

MEMORANDUM

Planning Department



DATE: March 3, 2021

TO: Governor's Office of Planning and Research

THROUGH: Steven G. McHarris, City Manager

FROM: Jay Lee, Principal Planner

SUBJECT: 2020 General Plan Annual Progress Report

Background

The City of Milpitas recently completed a comprehensive update of its General Plan, which was adopted by the Milpitas City Council on February 23, 2021. The City has experienced significant growth and change since the last comprehensive update in 1994 and the State has passed new laws related to climate change and multimodal transportation. While the previous General Plan had been amended several times since 1994 to incorporate specific plan updates and recently amended in 2015 to update the Housing Element for the fifth housing element cycle (2015-2023), a comprehensive update was needed to plan effectively for the next 20 years.

Government Code Section 65400 mandates that all cities and counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR), and the Housing and Community Development (HCD) by April 1 of each year. The intent of this statute is to ensure that the General Plan directs land use decisions and remains an effective guide for the long-term physical development of a community. It also provides local jurisdictions a tool to assess their effectiveness in implementing the Plan's long-term vision.

Although adoption of the General Plan Update is anticipated in the coming weeks, this report highlights the City's progress toward implementation of the previous General Plan, which was in effect during 2020. On March 2, 2021, staff shared this report to City Council, which authorized the submittal of the report to HCD.

General Plan Update

The General Plan Update, which establishes a new planning horizon of 2040, provides updated goals, policies, and implementation actions and addresses new planning issues such as air quality and energy, community design, and economic and fiscal sustainability. The City initiated the effort in 2016 and completed the following key tasks:

- Comprehensive community outreach and visioning;
- Existing Conditions Report;
- Analysis of issues and opportunities;
- Land Use Alternatives Report;
- Comprehensive series of General Plan Advisory Committee meetings to develop draft goals and policies;
- Council selection of the preferred land use map;
- Admin Draft and Final General Plan; and
- Programmatic Environmental Impact Report (EIR).

Future development projects consistent with the General Plan Update will be eligible for CEQA streamlining through the Programmatic EIR. The General Plan Update also includes a detailed implementation plan, which

MEMORANDUM

Planning Department



provides the responsible department, priority, and timing for all implementation actions. The City will review implementation of the General Plan on an annual basis, amend the General Plan as necessary, and update the City's Zoning Ordinance and planning documents to ensure consistency with the General Plan.

Implementation Highlights by General Plan Element

Below is the City's annual progress toward implementation of the previous General Plan by element.

Land Use Element

- **Transit Area Specific Plan (TASP) Update:** The City is currently updating the TASP, which was adopted by the City Council in June 2008 and amended in December 2011. The TASP will be renamed the "Milpitas Metro Specific Plan" (MMSP) to reflect new boundaries and focused attention on strategic redevelopment sites, circulation, and access. The MMSP area is concentrated around the new Milpitas Transit Center, which includes Bay Area Rapid Transit (BART) and Santa Clara Valley Transportation Agency (VTA) Light Rail and bus stations. The MMSP area has enjoyed significant residential development in the recovery from the Great Recession of 2008. Of the 7,109 potential dwelling units approved in the original 2008 Plan, over 6,900 units have been entitled, constructed, occupied, or are currently within the entitlement process. However, only a small amount of the proposed commercial space is entitled or under construction to date, and there are nearly 170 acres within the area that have not been redeveloped. Furthermore, there are sites beyond the current boundary that could be annexed into the MMSP area. The MMSP update will leverage these development opportunities to reinforce the 2008 TASP's vision for a high-density urban neighborhood with a mix of land uses around the Transit Center. The update will also enhance pedestrian and bicycle access throughout the MMSP area to complement these high-density mixed-use neighborhoods. **Policies 2.a-I-31 and 2.a-I-32**
- **Midtown Specific Plan Update:** The City is currently updating the Midtown Specific Plan, which was adopted by the City Council in March 2002 and amended in November 2010. The Midtown Specific Plan will be renamed the "Milpitas Gateway/Main St. Specific Plan" (MGSP) to reflect new boundaries and a new strategic focus on key redevelopment areas. The MGSP area, which contains the original commercial and industrial core of the City, has undergone significant changes related to its growing role as a housing and employment center. Development activity over the past several years has included approval or construction of 1,200 multi-family residential units, reinvestment and upgrades to the Great Mall, and extension of VTA's Tasman East Light Rail Transit (LRT) line. However, several vacant and underutilized sites remain within the MGSP area and there is significant potential for development and redevelopment. The MGSP will provide policies and guidelines and identify improvements to streetscapes, infrastructure, and public open spaces to facilitate this area's transition into an attractive and economically vital district with a compatible mixture of residential, retail, office, and service-oriented commercial uses served by a viable multi-model transportation network. **Policies 2.a-I-29 and 2.a-I-30**
- **Development Handbook, ADU Toolkit, and ADU Visualization Tool:** The City initiated several projects to streamline housing production and diversify its housing stock. The Development Handbook will provide a comprehensive explanation of the development review process from beginning to end, which will educate the public and improve internal operations. The user-friendly Accessory Dwelling Unit (ADU) Toolkit will facilitate ADU production by informing, inspiring, and guiding homeowners through a full-service permit review. The web based ADU Visualization Tool will complement the ADU Toolkit by allowing homeowners to visualize and design their own ADUs in compliance with local and State regulations. **Policy 2.a-G-3**

