based on the 90% of the median density range</p>						

Figure 2-1 Land Use

Figure 2-1 will be inserted here

2.2 Land Use Classifications

The following descriptions apply to land uses indicated on the General Plan Diagram. The legend on the General Plan Diagram is an abbreviated version of the descriptions. The classifications represent adopted City policy and are meant to be clear, but broad enough to give the City flexibility in implementing the Plan. The City's Zoning Ordinance contains more detailed use provisions and development standards than are described in the classifications. More than one zoning district may be consistent with a single General Plan land use classification. Table 2-3 shows a correspondence between the General Plan and the Zoning Ordinance.

According to state law, the General Plan must establish standards of population density and building intensity for each land use classification. The General Plan expresses residential density as housing units and persons per gross acre, as established in Table 2-4 and the land use classifications that follow. Density ranges specified for each category are discrete and not cumulative. However, housing types are cumulative (i.e. single family units are permitted in areas designated for multifamily use), provided the overall development project falls within the stipulated density range. If a project's density falls between the density ranges of separate designations, its density is to be rounded to the nearest whole number to determine if it conforms to the indicated General Plan density range. For example, in Multifamily Medium Density (7-11 units per gross acre) areas, a residential project would have to have a gross density of at least 6.5 units per acre and less than 12.5 units per acre in order to be in conformance with that General Plan designation.

For nonresidential uses, a maximum permitted ratio of gross floor area to site area (FAR) is specified. FAR is a broad measure of building bulk that controls both visual prominence and traffic generated. It can be clearly translated to a limit on building floor area in the Zoning Ordinance and is independent of the type of use occupying the building. The Zoning Ordinance will include provisions for reviewing and approving deviations from the FAR limitations for uses with low employee densities, such as wholesaling and distribution, or low peak-hour traffic generation, such as a hospital.

The density/intensity standards do not imply that development projects will be approved at the maximum density or intensity specified for each use. Zoning regulations consistent with General Plan policies and/or site conditions may reduce development potential within the ranges stated in the Plan.

Valley Floor

The following use descriptions apply to the Valley Floor portion of the Planning Area.

RESIDENTIAL

Residential densities are expressed as a range of housing units per gross acre of developable land, provided that at least one housing unit may be built on each existing legally-subdivided parcel designated for residential use. Second units permitted by local regulations (i.e. "granny flats", "in-law units"), and state-mandated density bonuses for affordable housing are in addition to densities otherwise permitted.

Table 2-3 Milpitas General Plan Land Use/Zoning Consistency

Table 2-3 will be inserted

Table 2-4 Standards For Density And Development Intensity				
Land Use Designation	Residential Density (units/gross acre)	Maximum Permitted Floor-Area Ratio — FAR	Residential Population	
			Persons/Housing Unit¹	Persons/Acre
VALLEY FLOOR				
Residential				
Single-family Low	3-5	n.a.	3.87	12-20
Single-family Moderate	6-15	n.a.	3.13	19-47
Multifamily Medium ^a	7-11	n.a.	3.13	22-35
Multifamily High	12-20	n.a.	3.13	38-63
Multifamily High with Special PUD approval	21-40	n.a.	2.52	53-101
Multifamily Very High	31-40	n.a.	2.52	79-101
Multifamily Very High with TOD Overlay	41-60	n.a.	2.52	104-152
High Density Transit-Oriented Residential	21-40	n.a.	2.52	53-101
Very High Density Transit-Oriented Residential	41-75 ²	n.a.	2.52	104-189
Mobile home Park	6-7	n.a.	1.6	10-11
Mixed Use				
Mixed Use (Residential)	21-30	n.a.	2.52	56-81
Mixed Use (Residential) with TOD Overlay	31-40	n.a.	2.52	83-108
Mixed Use (Non-Residential)	n.a.	.75	n.a.	n.a.
Mixed Use (Non-Residential) with TOD overlay	n.a.	1.0	n.a.	n.a.

Table 2-4				
Standards For Density And Development Intensity				
Land Use Designation	Residential Density (units/ gross acre)	Maximum Permitted Floor-Area Ratio — FAR	Residential Population	
			Persons/ Housing Unit¹	Persons/ Acre
Residential-Retail High Density Mixed Use	31-50 ³	1.5 for office ⁴ No density limit for hotels	2.52	79-126
Boulevard Very High Density Mixed Use	41-75 ³	1.5 ⁴	2.52	104-189
Commercial				
Town Center	up to 40 ⁵	0.85	Varies ⁶	Varies ⁶
General Commercial ^a	n.a.	0.50	n.a.	n.a.
Retail Sub-center ^a	n.a.	0.35	n.a.	n.a.
Professional and Administrative Office	n.a.	0.5	n.a.	n.a.
Retail Transit-Oriented	n.a.	2.25	n.a.	n.a.
Industrial				
Industrial Park	n.a.	0.5	n.a.	n.a.
Manufacturing and Warehousing ^a	n.a.	0.4	n.a.	n.a.
HILLSIDE				
Residential				
Very Low Density	up to 0.1	n.a.	3.6	less than 1
Low Density	up to 1.0	n.a.	3.6	up to 4
Medium Density	up to 3.0	n.a.	3.6	up to 11

Table 2-4 Standards For Density And Development Intensity				
Land Use Designation	Residential Density (units/ gross acre)	Maximum Permitted Floor-Area Ratio — FAR	Residential Population	
			Persons/ Housing Unit¹	Persons/ Acre
<p>^a The TOD Overlay does not change the standards for density and development intensity for the underlying land use designations.</p> <p>¹ Based on an overall average 3.14 household population per Milpitas total housing unit (Census 2000 baseline with Department of Finance data update).</p> <p>² Up to 90 du/ac with a Use Permit pursuant to the Transit Area Plan.</p> <p>³ Up to 60 du/ac with a Use Permit pursuant to the Transit Area Plan.</p> <p>⁴ Up to 2.5 FAR with a Use Permit pursuant to the Transit Area Plan.</p> <p>⁵ Findings necessary.</p> <p>⁶ Depends on the density of housing provided.</p>				

Single-family Low Density. (3 to 5 units per gross acre) All housing units are to be individually owned, either on separate lots or as part of a clustered Planned Unit Development. Single-unit detached residences will be the typical housing type in this category.

Single-family Moderate Density. (6 to 15 units per gross acre) All housing units are to be individually owned, either on separate lots or as part of a clustered Planned Unit Development. Developments with densities ranging from 7 to 10 units per acre may be approved only if proposals are found to be consistent with policies and programs of the General Plan and compatible with the surrounding neighborhood. Single-unit attached residences will typically be built within this density range. Densities higher than 10 units per acre would be consistent only for sites of 5 acres or less, accompanied by specific findings relating to:

- Appropriate relationship to surrounding land uses.
- Affordability [for Planned Unit Developments (PUDs) the acceptable floor area range is 600 to 1,100 sq. ft.]

Multifamily Medium Density. (7 to 11 units per gross acre) This density range would allow single-family attached and semi-detached houses and duplexes.

Multifamily High Density. (12 to 20 units per gross acre) This density range would accommodate a variety of housing types, ranging from row houses to triplexes and four-plexes, stacked townhouses and walk-up garden apartments. Densities up to 40 units per gross acre

may be permitted for proposals designed as Planned Unit Developments (PUDs) provided that the following criteria are met:

- Sewer and water service is sufficient to accommodate the proposal as well as other developments permitted by the General Plan. Any improvements to the sewer or water system that would be required to accommodate any such higher density proposals would be made conditions of project approval;
- Cumulative traffic, from the increased density and other existing or future projects, must not cause any street intersection to operate below Level of Service (LOS) E; and
- The design of such higher density projects will not have adverse shadow, view obstruction or loss of privacy impacts that are not mitigated to acceptable levels.

Multifamily Very High Density. (31 to 40 dwelling units per gross acre) This density range would accommodate a variety of housing types, ranging from row houses and townhouses to lofts and stacked flats with structured parking. Increased densities are permitted within the Transit Oriented Development overlay zone (TOD). Refer to page 2-15.

High Density Transit-Oriented Residential. A classification similar to the Midtown Plan's "Multifamily Very High Density" designation, these properties are intended for medium-density residential neighborhoods further from BART, at the interior of sub-district neighborhoods. A minimum average gross density of 21 units per acre is required, up to a maximum of 40 units per acre. Residential and related uses are allowed, but not commercial uses.

Very High Density Transit-Oriented Residential. Intended to create residential districts near BART and light rail stations, this designation requires housing to be built at an average density of at least 41 units per gross acre, up to a maximum of 60 and 90 units per gross acre. Small local-serving commercial uses are permitted at the ground floor level, including retail, restaurants, and personal services uses.

Mobile-home Park. This is an overlay category that may be combined with Single-family Low Density, Multifamily Medium Density and Multifamily High Density Residential, or Highway Service classifications. Mobile home Park, along with accessory uses, is the permitted use. Maximum residential density would range from 6 to 7 units per gross acre when combined with the use classifications as follows:

In addition to the above-stipulated densities, one additional housing unit per gross acre may be permitted upon a finding by the Planning Commission that the proposed project is of a superior functional and aesthetic design based upon it exceeding adopted mobile home park development standards.

Mixed Use

Mixed Use. (Residential component: 21 to 30 units per gross acre; non-residential component: FAR of 0.75) This designation allows for commercial offices, retail and services, high density residential and public and quasi-public uses. Mixed-use buildings can contain a combination of residential and commercial uses. The intensity for the non-residential component is a maximum floor area ratio (FAR) of 0.75. The residential density is 21 to 30 units per gross

acre and is calculated separately from the non-residential component. Increased residential densities are permitted within the Transit Overlay District (TOD). Refer to page 2-15.

Residential – Retail High Density Mixed Use. This district is intended to be a true mixed use area with retail, restaurants, and services on the ground floor, and residential or office uses on the floors above. The residential density is a minimum average gross density of 31 units per acre and a maximum of between 40 and 60 units per gross acre. In addition, 200 square feet of retail or restaurant space is required per unit, using the minimum density (i.e. the requirement is based on the number of units required to meet the minimum density). Sites may be developed for office and hotel uses without residential development, although ground floor retail or restaurant square footage will still be required. For nonresidential projects, the minimum FAR ranges from 1.5 to 2.25. However there is no FAR limit for hotels. A FAR of 2.5 may be permitted on individual sites with approval of a conditional use permit by the Planning Commission.

Boulevard Very High Density Mixed Use. This classification is intended to provide high-density housing, retail, and employment along Montague Expressway with a landscaped boulevard character. Projects may include a wholly residential or non-residential concept or a project that integrates residential and non-residential uses vertically or horizontally.

Permitted uses include residential, office, commercial, and medical uses. Sites developed with a mix of uses, or non-residential uses, must adhere to the FAR maximum which ranges from 1.5 to 2.25. Residential projects shall have a minimum average gross density of 41 units per acre and can be built up to between 60 to 90 units per acre.

A FAR of 2.5 may be permitted on individual sites with approval of a conditional use permit by the Planning Commission. Special criteria would need to be met, including the following: (1) the proposed uses include a hotel or office uses that create substantial new jobs, and do not include residential uses; (2) the design of the project is on extremely high quality and is compatible with the scale of surrounding buildings; (3) there are no adverse traffic impacts beyond those studied in the Transit Area Plan EIR or the project will be required to mitigate such impacts individually; and (4) buildings do not shade public parks or plazas more than 30% between 10 AM and 3 PM as measured on March 15.

INSTITUTIONAL

The Institutional classification is for parcels owned by public agencies and intended to be accessed by the public. There are three institutional classifications:

1. Schools
2. Correctional Facility
3. Public Facilities

COMMERCIAL

Town Center. This designation provides for a variety of commercial, civic and residential uses appropriate to the Center's role as the functional and visual focus of Milpitas. The Town

Center is a meeting place and a market place, the home of commercial and professional firms, an entertainment area and a place for restaurants and hotels. Because of this unique and relatively intensive mix of activities, very high density residential developments (i.e., up to 40 units per acres) may be permitted within the Town Center because of the increased economic support the residents would offer to the commercial uses.

General Commercial. This classification provides for a wide range of retail sales, and personal and business services accessed primarily by the automobile. It includes commercial uses in which shopping may be conducted by people walking to several stores as in a center, and may include uses customarily of a single-purpose character served from an adjacently parked automobile.

