

City of Milpitas

GENERAL PLAN



Adopted: December 1994
Last Amended: April 2015

Preface

The Milpitas General Plan was significantly revised in 1994 in order to update and improve the clarity of the document. It has had only a few minor revisions since then. The January 2002 update incorporated the Midtown Specific Plan and included revisions to the General Plan land use map and text for consistency between these documents. The June 2008 update incorporates the Transit Area Plan, adding new land use designations and references to the area plan. The October 2010 update consist of text amendments to integrate the City's Park and Recreation Master Plan and Milpitas Bikeway Master Plan as well as other updates to exhibits, tables, and figures, which includes land use designation changes to several creek channels and public right-of-ways.

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The land that is now Milpitas was in pre-historic time's part of the home territory of the Tamien tribelet of the Coastanoan Indians; remnants of two notable village sites from the period can be found in the City. Milpitas' present-day origins can be traced to the presence of Spaniards in the South Bay in the latter part of the 18th century. In the mid-19th century, the area was a stopover-point for travelers between Sutter Fort and San Jose. By the late 1850s, a stage line was operating between San Jose and Oakland with stops in Milpitas.

In the latter part of the 19th century, Milpitas emerged as a marketing center for farmers widely scattered along the plain and the hills. The Southern Pacific Railroad ran a line from Stockton to San Jose reaching Milpitas in 1869, which led to initiation of new commercial enterprises and consolidation of Milpitas' position as an important shipping point of the rapidly farmanizing valley. In 1920s, construction of the San Jose branch of the Western Pacific Railroad gave the community access to a second rail line.

As late as the early 1950s, orchards and farms dotted the Milpitas landscape. In 1953, the Ford Motor Company began constructing an assembly plant south of downtown in a strip between the two railroad tracks; the town was incorporated in the following year.

Milpitas experience rapid growth in the last 46 years and developed into a suburban center. Majority of the valley floor is fairly new — with the exception of the Great Mall (previously Ford Motor Company plant), and some scattered subdivisions and buildings along Main Street. Rapid growth in the region has left little room for expansion of the City boundaries in the flatlands.

In response to the City's needs and state law, this Plan describes the City's ideas for its future and the ways in which it intends to transform these ideas into reality. The General Plan incorporates the Midtown Specific Plan, approximately 589 acres of land in the center of Milpitas, and the Transit Area Plan, approximately 437 acres of land at the south end of the City, by reference. The Midtown Specific Plan and Transit Area Plan establish, in more specific terms, the nature, character and location of activities and development; guide the orderly growth of the Midtown area and southern area near transit; define the nature of development and the physical framework of those areas; and provide a basis for future implementing actions to improve and beautify the areas.

This chapter provides an overview of the scope and organization of the General Plan. A glossary of planning terms used in the Plan is included in the Appendix.

1.1 Scope and Requirements of the General Plan

State law requires each California City and county to prepare a general plan. A general plan is defined as “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which in the planning agency's judgment bears relation to its planning.” Thus, the Planning Area can include land beyond the City's corporate limits. State requirements call for general plans that “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.”

While they allow considerable flexibility, state planning laws do establish some requirements for the issues that general plans must address. The California Government Code establishes both the content of general plans and rules for their adoption and subsequent amendment. Together, state law and judicial decisions establish three overall guidelines for general plans:

- **The General Plan Must Be Comprehensive.** This requirement has two aspects. First, the General Plan must be geographically comprehensive. That is, it must apply throughout the entire incorporated area and it should include other areas that the City determines are relevant to its planning. Second, the General Plan must address the full range of issues that affect the City's physical development.
- **The General Plan Must Be Internally Consistent.** This requirement means that the General Plan must fully integrate its separate parts and relate them to each other without conflict. “Horizontal” consistency applies as much to figures and diagrams as to the general plan text. It also applies to data and analysis as well as policies. All adopted portions of the General Plan, whether required by state law or not, have equal legal weight. None may supersede another, so the General Plan must resolve conflicts among the provisions of each element.
- **The General Plan Must Be Long-Range.** Because anticipated development will affect the City and the people who live or work there for years to come, state law requires every general plan to take a long-term perspective. While the time-horizon at which build-out of the Milpitas General Plan would occur is not specified, it is expected that this would take place over a 15- to 25-year period. An on-going review and evaluation process, which enables the Plan's time-horizon to be regularly extended, is provided for in this Plan.

1.2 Planning Area

The Milpitas Planning Area² encompasses an area of approximately 18 square miles, extending between the south end of the San Francisco Bay and the Los Buellis Hills of the Mount Diablo Range in northern Santa Clara County (see Figure 1-1). The Planning Area is congruent with Milpitas' Sphere of Influence.³ Milpitas' incorporated limits represent about 13 square miles of the Planning Area; while the remainder of the land is unincorporated (see Figure 1-2). The northern edge of the Planning Area is defined by the boundary between Santa Clara and Alameda counties, and west and south of the Planning Area lies the city of San Jose. The Calaveras Reservoir lies about 3/4 mile east of the Planning Area, while the San Jose International Airport is barely 4.5 miles to the south.

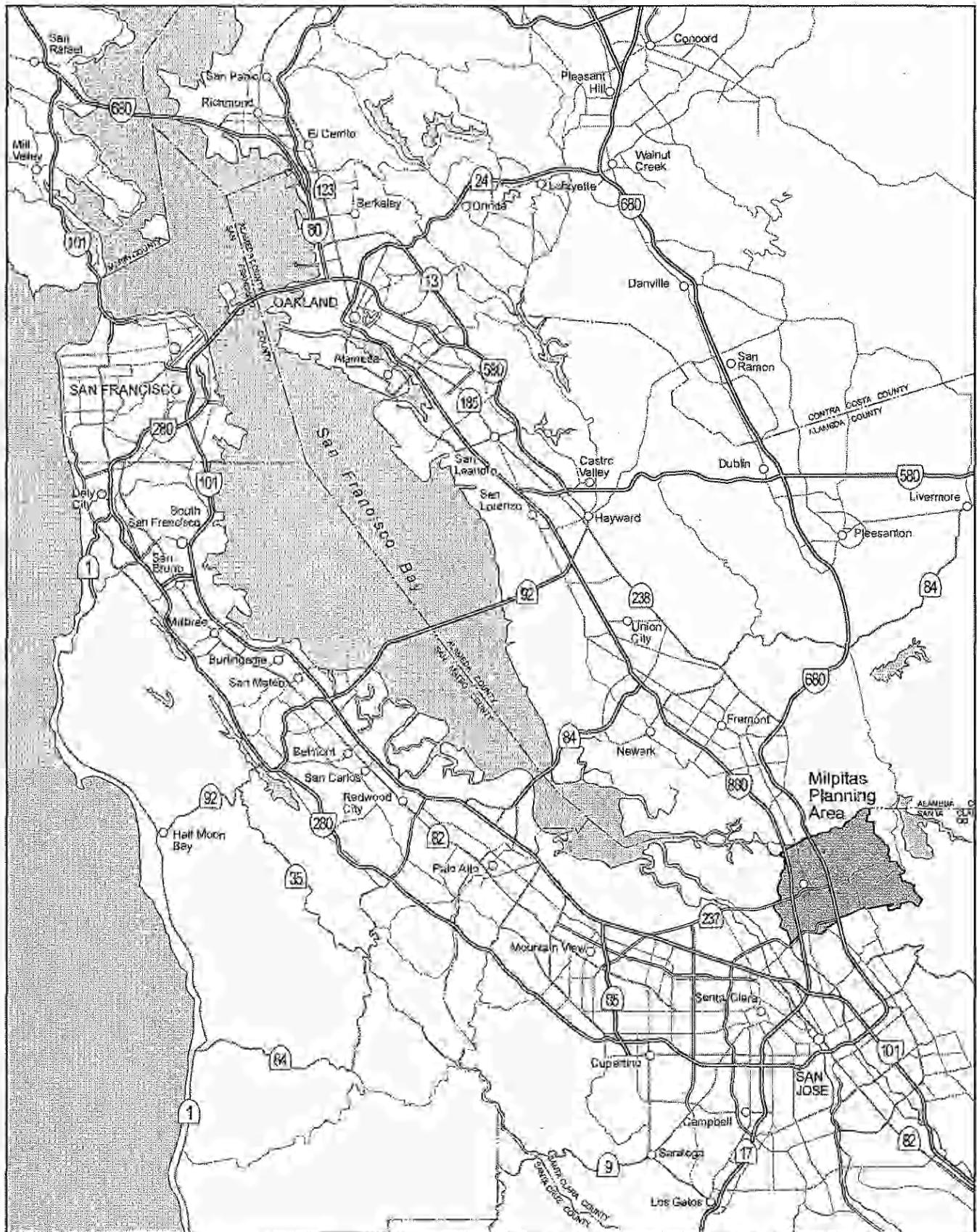
The Planning Area is topographically diverse, with elevations ranging from sea level to about 2,600 feet near Monument Peak. It includes two distinct sub-areas — the Valley Floor and the Hillside.

The relatively flat Valley Floor occupies the western half of the Planning Area, and extends from Coyote Creek in the west to Piedmont Road, Evans Road and the northerly portion of North Park Victoria Drive in the east. All of the Valley Floor is within Milpitas' incorporated limits and is almost fully urbanized; the only substantial vacant sites are adjacent to Coyote Creek.

The Hillside occupies the eastern half of the Planning Area. This area is much steeper than the Valley Floor and is characterized by open space with chaparral and native grasses, and some scattered pockets of residences.

² A city's "Planning Area" encompasses incorporated and unincorporated territories bearing a relationship to the city's planning.

³ A city's "Sphere of Influence" is adopted by the Local Agency Formation Commission and encompasses incorporated and unincorporated territory which represent the city's probable ultimate physical boundaries and service area.



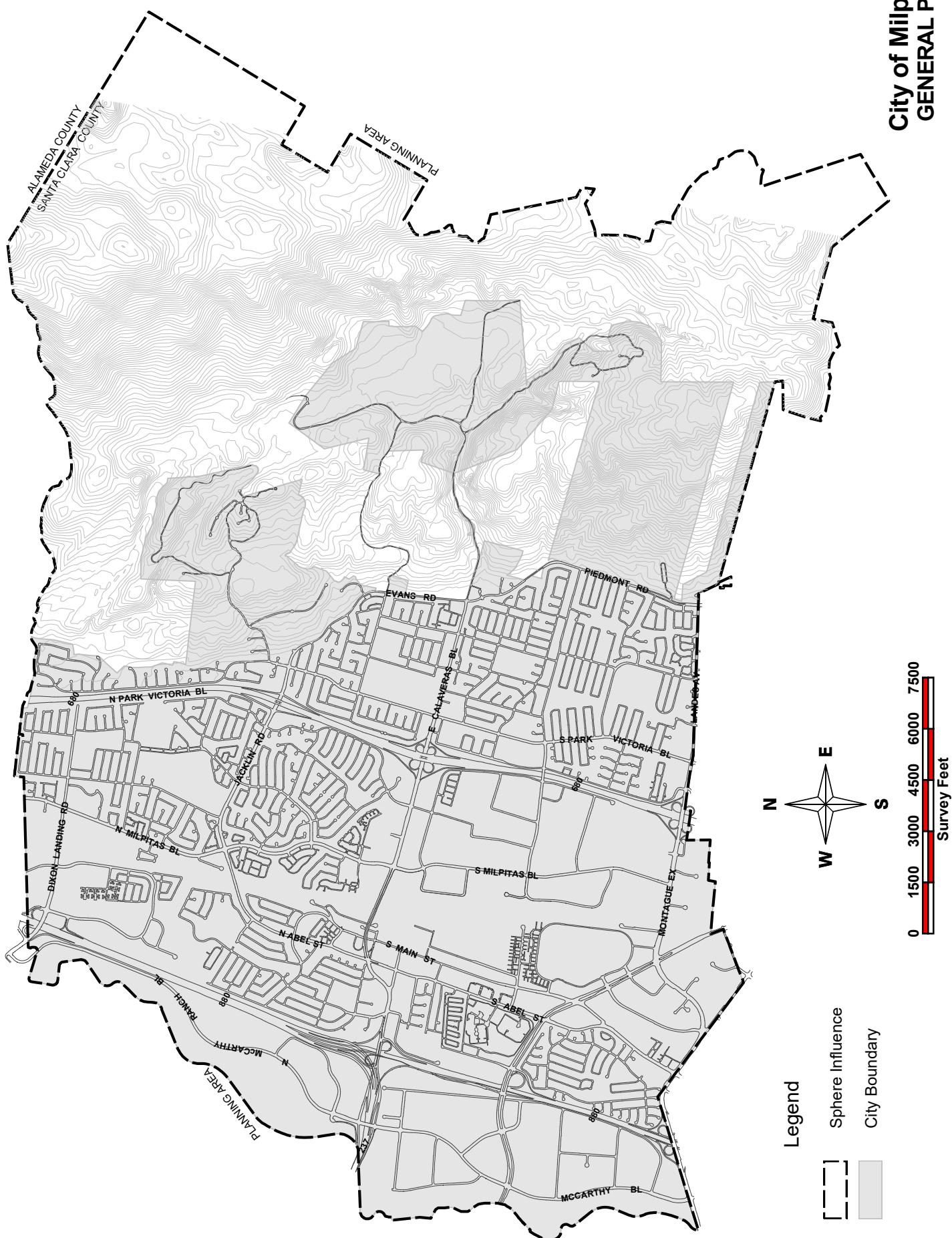
City of Milpitas GENERAL PLAN

July 1997

Regional Location
Figure 1-1

Boundaries

Figure 1-2



1.3 Plan Organization

The organization of the General Plan is summarized in Table 1-1. Throughout the Plan, cross-references guide the reader to related policies in other sections and elements.

Table 1-1		
Organization of the General Plan		
General Plan Element	Major Issues Addressed	Closely Related Elements
Land Use	Distribution of land uses, standards for population density and building intensity, schools, public utilities and services	All
Circulation	Street classifications, transit service, pedestrian and bicyclists needs, rail, truck routes	Land Use, Noise
Open Space and Environmental Conservation (combines two state-required elements)	Parks and recreation, vegetation and wildlife, agriculture, scenic resources and routes, water quality	Land Use
Safety	Seismic safety, flooding, fire	Land Use
Noise	Noise attenuation and reduction	Land Use, Transportation
Housing	Housing objectives for new construction, rehabilitation, and preservation of housing units; housing related policies; and programs	Land Use,

The General Plan Diagram is included as a fold out in Chapter 2: Land Use Element. It represents a physical illustration of policies relating to land use, circulation, conservation, and public facilities. The legend in the Diagram is an abbreviated version of the use classifications included in the Land Use Element. The Diagram is an important part of the Plan that contains information not presented anywhere else. However, General Plan policies cannot be interpreted from the Diagram alone. Policies throughout the Plan complement the information in the Diagram.

Organization of the Elements

Each element of the General Plan includes a statement of purpose and a summary description of the requirements of state planning law for general plan adequacy. This introductory material is followed by topical sections. Sections include background material, which does not represent adopted City policy except where explicitly noted, followed by adopted Guiding Principles and Implementing Policies:

- Guiding Principles are statements of philosophy or intent; and
- Implementing Policies are commitments to specific actions that are to be undertaken in order to achieve the results called for by the Guiding Policies.

Guiding Principles and Implementing Policies are arranged in a tabular format, with adopted statements printed in roman type. **Explanatory material accompanying some policies is printed in the right-side column in italic type and is not adopted.** This commentary provides background information or is intended to guide Plan implementation.

The General Plan Diagram, other figures within the Plan elements, and the Land Use Classifications in Section 2.2 are also adopted parts of the General Plan.

Policy Numbering System. Policies in the General Plan are organized using the following numbering system: The first number refers to the Chapter/Element; the policies are further grouped by Chapter Sections (represented by lower case letters); the upper case letters distinguish Guiding Principles from Implementing Policies; the last number refers to the order in which the policy appears. For example, the first Guiding Principle in the Circulation Element (Chapter 2) is numbered 2.a-G-1 and the first Implementing Policy is 2.a-I-1. Thus, each principle or policy in the Plan has a discrete number, which will facilitate reference in discussion and in City staff reports and implementation documents.

1.4 Relationship to Other City Regulations, Policies and Programs

The General Plan provides the basis for all of the City's regulations, policies and programs that relate to issues addressed in the Plan. In addition to requiring that the Plan be internally consistent, state law requires "vertical consistency", i.e., consistency between the General Plan and other City actions. This requirement means that the City's zoning and subdivision ordinances, specific plans and redevelopment plans must be consistent with the Plan. In addition, all development approvals, public works projects, and open space implementation programs have to be consistent with the General Plan.

The state's *General Plan Guidelines* provides the following rule for defining consistency: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."⁴ This rule clarifies that consistency does not require all subsequent City actions to be specifically anticipated by the General Plan. Because the Plan is both general and long-range, there are many circumstances where future City actions will be addressed only generally in the Plan.

Consistency between the Plan and Zoning

The City's Zoning Ordinance is one of its most important tools for implementing the Plan. Requirements for consistency between the General Plan and zoning can be broken down into two major aspects⁵:

- **Uses and Standards.** The General Plan's land use classifications are broader than the Zoning Ordinance classifications. Multiple zoning districts may be consistent with a single General Plan residential classification, as long as all of the densities and unit types allowed in each zoning district are also permitted in the relevant General Plan category. A General Plan/Zoning Consistency matrix is included in Chapter 2: Land Use Element.
- **Spatial Correlation.** The Zoning Map should reflect the general pattern of land use depicted on the Plan Diagram. However the two need not be identical. Boundaries of land use classifications depicted on the General Plan Diagram are generalized; zoning boundaries may follow parcel or other lines. In instances where more than one zoning district corresponds with a single General Plan land use classification, an area with boundaries for the districts should reflect the area of the corresponding use depicted on the Plan Diagram.

Consistency between the General Plan and Specific Plans

Section 65359 of the Government Code requires that specific plans that are applicable to the same areas affected by a general plan should be consistent with the general plan.

⁴ *General Plan Guidelines*. Governor's Office of Planning and Research, Sacramento, CA, 1990, p. 212.

⁵ *Ibid.* p. 214.

The Midtown Specific Plan adopted in 2002 is consistent with the General Plan as follows:

- The Midtown Plan furthers the Land Use Guiding Principles by providing a mixture of land uses that recognize Milpitas' emerging role as a center of housing and employment in the Silicon Valley. It serves to maintain a compact urban form and further diversifies Milpitas' housing stock by providing for higher residential densities, and it extends the city's park-like setting by providing for parks and creek-side trails and open spaces throughout the Specific Plan area.
- The Midtown Plan is consistent with and furthers the Land Use Policies in that it focuses on infill development in a transitioning urban area and supports preservation and adaptive reuse of historical landmarks in the Specific Plan area.
- The Midtown Plan addresses the jobs/housing balance programs by providing for new higher density housing in close proximity to industrial and employment centers.
- The Midtown Plan supports the provision of adequate schools through the payment of developer fees for new development.
- The Midtown Plan provides for improving the viability of pedestrian, bicycle and transit systems by including provisions such as wider sidewalks, traffic calming, streetscape improvements, pedestrian routes to transit stations and improvements to the citywide trail network.
- The Midtown Plan maintains the architectural and landscape elements that contribute to the identity and history of the City by requiring new developments to be harmonious with older structures without falsely attempting to reproduce historic structures, and supports rehabilitation and adaptive reuse of local, state and federally designated historic buildings.
- The Midtown Plan ensures the conservation, development and use of natural resources by providing "smart growth" through infill development and providing for the improvement of parks and creek-side trails designed to serve the needs of all residents of the community.

The Transit Area Plan, adopted in 2008, is consistent with the General Plan as follows:

- The Transit Area Plan furthers the Land Use Guiding Principles by providing high-density residential, mixed use and transit oriented land uses that balance Milpitas' regional and local roles by providing housing, employment and transportation options. It helps promote a compact urban form by allowing increased heights, mixes of uses and growth focused on infill and redevelopment opportunities.
- The Transit Area Plan addresses the jobs/housing balance programs by providing for new higher density housing in close proximity to employment centers and transit hubs.
- The Transit Area Plan supports the provision of adequate schools through the payment of developer fees for new development.
- The Transit Area Plan provides for improving the viability of pedestrian, bicycle and transit systems by including provisions such as pedestrian amenities, wider sidewalks, traffic calming, streetscape improvements, pedestrian routes to transit stations and improvements to the citywide trail network.
- The Transit Area Plan promotes increased transit use and intermodal commuting options by focusing development near existing and proposed transit facilities.

- The Transit Area Plan ensures the conservation, development and use of natural resources by providing “smart growth” through infill development and providing for the improvement of parks and creek-side trails designed to serve the needs of all residents of the community.

1.5 Monitoring and Review

As the City's constitution for development, the General Plan is the heart of the planning process. This section identifies a process to monitor implementation and to ensure currency of the Plan.

Amendments to the General Plan

The General Plan is intended to be a living document and, as such, will be subject to amendments to reflect detailed studies that may be conducted, changes in City policy or state or federal law passed since adoption. To maintain the Plan as current as possible, policies that may become obsolete or unrealistic due to changed conditions (such as completion of a task or project, development or a site, or adoption of an ordinance or plan) will be eliminated or modified during periodic reviews of the General Plan.

State law limits the number of times a jurisdiction can amend its general plan. Generally, no city can amend any mandatory element of its general plan more than four times in one year, although each amendment may include more than one change to the general plan. This restriction, however, does not apply to amendments to:

- Add, modify or delete optional elements;
- Allow development of affordable housing;
- Comply with a court decision;
- Comply with an applicable airport land use plan; or
- Implement a comprehensive development plan under the Urban Development Incentive Act.

Detailed Plans

To provide specific direction for development in certain geographic areas, specific plans, area plans, or redevelopment plans may be prepared. These will need to be consistent with the General Plan. Fees to cover the cost of preparation, adoption, and administering these plans may be imposed by the City, in accord with applicable provisions of state law.

Annual General Plan Report

The Government Code requires that an annual report be submitted by October 1 of each year to the City Council, Governor's Office of Planning and Research (OPR), and Department of Housing and Community Development. This report must address:

- The status of the Plan and progress in its implementation, including progress in meeting the City's share of regional housing needs and local efforts to remove governmental constraints to maintenance, improvement and development of affordable housing; and
- The degree to which the General Plan complies with OPR's *General Plan Guidelines*.

To ensure compliance with these requirements and to monitor Plan implementation, the Annual Report should include the following components:

- Status of each Implementing Policy in the General Plan;
- A summary of all General Plan amendments adopted during the preceding year and an outline of upcoming projects and General Plan issues to be addressed in the coming year;
- A summary of progress in meeting Milpitas' fair-share of regional housing needs; and
- Analysis of compliance with *General Plan Guidelines*.