MEMORANDUM

Planning Department



- **Objective Design Standards:** The City initiated work on the Objective Design Standards, which will provide clear and implementable design criteria for all new residential and mixed-use developments throughout the City. The Objective Design Standards will streamline housing approvals, comply with recent State legislation requiring objective and quantifiable design guidelines, and ensure that new residential development protects and improves the character of existing neighborhoods. **Policies 2.a-I-17**
- **Urban Growth Boundary:** The City passed Measure I in November 2016 to continue the City's urban growth boundary established by Measure Z in 1998, which was set to expire in 2018. The urban growth boundary, which limits development in Milpitas to the valley floor and the base of the foothills by prohibiting the City from providing services to new land use developments in the hillside area, will now continue through December 31, 2038. The City's Urban Service Area boundary established by the Santa Clara County Local Agency Formation Commission (LAFCO) is coterminous with the City's urban growth boundary. **Policy 2.a-I-2**
- **Zoning Ordinance:** The City's Zoning Ordinance is one of the primary implementation tools for the Land Use Element goals and policies. A Zoning Map, consistent with the General Plan Land Use Map, is also part of the Zoning Ordinance. Together, the Zoning Ordinance and Zoning Map are used to identify the specific types of use, intensity, and development standards applicable to given parcels or areas of land. The City ensures that amendments to the Zoning Ordinance and Zoning Map are consistent with the Land Use Element, and the City plans to initiate a comprehensive update to the Zoning Ordinance in early 2022 to ensure consistency with the new General Plan. The City limits the number of amendments to the General Plan to four per year and ensures that amendments fulfill the City's broader objectives and benefits the community at large in keeping with Guiding Principle 2-a-G-11. **Policy 2.a-I-1**
- **Hillside Ordinance:** The City's Hillside Ordinance established the Hillside Combining District (Municipal Code Section XI-10-45.09), which promotes and encourages the orderly development of the hillside area of the City. The Hillside Ordinance provides regulations to ensure that development is in keeping with the natural character of the hillside, minimize grading of and alterations to hillsides, and address constraints associated with hillside development including geologic issues, slopes, access, and visibility. New developments in the Hillside Combining District are subject to these regulations and require review by the Planning Commission and approval by the City Council for compliance with the Hillside Site and Architectural Guidelines. **Policies 2.a-I-23, 2.a-I-25, and 2.a-I-26**
- **Economic Development Strategy:** The City and surrounding Silicon Valley region have changed significantly since the City's last economic development strategy was approved in 2006. As such, in May 2020, the City adopted a new Economic Development Strategy (EDS) that will guide the City's efforts over the next five years to grow the local economy and foster local economic health, diversity, and vibrancy. As part of this effort, the consultant prepared an Industry Data Analysis Report, which summarizes the existing conditions and dynamics of the local economy to identify the City's strengths, weaknesses, and opportunities for future growth. The City also completed a Real Estate Analysis to identify catalyst sites throughout the City for future redevelopment. **Policies 2.a-I-3 through 2.a-I-13**
- **Public Facilities and Utilities:** The City maintains its public facilities and utilities to ensure that vital public services are available to its citizens. As part of its development review process, the City confirms that the development will be adequately served by public facilities and utilities by requiring public improvements when necessary and collecting development impact fees to defray all or a portion of the cost of public facilities and improvements necessary to serve the new development. A detailed discussion of the various public facilities and utilities is provided below. Several relevant topics