Retail Sub-Center. This classification accommodates neighborhood shopping facilities that provide for convenience needs, such as groceries and minor hardgood purchases. The General Plan provides for nine sub-centers, between two and 20 acres in size, distributed throughout the City.

Professional and Administrative Office. This classification provides advantageous locations for medical, law, and similar services required to serve residents and businesses. While office uses can be located in all of the commercial districts, the Professional Administrative Office areas are solely for these uses.

Highway Service. This classification provides for motels, mobile home parks, and non-retail services such as car-rental offices. Eight highway service areas are designated on the General Plan Diagram, typically at the intersection of major streets and/or freeways.

INDUSTRIAL

Manufacturing. This classification encompasses a variety of light and heavy industrial activities, such as manufacturing, packaging, processing, warehousing and distribution, and ancillary support uses.

Industrial Park. This classification accommodates research, professional, packaging and distribution facilities in a park-like setting, free from noise, odor and other such nuisances.

HILLSIDE

The Hillside Area comprises approximately 6,000 acres generally east of Piedmont Road, Evans Road and the portion of North Park Victoria Drive north of Evans Road. The undeveloped portion of the Hillside Area is characterized by gentle to steep slopes, grassy terrain with some chaparral and trees, wildlife, geologically unstable areas, the Ed R. Levin County Regional Park, and a feeling of remoteness from the more urban portions of the City. These conditions warrant Plan proposals and use classifications that differ considerably from those for the Valley Floor Area.

To ensure safety and to preserve its natural ambiance, all development in the Hillside Area is to be of low-density rural residential nature. Three categories of residential uses are provided.

The Low and the Medium Density categories accommodate existing development; all new development is to be at a Very Low Density.

RESIDENTIAL

Residential densities are per gross acre of developable land provided that at least one housing unit may be built on each existing parcel designated for residential use. Densities outlined in the classifications are maximums for the classifications; these decrease with increase in slope as outlined in the classifications and defined in detail in the City's Zoning Ordinance. The City may further reduce the permitted density on a site if such a reduction is necessary or appropriate for reasons of site conditions, access, views or geologic hazards. Second units permitted by local regulations and state access-mandated density bonuses for affordable housing are in addition to densities otherwise permitted.

Very Low Density. The maximum permitted density for this classification is one dwelling unit per ten gross acres. The maximum density decreases with increase in slope until 80 acres per housing unit is required for land with an average slope of 50 percent or greater. This designation includes most of the Hillside Area.

Low Density. The maximum density for this classification is 1.0 housing unit per gross acre. This density decreases with increase in slope until ten acres of land are required per housing unit for sites with an average slope of 27 percent or more. Three relatively small areas of the Hillside (representing prior developments) are shown on the General Plan Diagram with this designation.

Medium Density. The maximum density for this classification is approximately 3.0 units per gross acre on level land and decreases with increasing slope until ten acres of land are required per unit for sites with an average slope of approximately 27 percent or more. Areas designated as Medium Density (all existing) include:

- Development along the base of the hillside area;
- Summitpointe residential and golf course;
- Calaveras Ridge PUD; and
- The Country Club Estates.

OVERLAY ZONES

[Overlay zones are established in areas with distinct characteristics to have special development standards or guidelines beyond those identified in the underlying land use designation to carry out a vision or goal.](#)

Transit Oriented Development (TOD) Overlay Zone

The Transit Oriented Development (TOD) Overlay Zones are located near transit stations, and are applicable to land generally located within a 2,000 foot walking distance from a Light Rail Station or future BART station. Development within the TOD overlay zone is subject to special requirements regarding development density, parking, mix of uses, and transit supportive design features.

The south Midtown TOD increases densities in the Multifamily-Very High Density designation to a range of 41 to 60 dwelling units per gross acre. The north Midtown TOD increases densities in the Mixed Use designation to a range of 31 to 40 dwelling units per gross acre.

Gateway Office Overlay Zone

The Gateway Office Overlay Zone is located in areas that are well-suited for a 'gateway' higher intensity office development. This overlay zone allows office developments to be developed to an intensity of FAR 1.5 for Class A office only; not for retail or other office buildings.

Recreation and Entertainment Overlay

The purpose of the Recreation and Entertainment (-RE) Overlay District is to encourage the interaction between commercial and entertainment uses to create a destination that attracts visitors to Milpitas, which in turn, enhances retail spending opportunities. The overlay would expand the type of recreation and entertainment uses that could be allowed with a conditional use permit in the non-residential (C2, HS, M1, and MP) zoning districts covered by the district. Such uses include but not limited to conference centers, movie theatres, nightclubs, indoor recreational facilities, etc.

High Rise Overlay

The purpose of the High Rise Overlay is intended to be a special district to allow greater building height and density at strategic locations to frame major City gateways and provide unique housing, shopping and employment opportunities. This overlay would allow between 60-150 dwelling units per gross acre and is intended for areas that are well suited for taller, high density mixed-use buildings located along freeways or expressways.

2.3 Jobs/Housing Relationship

The job/housing balance is the relationship between the number of jobs provided by a community and the number of housing units needed to house the workers in those jobs. The best measure of job/housing balance is the jobs/employed resident ratio. A ratio of 1.00 indicates there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 indicates that a community is “job poor” and that its economic development has not kept pace with its housing growth, which can imply that the community’s tax base is weak and maybe unable to support adequate levels of urban services. It is also an indicator for other factors such as community’s housing cost in relation to worker’s income; travel distances between homes and jobs; and the environment and quality of life in that community.

ABAG 2009 Projections estimated 1.54 workers per household in Milpitas. There were a total of 19,070 households in Milpitas and housed 31,274 workers. The 2035 projected growth in jobs and employed residents for Milpitas and Santa Clara County are summarized in Table 2-5.

Table 2-5									
Growth in Jobs and Employed Residents									
Milpitas and Santa Clara County									
	2010			2020			2035		
	Employed Residents	Jobs	Jobs/ Employed Residents	Employed Residents	Jobs	Jobs/ Employed Residents	Employed Residents	Jobs	Jobs/ Employed Residents
Milpitas	31,340	48,450	1.54	39,650	52,650	1.32	54,730	59,280	1.08
Santa Clara County	815,800	1,044,130	1.08	985,400	938,330	1.06	1,252,500	1,365,810	1.02

Sources: Association of Bay Area Governments, Projections and Priorities 2009

In comparison to other cities in the Santa Clara County, Milpitas has one of the highest Employed Residents per Household ratio based on 2035 Estimates. Figures for other cities in Santa Clara County are shown in Table 2-6:

Table 2-6						
Jobs/Housing Comparison in the Ten Largest Cities in Santa Clara County						
2035 Estimates						
Jurisdiction	Jobs	Households	Employed Residents	Jobs per Household	Jobs per Employed Residents	Employed Residents per Household
San Jose	728,100	453,610	723,010	1.61	1.01	1.59
Sunnyvale	110,200	68,290	94,430	1.61	1.17	1.38
Santa Clara	153,940	60,430	92,730	2.55	1.66	1.53
Mountain View	79,300	42,500	57,800	1.87	1.37	1.36
Palo Alto	107,000	40,760	54,740	2.63	1.95	1.34
Cupertino	37,890	21,800	27,390	1.74	1.38	1.26
Campbell	28,900	20,180	27,430	1.43	1.05	1.36
Milpitas	59,280	30,510	54,730	1.94	1.08	1.79
Los Gatos	22,850	14,370	16,890	1.59	1.35	1.18
Gilroy	32,540	22,470	36,370	1.45	0.89	1.62

Employment Growth Prospects

According to projections by the Association of Bay Area Governments, Milpitas will add about 10,830 jobs between 2010 and 2035. Application of average development and employment intensities to vacant sites shows that Milpitas would be able to accommodate about 22,000 new jobs under current General Plan designations (Table 2-7), more than enough to meet projected needs over the next 20 years.

Table 2-7				
Land Availability For Job Growth, 2010				
General Plan Land Use Designation	2010 Vacant and Under-developed Land (Acres)	Estimated Potential New Jobs¹	Assumptions	
			Average FAR	Building square feet/employee
Retail Sub-center	3	65	.25	500
General Commercial	16	348	.25	500
Industrial Park	116	4716	.35	375
Manufacturing	6	244	.35	375
Mixed Use	67	5150	.75	425
Mixed Use w/ TOD Overlay	87	8917	1.0	425
General Commercial w/ Gateway Office Overlay	14	2439	1.5	375
Total	309 Acres	21,881 Jobs		
FAR = Building floor area to site area ratio.				
¹ Estimated new jobs rounded to nearest 10.				

2.4 Schools

Facilities and Enrollment

The Planning Area is served by the Milpitas Unified School District (MUSD), Berryessa Union High School District and Eastside Union School District. MUSD operates nine elementary (grades K-5; Burnett, Curtner, Pameroy, Randall, Rose, Sinnott, Spangler, Weller and Zanker), two middle (grades 6-8; Rancho Milpitas and Russell) and two high (grades 9-12; Milpitas High and Calaveras Hills) schools. In addition to public schools, private and parochial schools also serve the Area. A total of 9,869 students were enrolled in the MUSD in April 2010; less than the total capacity of 11,466 (Table 2-8). The Berryessa Union High School District had a total enrollment of 8,361 students; less than the capacity of 9,764 and the Eastside Union School District had a total enrollment of 24,728 students as of April 2010.

Table 2-8			
Capacity, Enrollment, and Projected Increase			
Milpitas Unified School District			
Grade¹	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
K-6	6,270	5,203	667
7-8	1,641	1,484	101
9-12	3,555	3,182	223
Total	11,466	9,869	992
Berryessa Union School District			
Grade	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
K-8	8,965	8,361	329
Total	8,965	8,361	329

Eastside Union School District			
Grade	Capacity	Total Enrollment	Additional Enrollment from General Plan Buildout
9-12	25,040	24,728	107
Total	5000	4,200±	107

Source: Milpitas Unified School District, September 2010, Bessie Louie and Charito Cabantac.
 East Side Union High School District, May 2010, Nadia Davis
 Berryessa Union School District, May 2010, Pamela Becker
 Methodology for additional enrollment is based on additional housing units multiplied by student generation rates obtained from the Projected Enrollments from 2009-2019 Report, Enrollment Projection Consultants, February 2/15/10

Projections

Growth from the buildout of the General Plan would result in the addition of 1,428 students. Table 2-8 lists the additional students that would be generated by grade category using Milpitas Unified School District (MUSD) student generation rates of 0.031 students for Single Family Dwelling developments, 0.12 students for Regular Attached developments, and 0.40 for Below Market-Rate (BMR) developments ; and broken down by grade in proportion to the current enrollment.¹

Milpitas currently levies state-mandated fees for new residential, commercial and industrial development at the time of building permit issuance in accordance with more recent statutes and court decisions.

2.5 Public Facilities and Utilities

For information on safety services and emergency management please see Chapter 5: Seismic and Safety Element. For water conservation, see Section 4.4: Water Quality and Conservation.

¹ Source: Enrollment Projection Consultants, February 15, 2010.

Government Facilities

The Civic Center (consisting of City Hall, Community Center and Senior Center) is adjacent to the Town Center. The library is located on southwest corner of North Main Street and Weller Avenue near Calaveras Boulevard overpass. The Police Station and Corporation Yard are located on the west side of North Milpitas Boulevard. There are four fire stations located throughout the Valley Floor Area. The locations of these City facilities, as well as the County's Elmwood Correctional Facility on Abel Street, are indicated on the General Plan Diagram.

Water Supply

The City receives water from the San Francisco Water Department (SFWD) through the Hetch-Hetchy system by connections on two of the four local aqueducts that transport water from mountain reservoirs to San Francisco and the Peninsula. While the SFWD aqueduct is able to meet the City's demand, the City's 1980 *Water Master Plan* concluded that it would be more cost effective for the City to obtain some of its water from the Santa Clara Valley Water District (SCVWD). As a result, industrial areas in the southwestern part of the City have since August 1993 been receiving water from the SCVWD.

The 2009/2010 average water consumption in the City was approximately 11,500 acre feet per year. The projected domestic water purchases for 2010/2011 is 10,500 acre feet per year. The City's current Water Master Plan was adopted in Spring 2010.

Wastewater Services

The San Jose/Santa Clara Water Pollution Control Plant (WPCP), the wastewater treatment facility for the City, is located in San Jose. It is a tertiary regional facility serving San Jose, Santa Clara, Milpitas, West Valley Sanitation District, Cupertino Sanitary District, County Sanitary District 2-3, Burbank Sanitary District, and the Sunol Sanitary District. Milpitas wastewater service area is contiguous with the City boundaries.