The Annual Report will be prepared by City staff and submitted for review to the Planning Commission, which will make a recommendation to the City Council. Public comments on the Annual Report may be submitted in writing to the Planning and Neighborhood Services Division. The Planning Commission and the City Council will also hear public comments on the Annual Report at a duly noticed public hearing.

Five-Year Review

The City will undertake a comprehensive review of the General Plan every five-years. This review will include:

- Comprehensive evaluation of Plan policies, including all guiding principles and implementing policies;
- Analysis of the effectiveness of implementation programs and strategies initiated to carry out the Plan; and
- Review of five-year growth trends and re-assessment of future urban land needs in light of the Planning Area's carrying capacity and available land inventory.

The focus of this five-year review will be to determine how well the General Plan has performed — whether policies related to development and environmental conservation have been effective or if new policies are needed. A report summarizing City staff's findings and recommendations will be circulated for public comment and then presented to the Planning Commission. The Planning Commission will review the report on the five-year review and make a recommendation to the City Council. The Planning Commission and the City Council will also hear comments on the report at duly noticed public hearings.

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 increased 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 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

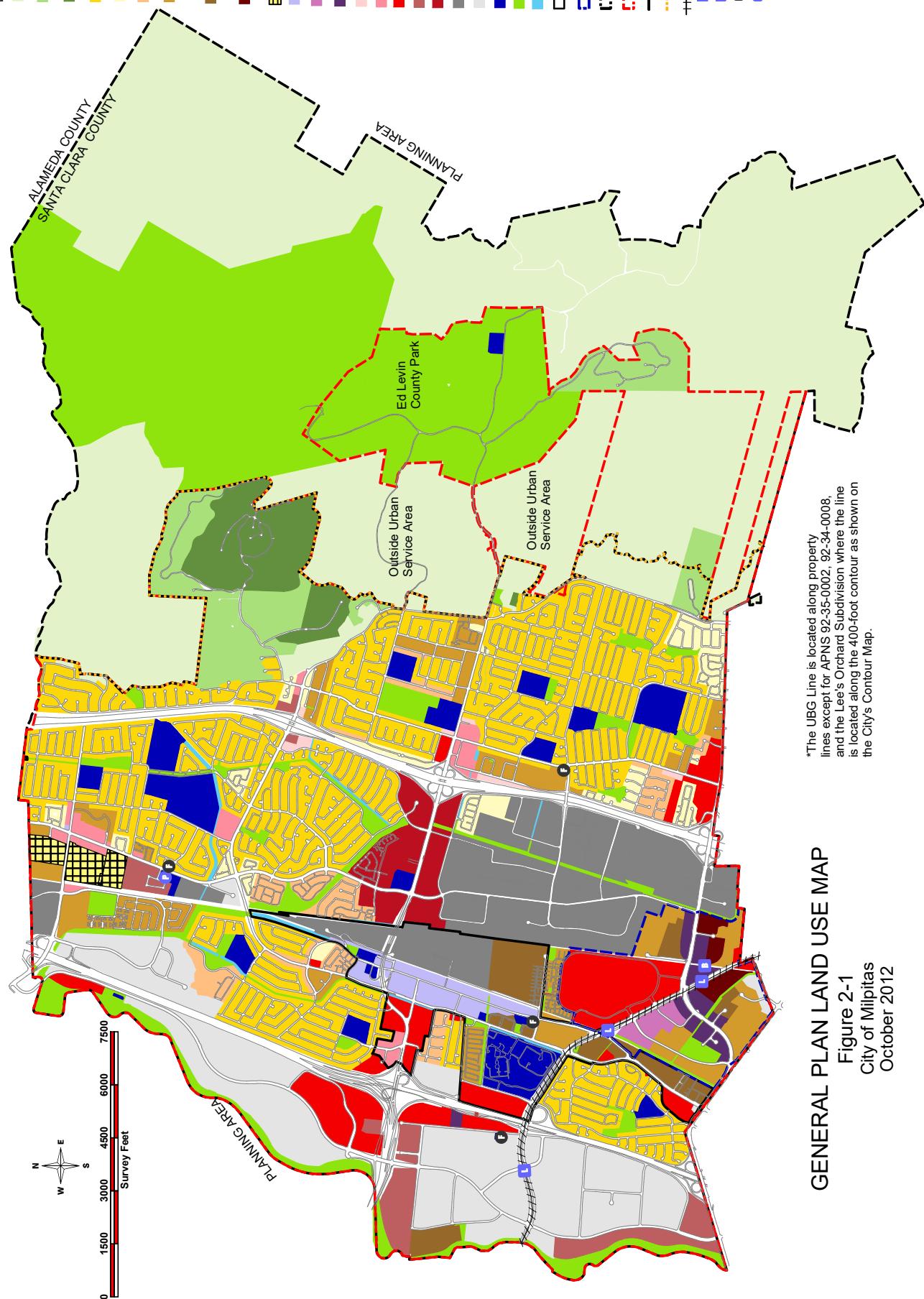
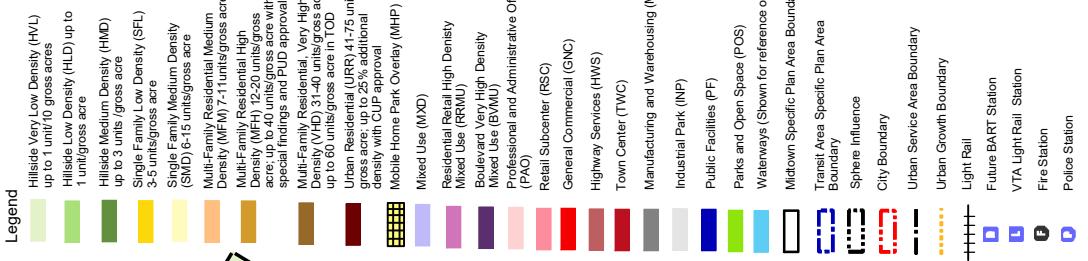
	DEVELOPED		UNDEVELOPED ¹		TOTAL	
	Acres	Units	Acres	Units ²	Acres	Units
HILLSIDE						
Hillside Medium Density	234	99	2	6	236	105
Hillside Low Density	297	39	77	23	374	62
Hillside Very Low Density	59	16	551	39	610	55
Ed. R. Levin County Park	1,541	0	0	0	1,541	0
Total Hillside	2,131	154	630	84	2,761	238
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

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



*The UBG Line is located along property lines except for APNS 92-35-0002, 92-34-0008, and the Lees Orchard Subdivision where the line is located along the 400-foot contour as shown on the City's Contour Map.

GENERAL PLAN LAND USE MAP
Figure 2-1
City of Milpitas
October 2012

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																		
Medium Density																		
VALLEY FLOOR																		
S.F. ¹ Low Density																		
S.F. Moderate Density																		
M.F. ² Medium Density																		
M.F. High Density																		
Mobil Home Park																		
Prof/Admin. Office																		
Retail Subcenter																		
General Commercial																		
Highway Service																		
Industrial Park																		
Manufacturing																		
Town Center																		

¹ Single Family

² Multi Family

³ Existing development built under prior zoning.
Existing mobile home parks built at higher density than currently allowed by zoning.

⁵ Interim zoning rezoning required for development.

(blank) Inconsistent

(20)

Maximum number of dwelling units per gross acre for Planned Unit Developments.

<40>

Maximum number of dwelling units per gross acre when specific findings are made.

Note:

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

● 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.

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.

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	Persons/ Housing Unit¹	Residential Population 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									
	Employed Residents	2010 Jobs	Jobs/Employed Residents	Employed Residents	2020 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	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			
Grade ¹	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 buildup 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) developments¹; 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.*

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

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.

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

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.

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.

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 three 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 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.

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	Table 3-2	
		Traffic Level Of Service Definitions	
		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 of 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 driveways are 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 (CCA) 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

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.

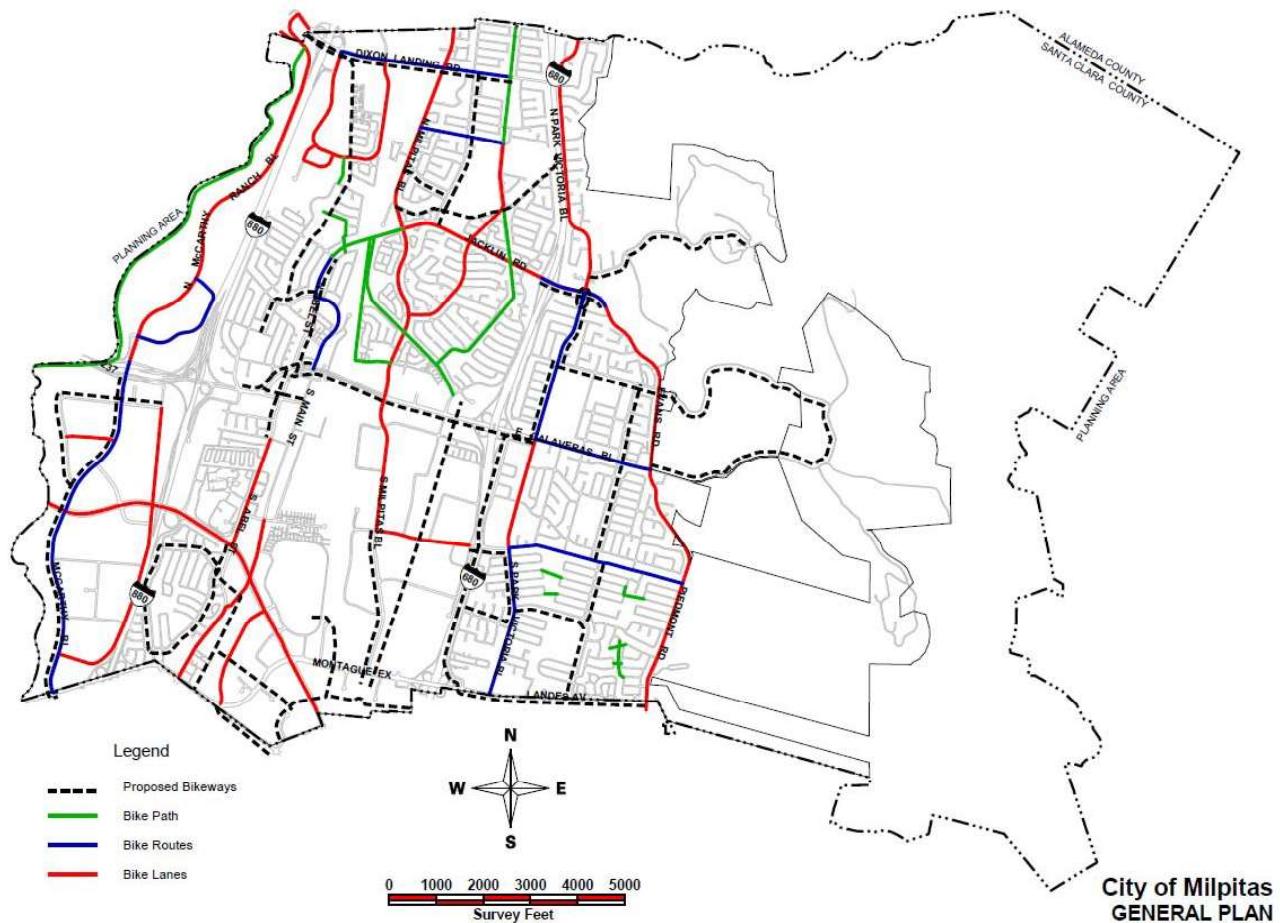
The VTA Bicycle Plan identifies regional bicycle routes that provide for inter-city commuting. Portions of the Milpitas Bikeway System are identified in this regional plan. The VTA Bicycle Technical Guidelines is a guide for local agencies in Santa Clara County that present standards for planning, designing,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

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.

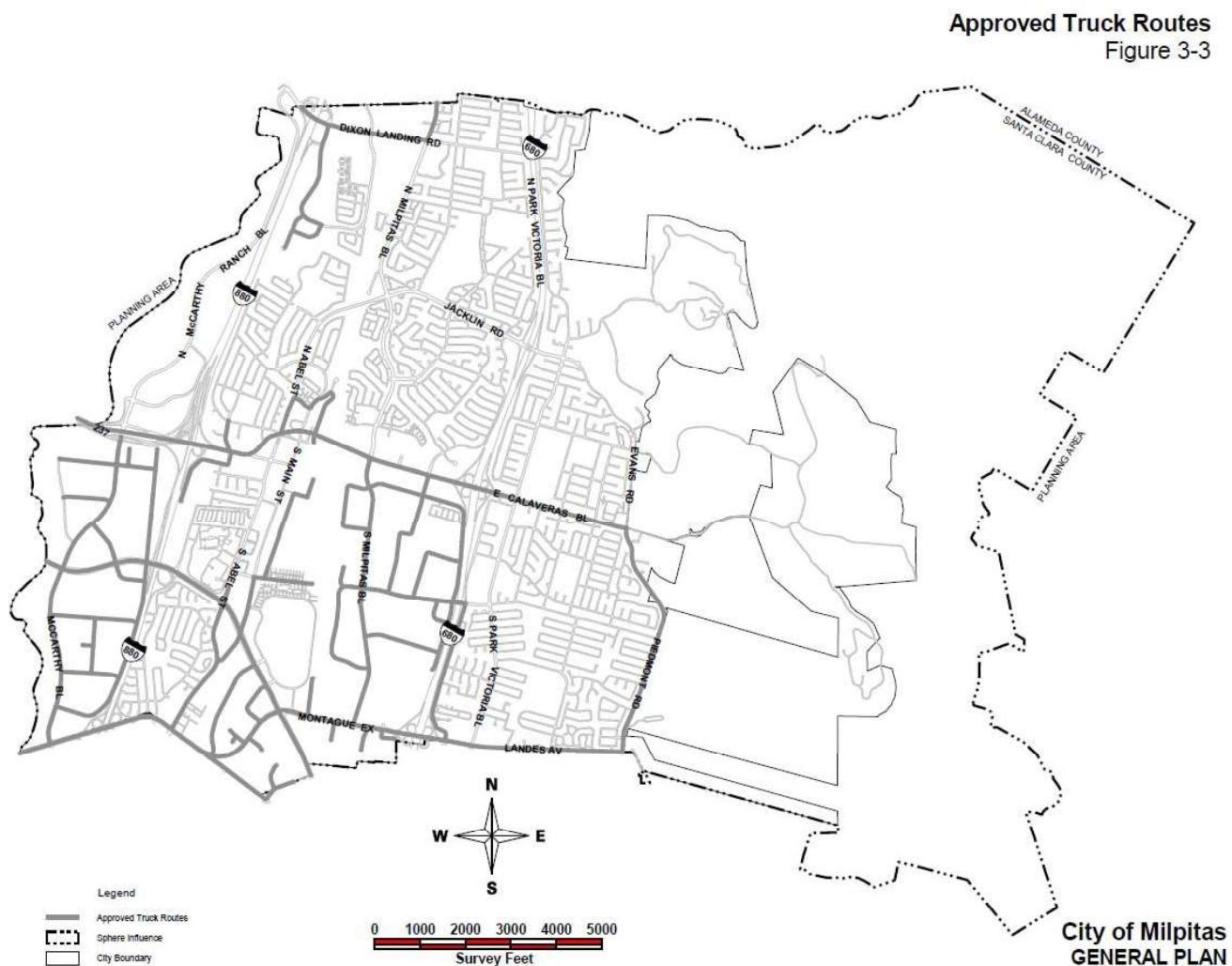
Planning for Seniors. Adequate pedestrian timing and accessible pedestrian signals for crossing should be in place at signalized crossings in the vicinity of senior residential complexes, civic and medical facilities to improve the pedestrian experience for senior citizens.

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

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 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.
- 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, exclusive transit lanes, and other transit preferential treatments.
- 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.
- 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-4** 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 causal and experienced cyclists and pedestrians.
- 3.d-G-6** Analyze the feasibility and cost/benefit of a pedestrian crossing connecting Yosemite Drive with Curtis Avenue.
- 3.d-G-7** Study the feasibility of a pedestrian circulator around the BART station.

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. *Provide bicycle actuated traffic signals, detection, loop detector stencils*
- 3.d-I-14** Discourage speed bumps and other street features that hinder bicycling on public streets and private parking lots.
- 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- Provide adequate circulation and off-street parking
1 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.

Purpose

According to state law, the purpose of a Conservation Element is to assure the conservation, development and use of natural resources including water, forests, soils, rivers, fisheries, wildlife, minerals and other natural resources. Similarly, the purpose of an Open Space Element is to assure the continued availability of land for the managed production of resources (such as food and fiber), to protect the enjoyment of scenic beauty and ensure provision of recreation, to identify and preserve lands whose indiscriminate development could compromise public health and safety, and to preserve natural resources.

State law also requires that an Open Space Element contain an action program consisting of specific programs to implement the open space plan. Milpitas' open space action plan is the sum total of the open space and conservation policies in this Element of the General Plan and the open space proposals depicted on the General Plan Land Use Diagram.

Relationship to Other Elements

The Open Space and Environmental Conservation Elements are correlated with the Land Use Element which designates park and open space areas.

4.1 Parks and Recreational Facilities

Inventory and Classification

Existing parks and recreation facilities are summarized in Table 4-1. As of October 2010, the Planning Area included approximately 201 developed city parkland and 1,544 acres of the Ed Levin Park, part of which is within City limits. Definitions of the General Plan park classifications follow.

Community Parks. Community Parks typically contain regulation-size ball fields and courts, space for informal games and activities, picnic and gathering areas, children play areas and parking. The only existing community park, the 24.4 acre Sports Center, serves as a special-use facility because it contains sports fields and facilities.

Neighborhood Parks. Neighborhood parks in the City fall into two categories: typical walk-to parks that serve the immediate neighborhood, providing open space for informal play, and parks containing a community-use facility, such as a regulation size, prepared ball field. In addition to serving the immediate neighborhood, the latter category also draws people from the larger community, some of whom may drive to the facility. The City's current inventory includes 43.3 acres of neighborhood parks.

Special-use Parks. This category includes mini-parks, linear parks, creek trails, flood retention areas, Community Garden, Senior Center, Rancho Milpitas Middle School Ball field, and Community /Civic Center. A total of 15 acres of the City's inventory consists of special-use parks. Additional linear parks through the creek trail system will be developed within the Midtown and Transit Specific Plan areas with future residential development.

Urban Parks: Urban parks are small facilities, generally less than one acre in size, which accommodate the daily recreation or passive needs of nearby residents. They typically can include children's play areas, sitting areas, and limited green space, but are not large enough to contain sports fields.

Linear Parks: Linear parks are narrow corridors of land that have been developed primarily as a trail system. Linear parks may also include other small scale facilities such as picnic tables and benches. Milpitas has taken advantage of the Hetch-Hetchy right-of-ways for the development of a linear park system.

Regional Parks. Regional parks are generally larger than 100 acres in size and serve the entire City or the region. While regional parks can provide for varying degrees of recreation activity, a portion of the park is generally maintained in a rustic setting for passive recreation use. While a number of regional parks serve Milpitas residents, the Planning Area includes only one such facility, the Ed Levin County Park.

Trails. The trail system within the City consist of several miles of pedestrian and bicycle trails on flood control levees and on the Hetch Hetchy corridor. The 1997 Trails Master Plan and 2010 Park and Recreation Open Space Plan establish goals for developing and enhancing city trails and connections to regional trails.

Other Facilities in the Planning Area include:

School Sites. The City has a joint-use agreement with the Milpitas Unified School District (MUSD) that allows mutual use of facilities at a reduced rental rate.

Private Recreation Facilities. Besides parks and recreation facilities listed above, private recreation facilities in the Planning Area include: Fitness for 10, 24-Hour Fitness, Fitness 19, USA Fitness, South Bay Athletic Club, Golfland, Summitpointe Golf Course, and Spring Valley Golf Course. Newly developed residential communities contain private recreational facilities and amenities such as pools, community rooms, and playgrounds.

Table 4-1 Inventory of Park Acreage by Type and Facility	
Type/Name	Acreage
REGIONAL PARKS	
Ed Levin Park ¹	1,544
Alum Rock Park ¹	775
Sunnyvale – Santa Clara Baylands Park ¹	280
Mission Peak regional Preserve ¹	1,875
S.F. Bay National Wildlife Refuge ¹	19,600
Total Regional	24,074
COMMUNITY PARK	
Milpitas Sport Center	20.33
Cardoza Park	10.15
Dixon Landing Park	11.4
Community Park Total	41.88
NEIGHBORHOOD PARKS	
Creighton Park	5.0
Foothill Park	3.98
Hillcrest Park	5.08
Sandalwood Park	3.88
Sinnot Park	4.67
Starlite Park	3.44
Strickroth Park	4.87
Albert Augustine Park	6.2
Oliver Jones Memorial Park	4.93
Ben Rodgers Park	8.6
Gill Park	8.16
Hall Memorial Park	9.91
Hidden Lake Park	6.57
Murphy Park	8.3
Pinewood Park	9.88
Robert E. Browne Park	4.93
Tom Evatt Park	4.42
Neighborhood Park Total	102.88

URBAN PARKS	
Calle Oriente Park	.35
John McDermott Park	.94
O'Toole Elms Park	1.63
Parc Metro West	.98
Parc Metro Middle	.58
Parc Metro East	2.06
Selwyn Park	.23
Fairfield Murphy Ranch Urban Park	1.12
Centria West Urban Park	0.50
N. Main and Weller Urban Park	1.61
Urban Park Total	10
Linear Parks	
Hetch Hetchy Linear Park	7.45
Linear Park Total	7.45
SPECIAL USE PARKS	
Alviso Adobe	2.26
Calaveras Ridge (undeveloped)	1.8
Higuera Adobe Park	4.8
Milpitas Dog Park	1.57
Veterans Memorial Park	1.57
Community Garden	1.2
Special Use Parks Total	13.2
School Facilities	
Rancho Middle School Field	17.63
Russell Middle School Field	7.86
School Facilities Total	25.49
Total City Park Acreage	200.84 acres

1 Regional Parks outside the Planning Area serving City residents.
Source: City of Milpitas Park and Recreation Master Plan, 2010.

Existing and future public parks and trails are depicted in Figure 4-1.

Current Plans

The City of Milpitas is committed to providing an interconnected system of park and recreational facilities and services for its residents. The Park and Recreation Master Plan was adopted in February 2010 and outlines the visions, goals, and implementation for the development and maintenance of Milpitas' park system. The Park and Recreation Master Plan describes potential major financing sources and funding strategies to implement proposed improvements to existing park facilities and the construction of new facilities.

Standards

To guide implementation of park and recreation proposals, standards relating to park size, distribution, and primary service area are established in the General Plan (Table 4-2). Figure 4-1 depicts areas of the City within a 1/4 and 3/8-mile service radius of existing and future parks.