MEMORANDUM

Planning Department



including fire safety, parks and recreation, and stormwater are discussed in the implementation highlights for other General Plan elements, which provide more detailed policies regarding these topics.

- Water Services: The City's Urban Water Management Plan (UWMP) provides a framework for long term water planning to ensure adequate water supplies through the year 2040 and establishes a water use target that aids in meeting the State's goal of reducing water use by 20 percent by 2020. The City is updating its Water Master Plan, which will be completed this summer and guide the City's decisions on water infrastructure investments over the next 20 years and incorporate the water needs associated with the TASP and Midtown Specific Plan updates. Following a Water Supply Augmentation Feasibility Report completed in 2015, the City has concentrated its CIP efforts in utilizing groundwater wells, expanding the existing recycled water supply delivery and treatment infrastructure, and continued conservation efforts.
- Wastewater: The City is updating its Sewer Master Plan, which includes a summary of the City's wastewater collection system, flow projections, an analysis of the system's capacity, and a summary of the capacity improvements that are needed. The update, which will be completed this summer, will incorporate the sewer needs associated with the TASP and Midtown Specific Plan updates. The City's Sewer System Management Plan (SSMP) provides a plan to properly operate and maintain the sanitary sewer collection system. The SSMP aims to prevent sewer outflow, provide adequate capacity to convey peak flows. The City experiences very few sewer system overflows and the required system improvements have been incorporated into the CIP.
- Police Protection: The City contains one police station with a Communications Center that coordinates information from 9-1-1 callers to responders in the field. The City is currently meeting its goal for response times to emergency calls of 3 minute or less. Although the new BART station is expected to increase demand for police services, the General Plan Update evaluates the need for service improvements and recommends policies to maintain operations. The adequacy of police services is also evaluated for any projects subject to CEQA.
- Schools: Mabel Mattos Elementary School opened its doors with the start of the new school year in August 2018. With the completion of Phase I, the school will start by serving 238 students. Additional funding is needed for Phases II, III and IV, which are delayed due to the ongoing pandemic. The school will eventually accommodate approximately 700 students.

Policies 2-d-I-1 to 2.d-I-5

Circulation Element

- **Trails and Bikeway Master Plans Update:** The City is currently updating the Trails and Bikeway Master Plans, which were adopted by City Council in June 1997 and June 2009 respectively. The Trails Master Plan describes and maps approximately 35 miles of trails, 6 miles of which have been built. The Bikeway Master Plan recommends bicycling projects with cost estimates and priorities for implementation, identifies funding sources, and provides design guidelines with best practices for implementing bikeways. The Trails, Pedestrian, and Bicycle Master Plan Update, which will be completed this summer, will identify gaps in the trail, pedestrian, and bicycle networks and provide recommendations to expand existing networks, increase safety and accessibility for all users, support economic development, and enhance the quality of life for area residents. The update will also evaluate bicycle/scooter share programs, identify priorities, and recommend improvements. **Policies 3.b-I-5, 3.d-I-2, 3.d-I-4, 3.d-I-19, and 3.d-I-21**