Capacity and Discharge. In 2009/2010, the City discharged 8.4 million gallons per day (mgd) and is contractually limited to a flow of 14.25 mgd. The dry weather flow rate was 7.2 mgd in 2010/2011. The WPCP has a dry-weather total capacity of 167 mgd, and a current average daily flow of approximately 121 mgd. There are no plans to increase the capacity of the WPCP. To mitigate a discharge-limit cap, conditions to WPCP's National Pollution Discharge Elimination System discharge permit have been imposed (see Section 4.4). The WPCP staff is preparing a master plan to establish a 30-year plan for equipment and process upgrades.

Current Programs. In order to allow the WPCP to meet the more stringent discharge requirements into the Bay, Milpitas is participating in water conservation programs and plans to divert flows to reclamation systems. Recycled water to supplement potable irrigation water became available in 2000. Future recycled water uses include industrial process, cooling towers, and dual plumbing of non-residential buildings.

The City completed an inflow and infiltration sewer remedial program in 1989. The City also updated its sewer master plan in May 2010.

2.6 Land Use Principles and Policies

a. Land Use

Guiding Principles

- 2.a-G-1 Maintain a land use program that balances Milpitas' regional and local roles by providing for a highly amenable community environment and a thriving regional industrial center.
- 2.a-G-2 Maintain a relatively compact urban form. [Emphasize mixed-use development to the extent feasible, to achieve service efficiencies from compact development patterns and to maximize job development and commercial opportunities near residential development.](#)
- 2.a-G-3 Provide for a variety of housing types and densities that meet the needs of individuals and families.
- 2.a-G-4 The Town Center will be the "heart" of Milpitas' civic, cultural, business, and professional life.
- 2.a-G-5 A park-like setting will be created by a series of local parks, school sites, trails, and a greenway system laced throughout all living areas.
- 2.a-G-6 Implement the Midtown Specific Plan goals, policies and development standards and guidelines to create a mixed-use community that includes high-density, transit-oriented housing and a central community 'gathering place' while maintaining needed industrial, service and commercial uses.
- 2.a-G-7 [When considering development proposals, seek "community benefit", such as upgrading infrastructure facilities, constructing new infrastructure facilities, and funding contributions to programs.](#)

- 2.a-G-8 The City should consider a long term approach to managing its income/job generating lands and the impacts of development on public services.
- 2.a-G-9 The city should make land use decisions that improve the City's fiscal condition. Manage the City's future growth in an orderly, planned manner that is consistent with the City's ability to provide efficient and economical public services, to maximize the use of existing and proposed public facilities, and to achieve equitable sharing of the cost of such services and facilities.
- 2.a-G-10 Consider long-term planning and strong land use policy in managing the City's fiscal position.
- 2.a-G-11 Promote land use policy and implementation actions that improve the City's fiscal sustainability. Maintain and enhance the City's projected total net revenue through amendments made to the General Plan. Discourage proposed re-zonings or other discretionary land use actions that could significantly diminish revenue to the City or significantly increase the City's service costs to the City without offsetting increases in revenue.

Implementing Policies

Development Intensity

2.a-I-1 New developments should not exceed the building intensity limits established in the General Plan.

Housing density standards consistent with the General Plan are already established in the Zoning Ordinance. Limits on development intensity are required by state law.

2.a-I-2 Land use conversions from employment/sales tax generation properties to residential shall only be considered once there is 80% buildout in the Midtown and Transit Area Specific Plans.

Growth and Expansion

2.a I-2 Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.

2.a I-2.1 Maintain an Urban Growth Boundary in the hillside area, as shown on the General Plan Land Use Map, that shall be effective until December 31, 2018 and, except as otherwise provided below, shall not be moved until that time.

A. City Services Prohibited in Area Outside the Urban Growth Boundary and Outside the City Limits: The City shall not process, approve or authorize construction or provision of any City service or City service extension to any property or people in that area located both outside of the Urban Growth Boundary and outside of the city limits of the City of Milpitas, except as expressly provided in this Policy 2.a I-2.1A. "City service" means any water, sanitary sewer, storm drain, flood control, road maintenance, sidewalk maintenance, police, fire or emergency medical service, including construction of related infrastructure that the City, its agents, its departments, or its contractors, provides to any property or people within the City limits. The City may provide a City service or City service extension to property or people outside of the Urban Growth Boundary only if:

1. *Declared Public Emergency:* The City Council declares a local emergency pursuant to Government Code § 8630 et seq. or Milpitas Municipal Code Title V, Chapter V-1 as they presently exist or may be amended in the future and the City Council finds, based on substantial evidence, that: (1) the extension or provision of service on a temporary basis is necessary to ensure public safety and (2) the extension or provision of service is for a specified limited time period;

2. *Urgent Public Health or Safety Concern Affecting Existing Development:* The City Council finds, based on substantial evidence, that: (1) an urgent public health or safety concern exists; (2) an independent, certified professional engineer approved by the City has concluded that the only economically justifiable solution to that public health or safety concern is to provide or extend City service; (3) on or before November 3, 1998, the legal parcel affected by that public health or safety concern had either a vested right to develop an approved land use or an approved and recorded final subdivision map pursuant to which residential units had been constructed within said subdivision; and 4) the applicant for the provision or extension of such City service has agreed to pay for its proportionate share of the service or service extension costs including, but not limited to, any engineering, design, inspection, land acquisition or review or other capital or operating costs incurred by the City. Any City service extension constructed under this Policy 2.a I-2.1A.(ii) shall be constructed in accordance with Section XI-1-7 of the Milpitas Municipal Code (regarding developer installation of improvements);
3. *Parks and Open Space:* The City Council finds, based on substantial evidence, that: (1) the property is operated as park or open space for the benefit of the general public and owned by either a private open-space trust or a government agency, authority, or district; (2) there would be minimal alteration (e.g. trails and fire roads) of the natural land forms as a result of any land use approval or modification; and (3) the property either will be used exclusively for passive recreational uses consistent with the rural character and indigenous plant and animal species of the hillsides, or contains a designated historic building(s) or setting that will be used for a purpose related to the historic significance of the site. Any property that is extended or provided City service under this Policy 2.a I-2.1.A.(i) shall not be used as golf course, ball field, ball court, amphitheater, amusement park, gymnasium or auditorium; or
4. *Mutual Aid Agreements with Other Public Agencies:* The City Council finds, based on substantial evidence, that: (1) the City services to be provided are limited to police, fire or emergency medical services, (2) such services are provided pursuant to a written agreement between the City of Milpitas and another public agency, (3) the agreement provides mutual benefits to both the City of Milpitas and the other agency to the agreement, and (4) the agreement benefits all or substantially all of the residents of the City of Milpitas.

B. Limited City Services Available in Areas Outside the Urban Growth Boundary and Within the City Limits: The City may provide police, fire or emergency medical service to any property or people in that area located both outside of the Urban Growth Boundary and within the city limits of the City of Milpitas. "City police, fire or emergency medical service" means any police, fire or emergency medical service, including construction of directly related infrastructure [except new stations] that the City, its departments, agents or contractors provides to any property or people within the City limits. Other than police, fire and emergency medical services specified herein, the City shall not process, approve or authorize construction or provision of any City service or City service extension to any property or people in that area located both outside of the Urban Growth Boundary and within the city limits of the City of Milpitas, except as expressly provided in this Policy 2.a I-2.1A. For purposes of this section, "City service" means any water, sanitary sewer, storm drain, flood control, road maintenance, sidewalk maintenance, including construction of related infrastructure that the City, its agents, its departments, or its contractors, provides to any property or people within the City limits. Notwithstanding any prohibition provided in this paragraph, the City may continue to maintain and/or repair that portion of Calaveras Road within the City limits and outside of the Urban Growth Boundary.

C. Amendments to the Urban Growth Boundary: Until December 31, 2018, the Urban Growth Boundary may only be amended as follows:

1. The Urban Growth Boundary may be amended by a vote of the People of the City of Milpitas;
2. To comply with state law regarding the provision of housing for all economic segments of the community, the City Council may amend the Urban Growth Boundary to accommodate lands designated or to be designated for residential uses. No more than 3 acres of land may be brought within the Urban Growth Boundary for this purpose in any calendar year. Land added to the Urban Growth Boundary pursuant to this section must be contiguous to land already within the Urban Growth Boundary. Such amendment may be adopted only if the City Council makes all of the following findings, based on substantial evidence:
 - a. That the land is to be included within the Urban Growth Boundary not designated as existing regional parks in the Santa Clara County General Plan adopted December 20, 1994, as amended through August 3, 1998; and
 - b. That the land is immediately adjacent to (i) the existing Urban Growth Boundary, and (ii) existing serviceable water and sewer connections;
 - c. That the proposed development will consist of primarily low and very low income housing pursuant to the Housing Element of this General Plan; and

- d. That there is no existing residentially designated land within the Urban Growth Boundary to accommodate the proposed development and it is not reasonably feasible to accommodate the proposed development by redesignating lands inside the Urban Growth Boundary for low and very low income housing; and
 - e. That the proposed development is necessary to comply with state law requirements for provision of low and very low income housing and the area of land within the proposed development will not exceed the minimum necessary to comply with state law; or
3. The City Council may amend the Urban Growth Boundary if it makes both of the following findings:
- a. The application of any aspect of the Urban Growth Boundary above would constitute an unconstitutional taking of a landowner's property; and
 - b. That the amendment and associated land use designation under consideration by the City Council will allow additional land uses approved by the City Council only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property.

D. Review of the Urban Growth Boundary: In 2015, prior to its expiration in 2018, the City shall begin a comprehensive review of the Urban Growth Boundary.

2.a I-2.2 Not later than 45 days after approval of this General Plan Amendment, the City shall take all necessary actions to apply for and request that the Santa Clara County Local Agency Formation Commission ("SC LAFCO") relocate the Urban Service Area boundary so that it is coterminous with the Urban Growth Boundary. The City shall take all actions within the scope of its jurisdiction to support and facilitate SC LAFCO's action regarding the City's request to relocate the Urban Service Area Boundary.

Economic Development

2.a-I-3 Encourage economic pursuits which will strengthen and promote development through stability and balance.

- 2.a-I-4** Publicize the position of Milpitas as a place to carry on compatible industrial and commercial activities with special emphasis directed toward the advantages of the City's location to both industrial and commercial use.
- 2.a-I-5** Maintain policies that promote a strong economy which provides economic opportunities for all Milpitas residents within existing environmental, social fiscal and land use constraints.
- 2.a-I-6** Endeavor to maintain a balanced economic base that can resist downturns in any one economic sector.
- 2.a-I-7** Provide opportunities to expand employment, participate in partnerships with local business to facilitate communication, and promote business retention.
- 2.a-I-8** Establish redevelopment projects to secure funds that can be used to attract commercial, industrial, and residential development in order to eliminate blight and improve an area.
- 2.a-I-9** Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use incompatibility issues.
- 2.a-I-10** Maintain an inventory of industrial lands and periodically assess the condition, type, and amount of industrial land available to meet projected demands.

2.a-I-11 Encourage supportive and compatible commercial and office uses in industrial areas designated for those uses. In areas reserved for industrial uses, only limited ancillary and incidental commercial uses, such as small eating establishments, may be permitted when such are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area.

2.a-I-12 Consider conversion from one employment land use to another, where the conversion would retain or expand employment capacity and revenue generation, particular for intensification on-site if the proposed conversion would result in a net increase in revenue generation.

2.a-I-13 When considering land use conversions from commercial or industrial lands to residential, the City should contemplate substantial economic benefit through negotiable development agreements with contributions towards the Economic Development Corporation to spur economic development.

Land Use Compatibility

2.a-I-14 When new uses are proposed in proximity to existing industrial uses, incorporate conditions upon the new use to minimize its negative impacts on existing nearby land uses and to promote the health and safety of individuals at the new development site.

Prohibit social organization uses within industrial areas. Consider these uses in other areas in the City.

Fiscally Beneficial Land Use

2.a-I-15 Maintain and expand the total amount of land with industrial designations. Do not add overlays or other designations that would allow non-industrial, employment uses within industrially designated areas.