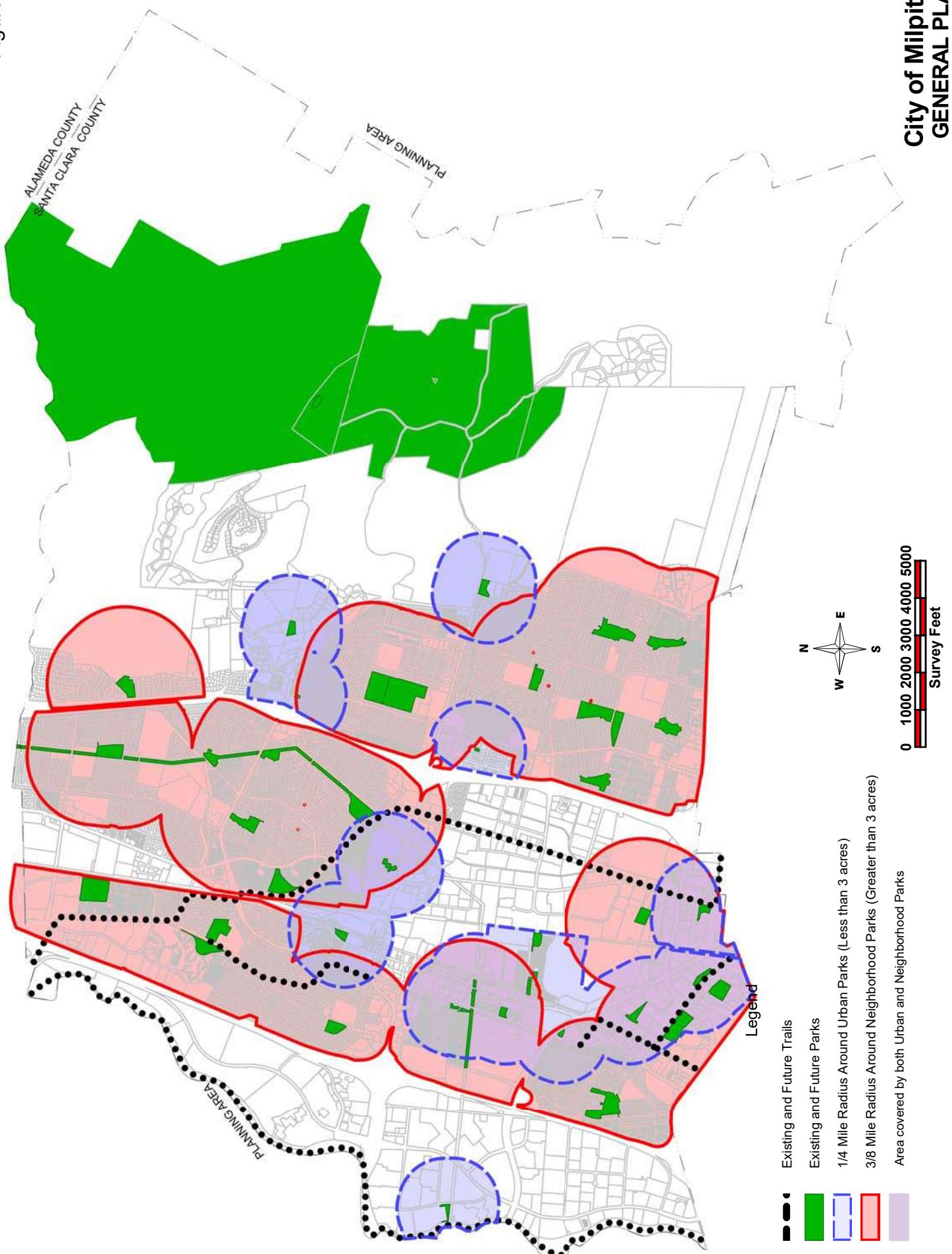
Table 4-2 Park Standards for New Facilities			
	Urban Parks	Neighborhood Parks	Community Parks
Distribution (acres/1,000 residents)	5 acres with a minimum of 3 acres per 1000 residents for public parks outside of the Midtown and Transit Specific Plan areas. 3.5 acres with a minimum of 2 acres per 1,000 residents for public parks within the Midtown and Transit Specific Plan areas.		
Service Area Radius	1/4 Mile	3/8 Mile	Citywide

Future Need

Current General Plan designations at build out would result in a population of approximately 106,100. With redevelopment and infill of the Midtown and Transit Specific Plan area, it is important to provide appropriately-scaled parks and open spaces to serve new residents and improve the amenity and livability of the Midtown and Transit Plan areas. Improving the creek trail system will link the Midtown and Transit Plan areas to the larger park system throughout the city. The Transit Area Specific Plan plans for 30 acres of new parks and trails to be developed upon build out. Their locations have been specifically designated to ensure each neighborhood is serviced by a park within comfortable walking distance (See the Map on page 3.1-7). The remaining growth projected by ABAG outside of the Transit Area can be adequately serviced with park and open space by continued adherence to the adopted service areas and acreage goals.

Parks

Figure 4-1



4.2 Biological Resources

The Planning Area and the surrounding region offer a variety of wildlife habitats, such as marshlands, riparian areas, grasslands and woodlands. While much of the City is built-out, species supported by habitats such as Coyote Creek, salt marsh and mud flats to the west and the rolling hills of Ed Levin Park and beyond to the east include the California coastal deer, gophers and water snakes, as well as rattlers, songbirds such as the mocking bird and the red-winged blackbird, upland game birds, pheasant, quails and doves, squirrels, and bobcats. Fish species found include bass, catfish, trout and other non-game species which may be found in the Calaveras Reservoir (east of the Planning Area), Sandy Wool Lake, periodically in Coyote Creek, and impounded waters within the foothills.

Special Status Species in the Planning Area

Certain species are recognized as needing special protection under state and federal law due to their rare, endangered, or threatened status. These species are afforded varying degrees of protection through the applicable laws and regulations of the Federal Endangered Species Act (ESA), the California Native Plant Protection Act (NPPA), the California Endangered Species Act (CESA), and the California Environmental Quality Act (CEQA).

The California Natural Diversity Data Base (CNDDB), run by the California Department of Fish and Game (CDFG), is the most complete single-source inventory of officially (state and federal) listed rare, endangered, and threatened animals and plants, plus those considered by the scientific community to be deserving of such listing. An October 2010 search of the CNDDB for the Milpitas and Calaveras Reservoir Quadrangles identified the following 8 species with special status. It should be noted the Milpitas and Calaveras Reservoir Quadrangles contain areas that are outside of the Milpitas Planning area.

Table 4-3
Species with Special Status

Animal	Status
1. California Tiger Salamander	Threatened (US and CA)
2. California Red-Legged Frog	Threatened (US)
3. California Clapper Rail	Endangered (US and CA)
4. Western Snowy Plover	Threatened (US)
5. Salt-marsh Harvest Mouse	Endangered (US and CA)
6. Vernal Pool Tadpole Shrimp	Endangered (US)
7. Steelhead – Central California Coast DPS	Threatened (US)
8. Alameda Whipsnake	Threatened (US and CA)

The CNDDB also listed 8 species that are not threatened or endangered but has a special California Department of Fish and Game designation which includes the following:

Table 4-4 Special California Department of Fish and Games Designation	
Animal	DFG Status
1. White Tail Kite	Fully Protected
2. Golden Eagle	Fully Protected and Watch List
3. Burrowing Owl	Species of Special Concern
4. Salt-marsh Common Yellowthroat	Species of Special Concern
5. Alameda Song Sparrow	Species of Special Concern
6. Tricolored Blackbird	Species of Special Concern
7. Foothill Yellow-Legged Frog	Species of Special Concern
8. Townsend's Big-eared Bat	Species of Special Concern

The CNDBD also inventories both terrestrial and aquatic natural communities that are of extremely high quality and/or very limited distribution; no such communities were found in the search.

The California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California for the Milpitas and Calaveras Reservoir quads were also consulted. The inventory contains a list of plants presumed extinct in California, Rare and Endangered plants in California and elsewhere, Rare and Endangered plants in California but more common elsewhere, plant species for which more information is needed, and plants of limited distribution. An October 2010 search of the CNPS inventory for the Milpitas and Calaveras Reservoir Quadrants identified the following 4 plant species with special status.

Table 4-5 Inventory of Rare and Endangered Vascular Plants for Milpitas and Calaveras Reservoir Quads	
Plant	Status
Alkali milk-vetch	None; Plant rare, threatened, or endangered in California and elsewhere, but more common elsewhere. (CNPS)
California seablite	Endangered (US)
Contra Costa goldfields	Endangered (US)
Robust Spineflower	Endangered (US)

The results of the CNDBD and the CNPS search are summarized in the Appendix C. The appendix also contains a listing of sensitive species in Santa Clara County – the presence of most has not been established in the Planning Area.

A brief discussion of the species potentially known to occur with the Planning Area are as follows:

Salt Marsh Harvest Mouse (*Reithrodontomys raviventris*). Listed as “Endangered” at the state and federal level, the salt marsh harvest mouse is confined to salt marshes about the Bay. The salt marsh harvest mouse is commonly associated with dense growth of pickleweed.¹ A non-burrowing mammal, it requires higher areas for flood escape. While the salt marsh harvest

¹ Jameson and Peters. *California Mammals*. University of California Press, Berkeley, 1988.

mouse has been sighted primarily west of the Planning Area in the marshes along Alviso Slough, Albrae Slough and Coyote Creek, one capture occurred at the San Jose-Santa Clara sewage disposal site and another two miles south of Fremont between Coyote Creek and the Nimitz Freeway in 1985.

Golden Eagle (*Aquila chrysaetos*). Listed as “Fully Protected” the golden eagle is found in rolling foothills or coast-range terrain, where wide open grassland turns to scattered oaks, sycamores or large digger pines. Nesting habitat can be found in cliff-walled canyons or large trees in open areas. In May 1993, two juvenile Golden eagles were banded at the upper end of Calera Creek, within the Ed Levin County Park. This is the only known site within the Planning Area.

California Tiger Salamander (*Ambystoma californiense*). Listed as a “Threatened” by CDFG, the California tiger salamander is most commonly found in annual grassland habitat, but also occurs in the grassy understory of valley-foothill hardwood habitats, and uncommonly along stream courses in valley-foothill riparian habitats.

California Red-legged Frog (*Rana draytonii*). Listed as “Threatened” by CFDG, the California red-legged frog is commonly found near foothills, grassland, and streamside habitats. These amphibians breed near water sources such as lakes, ponds, reservoirs, and marshes.

Burrowing Owl (*Athene cunicularia*). Listed as Species of Special Concern by the CDFG, the Burrowing Owl routinely lives and nests underground. The burrowing owls may occupy a range of open habitats that include grasslands, treeless plains, and in urban areas such as golf courses, and undeveloped vacant lots. In a survey conducted in July 2003, twelve burrowing owls were observed on and adjacent to northwestern and western portions of the KB Terra Serena Residential Development.

Steelhead-Central California Cost DPS (*Oncorhynchus mykiss irideus*). Listed as “Threatened” by CDFG, the Steelhead fish spend their adult life in the ocean but spawn and rear in freshwater streams and rivers. Their habitat consists of shaded pools of small, cool, low-flow upstream reaches as well as warm water habitats below dams or pipeline outfalls. According to the CNDDB, Steelhead fish are known to be present in Coyote Creek and are reported to spawn in gravel substrates in nontidal reaches of Coyote Creek upstream of the confluence with Penitencia Creek.

Alkali Milk-Vetch (*Astragalus tener vartener*). Listed as Rare by CNPS, the alkali milk-vetch is found in valley and foothill grassland, and vernal pools. The CNPS notes this species as being endangered in a portion of its range, endemic to California and that its “occurrence [is] limited to one or a few highly restricted populations or present in such small numbers that it is seldom reported.” The alkali milk-vetch was recorded in southern Milpitas in the region bounded by Calaveras Boulevard to the north, Dempsey Road to the east, Capitol Avenue to the South and the Nimitz Freeway in the west. Although presumed extant according to CNDDB, the last siting was in 1905.

4.3 Agricultural Resources

For background information and policies relating to soils in the Planning Area, see Section 5.1: Geology, Soils and Seismic Hazards.

Important Farmland

As part of the Farmland Mapping and Monitoring Plan (FMMP), the State Department of Conservation employs the Important Farmlands Inventory to classify farmland as prime, of statewide importance, unique, or of local importance based on data provided by the USDA Natural Resources Conservation Service (NRCS). Classification of land as prime or of statewide importance is determined by the soil type as well as current land use. The Farmland Mapping and Monitoring Program does not classify publicly owned land for which there is an adopted policy preventing agricultural use.

Categories of farmland employed by the FMMP¹ include:

Prime Farmland: Land which has the best combination of physical and chemical characteristics for the production of crops.

Unique Farmland: Land of lesser quality soils used for the production of specific high economic value crops.

Farmland of Local Importance: Small orchards, primarily in the foothill area.

Grazing Land: Land on which the existing vegetation is suited for the grazing of livestock.

While urbanization has resulted in loss of a considerable amount of farmland in the Planning Area, the Area does include some farmlands. The Santa Clara County Important Farmland Map (2008) depicts that there is no farmland of statewide importance in the Planning Area. However, within the city limits, prime farmland exists between N. McCarthy Boulevard and Coyote Creek, north of State Route 237.

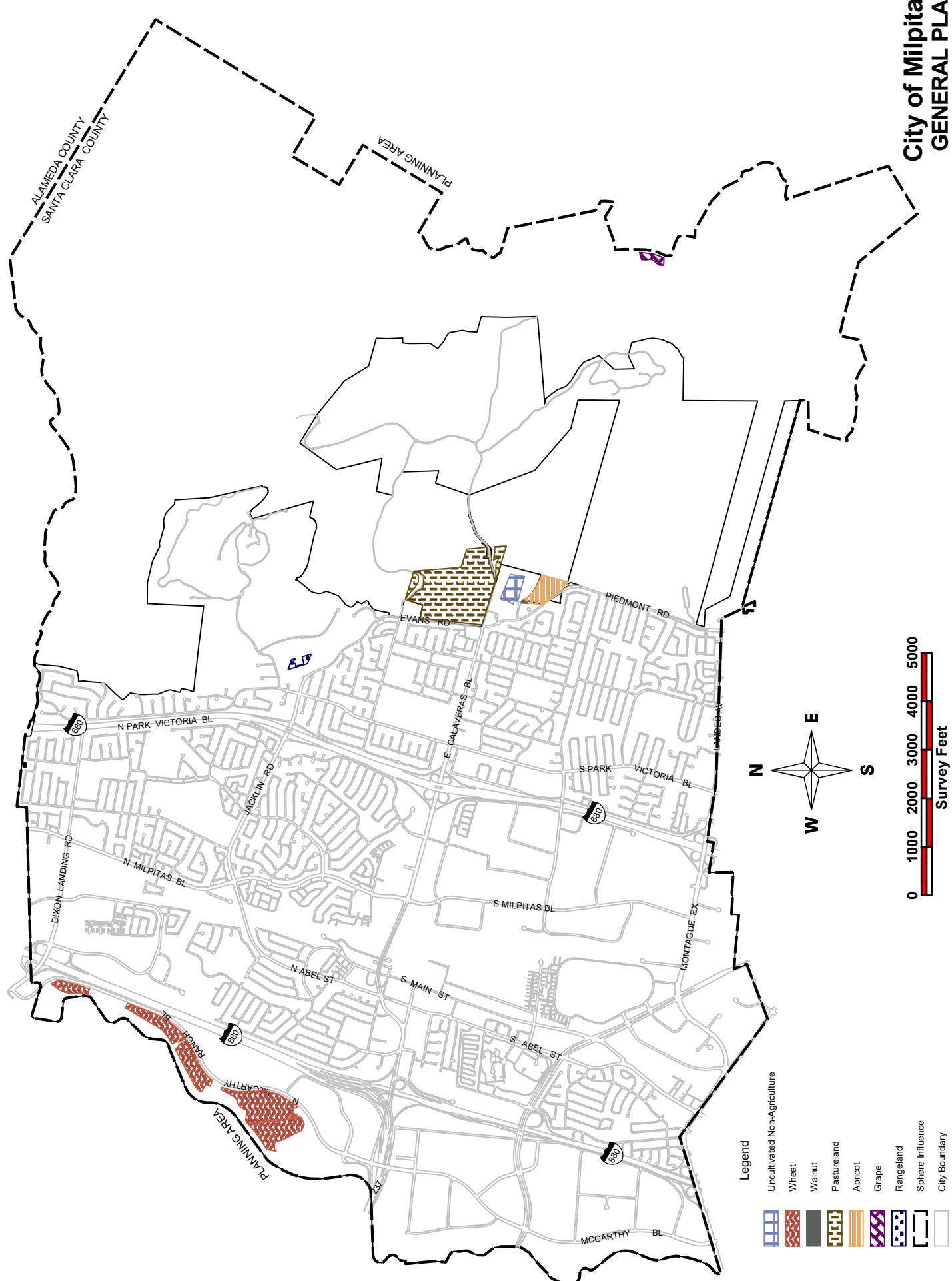
Crops in the Planning Area

A small part of the Planning Area, along the Coyote Creek, is used for growing a variety of truck and field crops². These include wheat, walnuts, grapes, and apricots. Figure 4-3 shows crops in the Planning Area according to type.

¹ Department of Conservation, Office of Land Conservation, Santa Clara County: Important Farmland (2008).

² 2010 Santa Clara County, Department of Agriculture and Environmental Management

Crops in 2010
Figure 4-3



4.4 Water Quality and Conservation

For water supply, see Section 2.6: Public Utilities and Services.

Urban Runoff (Stormwater) Pollution Prevention

The San Francisco Bay Regional Water Control Board (RWQCB) is responsible for enforcing the state's Porter-Cologne Water Quality Act and the Federal Clean Water Act. The Water Board's *Water Quality Control Plan* (Basin Plan) identifies beneficial uses of San Francisco Bay and its tributaries and sets forth criteria and programs for protection of beneficial uses. The RWQCB has issued National Pollutant Discharge Elimination System (NPDES) permits to Bay Area counties, water districts and municipalities. The permits mandate comprehensive programs to reduce urban runoff pollution by targeting pollutant reduction and surface flow prevention from urban development activities. Milpitas, along with twelve other cities and towns in northern Santa Clara County, Santa Clara County, and the Santa Clara Valley Water District are Co-permittees under a single stormwater NPDES permit. The NPDES permit was issued in 1990 and reissued, with additional requirements, in 1995, 2001, and 2009.

Water Conservation

Prompted by the recent drought and water shortages, the City in 1993 adopted a Water Efficient Landscapes Ordinance and in 1994 adopted the Water Conservation Ordinance. The Ordinance seeks to promote conservation and efficient use of water by restricting new and rehabilitated landscaping for public agency projects, private commercial and industrial projects, and common-area landscaping in single-family and multifamily subdivisions and planned unit developments to maximum applied water allowances. It also requires preparation of landscape documentation packages for new and rehabilitated landscapes.

Recycled Water

The City of Milpitas desires to conserve potable water supplies and encourages the use of recycled water for appropriate uses. Potable water shall not be used for irrigation if recycled water is available except as specified in the City Municipal Code.

4.5 Mineral Resources

Urban preemption of prime mineral deposits and conflicts between mining and other uses throughout California led to passage of the Surface Mining and Reclamation Act of 1975 (SMARA), which establishes policies for conservation and development of mineral lands, and contains specific provisions for the classification of mineral lands by the State Geologist.

SMARA requires all cities and counties to incorporate in their general plans mapped designations approved by the State Mining and Geology Board. These designations are to include lands categorized as Mineral Resource Zones, the most significant of which is a designation of mineral resources that are of regional or statewide significance.

When considering mineral extraction, three critical factors must be weighed: impact upon the natural environment, regional need for the minerals extracted, and impacts upon the community.

Existing Mineral Resources

The Planning Area contains four areas identified by the State Geologist as containing Regionally Significant Construction Aggregate Resources. These areas, located in the foothills outside City limits (see Figure 4-5), are part of the South San Francisco Bay Production-Consumption Region and contain sandstone deposits. Three of the sites are located west of the Ed Levin Park along Tularcitos and Loa Caches creeks, and the fourth is along Scott Creek at the County line. All of the areas are being currently quarried.

The scenic damage that has already occurred from these quarry operations is readily apparent; it is also possible for such activities to adversely affect water resources. In addition, these quarries must haul many tons of product off-site. When the only means of transportation for the product is by trucks passing through urbanized areas and transversing narrow hillside roads, there are a great many impacts upon the community.

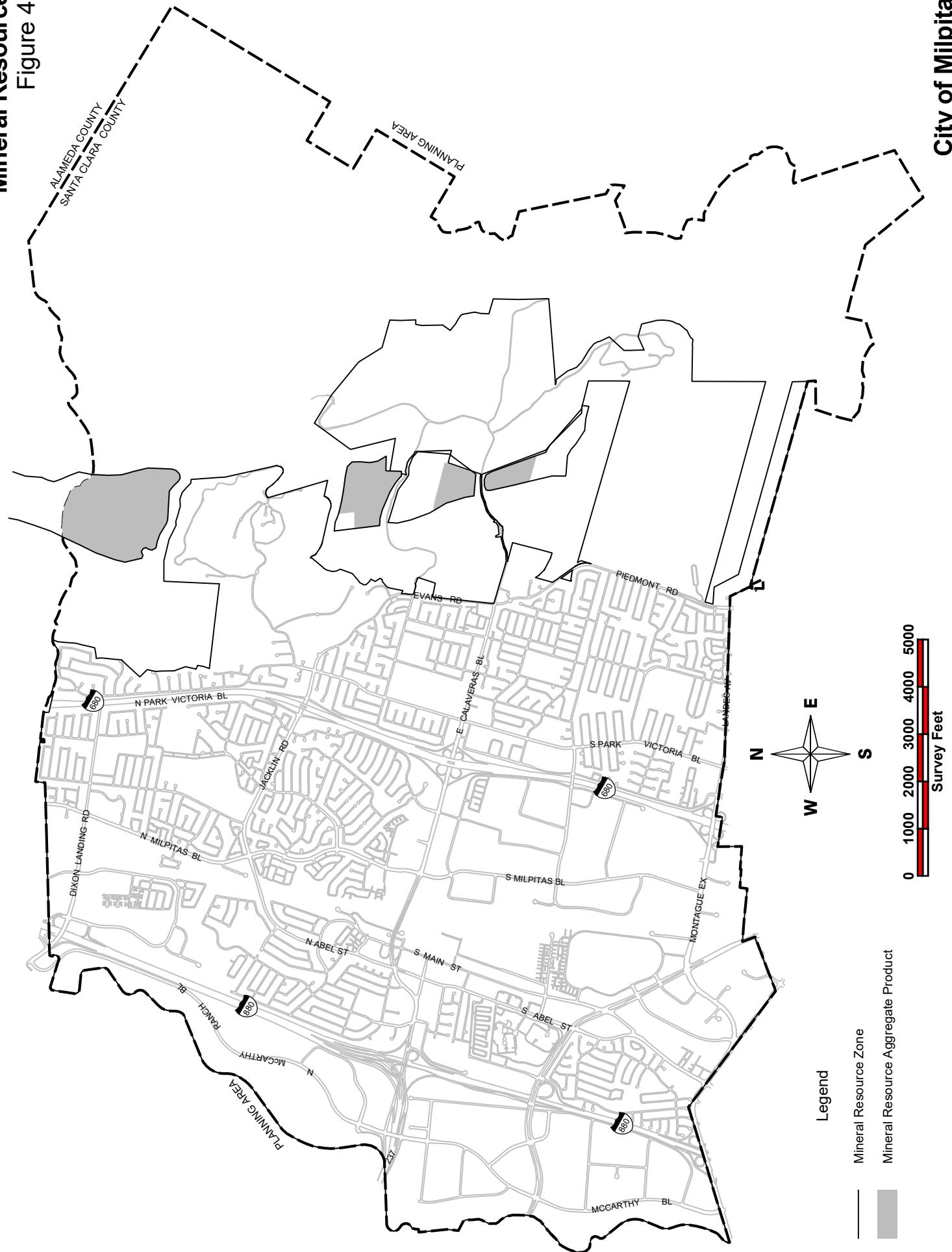
Santa Clara County Policies

Santa Clara County's Mineral Resources Element was adopted in 1994. Policies included in the Element call for new quarry operations within a city's Sphere of Influence to be consistent with that City's General Plan. Approval of new or significant expansion of existing operations would require environmental assessment and new operations that are visible from the Valley Floor are discouraged.