MEMORANDUM

Planning Department



- **Development Review and Traffic Impact Fees:** As part of its development review process, the City requires private development projects to implement traffic mitigation measures to address potential impacts and deficiencies created by the project and identified in the transportation impact analysis. Required mitigation measures include improvements to transportation infrastructure and transportation demand management (TDM) programs. Additionally, the City collects both citywide and area-specific traffic impact fees to fund and construct transportation improvements. Furthermore, the VTA serves as the Congestion Management Agency for Santa Clara County and maintains the County's Congestion Management Program (CMP), which includes several intersections within Milpitas. Although traffic congestion is no longer considered a potentially significant impact under the California Environmental Quality Act (CEQA) in accordance with Senate Bill (S.B.) 743, the City will continue to utilize level-of-service (LOS) analysis to address local traffic congestion while transitioning to vehicle miles traveled (VMT) as the new metric for assessing transportation impacts under CEQA. **Policies 3.a-I-3, 3.a-I-4, 3.a-I-5, 3.b-I-1, and 3.b-I-2**
- **Citywide VMT Policy:** The City initiated work on a citywide VMT policy to implement Senate Bill 743 and establish the methodology for analyzing transportation impacts under CEQA. The policy will facilitate the buildout of the General Plan and support new development in suitable areas near transit and mixed-use neighborhoods. The policy will help the City move away from auto-dependency and prioritize multimodal improvements to create a balanced and accessible transportation network that meets the needs of all users. **Policies 3.a-G-3, 3.b-I-5, 3.c-I-1, 3.d-G-5, and 3.d-I-8**
- **Capital Improvement Program (CIP):** Consistent with the Circulation Element goals and policies, the City also made significant investment in transportation infrastructure and safety improvements through its CIP, which is updated every year. The significant transportation-related projects are discussed below.
 - Enhanced Crosswalk Striping & Beacons: This project provides high visibility crosswalk striping and pedestrian actuated flashing beacons to facilitate safer pedestrian crossings at high vehicle and pedestrian volume intersections along school and bike routes and in residential areas. Four locations have been completed and work has started on eight additional locations are proposed. The City is also currently installing radar speed feedback signs as a traffic calming measure.
 - Street Resurfacing Program: This annual program provides for roadway pavement repair, rehabilitation, and/or reconstruction. The program includes replacement and upgrade of curb, gutter, driveway, and sidewalk. The program also includes implementation of Class II bike lanes and Class III bike route facilities as described in the City's Bikeway Master Plan.
 - ADA Curb Ramp Transition Program: This annual program involves citywide replacement or upgrade of existing curb ramps to current standard Americans with Disabilities Act (ADA) compliant ramps. The program also includes construction of segments of new sidewalk to close gaps and allow the City to be eligible for future Federal transportation aid funds.
 - S. Milpitas Blvd. Vehicular Bridge at Penitencia Creek: Design of the project is underway. The project will provide a vehicular bridge over Penitencia Creek at the end of the new S. Milpitas Blvd. Extension. The vehicular bridge is part of the TASP circulation infrastructure improvement to provide safe and convenient pedestrian connectivity within the TASP area.
 - Montague Pedestrian Overcrossings: These projects will provide a pedestrian overcrossing over Montague Expressway at Piper Drive and the east levee of Penitencia Creek. The overcrossing at Piper Drive is in the construction phase and the overcrossing at Penitencia Creek is in the

MEMORANDUM

Planning Department



design phase. These projects are part of the TASP circulation infrastructure improvements to provide safe and convenient pedestrian connectivity within the TASP area.

Policies 3.b-I-4, 3.c-I-4, 3.d-I-1, 3.d-I-3, 3.d-I-6, 3.d-I-11, 3.d-I-13, and 3.d-I-24