Community Identity

2.a-I-16 Preserve and maintain the historical landmarks of Milpitas and its physical setting so the residents will recognize they are a part of a distinctive and dynamic community. *Detailed policies related to historic preservation are in Section 4.9.*

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2.a-I-17 Foster community pride and growth through beautification of existing and future development.

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Residential Development

2.a-I-18 Create a park-like quality for all residential areas through the PUD process and the judicious siting of parks, schools and greenways throughout those areas.

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2.a-I-19 Use zoning for new residential developments to encourage a variety and mix in housing types and costs. *This policy is also in the Housing Element*

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2.a-I-20 Geographically disperse similar development types throughout the community so that denser districts are not concentrated within a single area of the City. *This policy is also in the Housing Element*

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Hillside Development

(For policies relating to crestline and scenic resources protection, see Section 4.9: Scenic Resources and Routes; for safety issues related to hillside development, See Section 5.5: Seismic and Geologic Hazards.)

2.a-I-21 Encourage clustered housing and planned unit developments to reduce the visual impact as viewed from the Valley Floor, preserve natural topographic features, avoid geologic hazards and provide open space in residential areas.

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2.a-I-22 Where planned unit developments are not undertaken, protect major portions of the subdivision with open space easements.

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2.a-I-23	Limit new development in the Hillside Area to only to Very Low Density Residential, open space and park uses.		Deleted: 16
2.a-I-24	In order to preserve the natural topography of the hillside, limit densities otherwise permitted in the hillside according to a slope-density formula.	<i>Section XI-10-45.03 of the Zoning Ordinance elaborates upon these requirements.</i>	Deleted: 17
2.a-I-25	To ensure that development in the foothills is in keeping with the natural character of the hillside, and that views are protected, require city review and approval of all proposed development or major alterations to existing development in the hillside. As part of the review, ensure that: <ul style="list-style-type: none"> • landscaping is of a type indigenous to the area; • that building designs, materials and colors blend with the environment; and • grading is minimized and contoured to preserve the natural terrain quality. 	<i>Section XI-10-45.09 of the Zoning Ordinance prescribes the review requirements in detail.</i>	Deleted: 18
2.a-I-26	Establish crestline protection areas around the ridges which will ensure that buildings and grading west of the first ridge do not visually penetrate a band of land that lies 100 feet vertically below the apparent crestline when viewed from certain specific sites on the valley floor and that no structures just east of the crestline extend above the crestline sight line.		Deleted: 19
Town Center			
2.a-I-27	Develop the Town Center as an architecturally distinctive mixed-use complex which will add to Milpitas' identity and image.		Deleted: 0
2.a-I-28	Require development in the Town Center to conform to the adopted design principles/requirements of the Milpitas Redevelopment Agency.		Deleted: 1

Midtown

2.a-1-29 Develop the Midtown area, as shown on the Midtown Specific Plan, as an attractive and economically vital district that accommodates a mixture of housing, shopping, employment, entertainment, cultural and recreational activities organized within a system of landscaped boulevards, streets and pedestrian/bicycle linkages.

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2.a-1-30 Require development in the Midtown area to conform to the adopted design guidelines/requirements contained in the Midtown Specific Plan.

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Transit Area

2.a 1-31 Develop the Transit area, as shown on the Transit Area Plan, as attractive, high density, urban neighborhoods with a mix of land uses around the light rail stations and the future BART station. Create pedestrian connections so that residents, visitors, and workers will walk, bike, and take transit. Design streets and public spaces to create a lively and attractive street character, and a distinctive identity for each sub-district.

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2.a 1-32 Require development in the Transit area to conform to the adopted design guidelines/requirements contained in the Transit Area Plan.

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Child Care

2.a-I-33 Encourage the establishment of day care facilities consistent with State standards, including the issuance of use permits for large day care facilities where compatible with surrounding neighborhoods and commercial uses, particularly in public facilities such as community centers, churches, schools and in employment centers and large housing developments.

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2.a-I-34 Consider zoning code modifications to encourage day care facilities through development bonuses, flexible parking regulations, design provisions for modular units, and similar incentives.

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2.a-I-35 Collect and disseminate information regarding existing day care facilities and programs to major employees.

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Land Use Element Revision

2.a-I-36 Undertake a comprehensive revision of the Land Use Element, including the General Plan Diagram prior to the next five year comprehensive review of the General Plan.

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b. Jobs/Housing Relationship

Guiding Principle

2.b-G-1 Support jobs/housing balance programs at the local and regional scale intended to reduce the distance needed to commute.

Implementing Policies

2.b-I-1 Monitor the jobs/housing balance within the City on an annual basis.

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2.b-I-2 Consider locating housing in close proximity to industrial developments where they can be served by existing city services and facilities.

This policy is also in the Housing Element

2.b-I-3 Provide housing opportunities in Milpitas by meeting the City's regional fair-share housing obligations.

2.b-I-4 Support jobs/housing balance programs at the regional scale that reduce in- and out-commuting from Milpitas.

Despite the presence of a greater number of jobs than employed residents, only one-fifth of workers living in Milpitas actually work in the City. Local programs to balance jobs and housing would be effective only if they are part of an overall regional strategy.

c. Schools

Guiding Principle

2.c-G-1 Provide adequate school facilities for the City's residents.

The quality of educational programs and facilities is an important component of the community's quality of life and the desirability of the City to new residents and businesses.

Implementing Policies

2.c-I-1 Continue working with 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.

2.c-I-2 Locate future school sites on the General Plan Diagram if and when any amendments to the Plan are made that would necessitate new schools.

A future school site is identified in the Transit Area Specific Plan Land Use Map.

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 fee when necessary to comply with statutory changes.

d. Public Facilities and Utilities

Guiding Principles

2.d-G-1 Provide all possible community facilities and utilities of the highest standards commensurate with the present and anticipated needs of Milpitas, as well as any special needs of the region.

- 2.d-G-2 Develop adequate civic, recreational, and cultural centers in locations for the best service to the community and in ways which will protect and promote community beauty and growth.

Implementing Policies

- 2.d-I-1 Coordinate capital improvement planning for all municipal service infrastructure with the location and timing of growth.

- 2.d-I-2 Periodically update the City's water and sewer master plans.

- 2.d-I-3 When reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.

- 2.d-I-4 Use the design review process to consider and weigh the long term maintenance, resource needs, and costs of the design of private streets and other private infrastructure improvements.

- 2.d-I-5 When considering development proposals that are consistent with the underlying land use designation, seek opportunities for infrastructure improvements that would benefit the proposed project as well as the adjacent development that would lessen the burden on the overall tax base.

Purpose

The Circulation Element designates the general location and extent of existing and proposed major thoroughfares, transportation routes--including those for bicycles and pedestrians--and other local public facilities.

Relationship to Other Elements

The Circulation Element is systematically and reciprocally correlated with the Land Use Element, which includes policies related to the physical framework for development that the circulation system is designed to serve. The trails and bikeways identified in this element are also related to the recreational plans and policies identified in the Open Space and Environmental Conservation Element. Projected noise conditions in the Noise Element are also based on the traffic analysis conducted as part of the Circulation Element.

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Much of Milpitas' evolution and recent growth can be attributed to its strategic location at the narrow plain between the Diablo Range and the San Francisco Bay that connects the East Bay and the South Bay. Several major regional transportation facilities traverse the City including Interstates 680 and 880, State Route 237-Calaveras Boulevard, Montague Expressway, The Santa Clara Valley Transportation Authority (VTA) Light Rail line, the Union Pacific Railroad tracks and the future Bay Area Rapid Transit (BART) commuter rail line. These major routes serve as major regional thoroughfares; however also act as barriers for local access.

Milpitas accommodates significant regional traffic as commuters from the East Bay and Central Valley travel to employment centers in Milpitas and Santa Clara County. The predominant direction of travel is south and west during the morning and east and north during the evening commute. Mean travel time to work for City residents was 22.7 minutes in 2009, compared to 23.8 minutes for County residents as a whole.

The residents' mode of transportation to work was quite similar to that of County residents as detailed in the 2009 American Community Survey 1-Year Estimates, with about 77 percent of the workers relying on the automobile as the primary mode (Table 3-1). Carpooling is slightly higher than the County average with 14 percent Milpitas residents sharing a vehicle over the County's 11 percent. A small amount of Milpitas residents travel by public transportation and about 2 percent of Milpitas residents walk or use another means of transportation which is assumed bicycling.

	Percent of Total	
	Milpitas	Santa Clara County
Car, Truck or Van		
Drove Alone	76.7%	75.7%
Carpooled	13.8%	11.0%
Public Transportation	1.6%	3.2%
Walked	1.8%	2.2%
Other Means	2.9%	3.5%
Worked at Home	3.2%	4.5%
Total Workers	35,043	947,930
Note: Percentages may not add to 100 because of independent rounding.		
Source: 2009 American Community Survey 1-Year Estimates		

The Circulation Element provides a framework to guide growth of Milpitas' transportation-related infrastructure over the next 20 years. The Element is closely integrated with the Land Use Element to maintain acceptable level of service as the City grows and to plan an adequate street network to serve future development.

3.1 Relationship to Regional Programs

For a discussion of the Bay Area Air Quality Management District's programs, see Section 3.4.

A recognition of the functional relationships between transportation, land use and air quality, as well as of the need for jurisdictional cooperation, has led to a long history of legislation. In accordance with California Statute, Government Code 65088, Santa Clara County established a Congestion Management Program (CMP) to develop a comprehensive transportation improvement program among local jurisdictions that will reduce traffic congestion and improve land use decision-making and air quality. In 1991, Congress enacted the landmark Intermodal Surface Transportation Efficiency Act (ISTEA) followed by TEA-21 (expired in mid-2003) to provide a "national intermodal transportation system that is economically efficient and environmentally sound, and moves people and goods in an energy-efficient manner". This allowed state and metropolitan planning organization to take a broader view of the transportation system and its performance. In 2005, congress approved the Safe, Accountable, Flexible, and Efficient Transportation Equity Act- A Legacy for Users or SAFETEA-LU. Like its predecessors, SAFETEA-LU provided dollars to fund federal highways public transportation, highway safety and motor carrier safety program. The program promotes projects of national significance and it gives state and local transportation decision makers the financial flexibility to solve transportation problems in their communities.

The state of California has adopted ~~three~~ legislative mandates to guide the development of local plans and strategies:

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AB 32 California Global Warming Solutions Act of 2006. This bill requires the State board to adopt regulations to require the reporting and verification of Statewide greenhouse gas emissions and to monitor and enforce compliance with this program

[SB 97 CEQA Guidelines Amendments of 2009. These amendments provide guidelines for mitigation of green house gas emissions or the effect of greenhouse gas emissions.](#)

SB 375 2008 Transportation Planning: Travel Demand Models; Sustainable Communities Strategy; Environmental Review. This bill ~~requires~~ the California Transportation Commission (CTC) to maintain guidelines, as specified, for travel demand models used in the development of the regional transportation plans by metropolitan planning organizations. This bill would also require the regional transportation plan for regions of the State with a metropolitan planning organization to adopt a sustainable communities strategy, as part of its regional transportation, designed to achieve certain goals for the reduction of greenhouse gas emissions from automobiles and light trucks in a region.

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Major street improvements to meet the needs for a long-range planning horizon are identified in Section 3.3 of this Element. These projects will later be studied in greater detail and funding and implementation sources would be identified. Many of the projects are part of local and regional programs, including the City's Capital Improvement Program, the Santa Clara County Congestion Management Program (CMP), and Regional Transportation Plans as discussed below.

[AB 1358 California Complete Streets Act of 2008. In order to fulfill the commitment to reduce greenhouse gas emissions, make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity, transportation planners must find innovative ways to reduce vehicle miles traveled \(VMT\) and to shift from short trips in the automobile to biking, walking and use of public transit. There is no singular design prescription for Complete Streets; each one is unique and responds to its community context.](#)

Regional Transportation Plan

As the designated metropolitan planning organization for the Bay Area, the Metropolitan Transportation Commission (MTC) is responsible for preparing a long range Regional Transportation Plan (RTP). With the adoption of the Regional Transportation Plan in 2009, three principles of sustainability guide the Bay Area: a prosperous and globally competitive economy, a healthy and safe environment, and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system. These principles are benchmarks to measure the progress of the Bay Area's transportation system.

In addition, to remain eligible for federal transportation funds, a region must demonstrate that the highway and transit projects contained in its RTP will help attain and maintain federal air quality standards. Once adopted, a RTP serves as a guide for the region's Transportation Improvement Programs (TIPs) in which projects and their specific funding sources are listed.