Mineral Resources

Figure 4-5

City of Milpitas GENERAL PLAN



4.6 Historical and Cultural Resources

Background information that follows is summarized from the *Historic Sites Inventory* (1990) and the *Historic Resources Master Plan* (1993).

Prehistoric Period

The lands now occupied by the City of Milpitas were once a part of the home territory of the Tamien tribelet of Costanoan (Ohlone) Indians. Like other Costanoan groups, the Tamien maintained a few year-round village sites but also visited various temporary camps at different seasons of the year to hunt and gather food as it became available.

The presence of a deposit of cinnabar (later famous as the mines of New Almaden) within Tamien territory increased traffic through the early Milpitas area. The cinnabar (used as a body paint) stimulated considerable trade. The deposits were known over much of northern California, and parties from as far away as the Columbia River journeyed to Costanoan territory to obtain it. Trade for other items such as wooden bows, salt, and pine nuts, also brought many visitors to the Tamien territories.

Remnants of Lifestyle. Two notable Costanoan village sites lie within the city limits of Milpitas. One, a huge shellmound near the present-day Elmwood Rehabilitation Center, was discovered in 1949 and dates back to the eighteenth century. The other, on the site of the Alviso Adobe near the corner of Calaveras and Piedmont, is at least 3,000 years old and is one of only a handful of archaeological sites in California with such a long history of continuous occupation.

Historic Period

Aboriginal Milpitas must have been criss-crossed with a network of paths from village to village and from village to camp. For centuries, these aboriginal footpaths and deer trails were the only roadways of Milpitas. The year 1769 marked the most dramatic event since human beings first migrated into the Bay Area; in that year, the expedition of Gaspar de Portola inaugurated the historic era, bringing in its wake a host of changes. The expedition passed through Milpitas.

The Spanish presence in the South Bay region was rapidly modified over the next few decades. Over the following half-century, the mission holdings were broken up by secularization, supplanted by private land grants such as the Rancho de Milpitas.

The area that was to become Milpitas was already achieving distinction as a stopover point by the late 1840s when the Higuera Adobe welcomed travelers on the immigrant trail

between Sutter's Fort and San Jose, via Livermore Pass. In 1855, settlers in the Calaveras Valley petitioned for a county road across the flats to Alviso. The resulting intersection — where the Alviso Road crossed the Mission Road — encouraged the development of Milpitas. By the late 1850s, a stage line was operating between San Jose and Oakland, with stops at Milpitas, including one at the Higuera Adobe, operating as a hotel and stage depot. Soon businesses such as general stores, stables, saloons, hotels, blacksmiths, carriage shops, and the all-important post office catered to the needs of farming families.

Historic Sites. The historically and architecturally significant buildings in Milpitas are extremely diverse in style, as well as in method and period of construction.

The first structures to be built in Milpitas were adobe houses located along the foothills east of town (now east of Piedmont and Evans Road) and along both sides of Calaveras Road between Main Street and the foothills. During the 1850s to 1870s, many frame farmhouses were constructed.

Businesses that catered to travelers (saloons, restaurants, blacksmiths, service stations, and hotels) and those that supplied the local population (general stores, meat markets, lumber yards) developed near the intersection of the Alviso-Milpitas Road and the San Jose-Oakland Road. Clustered around this nucleus of commercial and service buildings were the homes of the merchants, railway employees, and working men of the community.

Milpitas changed little until 1953, when the Ford Motor Plant was built at the south end of town. Within the next two decades virtually all of the older buildings in the center of town were demolished; leaving two corridors along the eastern foothills and the western highway fairly intact.

Historical and Cultural Resources Preservation Programs

Cultural Resources Preservation Program. Procedures to identify and designate historical and cultural resources, and to guide their preservation are outlined in the City's Zoning, Planning and Annexation Code. Cultural resources and historic districts are designated by the City Council on the advice of the Parks, Recreation and Cultural Resources Commission. Currently, there are fifteen sites officially designated and locally registered as a Milpitas Cultural Resources. Of the fourteen sites, the Alviso Adobe and Milpitas Grammar School are included in the National Register of Historic Places.

Table 4-6
Designated Cultural Resources

Site	Local Registered	National Registered
1. Jose Higera Adobe	X	
2. Cactus hedge	X	
3. Jose Maria Alviso Adobe	X	X

Table 4-6
Designated Cultural Resources

Site	Local Registered	National Registered
4. Milpitas Hotel (1857) and Fat Boy Restaurant (1924)	X	
5. Bellew-McCarthy Ranchstead Site	X	
6. Shaughnessy-Murphy Ranchstead Site	X	
7. Old St. Johns Church Site	X	
8. Curtner House (Weller Estate)	X	
9. Milpitas Grammar School	X	X
10. Smith's Corner	X	
11. Dr. Smith House (Devries Home)	X	
12. Winsor Blacksmith Shop	X	
13. Barber House	X	
14. O'toole Elms Site	X	
15. Winsor Tank House	X	

The Master Plan also identified the two adobes as being eligible for the states' Historic Landmark or Point of Historical Interest status.

4.7 Scenic Resources and Routes

Milpitas' image is of an urban community located at the foot of a significant section of the Mount Diablo Range. The foothills, sparsely settled, represent a semi-wilderness of rugged terrain, remote plateaus and distant views.

Scenic Resources

The foothills and the tree-lined Coyote Creek corridor provide Milpitas with a scenic backdrop and visual reference points. Also important to Milpitas' identity are the major entryways of the City. Scenic Resources could be both natural and man-made. Figure 4-6 identifies hillsides, ridges, visually significant vegetation and other elements that are critical in shaping the City's scenic identity.

Scenic Routes

In order to maintain and improve the character of and views of scenic resources from streets, maximize access to parks, open space and other resources, the General Plan establishes a well-integrated network of Scenic Routes. These are streets or corridors which pass through an area of scenic value, provide efficient connections between such areas, or provide distant views of Scenic Resources. Two types of Scenic Routes are established (see Figure 4-6):

Scenic Corridor. Scenic Corridors are located along designated streets that pass through an area of scenic value. Scenic Corridors include the street rights-of-way and extend 200 feet from the center line of the streets along which they are located. Areas within the corridors are subject to special development controls for the purpose of retaining and enhancing nearby views or maintaining unobstructed distant views. Public projects will also be reviewed for compliance with this plan.

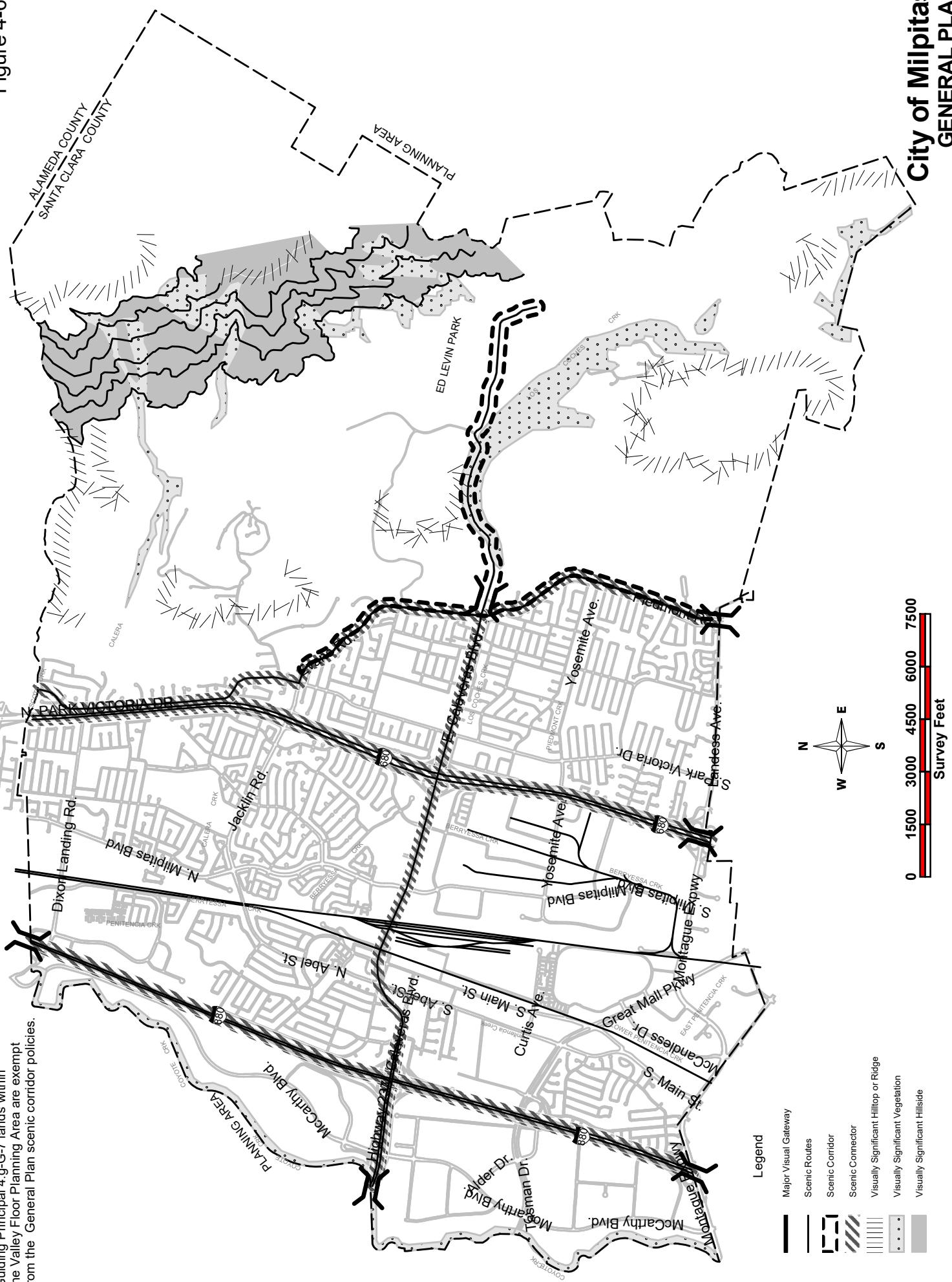
Scenic Connector. A designated street connecting or providing access to Scenic Corridors or distant views. A Scenic Connector may not necessarily traverse an area of scenic value, and the abutting land is not subject to the Scenic Corridor land use controls. However, special design treatment — which may include roadside landscaping, undergrounding of utility lines, and street furnishings — will be carried out to provide a visual continuity with the Scenic Corridors.

Scenic Resources and Routes

Figure 4-6

City of Milpitas GENERAL PLAN

Clarifying Notes: as described in Guiding Principle 4, g-G-7 lands within the Valley Floor Planning Area are exempt from the General Plan scenic corridor policies.



4.8 Waste Management and Recycling

The City of Milpitas and Santa Clara County Integrated Waste Management Plans (IWMP) comply with state-mandated waste reduction goals specified in Public Resources Code 40500 (Assembly Bill 939). PRC 40500 requires local agencies to implement source reduction, recycling, and composting activities to reduce solid waste generation by 25 percent by the year 1995, and by 50 percent by the year 2000.

As a part of PRC 40500, each city and county is required to prepare a Source Reduction and Recycling Element (SRRE) and a Household Hazardous Waste Element (HHWE). Together, the SRRE and HHWE comprise the City's IWMP.

Solid Waste Disposal Facilities

Newby Island landfill, located on Dixon Landing Road in San Jose serves the City. It is a Class III landfill, with an estimated lifespan of an additional 11 years (to 2021).

Source Reduction and Recycling

The City's *Source Reduction and Recycling Element* provides a summary and analysis of existing and needed source reduction, recycling, and composting programs and facilities, strategies for handling special wastes, and for funding. Implementation measures for both short (next 5 years) and medium term (next 10 years) are specified and include multifamily residential and non-residential recycling, public awareness, and regulatory programs. Implementation measures outlined in the Element are expected to lead to diversion of an estimated 13.6 to 19.5 percent of the waste stream by 2000.

Goals adopted as part of the City's *Source Reduction and Recycling Element* include:

- Meet or exceed state-mandated solid waste disposition rates by maximizing source reduction, recycling and composting opportunities for Milpitas residents and businesses;
- Motivate the residential and business sectors to reduce and recycle solid waste;
- Ensure that all land development projects provide adequate space and design for waste reduction and management activities and equipment;
- Encourage the development and expansion of local and regional markets for diverted materials;
- Provide solid waste management services that minimize environmental impacts, ensure public health and safety and facilitate waste reduction efforts; and
- Increase residents' awareness of proper disposal and reduction methods for wastes.

Hazardous Waste

Hazardous materials management includes the identification, proper transport, and disposal of hazardous materials. Hazardous materials include liquids, solids, and gases which by themselves, or when placed in contact with other materials, can result in contamination of soil or water, poisonous vapors, fires, or explosions. Hazardous materials can enter the environment via air, soil transport, or surface runoff. Improper storage or disposal can contaminate soil and groundwater and pose a general health hazard to the population. Hazardous materials are used and created everyday by some industries, and include common household items such as insecticides, waste motor oil, and cleaning fluids.

Nearly all of the hazardous materials transported through Santa Clara County, and the Planning Area, are carried by truck on the freeways and state highways. Little or none of the hazardous materials is transported through via rail. County roads and city streets are used to transport locally generated wastes from the source to the regional highway system.

Household Hazardous Waste (HHW)

Hazardous materials, used in many household products (e.g., drain cleaners, waste oil, cleaning fluids, insecticides, and car batteries), are often improperly disposed of as part of normal household trash. These materials can interact with other chemicals to create a risk to the general population and can also result in soil and groundwater contamination.

Since 1985, Milpitas residents have had access to disposal of their HHW. Funded by the City from the General Fund, the current program is conducted by the Santa Clara County Household Hazardous Waste Collection Program. The County hosts mobile pickup at different sites throughout the County, twice yearly in Milpitas. Residents call the County HHW program hotline to make appointments to drop off their hazardous wastes, and the City pays a per-vehicle fee for the service.

The City has since October 1993 been participating in a countywide effort to site and develop permanent recycling and disposable facilities for HHW. These facilities, currently in the planning stages, will also serve small commercial generators of hazardous waste.

In 1986, AB 2984 (Tanner Bill) was passed, establishing a process for the development of hazardous waste management plans for all California counties, regional councils of government and the state. In 1989 Milpitas participated with other Santa Clara County cities in developing the Hazardous Waste Management Plan (CHWMP). This plan was subsequently approved by the County Board of Supervisors and the City Councils of every participating city, including Milpitas. In 1991 the CHWMP was amended by the County and cities. The State's review and approval of the CHWMP was obtained on January 6, 1995.

In addition to becoming the County Plan, the CHWMP was designed as a plan which could be adopted by participating cities for their own use. The City of Milpitas has adopted the CHWMP as the policy document and planning guide for all decisions regarding the development of off-site hazardous waste management facilities and programs related to the management of hazardous waste within the City.

The objectives of the City's *Household Hazardous Waste Element* are:

- Provide disposal alternatives for HHW generated in the city, including participation in the County of Santa Clara's HHW program;
- Undertake educational programs to reduce the volume and hazards of HHW entering the waste stream by encouraging proper use and disposal of hazardous products, and waste reduction, including the use of safer alternatives;
- Promote proper storage and handling methods to protect the public's health and safety;
- Recycle HHW to the extent possible; and
- Participate in the load inspection program at the Newby Island landfill.

4.9 Open Space/Conservation Principles and Policies

a. Park and Recreational Facilities

Guiding Principles

- 4.a-G-1 Provide a park and recreation system designed to serve the needs of all residents of the community.
- 4.a-G-2 Develop a diversified trail system along streamsides and other public rights of way to provide recreational opportunities and link facilities.
- 4.a-G-3 Cooperate with other agencies, such as the County and MUSD, to provide recreational opportunities to residents.

Implementing Policies

- 4.a-I-1 Provide 5 acres of neighborhood and community parks for every 1,000 residents outside of the Midtown Specific Plan Area, and 3.5 acres of special use parks for every 1,000 residents within the Midtown Specific Plan Area. *This is the current City standard.*
- 4.a-I-2 For areas outside the Midtown Specific Plan Area, require land dedication or in lieu fees equivalent to the 5 acre/1,000 resident standard, but allow credit for private open space for up to 2 acres/1,000 residents for private open space provided in accordance with the criteria specified in the Subdivision Regulations. For areas within Midtown, require land dedication or in lieu fees equivalent to the 3.5 acre/1,000 resident standard, but allow credit for private open space for up to 1.5 acres/1,000 residents for private open space provided in accordance with the criteria specified in the Subdivision Regulations.
- 4.a-I-3 Provide a system of hiking and riding trails and pathways connecting the Valley Floor Area to Ed Levin Park.

- 4.a-I-4** Explore the feasibility of a trail in the Hillside Area within the crestline zone of protection connecting Ed Levin County Park to Alum Rock Park.
- 4.a-I-5** Provide an extensive visually stimulating system of "people paths" by developing park chains along Coyote River and the Hetch Hetchy right-of-way.
- 4.a-I-6** Develop the Coyote River area in cooperation with the County Park and Recreation Commission in a linear park chain which would connect with the Coyote Park Chain in San Jose and provide a safe mechanism for undertaking flood-control measures. The trails along Coyote Creek should be part of the San Francisco Bay Trail, a regional network of trails used by hikers and bicyclists.
- 4.a-I-7** Where feasible, provide new neighborhood and community parks adjacent to public schools for joint use.
- 4.a-I-8** Explore the feasibility of providing interpretive trails that tie in with the history of Higuero Adobe and Alviso Adobe.
- 4.a-I-9** Explore the feasibility of providing a performing/visual arts center, an historical museum and a gymnasium.
- 4.a-I-10** Implement the goals and objectives of the Park and Recreation Master Plan.

b. Biotic Resources

Guiding Principles

- 4.b-G-1** Protect and conserve open spaces which are necessary for wildlife habitats and unique ecological patterns.

4.b-G-2 Preserve and protect populations and supporting habitat of special status species within the Planning Area, including species that are state or federally-listed as Rare, Threatened, or Endangered, all federal "candidate" species for listing and other species proposed for listing, and all California Species of Special Concern.

Implementing Policies

4.b-I-1 Strictly enforce grading regulations controlling removal of vegetative cover from hillside areas.

4.b-I-2 Preserve remaining stands of trees.

4.b-I-3 Recreation use of essentially virgin areas should be centered around activities which have a minimally disruptive effect on natural vegetation

4.b-I-4 Require a biological assessment of any project site where sensitive species are present, or where habitats that support known sensitive species are present.

4.b-I-5 Utilize sensitive species information acquired through biological assessments, project land use, planning and design.

c. Agricultural Resources

Guiding Principle

4.c-G-1 Support agricultural activity that is compatible with urban uses, and as an interim use in areas that are designated for urban uses.

Implementing Policies

- 4.c-I-1 While undertaking improvements in areas being used for agricultural operations, strive to ensure that the viability of agriculture as an interim use is maintained.
- 4.c-I-2 Permit and support grazing activity in the foothills where feasible.

d. Water Quality and Conservation

Guiding Principles

- 4.d-G-1 Assure reasonable protection of beneficial uses of creeks and South San Francisco Bay, and protect environmentally sensitive areas.
- 4.d-G-2 Comply with regulatory requirements pertaining to water quality.
- 4.d-G-3 Continuously improve implementation of stormwater pollution-prevention activities.
- 4.d-G-4 Mitigate the effects that land development can have on water quality.
- 4.d-G-5 Protect and enhance the quality of water resources in the Planning area.
- 4.d-G-6 Promote conservation and efficiency in the use of water.

Implementing Policies

- 4.d-P-1 Implement a comprehensive municipal stormwater pollution-prevention program in compliance with requirements of the Water Board's stormwater NPDES permit.
- 4.d-P-2 Minimize the use of pesticides that may affect water quality.
- 4.d-P-3 Work cooperatively with other cities, towns, and the Santa Clara Valley Water District to comply with regulations, reduce pollutants in runoff, and protect and enhance water resources in the Santa Clara Basin.
- 4.d-P-4 Where consistent with other policies, preserve, create, or restore riparian corridors and wetlands. Where possible, set back development from these areas sufficiently to maximize habitat values.

- 4.d-P-5** Where feasible, conform developments to natural landforms, avoid excessive grading and disturbance of vegetation and soils, retain native vegetation and significant trees, and maintain natural drainage patterns.
- 4.d-P-6** Where possible, avoid new outfalls to natural or earthen channels.
- 4.d-P-7** Applicable projects shall minimize directly connected impervious area by limiting the overall coverage of paving and roofs, directing runoff from impervious areas to adjacent pervious areas, and selecting permeable pavements and surface treatments.
- 4.d-P-8** Applicable projects shall incorporate facilities (BMPs) to treat stormwater before discharge from the site. The facilities shall be sized to meet regulatory requirements.
- 4.d-P-9** Applicable projects shall control peak flows and duration of runoff where required to prevent accelerated erosion of downstream watercourses.
- 4.d-P-10** Projects accommodating outdoor activities, including work areas, storage areas or other areas that are potential sources of stormwater pollutants, shall incorporate measures to control those pollutant sources to the maximum extent practicable.
- 4.d-P-11** Owners and operators of stormwater treatment facilities shall maintain those facilities and ensure they continue to be effective.
- 4.d-P-12** Construction sites shall incorporate measures to control erosion, sedimentation, and the generation of runoff pollutants to the maximum extent practicable. The design, scope and location of grading and related activities shall be designed to cause minimum disturbance to terrain and natural features. (Title II, Chapter 13 of the Municipal Code includes requirements for control of erosion and sedimentation during grading and construction.)