Open Space & Environmental Conservation Element

- **Parks & Recreation Master Plan Update:** The City is currently updating the Parks and Recreation Master Plan, which was adopted in 2008, to include City recreational facilities and parks in the TASP and Midtown areas. The update will include an existing conditions assessment of all parks and recreation facilities, public engagement and outreach, a strategic plan to provide high-quality accessible parks and recreation facilities, and a programming and growth assessment. The community outreach phase is nearing completion and work has begun on the draft plan. **Policies 4.a-I-1 and 4.a-I-9**
- **Park Dedication or In-Lieu Fee:** As part of its development review process, the City requires private development projects to either dedicate land or pay a park in-lieu fee (based on project square footage) to fund improvements to parks and recreation facilities to meet the additional demand for such facilities resulting from new developments and achieve the goals and policies of the Recreation Master Plan. **Policy 4.a-I-2**
- **Parks & Recreation Facilities Improvements:** Consistent with the Open Space & Environmental Conservation Element goals and policies, the City also made significant investment in parks and recreation facilities through its CIP. The significant projects are discussed below.
 - Citywide Park Rehabilitation: The City assessed and rehabilitated citywide park playgrounds needing minor improvements. Work includes additional fill material to meet fall attenuation, play equipment repairs, signage installation, and minor improvements to park lighting, pathways, restrooms, and snack shacks.
 - Minor Sports Courts Rehabilitation: The program provides for the rehabilitation of one to two sports courts annually.
 - Sports Field Turf Rehabilitation Program: The program is underway and provides for turf rehabilitation at City sports fields. Work includes re-sodding, re-seeding, irrigation repairs, and other minor rehabilitations.
 - Park Renovations: The City completed renovation of one neighborhood park (Sandalwood Park) and will soon begin construction on another (Creighton Park). Improvements include new picnic and playground areas, new dog park area, ADA access and path improvements, new restrooms, and upgraded lighting, irrigation, and landscaping.
 - New Parks: The City began design or construction of two new parks (Trade Zone/Montague Park – North and McCandless Park) and completed another (Sports Center Skate Park). These new parks will add approximately 9.5 acres of new parkland.

Policies 4.a-I-1, 4.a-I-7 and 4.a-I-10

- **Climate Action Plan (CAP):** In compliance with Assembly Bill (A.B.) 32 and S.B. 375, the City adopted its CAP in May 2013. The CAP is designed to streamline environmental review of future development projects in the City, consistent with CEQA Guidelines Section 15183.5(b). The CAP identifies an overall strategy, baseline emissions and forecasts, reduction measures, and implementation strategies to achieve the State-recommended greenhouse gas (GHG) emissions reduction target of 15 percent below 2005 emission levels by 2020. The City is currently updating its CAP with new programs to meet

MEMORANDUM

Planning Department



the State's new mid- and long-term statewide emissions targets (40 percent reduction below 1990 levels by 2030 and 80 percent reduction below 1990 levels by 2050).

- **Stormwater & Drainage:** The City participates in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). The SCVURPPP and member agencies implement programs aimed at reducing pollutants in stormwater runoff and protecting water quality of the San Francisco Bay and Santa Clara Valley creeks and rivers. The City also requires post-construction stormwater controls on development projects as part of its obligations under Provision C.3 of the Bay Area Municipal Regional Stormwater Permit (MRP). Furthermore, the City's Storm Drain Master Plan identifies the capital improvements needed to maintain recommended levels of protection against stormwater runoff, which have been incorporated into the CIP. **Policies 4.d-P-1 to 4.d-P-3, 4.d-P-7 to 4.d-P-9, 4.d-P-12, and 4.d-A-1 to 4.d-A-7**
- **Energy Use:** The Open Space and Conservation Element currently does not provide any goals or policies related to energy use. However, the Housing Element provides a policy and set of programs to promote energy efficiency in residential developments and the General Plan Update provides policies addressing energy consumption in all sectors (i.e., residential and nonresidential development, transportation, etc.) in a new Air Quality and Energy Element. As part of its development review process, the City requires new buildings to comply with the State's Energy Efficiency Standards for Residential and Nonresidential Buildings and offers expedited building permit processing for residential projects achieving Build It Green's GreenPoint Rated standard and for commercial and industrial projects achieving the Leadership in Energy and Environmental Design (LEED) Silver rating. The General Plan Update also provides policies to increase renewable energy generation and consumption to meet the State's renewable energy mandates. Furthermore, in 2017, the City joined Silicon Valley Clean Energy (SVCE), which is a community-owned agency serving Santa Clara County communities by acquiring and offering clean, carbon-free electricity. **Housing Policy F.1**