Santa Clara County Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA), in its role as the Congestion Management Agency (CMA) for Santa Clara County, is responsible for preparing and periodically updating the Valley Transportation Plan (VTP), the long range vision for transportation in the County. The VTP identifies existing and future transportation related needs, considers all modes of travel and identifies what can be completed within the anticipated available funding for projects and programs. It provides a roadmap for the planning, policy development and programming of transportation funds in Santa Clara County for the next 25 years according to State and Federal requirements. It considers all travel modes and addresses the links between transportation and land use planning, air quality, energy use and community livability. The VTP updates every 4-5 years on a cycle coinciding with the Bay Area's Regional Transportation Plan (RTP)

The Congestion Management Program (CMP) is administered by the Santa Clara Valley Transportation Authority, the County's Congestion Management Agency, which is also responsible for overseeing local agency compliance with state law. The CMP promotes an integrated approach to transportation planning decision-making and mobility in Santa Clara

County by establishing traffic and transit standards, trip-reduction and travel-demand requirements, and by incorporating the transportation implications of land-use decisions in planning efforts.

Cities within the County are responsible for conformance with the adopted service level standards on the principal arterial system defined by the CMP, and for transit standards. They are also responsible for the adoption and implementation of a trip-reduction and travel-demand ordinance and for developing a program to analyze the impacts of land use decisions. Where deficiencies in the system exist, deficiency plans must be adopted and methods of correcting the deficiencies identified. If deficiencies go unmitigated, a city could lose its entitlement to a portion of its gas tax revenues.

Capital Improvements Program (CIP). The CMA maintains a CIP which includes a list of transportation facility improvements that is submitted to the MTC for inclusion in the Valley Transportation Plan 2040, (VTP 2040), or for funding from the state (Flexible Congestion Relief Funds) or from the federal Surface Transportation and the Congestion Mitigation/Air Quality programs.

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Traffic level of service (LOS) standards adopted as part of the CMP is discussed in Section 3.2 and the street network in Section 3.3.

3.2 Standards for Traffic Service

Because much of the City is built-out, the primary traffic issues in Milpitas are the feasibility of improvements and achievement of an acceptable level of service, particularly along two major commute corridors that bisect the city. Areas along the local street system not constrained by available rights-of-way are few.

Level of service (LOS) is a measure of quality of traffic service along a roadway or at an intersection. As described in Table 3-2, it ranges from A to F, with LOS A being best and LOS F being worst. LOS A, B and C indicate conditions where traffic can move relatively freely. LOS D describes conditions where delay is noticeable. LOS E indicates significant delays and traffic volumes are generally at or close to capacity. Finally, LOS F characterizes traffic flow at very slow speeds (stop-and-go), and large delays (more than one minute) with queuing at signalized intersections; in effect, traffic demand on the roadway exceeds the roadway's capacity.

CMP Level-of-Service Standards

As required by state law, the Santa Clara County CMP includes level-of-service standards for the designated CMP Roadway System as follows:

- The LOS basic standard is LOS E;
- The LOS goal for the CMP system is LOS D, however member agencies (including the City of Milpitas) are not required to conform to the goal.
- Intersections that have a baseline (1991) LOS F are grandfathered in as LOS F.

- If the baseline LOS for a CMP System facility was LOS F and the facility is not included in an approved deficiency plan, then changes to traffic conditions caused by a project shall not be allowed to increase LOS by more than the criteria outlined in the CMP Traffic LOS Impact criteria for intersections- four or more second increase of average stopped delay for the critical movements and increase in critical volume-to-capacity ration (v/c) by 0.01 or more. In the event that the project causes CMP System facilities to worsen below baseline conditions, either a mitigation proposal to improve traffic LOS shall be provided, or an approved deficiency plan must be approved.

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Table 3-2

Traffic Level Of Service Definitions

Level of Service (LOS)	Traffic Flow Conditions	Maximum Volume to Capacity Ratio
A	Describes primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the arterial class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Stopped delay at signalized intersections is minimal.	0.6
B	Represents reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the arterial class. The ability to maneuver within the traffic stream is only slightly restricted and stopped delays are not bothersome. Drivers are not generally subjected to appreciable tension.	0.7
C	Represents stable operations. However, ability to maneuver and change lanes in midblock locations may be more restricted than in LOS B, and longer queues and/or adverse signal coordination may contribute to lower average travel speeds of about 50 percent of the average free-flow speed for the arterial class. Motorists will experience an appreciable tension while driving.	0.8
D	Borders on a range on which small increases in flow may cause substantial increases in approach delay and, hence decreases in arterial speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes, or some combination of these. Average travel speeds are about 40 percent of free-flow speed.	0.9
E	Characterized by significant approach delays and average travel speeds of one-third the free-flow speed or lower. Such operations are caused by some combination or adverse progression, high signal density, extensive queuing at critical intersections, and inappropriate signal timing.	1.0
F	Characterizes arterial flow at extremely low speeds, below one-third to one-quarter of the free flow speed. Intersection congestion is likely at critical signalized locations, with high approach delays resulting. Adverse progression is frequently a contributor to this condition.	>1.0

Source: *Highway Capacity Manual*, 1985.

Traffic Analysis

The City completed two major planning documents in order to address community needs as it relates to land use and transportation. The Midtown Specific Plan provides a new vision for the approximately 589 acre area of land in central Milpitas. This area provides for approximately 1400 units of housing, reinvestment in the Great Mall, the VTA Light Rail and the future Bay Area Rapid Transit line. Recent additions to Midtown Milpitas include the Milpitas Library, and the County's multi-regional Medical Facility. The Transit Area Specific Plan is a plan for the redevelopment of an approximately 437-acre area in the southern portion of the City that currently includes a number of industrial uses near the Great Mall shopping center. This plan proposes redevelopment of this area with 7,109 dwelling units, 993,843 square feet of office space, 340 hotel rooms and 287,075 square feet of retail space centered around the proposed Milpitas BART station and the VTA Light Rail system. Both these plans forecast traffic conditions include 2030 development as well as the VTA estimates of land use in the year 2030 in all parts of the County outside of the City's Planning Area.

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In the Planning Area, overall employment projections based on ABAG's Projections 2009 were appropriately converted to land uses and distributed based on the Midtown and Transit Area Specific Plan designations. The model was used to produce forecasts of peak-hour traffic on the freeways, arterials and many of the collector streets in the City. Results of the traffic analysis are included in Appendix A. Major improvements needed to accommodate these anticipated traffic increases are discussed in Section 3.3.

3.3 Street Network and Classification

A hierarchy of streets will be required to provide access to future development and maintain acceptable levels of service. The circulation network in the General Plan Diagram (Figure 2-1) identifies the functional classifications of key routes. A route's design is determined by the projected traffic level on the street. The classifications and their required access standards are identified in Table 3-3. Street widths, number of lanes, and the need for on-street parking are to be tailored to individual conditions.

Street Type	Function	Access	Discussion
Freeway	Provides for intra- and inter- regional mobility.	Restricted to primary arterials and expressways via interchanges.	Interstates 880 and 680 and State Route 237 west of 880 are the freeways in the Planning Area.

Street Type	Function	Access	Discussion
Expressway	Provide for movement of through-traffic.	Limited accesses to abutting properties; varies according to situation.	
Arterial	Collect and distribute traffic from freeways and expressways to collector streets, and vice versa.	Varies according to situation.	State Route 237 east of 880 is a signalized arterial being used as a regional freeway to freeway connector.
Collector	Serve as connectors between local and arterial streets and provide direct access to parcels.	Driveways and/or intersecting streets or collector streets should be no closer than 300 – 400 feet apart. <u>Joint-Use driveway is encouraged.</u>	
Local Street	Provide access to parcels.	Access is not restricted.	Local streets constitute the largest part of the City's circulation system.

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Major Improvements Needed

Due to regional through-traffic along sub-regional routes, such as State Route 237 and Montague Expressway, a large increase in traffic by year 2035 is anticipated. In addition, the completion of the Midtown Specific Plan and Transit Area Specific Plan, along with recent development activity has forecasted the increase of cumulative traffic. It is anticipated that segments of the following Milpitas roadways will have higher levels of traffic volume by year 2030:

- Abel Street
- Dixon Landing Road
- Main Street
- McCarthy Boulevard
- Milpitas Boulevard
- Montague Expressway
- Tasman Drive/Great Mall Parkway

Mitigation measures have been identified in order to alleviate the traffic pressure on these roadways. Major improvement projects are reviewed annually and are included in the VTP/RTP in order to be eligible for funding. Currently, these projects included are:

- Calaveras Boulevard Widening- bridge replaced between Milpitas Boulevard and Abel Street to accommodate 6 lanes and pedestrian bicycle facilities in both directions;
- Dixon Landing Road Widening- Widening from Interstate-880 to N. Milpitas Blvd from four to six lanes, including pedestrian and bicycle facilities
- Dixon Landing Road/Milpitas Boulevard Intersection and Widening Improvements.

Consistency with the Capital Improvement Program

Because of the incremental nature of development, the General Plan does not outline a schedule for the improvements to the City's street system discussed above. Projects identified in the Plan will be prioritized and included in the City's ongoing Capital Improvement Program (CIP). Modifications to the CIP are to be made as a normal part of the City's budgeting and implementation process and do not require amendment of the General Plan.

3.4 Transportation Demand Management

The term "Transportation Demand Management" (TDM) refers to measures designed to reduce peak-period auto traffic, by making more efficient use of existing transportation resources, and expanding and emphasizing more sustainable, non-auto alternatives. These include public transit, flexible working hours, telecommuting, carpooling and vanpooling, and incentives to increase the use of these alternatives. TDM has become increasingly important in the effort to enhance mobility through efficient use of alternative modes of transportation, and in meeting federal and state air quality standards.

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A successful TDM program is an essential and important element in the continuing effort to achieve acceptable levels of traffic service based on the standards in Section 3.2. The specific objectives of TDM are to:

- Reduce peak hour traffic congestion by reducing the number of single-occupant vehicle trips associated with commuting by provide travelers with alternate mobility choices;
- Reduce or delay the need for street improvements by making more efficient use of existing facilities;
- Reduce future air pollution concentrations and strive towards meeting state and federal ambient air pollution standards by reducing the number of single-occupant vehicle trips associated with commuting; and
- Reduce consumption of energy for transportation uses, thereby contributing to the national policy to increase energy self-sufficiency.

Transportation Control Measures

Under the California Clean Air Act (CCAA) of 1988, the Bay Area Air Quality Management District (BAAQMD) is required to prepare a Clean Air Plan (CAP) to achieve state standards for ozone and carbon monoxide. The Bay Area 2010 Clean Air Plan (CAP) provides a comprehensive plan to improve Bay Area air quality and protect public health. The CAP defines a control strategy that the Air District and its partners will implement to: (1) reduce emissions and decrease ambient concentrations of harmful pollutants; (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily impacted by air pollution; and (3) reduce greenhouse gas (GHG) emissions to protect the climate.

The CCAA states that attainment plans should emphasize reducing emissions from transportation and area wide sources. The Act requires air districts to adopt, implement, and enforce Transportation Control Measures (TCMs). TCMs are defined in state law as “any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions.” Although cars are about 90 percent cleaner than they were 20 years ago and fleet turnover will produce the bulk of mobile source emission reductions in the future, the state plan still requires TCMs as a complementary strategy. MTC develops and updates a list of TCMs to the BAAQMD.

Transit

Only 1.6 percent of Milpitas' workforce uses public transportation to travel to work (see Table 3-1). The primary function of transit in the City is to transport residents from the City to commercial and employment centers and to other transit stations in surrounding jurisdictions. The bus transfer station and park-and-ride lot, at the Great Mall transit center acts as a hub for most of the bus lines that serve Milpitas. Frequent service (less than 30 minute headway) is offered primarily during peak hours (6 AM to 9 AM and 3 PM to 6 PM on weekdays) while headway increase to 30 minutes or more during the midday, after 6 PM and on weekends and holidays.

Bus. The VTA provides a majority of the bus service for Milpitas. Local bus routes provide service to Mountain View, Sunnyvale, Great America, southeast and east San Jose, and Evergreen College, at average headway of 15 to 30 minutes during commute hours. Service to the Fremont BART station is provided by express buses. Additionally, Alameda County (AC) Transit provides lines from Milpitas to the Fremont including the **Fremont** BART Station. Details on transit service are included in Appendix B.