Required Actions

Milpitas Urban Runoff Management Program

(Details of implementation are in Title XI, Chapter 16 of the Municipal Code and in the Milpitas Urban Runoff Management Plan.)

- 4.d-A-1** Inspect commercial and industrial facilities and require BMPs.
- 4.d-A-2** Conduct surveillance and enforcement to reduce illegal dumping to storm drains.
- 4.d-A-3** Implement BMPs to minimize runoff pollutants during operation and maintenance of streets, roads, storm drains, and water supply mains and facilities.
- 4.d-A-4** Inspect construction sites and require erosion and sedimentation control and pollution-prevention BMPs.
- 4.d-A-5** Publicize and promote Integrated Pest Management and use Integrated Pest Management in maintenance of City parks and other facilities.
- 4.d-A-6** Update the Urban Runoff Management Plan as required in accordance with the Water Quality Control Board's Stormwater NPDES Permit.

Cooperative Efforts to Protect and Enhance Water Quality

- 4.d-A-7** Support and participate in the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Through SCVURPPP, support regional organizations and efforts, including the Bay Area Stormwater Management Agencies Association, to monitor and protect water quality in San Francisco Bay and its tributaries.
- 4.d-A-8** Coordinate with the Santa Clara Valley Water District to plan and implement multi-objective projects to reduce flood hazards, restore stream functions, and provide recreational resources along Berryessa Creek and other Milpitas creeks.

Development Requirements

(Details of implementation are in Title XI, Chapter 16 of the Municipal Code, the Milpitas Urban Runoff Management Plan, and the Milpitas Stormwater C.3 Guidebook.)

- 4.d-A-9** Provide guidelines to help applicants comply with stormwater requirements for new development.
- 4.d-A-10** Require developers of applicable projects to submit, with application for planning and zoning approval, a Stormwater Control Plan detailing the required stormwater pollution prevention and flow control measures incorporated into the project.
- 4.d-A-11** Require developers of applicable projects to prepare and submit, prior to final approval of construction, a Stormwater Control Operation and Maintenance Plan detailing maintenance requirements and methods for the stormwater treatment and flow control facilities incorporated into the project.
- 4.d-A-12** When conducting environmental reviews of proposed projects, evaluate water quality effects and identify appropriate mitigation measures.
- 4.d-A-13** Adopt and revise public works standards to minimize the impacts of development on water quality, provided that the new standards would also be consistent with other City policies.
- 4.d-A-14** Allow access to sites for City inspection of stormwater treatment and flow control facilities.

e. Mineral Resources

Guiding Principle

4.e-G-1 Provide for extraction of minerals to help meet future regional needs in an environmentally sensitive manner.

Implementing Policies

4.e-I-1 Manage aggregate resources to ensure that extraction results in the fewest environmental impacts. *Mining is usually a high-impact activity that must adjust its operations to become an acceptable neighbor to urban areas.*

4.e-I-2 Require preparation and assured implementation of adequate reclamation of mined lands as a condition of approval of mining. *This is a requirement of SMARA.*

4.e-I-3 Permit new quarries only if they are:

- Compatible with surrounding land uses;
- Not environmentally disruptive; and
- Not visible from the Valley Floor.

4.e-I-4 Work with surrounding jurisdictions to ensure establishment of implementation measures for mineral resource management consistent with state law.

f. Historical and Cultural Resources

Guiding Principles

4.f-G-1 Preserve existing historical and cultural resources, especially those sites where an Historical Park may prove feasible.

4.f-G-2 Undertake efforts that promote Milpitas as a historical community, and undertake efforts to increase public awareness towards preservation.

Implementing Policies

Public Efforts

- 4.f-I-1** Continue to maintain, rehabilitate, and restore City-owned historic buildings and sites.
- 4.f-I-2** Acquire historic sites that would benefit from public ownership.
- 4.f-I-3** Develop a program to survey and catalog artifacts, documents and other historic material.
- 4.f-I-4** Increase the prominence and access to the City's historic resources by developing paths and trails linking the historic sites.
- 4.f-I-5** Develop programs to promote Milpitas' history.

Private Preservation Efforts

- 4.f-I-6** Encourage private involvement in historic preservation through the establishment of a revolving City loan program.
The details of this program are described in the Conceptual Historic Resources Master Plan.
- 4.f-I-7** Establish a program to award plaques, awards and small grants to recognize private preservation efforts.

g. Scenic Resources and Routes

Guiding Principles

- 4.g-G-1** Preserve and enhance the natural beauty of the Milpitas area.
- 4.g-G-2** Establish a network of continuous and varied Scenic Routes that provide views of Scenic Resources and access from urban areas and the regular transportation network to parks, open spaces and cultural attractions.
- 4.g-G-3** Enhance the visual impact of the gateways to Milpitas.
- 4.g-G-4** Encourage a variety of recreational uses along Scenic Routes consistent with the concept of protecting visual resources.
- 4.g-G-5** Provide for the inclusion of facilities and improvements (vista points, picnic areas, etc.) along Scenic Routes where appropriate.
- 4.g-G-6** Design and site Scenic Routes to have a minimal adverse impact on the environment.
- 4.g-G-7** Exempt all lands within the Valley Floor Planning Area from Scenic Corridor restrictions.

Implementing Policies

Land Use and Development

- 4.g-I-1** Limit uses in Scenic Corridors to those uses allowed by right and conditionally in the R-1 Single Family Residence and Park and Open Space Zoning Districts. Commercial development can only be allowed when its design will not result in a loss of any scenic potential.
- 4.g-I-2** Permit clustering of structures, in order to preserve open space while providing for desired development.

4.g-I-3 Development in the Scenic Corridor shall not exceed 17 feet in height. The 17 foot height limit may be waived by the City Council when the following two criteria are met: (1) taller buildings are allowed through the underlying zoning district or a PUD process; and (2) development that exceeds the 17 foot height limit does not significantly obstruct views of the Hillside based on the following guidelines:

- The development will not significantly obstruct scenic features including but not limited to ridgelines, stands of trees or other vegetation, geologic formations, historic or scenic structures.
- The development is sited to avoid destruction of any distinctive physical characteristics with significant scenic value.
- The development will avoid architectural features such as unusually long blank walls, unbroken roof lines, and excessively steep roof pitches which would detract from the scenic characteristics of the site.
- The scale of the project is consistent with the scale of existing development in the immediate vicinity and within the Scenic Corridor.
- The bulk of the building(s) will not dominate views of the corridor.
- Building materials and colors will blend in and complement the rural "natural" hillside setting (i.e., earth tones, stucco, clay, stone, wood, etc.).

Design

4.g-I-4 Require all development within or abutting Scenic Corridors to be oriented away from the Corridors, with limited driveway access.

4.g-I-5 New development within the Scenic Corridor will be subject to site and architectural review ("S" zone Approval) by the Planning Commission. The review will include:

- reviewing architectural design and site planning of all development;
- requiring development that adjoins natural environments to use materials that help to blend buildings into the surroundings; and
- requiring parking, storage and other such areas to be screened-off from view by using trees and shrubs.

4.g-I-6 Provide view turnouts, rest areas and picnic facilities at appropriate locations along Scenic Corridors.

Landscaping and Utilities

4.g-I-7 Ensure that all landscaping within and adjoining a Scenic Corridor or Scenic Connector:

- Enhances the City's scenic resources by utilizing an appropriate scale of planting, framing views where appropriate, and not forming a visual barrier to views;
- Relates to the natural environment of the Scenic Route; and
- Provides erosion control.

Coordination with Caltrans will be required for portions of Scenic Connectors which are in Caltrans' right of way.

Median landscaping, lighting fixtures, street signals, and other street furnishing along Scenic Routes should follow a consistent design scheme, and be tastefully blended into the natural or urban landscape.

4.g-I-8 Undertake a program in cooperation with PG&E to underground, relocate or screen utility lines and transmission towers within or easily visible from Scenic Routes.

4.g-I-9 Prepare and implement landscape plans for treatment of major gateways leading into the City.

These are identified on Figure 4-6.

Signage

- 4.g-I-10** Ensure that within the Scenic Corridors, the City's Sign Ordinance permits on-street signs of only the minimum size and height necessary for identification purposes.
- 4.g-I-11** Undertake an evaluation of and implement any necessary steps to ensure that the design and location of signs within and adjoining Scenic Routes does not lead to unsightly and obtrusive conglomerations of advertising.
- 4.g-I-12** Undertake a program to place appropriate and consistent Scenic Route identification signs periodically along all Scenic Routes. Also provide instructional signs and displays, where appropriate, along Scenic Routes and at roadside facilities, indicating major visual features of the area.

Creeks

- 4.g-I-13** Develop the section of Berryessa Creek which runs through the Town Center into a scenic as well as a recreation resource for the Town Center.

h. Waste Management and Recycling

Guiding Principle

- 4.h-G-1** Undertake efforts to reduce the generation of waste, increase recycling and slow the filling of local and regional landfills, in accord with the California Integrated Waste Management Act of 1989.

Implementing Policy

4.h-I-1 Implement measures specified in the City's *Source Reduction and Recycling Element* and the City's *Household Hazardous Waste Element*. *Detailed measures to implement the City's policies are outlined in these two elements and are not repeated in the General Plan.*

i. Hazardous Waste

Guiding Principle

4.i-G-1 Ensure that off-site hazardous waste management facilities are safely located to maintain the quality of life in the community. *An off-site hazardous waste management or treatment facility is one which manages, stores, treats or processes hazardous waste. It serves more than one producer of hazardous waste, as opposed to an on-site facility, which serves only the hazardous waste needs of the company with which it is affiliated.*

Implementing Policies

4.i-I-1 Review proposals for hazardous waste management facilities for conformance with the goals, policies, siting criteria, implementation methods, mitigating measures and other applicable information and recommendations contained in the Santa Clara County Hazardous Waste Management Plan.

4.i-I-2 Limit off-site hazardous waste management facilities to those that process the types of waste generated in the City, and limit the capacity of these facilities based on the "fair share" provisions of the Santa Clara County Hazardous Waste Management Plan.

4.i-I-3 Given the highly urbanized development of Milpitas, it is not appropriate for hazardous waste residual repositories to be located within the city, and none shall be permitted. *Hazardous waste residual repositories are specifically restricted to receiving residuals from hazardous waste treatment facilities; residuals are materials which are left over after treating hazardous waste*

Purpose

State law requires "... safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, ... dam failure; slope instability leading to mudslides and landslides, subsidence, liquefaction and other seismic hazards identified pursuant to Chapter 7.8 of the Public Resources Code and other geologic hazards known to the legislative body; flooding; and wild land and urban fires... "

Relationship to Other Elements

Issues related to the storage, handling and transportation of hazardous goods are addressed in Section 4.8: Waste Management and Recycling.

5.1 Seismic and Geologic Hazards

The Hillside Area is located in the foothills of the Diablo Range and consists of a series of parallel hills and valleys oriented generally northwest/southeast. The rounded hills in the western portion of the Hillside Area form a band about one mile wide with a maximum elevation of about 1,270 feet. Spring Valley, in the central portion of the Area, is roughly one-quarter mile wide and two and a half miles long. The central portion of the valley is relatively flat and has an elevation of about 600 feet. Along the eastern boundary of the Hillside Area rise the steep western slopes of Los Buellis Hills, where the elevation ranges from roughly 800 feet to 2,337 feet at Monument Peak in the north.

Background information in this section is extracted from *Geotechnical Hazards Evaluation, City of Milpitas* (1987). The report is based on compilation of published geologic and soils maps, data from unpublished geotechnical reports, and interpretation of stereoscopic aerial photographs. No new field mapping was performed for the study. Figure 5-1 summarizes geotechnical hazards in the Planning Area.

Hillside Area

Most of the Hillside Area is underlain by relatively hard, shallow, fractured bedrock. Softer bedrock underlies the western margin of the Hillside Area. Most of the ridges are mantled by thin residual soil which forms in-place as the bedrock weathers. The slopes and small valleys are blanketed by organic-material rich colluvial soil, which has moved downslope and accumulated on lower slopes and in canyon bottoms.

LANDSLIDES

Many large landslide deposits are present in the foothills. Although the largest landslides are tens of thousands of years old, portions of many of the landslides have reactivated. Large, deep landslides generally involve unstable bedrock as well as soil. These slides can be deeper than 100 feet. Small, shallow landslides generally involve only soil and weathered bedrock. Some of the steep slopes in the hills are susceptible to recurring debris flows, which are shallow, rapid landslides that often travel many hundreds of feet and impact areas well below the unstable hillsides on which they originate.

Unstable soils on slopes are mapped in Figure 5-1.

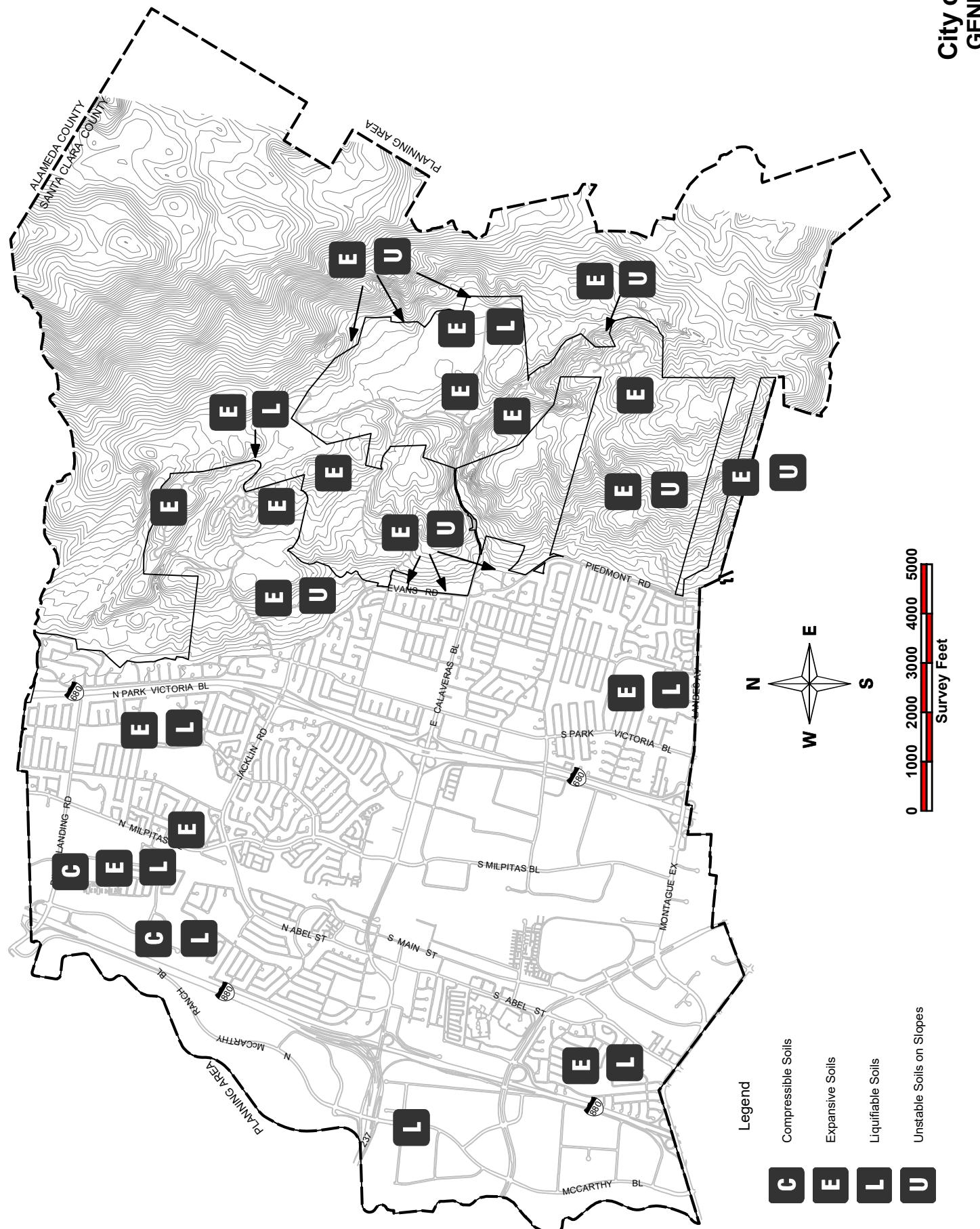
GEOLOGY AND SOILS

All of the bedrock formations produce colluvial soil, which may be as thick as 15 feet in valley bottoms. Sandstone and shale of Cretaceous age underlies the west-central portion of the Hillside Area west of Spring Valley. Much of the shale is highly susceptible to landsliding. Residual soils are generally silty and sandy clay, less than 2 feet thick, and highly expansive.

Source: Geotechnical Hazards Evaluation, City of Milpitas, 1987

Geotechnical Hazards

Figure 5-1



The Monterey Shale of Miocene age underlies the central portion of the foothills west of Spring Valley. Unweathered bedrock may be difficult to excavate. Residual soils are generally clayey, less than two feet thick, and highly expansive.

The Briones Sandstone of upper Miocene age underlies the eastern portion of the foothills west of Spring Valley. The formation includes siltstone as well as sandstone and is locally fossiliferous. Fossiliferous beds may also be difficult to excavate. Residual soils are generally clayey, less than two feet thick, and expansive.

The Orinda Formation of Pliocene age underlies the foothills around Spring Valley and includes conglomerate, sandstone, siltstone, and claystone. The Orinda Formation, especially the claystone, is highly susceptible to landsliding. The conglomerates may be difficult to excavate. The residual soils are generally silty clay, four to six feet thick, and highly expansive.

The Santa Clara Formation of Plio-Pleistocene age underlies the western margin of the foothills. It consists of soft conglomerate sandstone, siltstone, and claystone that weather rapidly and are highly erodible and highly susceptible to landsliding. Residual soils are generally clayey, five to six feet thick, and highly expansive.

Valley Floor

The relatively flat, urbanized Valley Floor is underlain by alluvial soil of Quaternary age. This soil consists of interlayered, poorly sorted gravel, sand, silt, and clay deposited by water. The thickness of the alluvial soil increases westward from zero at the base of the hills to 1,000 feet or more at the western edge of the City.

The alluvial soil in Milpitas was deposited in and adjacent to stream channels, in low-lying basins between streams, and on the floor of the Bay when the shoreline was east of its present position. The composition and consistency of alluvial soils varies laterally and vertically over small distances and depths.

Most of the alluvial soil in Milpitas is expansive and susceptible to liquefaction, and alluvial areas along creeks may be susceptible to lateral spreading. Local areas have compressible soils, poorly drained soils, shallow ground water, or are susceptible to lateral spreading. Because soil composition varies vertically as well as laterally, several soil types may underlie a particular site.

Faulting and Seismicity

The Hayward fault trends northwestward through the western portion of the Milpitas foothills (see Figure 5-2). The Calaveras fault trends northwestward through Calaveras Reservoir, approximately 1-1/2 miles northeast of the eastern edge of the City. The San Andreas fault trends northwestward through the Santa Cruz Mountains approximately 13 miles southwest of Milpitas. All of these faults are active and have produced damaging earthquakes in the historic past. Other active and potentially active faults are present in the Bay Area and may produce earthquakes of significance to Milpitas.

Earthquake hazards consist of hazards produced by surface fault rupture, and hazards produced by ground shaking. Only the Hayward fault zone is located within Milpitas and capable of producing surface fault rupture in the City. Large earthquakes on the Hayward, Calaveras, and San Andreas faults could produce ground shaking sufficient to cause extensive damage in Milpitas. Large earthquakes on other faults may also produce significant ground shaking in the City. Table 5-1 lists each of the three major active faults, its closest approach to the City of Milpitas, and the Richter magnitude of the maximum credible earthquake it might generate.

Table 5-1		
Distance to Major Active Faults		
Fault	Distance To Nearest Part Of Milpitas	Maximum Credible Earthquake
	(Miles)	(Richter Magnitude)
Hayward	runs through Milpitas	7.7
Calaveras	1-1/2	7.7
San Andreas	13	8.3

Source: *Geotechnical Hazards Evaluation*, City of Milpitas, 1987

Surface Fault Rupture. As previously stated, the Hayward fault zone passes through the western part of the Milpitas Hillside Area. The fault zone extends from San Pablo Bay to San Jose. In 1836 and 1868 the Hayward fault produced earthquakes with estimated Richter magnitudes of 7.0 and 6.9. The surface rupture of the 1868 earthquake extended from San Leandro to the Warm Springs district of Fremont, a distance of about 29 miles. Portions of the Hayward fault exhibit slow, relatively continuous surface fault creep not associated with earthquakes. The Hayward fault is not known to be creeping in Milpitas.