Seismic and Safety Element

- **Development Review Process:** One of the ways the City strives to minimize risk from geologic, fire, and flood hazards is through its development review process as discussed below.
 - **Seismic and Geologic Hazards:** The City requires development projects in hillsides or fault zones to submit a geotechnical report, reviews the findings of the report, and conditions projects to adhere to the report's recommendations. Projects subject to CEQA are also analyzed for potential geotechnical impacts and mitigation measures are required as necessary. **Policies 5.a-I-1 to 5.a-I-3**
 - **Fire Hazards:** The Milpitas Fire Department reviews and inspects projects during the development review process to ensure that all new developments comply with the Uniform Fire Code and other local fire safety regulations. **Policy 5.c-I-3**
 - **Flood Management:** The City coordinates with the Santa Clara Valley Water District while reviewing development projects to ensure that buildings and structures are located, designed, and constructed in a manner that minimizes flood risks and complies with the City's floodplain management regulations, which provide standards for any construction or other development within any area of special flood hazard. **Policies 5.b-I-1 to 5.b-I-3**
- **Fire Safety:** The Fire Department operates four fire stations within its service area. The average response time in 2020 was 4 minutes, 32 seconds, which is slightly over the City's response goal of 4 minutes. The City maintains its fire stations through regularly scheduled minor improvements. However,

MEMORANDUM

Planning Department



construction of the new Fire Station No. 2 is underway, and major building and site improvements at Fire Station No. 1 and a new Fire Station No. 3 are identified in the CIP as future projects. The Fire Department also performs routine fire inspections of existing buildings, structures, and properties in the City with the exception of single and multi-family dwellings in which the owner of the property resides.

Policies 5.c-I-1

- **Emergency Preparedness:** The Milpitas Fire Department Office of Emergency Services (OES) coordinates the City's preparedness efforts to mitigate against, plan for, respond to, and recover from natural disasters. The OES maintains the City's Emergency Operations Plan (EOP), which provides a blueprint for emergency management within the City and requires the development of departmental Standard Operating Procedures (SOPs). The City also partnered with Santa Clara County and other local jurisdictions to prepare the Santa Clara Operational Area Hazard Mitigation Plan, which is an updated multi-jurisdictional hazard mitigation plan that assesses local hazard risks and recommends a tailored and coordinated mitigation strategy to improve the resiliency of the County. The OES actively implements the recommendations of these emergency plans by keeping the Emergency Operation Center in a state of readiness and training citizens in basic disaster response through the Community Emergency Response Team (CERT). **Policies 5.d-I-1 and 5.d-I-2**

Noise Element

- **Development Review Process and Enforcement:** As part of its development review process, the City conditions development projects to comply with the City's noise regulations the Milpitas Municipal Code and noise compatibility standards in the Noise Element of the General Plan. Additionally, projects subject to CEQA are required to analyze potential noise impacts resulting from the project and mitigation measures are required to mitigate any significant noise impacts. The City's Neighborhood Services Division and the Milpitas Police Department jointly enforce the City's noise regulations, project conditions of approval, and CEQA mitigation measures to ensure compliance throughout the City. **Policies 6-I-1, 6-I-2, 6-I-4, 6-I-5, 6-I-7, and 6-I-9 through 6-I-13**
- **General Plan Update:** As part of the General Plan Update, the City prepared an Existing Conditions Report, which analyzed existing noise levels throughout the City. The analysis in the Existing Conditions Report informed the update of the Noise Element goals and policies, which reflect and account for the significant changes in the noise environment since 1994. The new Noise Element includes policies to protect neighborhoods from noise impacts associated with new development and establishes updated acceptable noise levels for all land uses.

Housing Element

On March 2, 2021, staff presented the 2020 APR for the Housing Element and 2020 Housing Successor Agency Annual Report to City Council, which authorized the submittal of both reports to HCD. The City will also soon start work on the Housing Element Update for the sixth housing element cycle (2023-2031) and accommodate the City's Regional Housing Needs Allocation (RHNA) adopted by the Association of Bay Area Governments (ABAG).

Conclusion

This report documents the City's recent progress in implementing the General Plan. The information contained herein will be forwarded in the form of a letter to OPR to serve as the City of Milpitas's General Plan Progress Report for 2020.