Light Rail. The Alum Rock-Santa Teresa Line travels through Milpitas stopping at 3 locations: Montague Expressway, Great Mall Transit Center (bus transfer station) and I-880/Milpitas at Tasman Drive/Alder. Both the Great Mall Transit Center and I-880/Milpitas have park and ride facilities. The Montague Expressway stop will link with the future BART station and bus transfer center, being the first multimodal station in Santa Clara County.

Bay Area Rapid Transit. The Milpitas Station is scheduled to open in 2017 that will link the Berryessa Station to the south in San Jose with the remainder of the BART system to the East Bay and San Francisco. BART will provide Milpitas regional transit connectivity to San Mateo, San Francisco, Alameda, and Santa Clara Counties.

3.5 Pedestrian and Bicycle Circulation

The relatively flat topography of the Valley Floor and the City's mild Mediterranean climate are conducive to walking and bicycling. Yet, few residents utilize these means of transportation for commuting. Walking and bicycling constituted only about 4.7 percent of the total trips made by City's employed residents in 2009¹ (see Table 3-1). Measures aggressively promoting and accommodating alternative mode choice should prove to increase this percentage in the future.

Many parts of the City also hold good potential for recreational biking and walking, including along Coyote Creek and within the Hillside Area. There are also additional opportunities along many of the creek channels and the Hetch-Hetchy rights-of-way.

Milpitas is crossed by two freeways and two railroad tracks; which fragment the City's circulation system, including facilities for biking and walking. In addition, many shopping centers and neighborhoods are accessed through a limited number of entrances, through which pedestrians and bicyclists must compete with the automobile for safe passage to their destination. As Milpitas is approaching build out, it is critical that bikeways and trails be addressed with each planned development and redevelopment program.

Bicycling and walking are recognized as vital forms of transportation in the Federal legislation, which calls upon the states to maximize the efficiency of the existing roadway system and to provide for intermodal transportation. Pedestrians and bicyclists are integral to the success of the intermodal system.

Bikeways

The City's existing system of bike lanes and routes support this transportation mode. The City's Bicycle Pedestrian Advisory Committee (BPAC) serves as an advisory body to the City Council on matters relating to planning, modifications and expansion of the City's Bikeway System. BPAC also promotes safety, education and awareness of bicycling and pedestrian issues.

The City has adopted a Bikeways Master Plan which includes:

- Goals, objectives, and benchmarks for bicycling
- A review of existing bicycling conditions
- Descriptions of Relevant Local and Regional Plans and Policies related to Bicycling
- An analysis of bicycling needs
- Recommended Bicycling Projects, Cost Estimates, and Priorities for implementation
- Recommended Bicycling Programs
- Funding Sources for Bicycle Projects and Programs
- Design Guidelines with best practices for implementing bikeways

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¹ 2009 American Community Survey 1-Year Estimates

Table 3-4	
Bikeway Classifications	
Classification	Function
Bike Paths	Provide exclusive right-of-way for bicyclists with cross flows by motorists minimized to the extent possible.
Classification	Function
Bike Lanes	To provide preferential use of the paved area of roadway for bicyclists by establishing specific lines of demarcation between areas reserved for bicycles and motorists.
Bike Routes	To provide continuity of bikeway system along routes not served by Bike Lanes or Bike Paths. Bike Routes are shared facilities, either with motor vehicles on the street or with pedestrians on sidewalks.

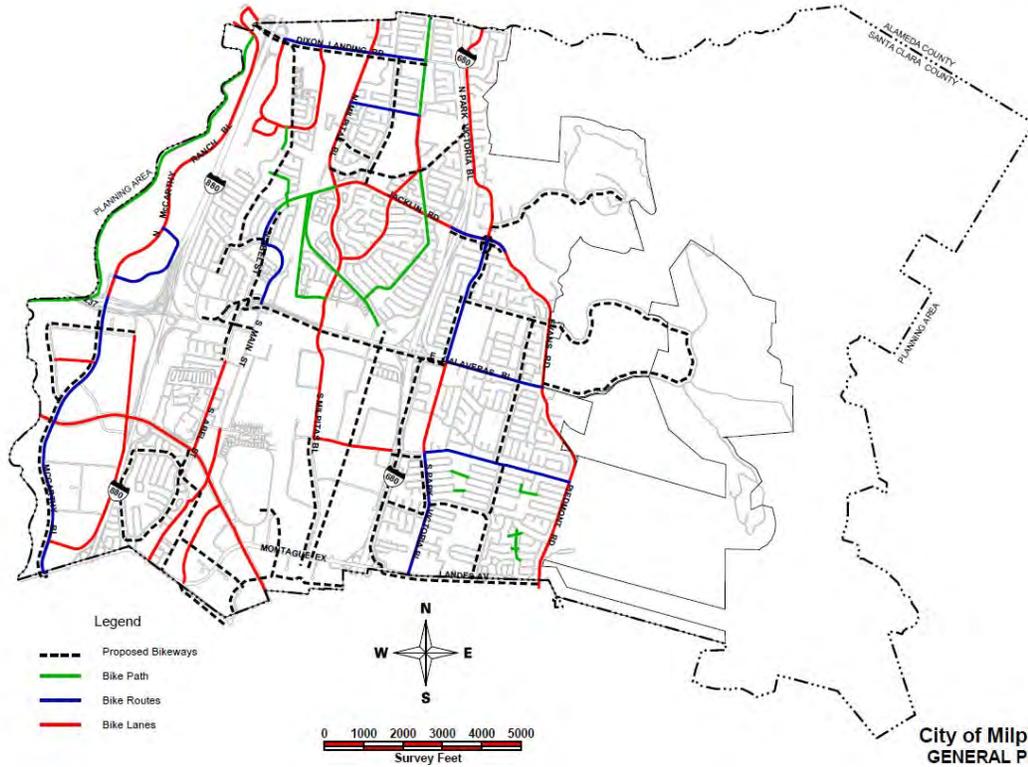
The VTA Bicycle Plan identifies regional bicycle routes that provide for inter-city commuting. Portions of the Milpitas Bikeway System are identified in this regional plan. The VTA Bicycle Technical Guidelines is a guide for local agencies in Santa Clara County that present standards for planning, designing, operating retrofitting, and maintaining roadways and bikeways as best practices.

Trails

Milpitas Trails Master Plan. Recognizing that an off-street trail system will enhance the quality of life within Milpitas by providing an alternative transportation system, expanding recreational opportunities and improving the environmental conditions of those trail corridors that parallel creeks, the City Council adopted the Milpitas Trails Master Plan on June 3, 1997. Several of the trail corridors identified in the Trails Master Plan will provide direct, grade-separated routes from home to work, school and shopping. The direct access and lack of street crossings provided by grade separated facilities enhances the convenience of the off-street trail system. This added convenience encourages more people to bicycle and walk. The trail system will provide access to the Town Center, the Great Mall, all of the major employment centers, numerous schools and parks and the Tasman Corridor Light Rail stations.

Approximately 35 miles of trails are identified in the Master Plan. Of these, 6 miles have been built and 29 miles are proposed, including about 4 miles of on-street connectors proposed to link together the off-street system. The majority of trails identified in the plan follow the creeks, rail corridors and utility right of ways that traverse the City. In addition, the Midtown Specific Plan promotes the development of these trails. The trails are categorized into the following four groups:

Bikeways
Figure 3-1



- Regional Trails are those routes identified in the Santa Clara County Trails Master Plan as having national, state or regional significance. In Milpitas these are the Coyote Creek Trail, the San Francisco Bay Trail and the Juan Bautista de Anza National Historic Trails (which share the same alignment in Milpitas), and the Bay Area Ridge Trail.
- City Trails provide north-south and east-west cross-town routes and extend beyond the City limits to Fremont and San Jose. These trails provide recreation and transportation benefits by linking neighborhoods with employment centers, shopping districts, schools, and transit facilities. City Trails include the Berryessa Creek Trail, Calera Creek Trail, Hetch-Hetchy Trail, Penitencia Creek Trail, and Wrigley Creek/Union Pacific Railroad Trail.
- Neighborhood Trails connect homes with schools and parks and provide pedestrian and bicycle access to local shops and markets. They include the Hillcrest Park/Ben Rogers Park Trail, McCarthy Ranch Jogging Trail and Par Course, Rancho Milpitas Middle School/Sinnott School Trail and the Yellowstone Park Trail.
- On-Street Connectors consist of on-street bicycle lanes and routes that link segments of the off-street trail system where no other route is available. They include Calaveras Road, Yosemite Drive and North Park Victoria Drive.

The Trails Master Plan details trail types and the specific corridors included in the plan, offers general analysis, prioritizes trail projects and provides preliminary budget estimates. The Master Plan notes that detailed trail alignment studies for each corridor will be needed as trail projects move forward towards development.

Pedestrian Support

Sidewalks and Streetscapes. In general, pedestrian support has similar infrastructure and safety needs as bikeways and trails. It should be identified that pedestrian activity (as well as the enjoyment of walking) is increased when walkway facilities are safe, comfortable and attractive for all users including children, seniors and persons with disabilities. Some of the best ways to enhance walkways are through the provision of adequate sidewalk width, lighting, buffers between the pedestrians, median islands, curb extensions, safe crossing opportunities, and ample landscaping, particularly street trees. In addition, other enhancements at signalized crossings such as adequate pedestrian crossing timing and accessible pedestrian signals near senior complexes and medical facilities further improve access for users with slower walking pace and sensory loss. Obstructions to movement should be removed to the extent feasible and planned for accordingly.

Street Trees. Street trees have soothing visual impact, provide shade and a habitat for wildlife and add to property values. However, City maintenance costs can be expected to increase as street trees grow taller, requiring additional and more difficult pruning. Sidewalk damage is one of the difficult problems in street maintenance, and one reason for the increased use of

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monolithic sidewalks located next to the curb, which widens the appearance of the street and reduces pedestrians' sense of safety by putting them closer to traffic.

Planning for Children. The Milpitas Suggested Routes to School program encourages parents and students to walk or bike to school by identifying obstacles, promoting safety, and suggested improvements. A strong education component is included in the program.

Planning for Seniors. Adequate pedestrian timing and accessible pedestrian signals for crossing should be in place at signalized crossings in the vicinity of senior residential complexes, civic and medical facilities to improve the pedestrian experience for senior citizens.

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Planning for Persons with Disabilities. As with the measures suggested for senior citizens, adequate pedestrian timing and accessible pedestrian signals for signalized crossings should be in place where appropriate, such as civic and medical facilities. Obstructions to movement should also be removed and placed in appropriate locations during the planning stages to maximize movement for those with disabilities.

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3.6 Goods Movement

Providing adequate circulation for trucks is necessary for economic development of the City by facilitating transportation of goods and products. In Milpitas, there is a four-ton weight limit restriction on all streets, except those shown on Figure 3-3. Therefore, by default, through truck traffic can only utilize the exempted streets, which can be referred to as “truck routes.” The routes shown in the Figure serve as primary commercial truck movements entering and leaving the City. Trucks, however, can use any street to get to and from specific delivery locations when a restricted street is on the direct path to the origin or destination and there is no other permitted facility.

Where feasible, efforts should be made to minimize conflicts along streets with heavy pedestrian activities by implementing parallel corridors for goods movements.

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Figure 3-1 . Bikeways¶
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3.7 Circulation Principles and Policies

a. Standards for Traffic Circulation

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Guiding Principles

3.a-G-1 Continue to utilize the City's adopted Level of Service standards in evaluating development proposals and capital improvements. *Current City LOS standards apply only to development east of I-880.*

3.a-G-2 Maintain acceptable service standards for all major streets and intersections.

3.a-G-3 Create accessible transportation networks system to meet the needs of all segments of the population, including youth, seniors, persons with disabilities and low-income households.

Implementing Policies

3.a-I-1 Strive to maintain CMP LOS standards and goals for the CMP Roadway System in Milpitas.

3.a-I-2 For collectors and arterials east of Interstate 880 operating at baseline (1991) LOS F, require any development project that impacts the facility at or greater than one percent of facility capacity to implement mitigation measures to reduce the development project's impacts below the one percent level. These mitigations shall no adversely impact the safety, circulation, or accessibilities of pedestrian, bicycle, and transit travel. If an identified location cannot be mitigated, measures designed to improve system-wide levels of service can be implemented. These system-wide improvement strategies will be contained in the Citywide Deficiency Plan. *Conforms to CMA requirements and existing City LOS policy.*

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3.a-l-3 Recognize that the City's development pattern and deficiencies in the regional network have resulted in substandard service levels on certain streets where capacity cannot be increased.