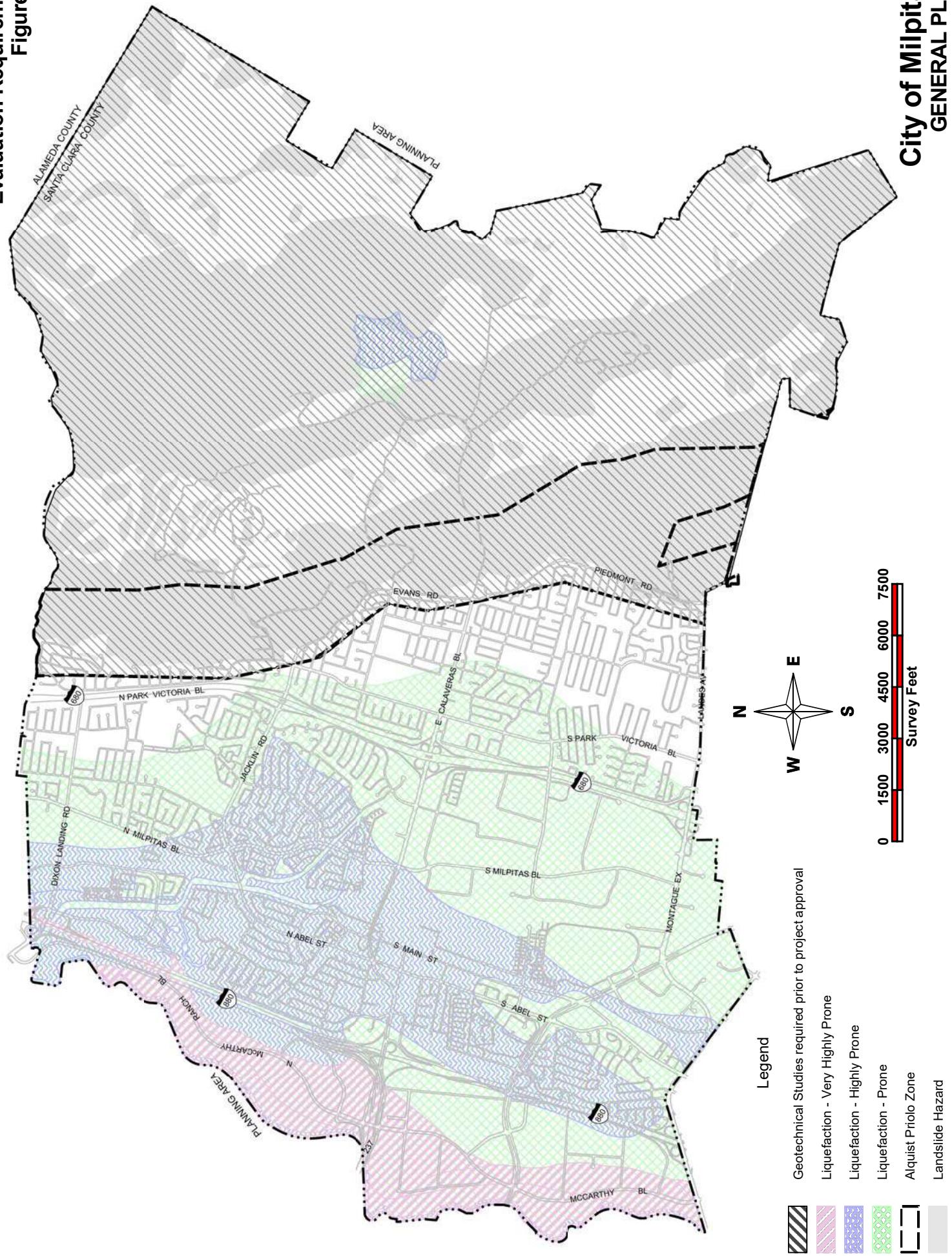
Ground Shaking. The intensely of ground shaking depends on factors such as earthquake magnitude, distance to the causative fault, depth to bedrock, physical characteristics of underlying soil and bedrock, and local topography. Maximum bedrock accelerations for the Milpitas area are expected to exceed 0.5g, half the acceleration of gravity. Maximum earthquake intensities expected in the City for large earthquakes on the Hayward fault range from "very violent" to "very strong". Earthquake hazards produced by ground shaking include damage to structures, and secondary ground failures.

Ground shaking that accompanied the 1868 earthquake on the Hayward fault and the 1906 earthquake on the San Andreas fault caused ground failures along Coyote Creek in Milpitas. Modes of ground failure included ground settlement, lateral spreading, and failures of stream banks. Large historic earthquakes have also produced landslides on hillsides in the region.

Seismic and Geotechnical Evaluation Requirements

Figure 5-2

Source: California Geological Survey, 2005 and Santa Clara County Planning Department



Alquist-Priolo Special Studies Zone. The Alquist-Priolo Special Studies Zone Act went into effect in 1973 and has been amended several times since. The purpose of the Act is to prohibit the location of most structures for human occupancy across the traces of active faults and to thereby mitigate the hazard of fault rupture. Under the Act, the state Division of Mines and Geology is required to delineate Special Studies Zones along active faults in California, and jurisdictions containing these zones must then regulate certain types of development within the zones.

Figure 5-2 shows the state-defined Special Studies Zone for Milpitas and requirements for undertaking studies prior to development.

5.2 Drainage, Flooding and Dam Inundation

Drainage

The Planning Area extends northeastward from Coyote Creek near the Bay into the Diablo Range. The base of the foothills of the Range trends northwestward and marks the northeastern edge of the urbanized part of the Planning Area. Near the eastern City limit, the rolling foothills are interrupted by a broad, northwest tending intermontane valley known as Spring Valley. Elevations in the Planning Area range from sea level near Coyote Creek to approximately 2,400 feet in the northeastern corner, near Monument Peak. Natural slope gradients range from nearly level near the Bay to approximately 1.5:1 (horizontal to vertical) on the steeper hillsides.

Drainage in Milpitas is generally westward. Six intermittent streams (Scott, Calera, Tularcitos, Piedmont, and Berryessa creeks, and Arroyo de los Coches) flow out of the foothills and across the flatlands. In the western part of the City, Lower Penetencia and Coyote creeks carry water from these streams northward into the Bay. The perennial Coyote Creek originates approximately 30 miles southeast of Milpitas. Most of the intermittent streams have been channelized through the Valley Floor.

In the Valley Floor, water seeps into unlined streambeds and recharges the ground water supply. In some parts of the flatlands, the ground water table is near the ground surface during the rainy season.

Storm Water Collection and Disposal. The City collects and disposes its storm water via a storm drainage network consisting of catch basins, conveyance piping, pump stations, and outfalls to creeks. The City has 123 miles of storm pipe, 3,000 catch basins, approximately 4 miles of drainage ditches and creeks, and storm water pump stations. Storm water collection efforts are guided by the Floodplain Management Plan, which is a compilation of different management sources, and is designed to be a flexible and growing instrument.

Flooding

Milpitas is located within the East Zone of the Flood Control benefit Assessment District, the proceeds of which go to the Santa Clara Valley Water District to provide maintenance and an increased level of flood protection by accelerating construction projects throughout the County, some of which are in Milpitas.

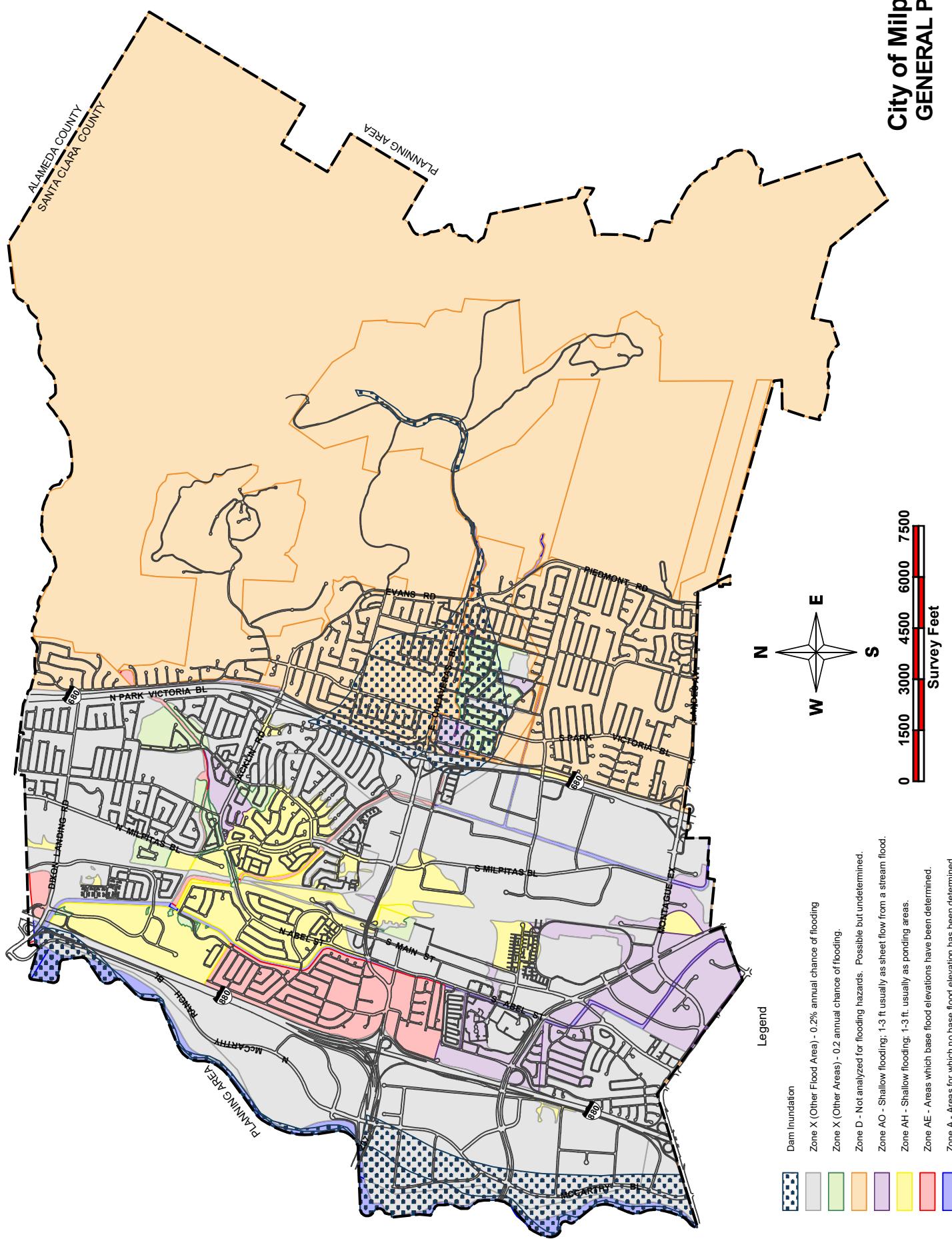
About half of the Planning Area Valley Floor lies within one of the Special Flood Hazard Areas (see Figure 5-3). Almost all land west of the Southern Pacific Railroad lies within the 100-year Flood Zone and all land west of Highway 680 is part of the 500-year Flood Zone.

Flood control in the Planning Area is provided by a variety of federal, state, and local agencies. The general purposes of these agencies are to identify potential flood issues and

Source: FEMA 2009 and Santa Clara County Planning Department

Flooding and Dam Inundation

Figure 5-3



hazard areas, and devise preventative programs, policies, or structures to avoid or minimize flood destruction. Agencies besides the City that are responsible for flood control include:

U.S. Army Corps of Engineers (ACOE). The ACOE identifies the need for, and constructs major flood control facilities. The ACOE also develops flood and dam inundation maps and reports.

Federal Emergency Management Agency (FEMA). FEMA manages the National Flood Insurance Program, providing insurance to the public in communities which participate in the program. FEMA is the main federal government agency contact during natural disasters and is a regulating agency for water quality control. FEMA publishes the Federal Insurance Rating Maps (FIRM), which identifies the extent of flood potential in flood prone communities. FIRMs are based on a 100-year flood (or base flood) event.

Federal Insurance Administration. The Federal Insurance Administration is the primary agency which delineates potential flood hazard areas and floodways through the FIRMs and the Flood Boundary and Floodway Map.

Dam Inundation

State law requires local governments to assess the potential impacts that dam failures may have on their jurisdiction. According to the state Office of Emergency Services for Santa Clara County, parts of the City along the Calaveras Road area east of I-680 could be inundated by failure of the 38-foot high Sandy Wool Lake Dam, located in Ed Levine Park (see Figure 5-3). The area could be inundated in as soon as 15 minutes from the time of dam failure, affecting a population of about 4,900. The Office of Emergency Services maintains an evacuation plan in the unlikely event that a failure of the dam were to occur.

5.3 Fire Safety

Milpitas Fire Department

The Milpitas Fire Department (MFD) provides fire protection services for the 13.2 square-mile incorporated portion of the Planning Area. The City maintains mutual aid agreements with the area municipal and County fire departments through the Santa Clara County Local Mutual Aid Plan, and also with the California Department of Forestry and Fire Protection. The City is also party to the statewide mutual aid agreement.

The average response time to code 3 emergencies in the City was about 4.2 minutes during 2010/2011. The City's Insurance Services Office (ISO) rating is 3 on a scale of 1 to 10 (with 1 being the best).

Stations. The City staffs and operates four stations: on Curtis Avenue, Yosemite Drive, Midwick Drive, and Barber Lane. While expansion of facilities and seismic upgrading at some stations is being planned, there are no plans to add new stations¹.

Wildland Fires

During summer, and in prolonged periods without rainfall, grasses, trees and other vegetation in the Planning Area become extremely dry and act as potential fuel for fires. The grasses on the hillsides are light fuel vegetation, which in the event of a fire burn quickly. Fire protection for the hillsides is primarily provided by the California Department of Forestry and the Spring Valley voluntary Fire Department. The City provides assistance for the hillside as needed on the basis of a mutual agreement.

Weed Abatement Program. The MFD maintains a weed abatement program. Each year, between May and August, department personnel survey non-developed properties in the City and notify owners of the need to remove vegetation and trash.

5.4 Emergency Management

See also section 5.2 for emergencies related to dam inundation.

The City maintains an emergency plan to deal with natural or man-made disasters. The objectives of the Plan are to prepare for and facilitate coordinated and effective responses to emergencies within the City and to provide assistance to other jurisdictions as needed. The Plan specifies actions for the coordination of operations, management and resources, and responsibilities of the different departments and governmental agencies during emergency events. Evacuation routes are to be determined as appropriate depending on the nature of the emergency.

¹ Milpitas Fire Department, September 1993.

The City Manager serves as the Director of Emergency Services; a state of emergency can be declared by the Director or the City Council. The City Emergency Operating Center is located in the City Police Station, 1275 North Milpitas Boulevard.

The California Mutual Aid Agreement calls for a shared response to an emergency from adjacent or area jurisdictions when an affected jurisdiction cannot provide service by itself. Disaster assistance from federal agencies is also available when needed to supplement, but not substitute, local civil operations.

Hazardous Materials Spill. In the event of a hazardous materials emergency several agencies are responsible for timely response, depending on the extent, and type of the incident. The Santa Clara County Hazardous Materials Response Team composed of representatives of the Santa Clara County Fire Department, California Department of Forestry, and member cities responds to large scale, emergency hazardous material incidents within the Planning Area. The Milpitas Fire Department is responsible for non-emergency hazardous materials reports within the City. If and when these non-emergency incidents become a threat to groundwater supplies, the Regional Water Quality Control Board takes control of the case. The Fire Department also monitors above ground and underground storage tanks and combustible and flammable liquids for leaks and spills.

5.5 Seismic/Safety Principles and Policies

a. Seismic and Geologic Hazards

Guiding Principle

5.a-G-1 Minimize threat to life and property from seismic and geologic hazards.

Implementing Policies

5.a-I-1 Require all projects within the Alquist-Priolo Special Studies Zone to have geologic investigations performed to determine the locations of active fault traces before structures for human occupancy are built.

5.a-I-2 Require applications of all projects in the Hillside Area and the Special Studies Zone to be accompanied by geotechnical reports ensuring safety from seismic and geologic hazards.

5.a-I-3 Require projects to comply with the guidelines prescribed in the City's *Geotechnical Hazards Evaluation* manual.

b. Drainage and Flooding

Guiding Principle

5.b-G-1 Minimize threat to life and property from flooding and dam inundation.

Implementing Policies

5.b-I-1 Ensure that new construction or substantial improvements to any existing structure result in adequate protection from flood hazards. This includes ensuring that:

- New residential development within the 100-year Flood Zone locate the lowest floor, including basement, above the base flood elevation; and
- New non-residential development locate the lowest floor, including basement, above the base flood elevation or incorporate flood-proofing and structural requirements as spelled out in the Municipal Code.

5.b-I-2 Require all structures located within the 100-year Flood Zone to provide proof of flood insurance at the time of sale or transfer of title.

5.b-I-3 Ensure that encroachment into designated floodways does not result in any increase in flooding hazards.

5.b-I-4 Continue working with the Office of Emergency Services to update and maintain the Sandy Wool Lake Dam failure evacuation plan.

5.b-I-5 Seek construction of flood control channels to withstand 100-year floods along Coyote, Penitencia, Berryessa, Scott, Calera, and Los Coches creeks.

Criteria for protection from the 100-year flood hazard is spelled out in Title XI Chapter 15 of the Municipal Code.

c. Fire Safety

Guiding Principle

5.c-G-1 Provide high quality, effective and efficient fire protection services for the Milpitas area residents.

Implementing Policies

5.c-I-1 Maintain a response time of four minutes or less for all urban service areas.

5.c-I-2 Maintain mutual aid agreements with other agencies in the County.

5.c-I-3 Require automatic fire sprinklers for all new development in the Hillside Area that is not within 1.5 miles of an existing or planned fire station, and fire-resistive construction and compliance with California high-rise building requirement for buildings over three stories in height.

d. Emergency Management

Guiding Principle

5.d-G-1 Use the City's Emergency Management Plan as the guide for emergency management in the Planning Area.

Implementing Policies

5.d-I-1 Maintain and upgrade the Emergency Management Plan as necessary.

5.d-I-2 Design critical public facilities to remain operational during emergencies.

Purpose

Noise is “unwanted sound” and is known to have several adverse effects on people. The known effects include hearing loss (not generally a factor with community noise), communication interference, sleep interference, physiological responses and annoyance. The Noise Element provides an understanding of existing and future noise conditions in the Planning Area, establishes a basis for evaluating potential noise level impacts on future development, and includes policy statements to guide public and private planning to attain and maintain acceptable noise levels. Implementation of the Noise Element will promote a comprehensive and long range program of achieving acceptable noise levels throughout the Planning Area. Quantitative information in the Element includes maps showing present and future noise levels.

Relationship to Other Elements

Traffic is one of the major Planning Area noise sources, and noise contours are based on existing and projected traffic volumes on the planned street system. As projected traffic volumes are directly related to planned land uses, the Noise Element is also closely related to the Land Use Element.

6.1 Noise Measurement and Compatibility Standards

Noise Measurement

For planning purposes, a weighted scale is used to describe environmental noise at any one particular time; however, community noise levels vary continuously. In order to account for the time-varying characteristics of noise, all of the individual noise readings must be averaged over a 24-hour period to give an equivalent level. This equivalent noise level, expressed as Day-Night Noise Level (DNL or Ldn) or Community Noise Equivalent Level (CNEL, normally within 0.5 dB of the DNL value) can then be plotted on a map to illustrate average noise levels throughout the community. The DNL used in this Element represents a sound level that is equivalent to the total varying sound levels that occur over a 24 -hour period **plus** a 10 decibel (dB) penalty for nighttime noise (i.e. between 10 PM and 7 AM).

In establishing noise contours for land use planning, it is customary to ignore the noise attenuation afforded by man-made structures, roadway elevations, and depressions, and to minimize the barrier effects of natural terrain features. Thus, noise contours provide a conservative estimate of the future noise environment. The purpose of the contours is to identify the potential need for more detailed acoustical analyses, not to precisely predict noise levels. It is preferable to overestimate the potential noise at a future sensitive development site, rather than underestimate the noise environment and allow for potentially incompatible land use development. Man-made barriers, such as buildings, may be removed as a part of development, thereby providing no future noise attenuation.

Noise Compatibility Standards

Based on the known effects of noise, criteria have been established to help protect public health and safety and prevent disruption of certain human activities. The City's noise compatibility standards are derived from guidelines published by the California Office of Planning and Research, and are shown in Table 6-1. They match different land uses with an appropriate range of noise levels. These standards should be used in conjunction with noise exposure contours shown on the noise map (Figures 6-1 Existing Noise, and 6-2, Future Noise) to determine where noise levels exceed the "normally acceptable" range and an acoustic report and noise mitigation is required for development projects.

Table 6-1
Community Noise Exposure
 L_{DN} or CNEL, dB

Land Use Category	50	60	65	70	75	80
Residential - Low Density Single Family, Duplex, Mobile Homes						
Residential - Multi Family						
Transient Lodging Motels, Hotels						
Schools- Libraries, Churches, Hospitals, Nursing Homes						
Auditoriums, Concert Halls, Amphitheaters						
Sports Arenas, Gyms Satellite Spots						
Playgrounds, Neighborhood Parks						
Rail Courses, Riding Stables, Water Recreational Facilities						
Office Buildings, Business Commercial and Professional						
Industrial, Manufacturing, Utilities, Agriculture						

INTERPRETATION:



Normally Acceptable:

Specified land uses are generally based upon the assumption that any buildings involved need normal construction constraints without any special noise insulation requirements.



Conditionally Acceptable:

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and sound noise insulation features included in the design. Environmental factors such as open windows and doors or air conditioning or air conditioning will normally suffice.



Normally Unacceptable:

New construction or development should generally be unacceptable. If new construction or development is proposed, a detailed analysis of the noise reduction requirements such as sound and heat insulation features included in the design.



Clearly Unacceptable:

New construction or development should generally not be undertaken.

6.2 Existing and Projected Noise

A community noise survey was conducted for the General Plan to document noise exposure in areas containing noise sensitive land uses, such as residential areas, parks and schools. Noise monitoring sites were selected to be representative of typical conditions in the Planning Area. Details of survey are in Appendix C of the Plan.

Noise Contours

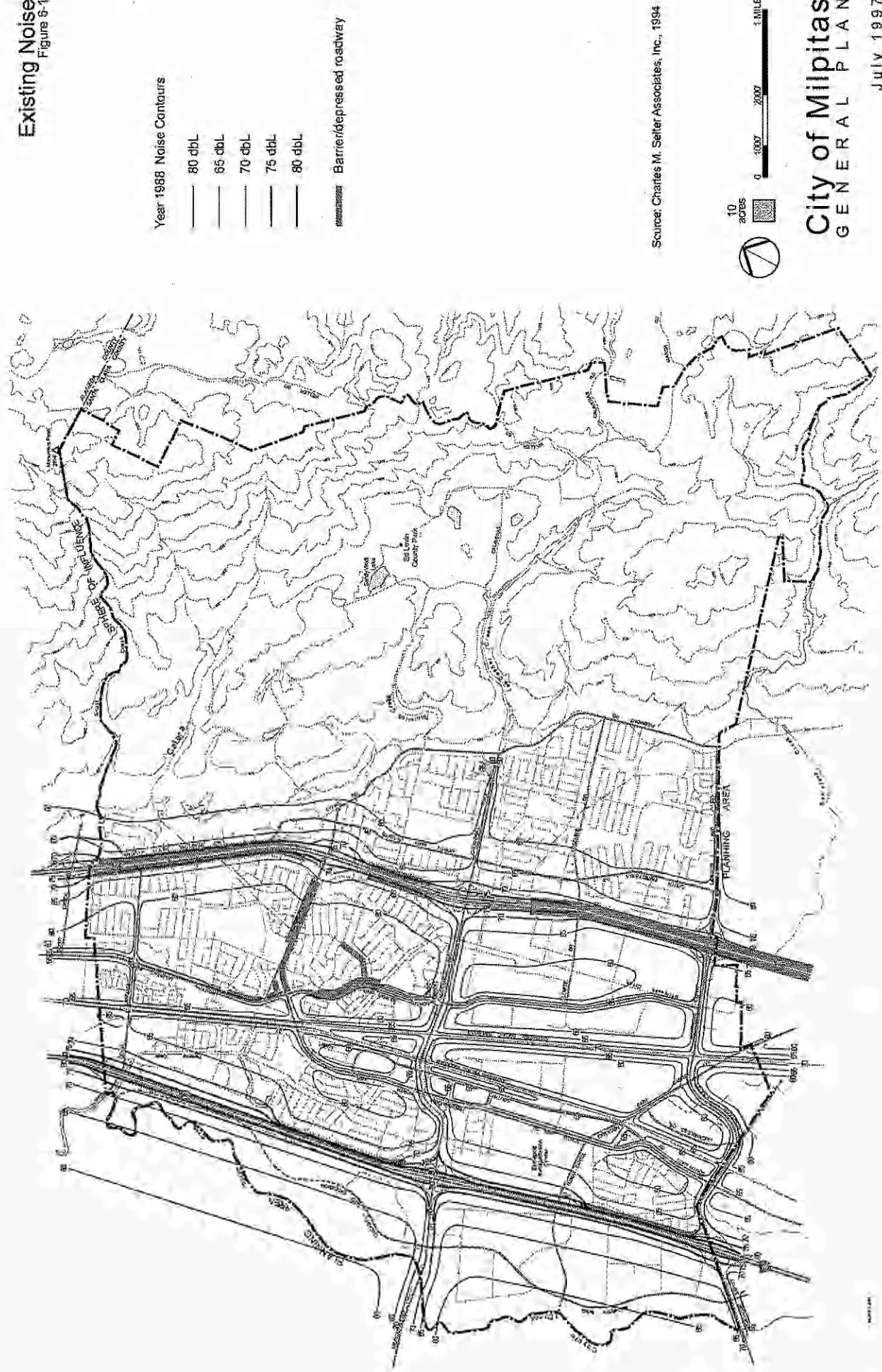
In addition to the noise survey, noise contour maps were produced for the Planning Area. A "noise contour map" shows as closed lines those linear bands subject to similar average noise levels. Figure 6-1 shows existing noise levels in the Planning Area, based on noise studies conducted in 1988. The noise survey conducted for the General Plan in November and December 1993 confirms that current (1993-94) noise levels have not changed substantially since 1988. Figure 6-2 depicts projected 2010 noise levels (based on projected traffic volumes). The noise levels in these maps are expressed in DNL.