3.a-I-4 On streets where substandard service levels are anticipated, investigate and implement improvement projects that will enhance traffic operations.

3.a-I-5 Continue to monitor traffic service levels and implement Circulation Element improvements prior to deterioration in levels of service to below the stated standard.

3.a-I-6 Implement street standards that remove barriers and provide accessibility for pedestrians and bicyclists.

b. Street Network and Classification Principles and Policies

Guiding Principles

3.b-G-1 Develop a street network integrated with the pattern of living, working and shopping areas, and which provides for safe, inviting, convenient, and efficient intermodal movement within the City and to other parts of the region.

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3.b-G-2 Direct special consideration toward the circulation needs of a modern, convenient central business district, including adequate off-street parking.

3.b-G-3 Create a street pattern that encourages industrial growth and promote livable community where all people – regardless of age, ability or mode of transportation – feel safe & welcome on the streets.

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3.b-G-4 Use the “Major Improvements Needed” subsection as a basis for identifying, scheduling, and implementing transportation improvements as development occurs in the future.

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Implementing Policies

3.b-I-1 Require new development to pay its share of street and other transportation improvements based on its impacts.

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3.b-I-2 Require all projects that generate more than 100 peak-hour (A.M. or P.M.) vehicle trips to submit a transportation impact analysis that follows guidelines established by CMP.

This is part of the CMP requirements.

3.b-I-3 As part of the Capital Improvement Program (CIP), annually update a five-year program of projects required to construct and/or update circulation facilities.

3.b-I-4 Continue to actively seek funding from regional, state, federal, and other agencies for projects identified in Table 3-4 and others included in the City's CIP.

3.b-I-5 Create a balanced multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable in respect to the community context of the general plan.

c. Transportation Demand Management

Guiding Principles

3.c-G-1 Implement measures that increase transit use and other non-motorized travel modes that lead to improved utilization of the existing transportation system, such as improvements to access public transit stops and stations by walking and biking, and provide transit stops near employment centers and higher density residential developments.

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3.c-G-2 Cooperate with other private entities and public agencies to promote local and regional transit serving Milpitas.

Implementing Policy

3.c-I-1 ~~Support regional planning efforts for the development of mass transit facilities such as transit priority for designated bus rapid transit, bus queue jump lanes, exclusive bus queue jump lanes, exclusive transit lanes, and other transit preferential treatments.~~

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3.c-I-2 ~~Support regional planning efforts for the development of transit facilities generally along either the Union Pacific or South Pacific Railroad corridors.~~

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3.c-I-3 ~~Implement measures to enhance transit efficiency where feasible as such farside bus stop locations and bus stop pullouts.~~

3.c-I-2 ~~Encourage feeder services to carry commuters to transit stations, including shuttle connections from businesses, residences, and attractions to bus and rail services.~~

d. Pedestrian and Bicycle Circulation Principles and Policies

Guiding Principles

3.d-G-1 Implement the goals, objectives, and benchmarks of the Bikeways Master plan.

3.d-G-2 Promote walking and bicycling for transportation and recreation purposes by providing a comprehensive system of sidewalks, bicycle lanes and routes and off-street trails that connects all parts of the City.

3.d-G-3 Provide adequate bicycle parking and end-of-trip support facilities for bicyclists at centers of ~~civic, retail, recreation, education, and work~~ activity.

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3.d-G-4 Promote intermodal commuting options ~~by developing connected system of streets, roads, bridges, and highways that provides continuous, efficient, safe and convenient travel for all users regardless of age or ability.~~

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- 3.d-G-5** Encourage a mode shift to non-motorized transportation by expanding and enhancing current pedestrian and bicycle facilities to accommodate causal and experienced cyclists and pedestrians.

Implementing Policies

- 3.d-I-1** Complete the on-street bicycle and the off-street circulation systems as depicted and described in the Bikeways and Trails Master Plans.
- 3.d-I-2** Develop connections between the off-street trail system and on-street bicycle system to fully integrate these facilities. Maximize linkages to other trail and bikeway systems to provide alternative transportation routes for pedestrians and bicyclists.
- 3.d-I-3** View all public capital improvement projects as opportunities to enhance the bicycle and pedestrian systems, and incorporate bicycle and pedestrian facilities into the design of such projects wherever feasible.
- 3.d-I-4** Encourage walking, biking and transit use by improving bicycle and pedestrian connections to transit centers, specifically the Great Mall transit centers and light rail stations and the proposed commuter/passenger rail stations.
- 3.d-I-5** Distribute the Milpitas Bicycle Map, Trail Map, bicycle safety information and other related materials at City buildings and schools, and special events.
- 3.d-I-6** Use funds from the Streets budget for bicycle and pedestrian projects as appropriate.
- 3.d-I-7** Actively pursue external grant funds for bicycle and pedestrian capital improvement projects.

3.d-I-8 Consider developing additional local sources of funding for trails and bikeways such as special assessment districts, nonprofit corporations and ballot initiatives.

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 civic, recreation, education, work, and retail centers.

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3.d-I-10 Require developer contributions toward pedestrian and bicycle capital improvement projects, bicycle parking, and end-of-trip support facilities to promote alternate modes of transportation.

3.d-I-11 Support Safe Routes to School Projects, including infrastructure improvements and education, as an important source for encouragement of walking and bicycling to school as well as supporting the reduction of green house gas emissions

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3.d-I-12 Design streets to include detached sidewalks with planting strips or wider, attached sidewalks with tree-wells to encourage pedestrian use and safety, as well as to remove barriers and increase accessibility.

Bikeway Policies

3.d-I-13 Make improvements to roads, signs, and traffic signals as needed to improve bicycle travel.

Provide bicycle actuated traffic signals, detection, loop detector stencils

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3.d-I-14 Discourage speed bumps and other street features that hinder bicycling on public streets and private parking lots.

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3.d-I-15 Where appropriate, install bicycle lockers and/or racks at public parks, civic buildings and other community facilities. Ensure required amount of bicycle racks for residential, commercial and mixed use

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	<u>projects as required in the Milpitas Zoning Ordinance.</u>	
3.d-I-16	Include evaluation of bicycle facility needs in all planning applications for new developments and major remodeling or improvement projects.	Deleted: 5
3.d-I-17	<u>Require</u> new developments to provide end-of-trip facilities such as secure bicycle parking, <u>and</u> on-site showers and clothing storage lockers, etc. <u>where feasible.</u>	Deleted: 6 Deleted: Encourage Deleted: and existing
3.d-I-18	Support bicycle education programs.	Deleted: 7
3.d-1-19	<u>Link City pedestrian and bicycle circulation to existing and planned regional networks.</u>	
Trail Policies		
3.d-I-20	Acquire adequate set backs and right of way to complete the Trails master Plan.	Deleted: 18
3.d-I-21	Provide <u>and</u> accommodate recreational and transportation use of the trail system.	Deleted: 19
3.d-I-22	Preserve <u>and</u> enhance the natural environment of the creek corridors in conjunction with each trail project.	Deleted: 0
3.d-I-23	Monitor proposed developments and work with applicants to design projects that preserve the integrity of the identified trail routes.	Deleted: 1
3.d-I-24	<u>Support</u> building bridges or under-crossings across creek channels, railroad lines and roadways to facilitate bicycling and walking <u>between high density residential developments, retail centers, and civic buildings, and recreational centers.</u>	Deleted: 2 Deleted: Consider Deleted: ..
3.d-I-25	Use existing cul de sacs, bridges and other public improvement areas as trail access points wherever possible.	Deleted: 3
3.d-I-26	Use existing parks, schools and other	Deleted: 4

public facilities as staging areas wherever possible.

~~3.d-I-27~~ Where appropriate, require new development provide public access points to the trail system and/or contribute to staging areas. Deleted: 5

~~3.d-I-28~~ Encourage existing businesses to provide access to the trail system. Deleted: 5

Sidewalk Policies

~~3.d-I-29~~ Require sidewalks on both sides of the street as a condition of development approval, where appropriate with local conditions. Deleted: 7

~~3.d-I-30~~ Review City street improvement standards to see if there are ways to increase walking enjoyment and safety, particularly with regards to increased sidewalk width, landscape buffers between sidewalks, streets and pedestrian lighting, and other amenities. Deleted: 28
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~~3.d-I-31~~ Develop a Streetscape Master Plan that identifies goals and policies for improving the appearance and enjoyment of public streets and sidewalks in Milpitas, particularly with regards to landscaping, street furniture and the identification of significant entryways and corridors. Deleted: 29

~~3.d-I-32~~ Remove obstructions to facilitate pedestrian movements taking into account persons with disabilities. Deleted: 0

Pedestrian Crossing Policies

~~3.d-I-33~~ Provide accessible pedestrian signals and appropriate signal timing to pedestrian crossings near senior residential complexes, civic and medical facilities. Deleted: 0
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~~3.d-I-34~~ Concentrate pedestrians crossing activity at a specific location to minimize their exposure to vehicular conflicts and position pedestrians to be more visible by motorists Formatted: Indent: Left: -1.5 pt, Tabs: Not at 18 pt

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e. Goods Movement

Guiding Principle

- 3.e-G-1** Provide adequate circulation and off-street parking and loading facilities for trucks.

Implementing Policies

- 3.e-I-1** Restrict trucks to designated non-restricted routes. *Truck routes in the City are regulated by Section V-100.12.05 of the Municipal Code.*
- 3.e-I-2** Ensure that adequate pavement depth, lane widths, bridge capacities, loading areas, and turn radii are maintained on the permitted streets.
- 3.e-I-3** [Minimize conflicts with pedestrians where feasible by creating parallel corridors for truck routes.](#)

There were no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Sandhu / Mohsin

AYES: 7

NOES: 0

ABSENT: 1 (Barbadillo)

ABSTAIN: 0

XIII. PRESENTATION

1. GENERAL PLAN AMENDMENT PRESENTATION

Sheldon Ah Sing, Sr. Planner – Presented to the Planning Commission the City’s General Plan Amendment (GPA). The proposed GPA is to amend the Land Use and Circulation Elements. A moratorium was enacted early this year to provide time to develop an analysis on infrastructure and create a strategy to deal with future growth. Last August staff did provide a status report to Council, as well as a work plan on preparing text amendments to the General Plan, an update to maintenance fees and certain capital improvement programs for the future.

This purpose of the presentation is to solicit feedback from the Planning Commission, the public and interested local and regional stakeholders. Notices were sent out to the builder’s industry, environmental groups, apartment operators and the Chamber of Commerce. Planning staff plans to bring this item back to the Planning Commission in December with a recommendation to City Council for their meeting in January.

There are two components to the GPA: 1) Text amendments proposed to the Land Use Element 2) Amendments proposed to the Circulation Element. It is essential to think of what is important to the City – focusing on growth, employment centers and to look for opportunities to upgrade infrastructure given the loss of redevelopment.

The Land Use Element policies in the packet emphasize mixed use, consider the community benefit, promote long-term fiscal sustainability, focus development on Transit Area and Midtown areas, maintain inventories of job/housing balance and consider land use compatibility.

The Circulation Element would implement primarily “The Complete Streets Act” and introduce street policies for all users. Through the One Bay Area Grant Program, we could become eligible for grant money that could be used for various City projects. However, the amendment needs to be adopted by January 1, 2013.

Staff’s recommendation is to close the public hearing following public testimony and note receipt and file of the presentation.

Commissioner Tao: Asked staff if there are any geographic areas that VTA will focus on and for staff to address some of the highlight items that may fiscally impact the City or property owners. When there is a conflict of interest regarding land use compatibility, how is that judgment made?

Sheldon Ah Sing, Sr. Planner – Staff is looking into where it would be more

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applicable to implement the Complete Streets Act. Also, we do not see any significant fiscal impact to property owners. For land use compatibility issues, staff will review and make recommendations based on facts and evidence.

Commissioner Mohsin – Would want the streets to be made friendly to all users.

Commissioner Madnawat: Asked if there is anything in particular that may be required in the “Complete Streets Act” in order to receive grant money; such as, do we need to apply specific requirements to certain type of streets?