Contours along roadways represent the predicted noise level and do not reflect the mitigating effects of noise barriers, structures, topography, or vegetation. Because intervening structures, topography, and vegetation may significantly affect noise exposure at a particular location, the noise contours should not be considered site-specific, but rather are guides to determine when detailed acoustic analysis should be undertaken.

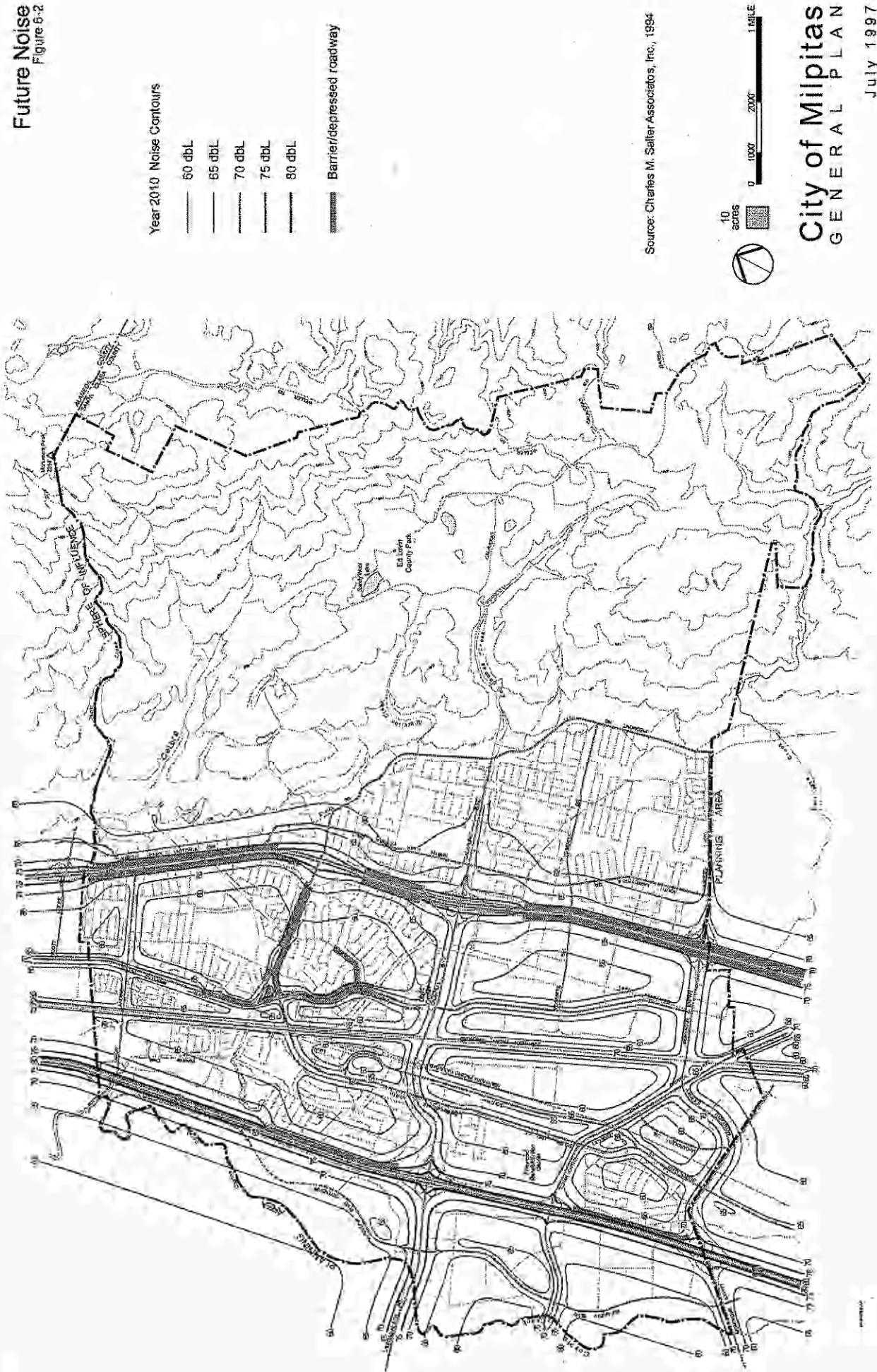
Principal Noise Sources in the Planning Area

Traffic and the railroads are the principal noise sources in the Planning Area. Sporadic noise from aircraft and construction-related activities also contributes to the noise environment in the Planning Area. Further detail on the existing noise environment in the Planning Area is included in Appendix C.

Existing Noise
Figure 6-1



Future Noise
Figure 6-2



6.3 Noise Mitigation

The preferred method of mitigating noise is controlling it at source and separating sensitive receptors and noise sources. Mitigation measures generally fall into two general categories: physical and regulatory. Physical measures include enclosing the noise source, substitution of a quieter noise source, or use of a noise barrier. Regulatory measures, on the other hand, reduce noise exposure by limiting operation of the noise source or by regulating locations where it may be used. Generally, physical measures reduce the level of noise produced, whereas regulatory measures limit the duration of the noise, thereby reducing noise exposure.

Physical mitigation measures for traffic noise are construction of sound walls along noise-sensitive areas, use of earth berms and revetments, and routing of new roads to circumvent noise-sensitive areas. Administrative regulation of traffic noise includes restricting truck access routes, enforcement of speed limits, and enforcement of state vehicle noise emission standards.

For new construction, noise control should be incorporated into the design of projects. Specific recommendations depend upon the type of construction, character of the noise exposure, and degree of noise reduction required for interior and outdoor areas.

6.4 Noise Principles and Policies

Guiding Principles

- 6-G-1 Maintain land use compatibility with noise levels similar to those set by State guidelines.
- 6-G-2 Minimize unnecessary, annoying, or injurious noise.

Implementing Policies

Uses and Standards

- 6-I-1 Use the guidelines in Table 6-1 (Noise and Land Use Compatibility) as review criteria for development projects.
- 6-I-2 Require an acoustical analysis for projects located within a "conditionally acceptable" or "normally unacceptable" exterior noise exposure area. Require mitigation measures to reduce noise to acceptable levels.
- 6-I-3 Prohibit new construction where the exterior noise exposure is considered "clearly unacceptable" for the use proposed.
- 6-I-4 Where actual or projected rear yard and exterior common open space noise exposure exceeds the "normally acceptable" levels for new single-family and multifamily residential projects, use mitigation measures to reduce sound levels in those areas to acceptable levels.
- 6-I-5 All new residential development (single family and multifamily) and lodging facilities must have interior noise levels of 45 dB DNL or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels.

6-I-6 Assist in enforcing compliance with noise emissions standards for all types of vehicles, established by the California Vehicle Code and by federal regulations, through coordination with the Milpitas Police Department, Santa Clara County Sheriff's Department, and the California Highway Patrol.

6-I-7 Avoid residential DNL exposure increases of more than 3 dB or more than 65 dB at the property line, whichever is more restrictive.

6-I-8 Biennially monitor 24-hour noise exposure at two locations, and shorter-duration exposure at six additional locations in the Planning Area.

6-I-9 Enforce the provisions of the City of Milpitas Noise Ordinance and the use of established truck routes.

The most efficient and effective means of controlling noise from transportation systems is reducing noise at the source. However, the City has little direct control over transportation source noise levels because of state and federal preemption (e.g. State Motor Vehicle Noise Standards). Therefore, requiring compliance with State and federal agency standards is the best approach.

Methods of Attenuation

6-I-10 Reduce the noise impact in existing residential areas where feasible. Noise mitigation measures should be implemented with the cost shared by public and private agencies and individuals.

6-I-11 Minimize noise impacts on neighbors caused by commercial and industrial projects.

- 6-I-12** New noise-producing facilities introduced near sensitive land uses which may increase noise levels in excess of "acceptable" levels will be evaluated for impact prior to approval; adequate mitigation at the noise source will be required to protect noise-sensitive land uses.
- 6-I-13** Restrict the hours of operation, technique, and equipment used in all public and private construction activities to minimize noise impact. Include noise specifications in requests for bids and equipment information.
- 6-I-14** City streets will be designed to reduce noise levels to adjacent areas. This is most effectively implemented through traffic engineering to prevent residential streets from becoming rush-hour thoroughfares, and through enforcement of speed limits. Physical mitigation measures, such as sound walls, will also be considered, where appropriate.
- 6-I-15** Promote installation of noise barriers along highways and the railroad corridor where substantial land uses of high sensitivity are impacted by unacceptable noise levels.

Coordination with Other Agencies

- 6-I-16** Work with Caltrans and other agencies on traffic and railroad noise issues and participate in appropriate noise mitigation programs.



City of Milpitas Housing Element Update

2015 – 2023

Adopted April 28, 2015

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1. INTRODUCTION

Located at the southern end of the San Francisco Bay, the City of Milpitas has become an integral part of high-tech Silicon Valley since becoming incorporated in 1954. The City is a strong employment center with a diverse population, quality schools, conveniently-located neighborhood parks, and a variety of retail options. Milpitas is often called the “Crossroads of Silicon Valley” with most of its 13.6 square miles of land situated between two major freeways (I-880 and I-680), State Route 237, and a County expressway. The City is served by Valley Transportation Authority (VTA) light rail and a planned BART extension is scheduled to begin service to Milpitas in 2018.

Milpitas has experienced a recent surge in residential building activity in recent years, with a considerable increase in residential permit applications, development entitlements, and new construction. In large part, these changes have been brought on by the adoption of two Specific Plans for areas adjacent to an existing VTA station and the City’s planned BART station. The increased development potential that was made possible by these Specific Plans has prompted the conversion of areas once dominated by vacant and underutilized land and aging and obsolete industrial space into high-density transit-oriented development.

As Milpitas continues to usher in this transformation, providing a range of housing options at various price points will be an integral element of the City’s future development. The 2015-2023 Housing Element will assist the City in continuing its strong record of planning for housing for all segments of the population.

Preparation of the Housing Element Update

The Housing Element is the chapter of the General Plan that local jurisdictions in California use to plan for current and future housing needs. California State Law requires that California cities have an adopted General Plan, which must contain a Housing Element. While many jurisdictions regularly revise and update various elements of the General Plan, the Housing Element is the only chapter that is mandated by State Law to be updated on regular basis and is the only chapter that requires approval from a State agency. State law dictates the issues that the Housing Element must address and requires the element to be reviewed by the California Department of Housing and Community Development (HCD) to assure that it meets the minimum requirements established by Government Code §65580-65589.8. This process is commonly referred to as “certifying” the Housing Element.

Each jurisdiction’s projected housing need during the Housing Element planning period is determined through the Regional Housing Needs Allocation (RHNA) process, which is based on projected Statewide growth in households as determined by HCD. Through the RHNA process, HCD distributes the Statewide projected housing need among the regions in the State. In turn, each regional council of government allocates the projected regional growth to local jurisdictions within the region. The total housing need for each jurisdiction is distributed among income categories, requiring each jurisdiction to plan to meet the need for housing for households at all income levels. The agency responsible for distributing the

RHNA in the Bay Area is the Association of Bay Area Governments (ABAG), which works closely with the Metropolitan Transportation Commission (MTC), the regional transportation planning agency for the Bay Area.

Each city and county in California is then required to produce a Housing Element that demonstrates the jurisdiction's ability to accommodate the housing need identified in its RHNA during the Housing Element planning period. This Housing Element covers the 2015-2023 Housing Element planning period, which differs from previous update cycles as a result of recent changes in State Law, which are discussed in the following section.

The prior Milpitas Housing Element, certified by HCD in 2010, covered the period between 2007 and 2014 and is the basis for the current Housing Element update. However, all sections in the 2010 Housing Element have been reviewed and updated to reflect changes to State Law, City housing policies and programs, and local demographic and real estate market conditions.

SB 375 and Changes to Housing Element Law

In an effort to reduce greenhouse gas emissions associated with passenger cars, Senate Bill 375 (SB 375, 2008) calls for local jurisdictions and regional planning agencies to better coordinate land use plans with existing and planned transit investments and to plan for a greater proportion of residential and employment growth in areas accessible to transit. One outcome of the effort to coordinate housing and transit planning has been the eight-year planning period (2015-2023) for the upcoming Housing Element Update, rather than the five- to seven-year planning period that was used in previous Housing Element Update cycles, in order to coordinate the timing of the Housing Element Update with the Regional Transportation Plan.¹

In response to SB 375, ABAG and MTC developed Plan Bay Area, a long-range integrated transportation and land use plan for the Bay Area that plans for the projected increase in housing and employment in the region through 2040. A key element of Plan Bay Area is the designation of Priority Development Areas (PDAs), locally-designated, transit-accessible areas that are ideal locations for an increase in residential and commercial development, throughout the region. By focusing growth in PDAs served by transit and working to make these PDAs more pedestrian- and bike-friendly, Plan Bay Area aims to reduce the need for automobiles and the associated greenhouse gas emissions in the region. ABAG and MTC have been supporting planning processes in PDAs in cities throughout the Bay Area, including Milpitas.

¹ There are some exceptions to the eight-year planning period, none of which apply to Milpitas during the current update cycle.

Related Planning Efforts

Milpitas recently adopted Specific Plans for two areas adjacent to the City's existing VTA station and planned BART station. The Midtown Specific Plan, adopted in 2002, anticipates development of approximately:

- 3,000 or more housing units,
- 720,000 square feet of office space,
- 326,000 square feet of general commercial uses, and
- 51,000 square feet of retail uses.

Development standards for the Midtown Specific Plan allow residential development up to 60 units per acre.

The Transit Area Specific Plan (TASP), adopted in 2008, covers a larger area than the Midtown Specific Plan and has more development potential. The TASP anticipates development of approximately:

- 6,440 to 9,360 new housing units,
- 496,922 square feet of new office space, and
- 281,000 to 357,000 square feet of new retail space.

Development standards for the TASP allow up to 75 units per acre, with a possible 25 percent density bonus.

Public Participation in the Housing Element Update

Milpitas conducted extensive public outreach to provide information and solicit input from the public on the Housing Element Update. The City held three public meetings in addition to City Council and Planning Commission meetings prior to submission of the Housing Element Update to HCD, all of which encouraged dialogue between residents, stakeholders, and City staff. The first, held February 25, 2014, provided the public with information on the update process and housing needs in Milpitas. The second, held on March 11, 2014, focused on the City's housing opportunity sites, policies, and programs. The third, held on October 30, 2014, provided a final opportunity for community input after the draft document was released to the public and before the document was submitted to HCD.

The Housing Element was also discussed during Planning Commission meetings on May 14, 2014 and September 10, 2014 and during the City Council meeting on September 16, 2014. Prior to the September 16 City Council meeting, the City offered a 30-day review period during which the draft document was available to the public for review at City Hall, the public library, on the City website, and to individuals as requested. The public had the opportunity to attend all Planning Commission and City Council meetings and provide comments. Notices for all meetings and to alert the public that the draft document was available were broadly distributed by mailing to 80 organizations, publishing notices in the Milpitas Post and on the City's website, and showing ads on cable television. Minutes and video from all City Council and Planning Commission meetings are available on the City's website for public review. In addition, a summary of written comments received is provided in Appendix D.

In addition to these meetings, information on the Housing Element Update was posted on the City's website, at City Hall, and at the public library as well as advertised on cable television, in the Milpitas Post newspaper, and on the marquee board in front of City Hall. Residents were encouraged to contact the Planning & Neighborhood Services Department with comments and questions.

Housing Element Contents

Following this introduction, the Housing Element includes the following major components:

- A review of the prior (2010) housing element, including an analysis of housing production in comparison to mandated housing goals.
- An analysis of the City's current and future housing needs.
- An inventory and analysis of housing resources.
- An analysis of governmental and non-governmental constraints to housing production.
- A housing plan setting forth goals, policies, programs, and quantified objectives to address the City's housing needs.

2. ASSESSMENT OF PRIOR HOUSING ELEMENT

This chapter reviews and evaluates the City's progress in implementing the 2010 Housing Element's programs and meeting the projected housing need (as defined by the RHNA numbers) between 2007 and 2014.

The City of Milpitas has demonstrated support for affordable housing and a strong commitment to facilitating a diversity of housing types. During the last housing element period, the City provided support to seven subsidized housing developments with a total of 863 units. In addition, the City provided funding to assist in the rehabilitation of 93 mobile homes in Milpitas. Furthermore, Milpitas continues to implement a range of policies and programs to aid in the production of affordable housing, including Zoning Ordinance provisions that encourage the inclusion of affordable units in market-rate developments and allow for high residential densities that support the development of affordable housing.

The following sections present information on the progress made by Milpitas in its implementation of the housing programs set forth in the 2010 Housing Element, as well as its progress in achieving its 2007-2014 RHNA goals.

Progress in Implementation of 2010 Housing Element Programs

The City of Milpitas has established a strong housing program, which allowed the City to make considerable progress toward achieving its housing goals between 2007 and 2014. The Midtown and Transit Area Specific Plans accommodate high-density residential and mixed-use development, with maximum densities ranging from 20 to 60 units per acre, or up to 75 units per acre in high-density residential zones in the Transit-Oriented Overlay Zone. Projects in the Transit-Oriented Overlay Zone also benefit from reduced parking requirements. Additionally, the EIRs that were prepared for the Specific Plans can be used as programmatic environmental documents for future residential development in the Specific Plan Areas, allowing for expedited environmental review of new projects. The City has further aided residential development in the Specific Plan Areas by helping to pay for needed infrastructure in the area. A detailed list of the programs included in the last Housing Element and the City's progress toward implementation of each program is provided in Appendix A.

Other achievements include successful implementation of the condominium and mobile home conversion ordinances, operation of programs that rehabilitate and retrofit housing units, and the provision of financial assistance for facilities and services that provide services to homeless families and individuals.

Finally, the City has adopted policies to encourage that twenty percent of all new housing units in market-rate developments are affordable to moderate-, low-, or very low-income households. To help

developers meet this goal, the City has provided funds for mortgage financing, impact fees, and loans to help projects comply with the affordable housing requirement.

Many of the policies and programs from the 2010 Housing Element Update will be carried forward to the 2015-2023 Housing Element Update. These are presented in Chapter 6 of this Housing Element Update.

Progress in Achieving RHNA Goals

During the 2007-2014 Housing Element Cycle, a total of 6,434 housing units were built or permitted in Milpitas, far exceeding the City's total RHNA for this period. Table 2.1 below shows the total number of housing units built or permitted in the City of Milpitas between 2007 and 2014 along with the City's RHNA numbers for the 2007-2014 Housing Element Update cycle. As shown, units built and permitted between 2007 and 2014 exceeded the City's RHNA for units targeted to households with above-moderate incomes, but did not meet the City's RHNA for units affordable to very low-, low-, and moderate-income households.

Table 2.1: Progress toward RHNA Goals, Milpitas, 2007-2014

Income Group	2007-2014 RHNA	Units Built or Permitted	Balance of RHNA	Percent of RHNA Achieved
Very Low	689	253	436	36.7%
Low	421	44	377	10.5%
Moderate	441	174	267	39.5%
Above Moderate	<u>936</u>	<u>5,963</u>	<u>N/A</u>	<u>637.1%</u>
Total (a)	2,487	6,434	1,080	56.6%

Note:

(a) Although the total number of units built or permitted in Milpitas between 2007-2014 exceeded the City's total RHNA goals, there was an unmet need for housing targeted to lower-income households totaling 880 units. This unmet need is reflected in the percent of RHNA achieved as reported in this table.

Sources: City of Milpitas, 2014; BAE, 2014.

3. HOUSING NEEDS ASSESSMENT

The purpose of the Housing Needs Assessment is to describe demographic, housing, and economic conditions in Milpitas, assess the demand for housing for households at all income-levels, and document the demand for housing to serve various special needs populations. The Needs Assessment also provides an analysis of assisted housing projects that are at risk of converting to market rate. The information provided in the Housing Needs Assessment is intended to assist Milpitas in developing housing goals and formulating policies and programs that address local housing needs.

To facilitate an understanding of demographic and housing trends in Milpitas, this Housing Needs Assessment presents data for Milpitas alongside comparable data for of Santa Clara County and, where appropriate, for the San Francisco Bay Area. This Needs Assessment incorporates data from numerous sources, including the United States Census, the Association of Bay Area Governments (ABAG), the State of California Departments of Finance (DOF) and Housing and Community Development (HCD), and private demographic and real estate data vendors. Data provided by the Census Bureau include 2000 and 2010 decennial Census data as well as data from the American Community Survey (ACS). The ACS publishes estimates of demographic conditions based on statistical sampling conducted continuously over one-year, three-year, and five-year periods, depending on the type of data and size of the geography being sampled.² While these data cannot represent conditions at a specific point in time, as in the previous decennial censuses, they are updated on an annual basis and do offer a valuable means to compare characteristics across geographies.

Population & Household Trends

Population

As presented in Table 3.1 below, Milpitas has experienced moderate population growth in recent years. The City's population increased from approximately 63,000 in 2000 to approximately 68,000 in 2013, an eight-percent increase. Population growth rates were comparable in Santa Clara County overall (nine percent) and the Bay Area as a whole (eight percent) between 2000 and 2013.