Sheldon Ah Sing, Sr. Planner – Stated the General Plan should provide the framework and policies that lead to implementation. We are trying to keep it flexible as much as possible in order not to preclude any future development. The General Plan Circulation Element already had a lot of “Complete Streets” policies, but some changes were needed to make it more enforceable.

Vice-Chair Ciardella – Asked if there may be any widening of the Calaveras Railroad over crossing?

Commissioner Sandhu – Inquired if VTA can provide bus routes at some of the new housing developments and if something can be added in the Circulation Plan to impose a street toll tax on certain trucking businesses that regularly come down from the hills?

Sheldon Ah Sing, Sr. Planner – Widening of the Calaveras Railroad over crossing is not in this particular document and is being worked on through another plan. Staff can look into the possibility of a street toll tax.

Carol Kassab, CEO with the Milpitas Chamber of Commerce – The Chamber of Commerce represents various business groups in Milpitas.

Chair Mandal – Asked if there is a way that the various trail systems can be connected together?

Commissioner Tao – Our streets are more vehicle-oriented. How then are the trail systems being dealt with from a public works/engineering stand point? Additionally, how will the item under Bikeway policy (page 3-25 of Attachment C) which discourages speed bumps that hinder bicycling on public streets, work in conjunction with “traffic calming” measures requirements?

Sheldon Ah Sing, Sr. Planner. Connecting the trails is something that is being worked on. The Traffic Engineer has taken into consideration the safety of bicyclists. We need to look at what measure works best for new bicycle traffic projects and ensure that there are safe pedestrian connections.

Commissioner Madnawat – There are two questions he wants staff to address: When VTA decides to change bus routes, do they obtain public feedback? People don’t ride bikes because it can be very dangerous. Is there any focus in this amendment to educate drivers to be more aware of bicyclists or extra signage?

Chair Mandal – Asked staff to find out from VTA if they solicit public feedback when they plan to change bus routes and report back to the Commission.

Staff briefly reviewed why there was a moratorium placed on the conversion of industrial land indicating sufficient time was needed to create a good work program for decision makers and Council.

Rob Means, Milpitas Resident, 1421 Yellowstone – Presented a document from Sierra Club Milpitas Cool Cities Team which states that the draft Circulation Element is weak in two areas: bicycle infrastructure and advanced transit options. The Sierra Club feels that the City needs to be much more aggressive towards impacts of global warming. Mr. Means highlighted several bike/pedestrian connections that are being overlooked, specifically; the Yosemite/Curtis crossing which he feels should be part of the Circulation Element. He feels that this Circulation Element document has a road bias and that advanced-transit options are not referenced anywhere in this document.

IX. ADJOURNMENT

Vice-chair Ciardella – Asked for a moment of silence in memory of Battalion Chief Rob Van Warmer.

The meeting was adjourned at 7:50 pm to the next meeting of November 28, 2012.

Motion to adjourn

M/S: Tao / Ciardella

Respectfully Submitted,

Steven McHarris
Planning & Neighborhood Services Director

Joann DeHerrera
Recording Secretary

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MILPITAS PLANNING COMMISSION AGENDA REPORT

PUBLIC HEARING

Meeting Date: December 12, 2012

APPLICATION: GENERAL PLAN AMENDMENT NO. GP12-0005:

APPLICATION
SUMMARY:

A request to amend the Land Use and Circulation Elements. Proposed text amendments to the Land Use Element include additional guiding principles, and implementing policies regarding economic development, fiscal beneficial land use and infrastructure needs. Proposed text amendments to the Circulation Element include revised guiding principles, and implementing policies to be consistent with the State of California Complete Streets Act of 2008.

LOCATION: Citywide

APPLICANT: City of Milpitas

RECOMMENDATION: Staff recommends that the Planning Commission: Adopt Resolution No. 12-044 recommending approval to the City Council.

CEQA: Exempt pursuant to Section 15061(b)(3)

PLANNER: Sheldon S. Ah Sing, Senior Planner

ATTACHMENTS:

- A. Resolution 12-044
- B. Technical Memo (August 21, 2012)
- C. Draft Land Use Element Text with underline and strikeout
- D. Draft Circulation Element Text with underline and strikeout
- E. November 14, 2012 Planning Commission meeting minutes

BACKGROUND

The City enacted a moratorium on rezoning property from non-residential to residential between March 2012 and August 2012 to provide adequate time to develop analysis on infrastructure and to create a strategy to deal with future growth.

Staff provided a report to the City Council on August 21, 2012 that included an update on infrastructure capacities as well as a work plan on preparing: text amendments to the General Plan, the creation of a General Plan update and maintenance fee, and the inclusion of certain transportation projects into the future Capital Improvement Program. For more detail on the background technical report and recommendations see Attachment B.

At the August 2012 meeting, the City Council directed staff to embark on the work plan. This report summarizes staff's progress to date regarding the text amendments to the General Plan. The General Plan update fee and capital improvement program items will follow next year.

A presentation was made to the Planning Commission on November 14, 2012 to solicit feedback from the Planning Commission, the public and interested local and regional stakeholders. It is expected that the City Council will evaluate the amendments at their January 15, 2013 meeting.

PROJECT DESCRIPTION

There are two components to this project that are outlined below. The first component includes text amendments proposed to the Land Use Element and the second component includes amendments proposed to the Circulation Element. Both components are proposed to be adopted together; however, they could be adopted individually, with the Circulation Element component being the most time sensitive, needing adoption by January 31, 2013.

Land Use Element

The overarching theme that is consistent throughout the proposed text amendments is to consider long-term planning and fiscal sustainability for the City when evaluating development proposals. With the dissolution of the City's Redevelopment Agency, the City has to find ways to bridge the gap of funding that could have been used to upgrade infrastructure, and assist in spurring economic development.

Attachment C includes the proposed policies in underline form (how they would ultimately read in final form) and in conjunction with Attachment A provide the background and analysis. The proposed policies include emphasizing mixed use development; seeking "community benefit" from developers to improve infrastructure and fund programs; a large emphasis on spurring economic development through zoning; encouraging development in Specific Plan areas; and requiring monitoring of job to housing balance.

Circulation Element

With the passage of Assembly Bill 1358 (AB1358) "The Complete Streets Act", California requires that any city substantively amending the circulation element of their General Plan, "modify the circulation element for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of

public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.” This bill imposes a state-mandated local program.

In addition, the City has a Priority Development Area (PDA), which includes the Transit Area. PDAs are locally-identified, infill development opportunity areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area had to be within an existing community, near existing or planned fixed transit or served by comparable bus service, and planned for more housing. Designation of PDAs in the Bay Area expresses the region's priorities for growth and informs regional agencies which jurisdictions want and need assistance. This assistance comes in the way of financial grants (One Bay Area Grant).

There are three ways to ensure that the City is eligible by the January 31, 2013 deadline. First, the City may have the position that the existing Circulation Element is consistent with the Complete Streets Guidelines established by the State and the Santa Clara Valley Transportation Authority (VTA). Second, the City may adopt a Resolution (established by VTA) or third, adopting an update to the Circulation Element of the General Plan with policies and implementation measures. All jurisdictions will need to adopt an updated General Plan Circulation Element by 2015 to implement Complete Streets.

Based on the requirements of the Complete Streets Act and the grant funding, the City proposes to update the Circulation Element. Attachment D includes the full text updates in underline and strikeout form as they would read in final form.

ENVIRONMENTAL REVIEW

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is exempt pursuant to Section 15061(b)(3).

PUBLIC COMMENT/OUTREACH

Staff publicly noticed the item in accordance with City and State law. In addition, local and regional stakeholders were notified of the meeting to garner feedback.

Since the November 14, 2012 outreach meeting, the Sierra Club sent written comments to the City regarding guidelines for station area plans. The City’s Transit Area Specific Plan appears to be consistent with these guidelines. In addition, Mr. Rob Means sent correspondence to the City regarding bicycle route planning. Again, the Transit Area Specific Plan provides the blueprint for comprehensive mobility including bicycle and pedestrian movements. It is expected that a more comprehensive Circulation Element update would include additional bicycle and pedestrian projects than just the specific Complete Streets policies of which this project focuses.

CONCLUSION

The amendments follow the direction of the City Council to include new policies that look to long range planning and fiscal sustainability. These amendments position the City to make sound sustainable planning and fiscal decisions.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission adopt Resolution 12-044 recommending approval to the City Council.

Attachments:

- A. Resolution 12-044
- B. Technical Memo (August 21, 2012)
- C. Draft Land Use Element Text with underline and strikeout
- D. Draft Circulation Element Text with underline and strikeout
- E. November 14, 2012 Planning Commission meeting minutes

**ENVIRONMENTAL
IMPACT
ASSESSMENT NO.
EA12-0004, SITE
DEVELOPMENT
PERMIT NO. SD12-
0005, AND
CONDITIONAL USE
PERMIT NO UP12-
0020**

associated streets, sidewalks, and trail improvements. Ms. Brown recommended adopting Resolution No. 12-045 recommending approval to the City Council.

Commissioner Madnawat asked if there was any public comment from the school district. Ms. Brown stated no there was not.

Andy Bye, Braddock and Logan, 455 Blackhawk Plaza Circle, Danville, CA, gave an overview of the project.

Commissioner Mohsin had a question regarding the playground. Mr. Bye stated the playground is made of bark material. The ground cover is replaced once a year. Commissioner Mohsin asked if there is any shading in the playground area. Mr. Bye stated they did not anticipate on using shading but are willing to do so if need be.

Commissioner Madnawat inquired about the zoning. Ms. Brown stated that area was in the Town Center which was previously rezoned.

Commissioner Barbadillo inquired about the sewer usage. Mr. Bye stated the sewer capacity and water distribution will be adequate for this project. Commissioner Barbadillo also inquired about the schools. Ms. Brown stated notices were sent to the school district.

Motion to open the Public Hearing

M/S: Madnawat/Mohsin

Rob Means, 1421 Yellowstone, Milpitas, is concerned about the lack of energy efficiency used in this project.

Motion to close the Public Hearing

M/S: Madnawat/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

Commissioner Madnawat is concerned with the houses being built now a days not being energy efficient. He is also concerned with not having enough schools in Milpitas for all these new housing developments. He is concerned with the overflow of traffic.

Motion to adopt Resolution No. 12-045 recommending approval to the City Council.

M/S: Mohsin/Luk

AYES: 3

NOES: 2 (Garry Barbadillo and Rajeev Madnawat)

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

**3. GENERAL PLAN
AMENDMENT**

Steve McHarris, Planning Director, presented a request to amend the Land Use and Circulation Elements. Proposed text amendments to the Land Use Element include additional guiding principles, and implementing policies regarding economic development, fiscal beneficial land use and infrastructure needs. Proposed text amendments to the Circulation Element include revised guiding principles, and implementing policies to be consistent with the State of California Complete Streets Act of 2008. Mr. McHarris recommended adopting Resolution No. 12-044 recommending

approval to the City Council.

Commissioner Mohsin asked the community benefits in regards to bicycle routes, walking trails within the City. Mr. McHarris stated most of the activity is in the Specific Plan areas and quite a bit of the development density is in the Transit area. There are a number of improvements. Commissioner Mohsin is concerned with the Senior community and being able to take public transit. Commissioner Madnawat had the same concerns as Commissioner Mohsin.

Commissioner Barbadillo commented on the notices sent out to the public. He feels that these notices should address the concerns of the public. He hopes the City will work better with the school district.

Commissioner Luk suggested having someone from the school district come to a meeting and answer the questions regarding school capacity. **Vice-Chair Ciardella** feels having a meeting with VTA on the buses and the school district to answer some of these issues of not having enough schools in Milpitas for all these new housing developments.

Motion to open the Public Hearing

M/S: Mohsin/Luk

Rob Means, 1421 Yellowstone, Milpitas, stated the last few applicants are doing the bare minimum. He spoke about global warming and that something needs to be done now and not later.

Motion to close the Public Hearing

M/S: Mohsin/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

Motion to adopt Resolution No. 12-044 recommending approval to the City Council.

M/S: Mohsin/Luk

AYES: 5

NOES: 0

ABSENT: 3 (Sudhir Mandal, Gurdev Sandhu, and Steve Tao)

ABSTAIN: 0

X. ADJOURNMENT

The meeting was adjourned at 9:00 pm to the next meeting of January 9, 2013.

Motion to adjourn

M/S: Madnawat/Luk

Respectfully Submitted,

Steven McHarris
Planning & Neighborhood Services Director

Yvonne Andrade
Recording Secretary