Households

The number of households in Milpitas grew considerably between 2000 and 2013, outpacing the growth rate in Santa Clara County and the Bay Area. A household is defined as a person or group of persons living in a housing unit, regardless of the residents' relationship. This is differentiated from persons living in group quarters, such as dormitories, convalescent homes, or prisons. As shown in Table 3.1, there were approximately 19,000 households in Milpitas in 2013, representing a 13-percent increase

² This data source replaces the information obtained in previous Censuses from the "long form" questionnaire. For more information on the ACS, see www.census.gov/acs/www/about_the_survey/american_community_survey/

from 2000. Meanwhile, the number of households increased by eight percent in Santa Clara County and seven percent in the Bay Area overall.

Average Household Size

Households in Milpitas tend to be relatively large, but have decreased slightly in recent years. On average, there were 3.41 persons per household in Milpitas in 2013, substantially higher than the average household size in the County (2.96 persons per household) and region (2.73 persons per household), but slightly lower than the average household size in Milpitas in 2000 (3.47 persons per household). The slight decrease in average household size is consistent with the recent substantial growth in households coupled with more moderate population growth.

Household Type

Milpitas households consist of a large number of family households. “Family households” are defined as those consisting of two or more related persons living together, whereas “non-family households” include persons who live alone or in groups of unrelated individuals. As shown in Table 3.1, 81 percent of households in Milpitas were family households in 2013. This is a significantly higher proportion than in Santa Clara County (71 percent) and the Bay Area (65 percent). Similar to the County and region, Milpitas experienced little change in the proportion of family households in the City between 2000 and 2013.

Household Tenure

Although the majority of housing units in Milpitas are owner occupied, the share of renter-occupied households has increased slightly over time. Two thirds (67 percent) of all occupied housing units in Milpitas were owner-occupied in 2013, compared to 57 percent in Santa Clara County and 56 percent in the Bay Area overall. These figures represent a gradual decline in the share of owner-occupied units since 2000, which decreased by two to three percentage points in the City, County, and region between 2000 and 2013.

Table 3.1: Population and Household Trends, 2000-2013

	2000	2010	2013	Change 2000-2013	% Change 2000-2013
Milpitas					
Population	62,698	66,790	67,894	5,196	8.3%
Households	17,132	19,184	19,300	2,168	12.7%
Average Household Size	3.47	3.34	3.41		
Household Type					
Families	81.7%	81.4%	80.7%		
Non-Families	18.3%	18.6%	19.3%		
Tenure					
Owner	69.8%	66.9%	66.7%		
Renter	30.2%	33.1%	33.3%		
Santa Clara County					
Population	1,682,585	1,781,642	1,842,254	159,669	9.5%
Households	565,863	604,204	611,426	45,563	8.1%
Average Household Size	2.92	2.90	2.96		
Household Type					
Families	69.9%	70.6%	70.8%		
Non-Families	30.1%	29.4%	29.2%		
Tenure					
Owner	59.8%	57.6%	57.4%		
Renter	40.2%	42.4%	42.6%		
Bay Area (a)					
Population	6,783,760	7,150,739	7,327,626	543,866	8.0%
Households	2,466,019	2,606,288	2,628,762	162,743	6.6%
Average Household Size	2.69	2.69	2.73		
Household Type					
Families	64.7%	64.6%	64.6%		
Non-Families	35.3%	35.4%	35.4%		
Tenure					
Owner	57.7%	56.2%	56.0%		
Renter	42.3%	43.8%	44.0%		
California					
Population	33,871,648	37,253,956	37,966,471	4,094,823	12.1%
Households	11,502,870	12,568,167	12,675,876	1,173,006	10.2%
Average Household Size	2.87	2.90	2.93		
Household Type					
Families	68.9%	68.7%	68.5%		
Non-Families	31.1%	31.3%	31.5%		
Tenure					
Owner	56.9%	55.9%	55.9%		
Renter	43.1%	44.1%	44.1%		

Notes:

(a) The Bay Area region consists of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: US Census, 2000; California, Department of Finance, 2010, 2013; Nielsen, 2013; BAE 2013.

Age Distribution

The population in Milpitas has aged in recent years as baby boomers have begun to reach retirement age, consistent with national trends. The median age of the City's population was 33.4 in 2000 and by 2013 had reached 37.1, as shown in Table 3.2. The change in the median age during this period is reflected throughout the age distribution, which demonstrates a decrease in the share of the population

in all age cohorts under age 45 and a corresponding increase in the share of the population in all cohorts age 45 and older. While people between the age of 25 and 44 accounted for 38 percent of the City's population in 2000, by 2013 only 31 percent of the City's population was between the age of 25 and 44.

These Citywide trends mirrored Countywide trends, though the population of Milpitas aged at a slightly faster rate. The population in Milpitas was slightly younger than the population of Santa Clara County in 2000, with a larger proportion of residents between age of 25 and 44, a smaller proportion of residents age 55 and older, and a median age 0.6 years younger. However, by 2013 Milpitas was largely similar to the County with respect to the City's age distribution and median age.

Table 3.2: Age Distribution, 2000, 2010 and 2013

Age Cohort	Milpitas			Santa Clara County		
	2000	2010	2013	2000	2010	2013
Under 15	20.6%	19.2%	19.3%	20.9%	20.2%	20.3%
15 to 17	4.0%	3.7%	3.6%	3.9%	3.9%	3.9%
18 to 20	3.9%	3.8%	3.7%	3.9%	3.8%	3.7%
21 to 24	5.6%	5.0%	5.0%	5.4%	5.1%	5.1%
25 to 34	19.0%	16.3%	15.1%	17.8%	15.1%	14.0%
35 to 44	19.0%	16.3%	16.2%	17.6%	15.6%	15.3%
45 to 54	13.3%	15.2%	15.0%	13.0%	14.8%	14.8%
55 to 64	7.5%	10.9%	11.6%	8.0%	10.4%	11.3%
65 to 74	4.6%	5.7%	6.4%	5.2%	6.0%	6.6%
75 to 84	2.0%	3.0%	3.1%	3.3%	3.5%	3.5%
85 +	0.5%	0.8%	0.9%	1.1%	1.5%	1.6%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Median Age	33.4	36.1	37.1	34.0	36.2	37.0

Sources: US Census, 2000 and 2010; Nielsen 2013; BAE 2013.

Race and Ethnicity

The racial and ethnic composition of the population in Milpitas has grown increasingly diverse, with people of Asian descent representing the largest share of the City's population. In 2000, approximately half (51 percent) of the population in Milpitas was of Asian descent; by 2010, people of Asian descent comprised almost two thirds (62 percent) of the City's population. The City's population of Asian descent includes people with Chinese, Filipino, Indian, and Vietnamese ancestry, along with other ethnic groups. During the same period, the City's White population decreased from 24 percent of the City's population to 15 percent of the population. The number of individuals of Hispanic or Latino origin increased at the same rate as population growth, keeping the share of the population of Hispanic or Latino origin stable at 17 percent. The share of the population in all other racial groups decreased slightly between 2000 and 2010.

Trends were similar in Santa Clara County and the Bay Area overall, with increases in the population of Asian descent and decreases in the White population. However, a much larger share of the population was of Asian descent in Milpitas (62 percent) compared to Santa Clara County (32 percent) and the Bay Area (23 percent) and a smaller share of the population was White. Additionally, the share of the

population of Hispanic or Latino origin was larger in the County (27 percent in 2010) and region (24 percent in 2010) and showed more significant increases between 2000 and 2010.

Table 3.3: Race and Ethnicity, 2000 and 2010

Ethnicity	Milpitas					
	2000		2010		Change 2000-2010	
	Number	Percent	Number	Percent	Number	Percent
Not Hispanic or Latino	52,281	83.4%	55,550	83.2%	3,269	6.3%
White	14,917	23.8%	9,751	14.6%	-5,166	-34.6%
Black or African American	2,187	3.5%	1,836	2.7%	-351	-16.0%
American Indian and Alaska Native	240	0.4%	137	0.2%	-103	-42.9%
Asian	32,281	51.5%	41,308	61.8%	9,027	28.0%
Native Hawaiian/Pacific Islander	347	0.6%	316	0.5%	-31	-8.9%
Some other race	131	0.2%	93	0.1%	-38	-29.0%
Two or more races	2,178	3.5%	2,109	3.2%	-69	-3.2%
Hispanic or Latino (of any race)	10,417	16.6%	11,240	16.8%	823	7.9%
Total	62,698	100.00%	66,790	100.00%	4,092	6.5%
Santa Clara County						
Ethnicity	2000		2010		Change 2000-2010	
	Number	Percent	Number	Percent	Number	Percent
	1,279,184	76.0%	1,302,432	73.1%	23,248	1.8%
White	744,282	44.2%	626,909	35.2%	-117,373	-15.8%
Black or African American	44,475	2.6%	42,331	2.4%	-2,144	-4.8%
American Indian and Alaska Native	5,270	0.3%	4,042	0.2%	-1,228	-23.3%
Asian	426,771	25.4%	565,466	31.7%	138,695	32.5%
Native Hawaiian/Pacific Islander	5,040	0.3%	6,252	0.4%	1,212	24.0%
Some other race	3,522	0.2%	3,877	0.2%	355	10.1%
Two or more races	49,824	3.0%	53,555	3.0%	3,731	7.5%
Hispanic or Latino (of any race)	403,401	24.0%	479,210	26.9%	75,809	18.8%
Total	1,682,585	100.00%	1,781,642	100.00%	99,057	5.9%
Bay Area						
Ethnicity	2000		2010		Change 2000-2010	
	Number	Percent	Number	Percent	Number	Percent
	5,468,585	80.6%	5,468,939	76.5%	354	0.0%
White	3,392,204	50.0%	3,032,903	42.4%	-359,301	-10.6%
Black or African American	497,205	7.3%	460,178	6.4%	-37,027	-7.4%
American Indian and Alaska Native	24,733	0.4%	20,691	0.3%	-4,042	-16.3%
Asian	1,278,515	18.8%	1,645,872	23.0%	367,357	28.7%
Native Hawaiian/Pacific Islander	33,640	0.5%	41,003	0.6%	7,363	21.9%
Some other race	18,451	0.3%	20,024	0.3%	1,573	8.5%
Two or more races	223,837	3.3%	248,268	3.5%	24,431	10.9%
Hispanic or Latino (of any race)	1,315,175	19.4%	1,681,800	23.5%	366,625	27.9%
Total	6,783,760	100.00%	7,150,739	100.00%	366,979	5.4%

Sources: US Census 2000 and 2010; BAE 2013

Household Income

Households in Milpitas tend to have relatively high incomes, with a median annual income of approximately \$94,000 in 2013. This median is eight percent higher than the median for Santa Clara County (approximately \$87,000) and 27 percent higher than the median for the Bay Area (approximately \$74,000). The high median household income in Milpitas is reflected throughout most of the City's income distribution, which shows a smaller number of households with annual incomes below \$50,000 than the income distribution for Santa Clara County or the region. However, Milpitas also has a smaller share of households earning more than \$250,000 per year, which constitute six percent of households in

Milpitas, nine percent of households in Santa Clara County, and seven percent of households in the Bay Area.

Although household incomes in Milpitas tend to be somewhat high, the City's large average household size means that household incomes typically support a relatively large number of people. As a result, the higher median household income for Milpitas relative to the County and region may not reflect an ability to pay more for housing after accounting for other expenses associated with supporting a large household.

Table 3.4: Household Income Distribution, 2013

Household Income	Milpitas	Santa Clara County	Bay Area (a)
Less than \$15,000	5.8%	7.4%	9.1%
\$15,000 to \$24,999	5.8%	6.7%	7.6%
\$25,000 to \$34,999	4.0%	6.0%	7.1%
\$35,000 to \$49,999	8.9%	9.8%	10.6%
\$50,000 to \$74,999	15.5%	14.1%	15.9%
\$75,000 to \$99,999	13.2%	12.3%	12.5%
\$100,000 to \$149,999	24.9%	19.3%	17.4%
\$150,000 to \$249,999	16.3%	15.2%	12.4%
\$250,000 to \$499,999	4.9%	6.5%	5.2%
\$500,000 and over	0.9%	2.8%	2.2%
Total (b)	100.0%	100.0%	100.0%
Median Household Income	\$94,218	\$87,343	\$74,423

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

(b) Total number of households here may differ from population and household estimates provided by CA Department of Finance.

Sources: Nielsen, 2013; BAE, 2013.

Household Growth Projections

According to ABAG projections, Milpitas is anticipated to experience significant household growth between 2010 and 2040. As shown in Table 3.5, Milpitas is expected to gain approximately 12,500 households between 2010 and 2040, a 65 percent increase, considerably outpacing the growth rate in Santa Clara County (35 percent) and the Bay Area (27 percent). The relatively large amount of projected household growth in Milpitas aligns with the recent surge in residential construction in the City, which demonstrates the City's ability to attract and approve residential projects that are carried through to completion. Household growth in Milpitas is expected to occur at a relatively even pace throughout this period, at an average rate of 417 households per year.

Table 3.5: Estimated Household Growth, Milpitas, Santa Clara County, and the Bay Area, 2010-2040

	2010	2015	2020	2025	2030	2035	2040	Total Change 2010-2040	% Change 2010-2040
Milpitas	19,184	21,230	23,330	25,340	27,490	29,560	31,680	12,496	65.1%
Santa Clara County	604,204	639,160	675,670	710,610	747,070	782,120	818,400	214,196	35.5%
Bay Area (a)	2,608,023	2,720,410	2,837,680	2,952,910	3,072,920	3,188,330	3,308,090	700,067	26.8%

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: ABAG, 2013; BAE, 2013.

Employment Trends & Jobs/Housing Balance

Similar to employment throughout much of Santa Clara County, employment in Milpitas is strongly impacted by the Silicon Valley technology sector. According to the City's 2013 Comprehensive Annual Financial Report, the top three employers in Milpitas are Cisco Systems, KLA-Tencor, and SanDisk, which together accounted for over 6,000 jobs in 2013. The following section provides additional information on employment trends and projections in Milpitas.

Jobs by Industry Sector

Milpitas has experienced strong employment growth in recent years, with an 11-percent increase in jobs located in the City between the third quarter of 2010 and the third quarter of 2012. Employment in Santa Clara County also increased during this period, but at a slightly slower rate (seven percent). Changes in employment varied at the industry level, with some industries experiencing growth and others with net job losses. The industries with the largest employment growth in Milpitas between the third quarter of 2010 and the third quarter of 2012 include manufacturing (1,550 net new jobs), administrative and waste services (612 net new jobs), and construction (435 net new jobs). The industry sector with the most significant decrease in employment during this period was professional, scientific, and technical services, which had a net loss of 302 jobs.

The industry data shown in Table 3.6 demonstrate that Milpitas has a strong manufacturing sector, which accounts for one third (33 percent) of all jobs in the City. Manufacturing is also the largest employment sector in Santa Clara County overall, but accounts for only 17 percent of jobs Countywide. However, these data do not necessarily indicate that a large amount of manufacturing is taking place in Milpitas or Santa Clara County. Technology companies, such as Cisco and KLA Tencor in Milpitas, are typically classified in the computer and electronics manufacturing industry. This means that all types of occupations within these companies, including management, product development, administrative, sales, and other occupations, are categorized as jobs in the manufacturing industry, despite that the production-related occupations associated with these companies are often located elsewhere.

Other significant employment industries in Milpitas include retail (12 percent of employment) and leisure and hospitality (12 percent of employment). These two industries, which together constitute approximately one quarter of all employment in Milpitas, tend to offer relatively low-wage jobs. This

suggests a need for a mix of housing types in Milpitas at various affordability levels in order to accommodate the housing need generated by the City's workforce.

Table 3.6: Jobs by Sector, Q3 2010 and Q3 2012 (a)

Industry Sector (a)	Milpitas						Santa Clara County					
	Q3 2010		Q3 2012		% Change 2010-2012	Q3 2010		Q3 2012		% Change 2010-2012		
	#	%	#	%		#	%	#	%		#	%
Agriculture, Forestry, Hunting, Mining	12	0.0%	12	0.0%	0.0%	4,267	0.5%	4,100	0.5%	-3.9%		
Construction	1,559	4.2%	1,994	4.9%	27.9%	32,433	3.9%	35,433	3.9%	9.2%		
Manufacturing	12,016	32.5%	13,566	33.2%	12.9%	152,367	18.1%	156,900	17.5%	3.0%		
Wholesale Trade	2,206	6.0%	2,547	6.2%	15.5%	34,933	4.1%	35,100	3.9%	0.5%		
Retail Trade	4,965	13.4%	4,938	12.1%	-0.6%	76,167	9.0%	81,133	9.0%	6.5%		
Transportation/Warehousing/Utilities (b)	N/A	N/A	N/A	N/A	N/A	11,900	1.4%	12,900	1.4%	8.4%		
Information	663	1.8%	1,008	2.5%	52.1%	44,967	5.3%	50,167	5.6%	11.6%		
Finance/Insurance	510	1.4%	442	1.1%	-13.3%	18,233	2.2%	20,200	2.3%	10.8%		
Real Estate	259	0.7%	317	0.8%	22.2%	12,433	1.5%	13,533	1.5%	8.8%		
Professional/Scientific/Technical Svcs	3,216	8.7%	2,914	7.1%	-9.4%	105,500	12.5%	119,500	13.3%	13.3%		
Management of Companies/Enterprises	152	0.4%	206	0.5%	35.5%	9,800	1.2%	10,633	1.2%	8.5%		
Administrative/Waste Services	1,342	3.6%	1,953	4.8%	45.6%	47,567	5.6%	52,600	5.9%	10.6%		
Educational Services	369	1.0%	530	1.3%	43.5%	33,233	3.9%	35,600	4.0%	7.1%		
Health Care/Social Assistance	1,805	4.9%	1,924	4.7%	6.6%	76,767	9.1%	79,833	8.9%	4.0%		
Leisure & Hospitality	4,417	11.9%	4,839	11.8%	9.6%	75,133	8.9%	83,133	9.3%	10.6%		
Other Services, excl. Public Admin	1,769	4.8%	1,748	4.3%	-1.2%	23,400	2.8%	24,633	2.7%	5.3%		
Unclassified (b)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
Government (b) (c)	N/A	N/A	1,283	3.1%	N/A	83,267	9.9%	82,233	9.2%	-1.2%		
Total	36,967	100%	40,876	100%	11%	842,367	100%	897,633	100%	7%		

Notes:

(a) Includes all wage and salary employment covered by unemployment insurance.

(b) Local employment for Transportation, Warehousing, and Utilities, Unclassified, and Government in Milpitas was suppressed by EDD due to the small number of firms in Milpitas reporting in this category. Total employment includes jobs in these categories.

(c) Government employment includes workers in all local, state and Federal sectors, not just public administration. For example, all public school staff are in the Government category.

Sources: California Employment Development Department, 2013; BAE, 2013.

Jobs to Workers Ratio

As shown in Table 3.7, Milpitas has a considerable net inflow of workers to the City, with 1.7 jobs for every employed person in Milpitas in 2011. There is also a net inflow of workers to Santa Clara County overall, but the ratio of jobs to employed residents is lower than in Milpitas, at 1.1 jobs for every employed worker. These figures suggest a potential need for additional housing for people employed in Milpitas that currently commute from other areas. This need will likely be addressed in part by the ongoing residential construction activity in Milpitas.

Table 3.7: Jobs to Workers Ratio, 2011

	Milpitas	Santa Clara County
Total Jobs (a)(b)	42,698	938,013
Employed Residents (a)	25,537	835,675
Jobs/Employed Residents	1.7	1.1

Notes:

The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

(a) The universe consists of members of the Armed Forces and civilian workers age 16 and older who were at work the week prior to the survey.

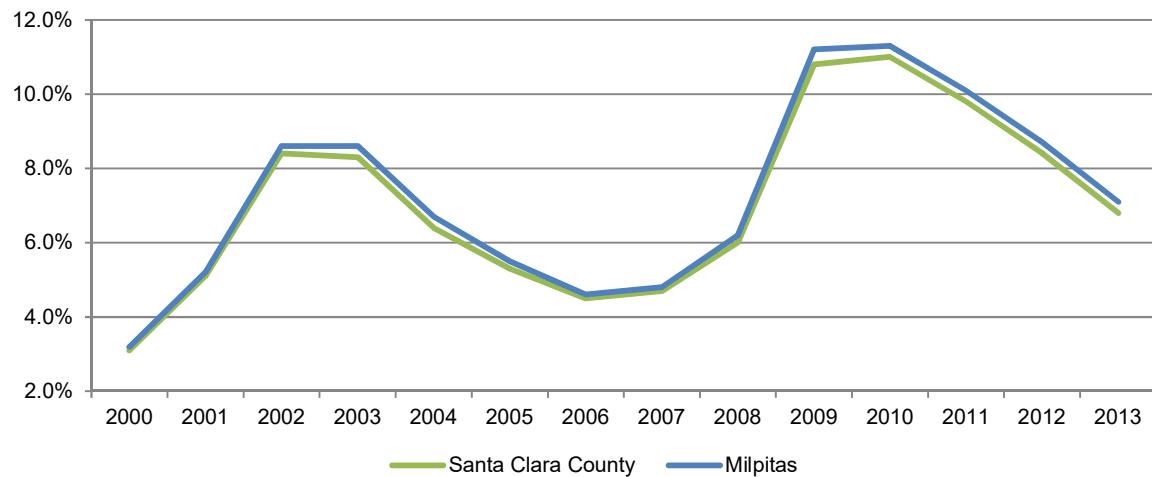
(b) Total number of jobs here may differ from estimates provided by the CA Employment Development Department.

Sources: American Community Survey, 2011; California Employment Development Department, 2013; BAE 2013.

Employment Trends

Similar to much of the rest of Silicon Valley and the Bay Area, Milpitas experienced an increase in unemployment beginning in 2007, followed by a gradual decrease in the unemployment rate in more recent years. As shown in Figure 3.1, the unemployment rate in Milpitas has mirrored trends in Santa Clara County since 2000, remaining just slightly higher (0.1 to 0.4 percentage points) than the unemployment rate for the County between 2000 and 2013. The unemployment rate in both the City and County was below five percent in 2006, but began to increase slightly at the start of the recession in 2007. At the peak in 2010, the unemployment rate reached 11.3 percent in Milpitas and 11.0 percent in Santa Clara County, more than twice the unemployment rate in 2006. The unemployment rate decreased in subsequent years, averaging approximately seven percent in the City and County in 2013, which suggests an ongoing economic recovery in the City and County and an associated increase in the employment rate.

Figure 3.1: Unemployment, 2000-2013



Notes:

Data are not seasonally adjusted.

Sources: CA EDD; BAE, 2014.

Employment Projections

According to ABAG projections, Milpitas is expected to experience moderate employment growth between 2010 and 2040. As shown in Table 3.8, ABAG estimates that there will be a 28-percent increase in the number of jobs in Milpitas between 2010 and 2040. During the same period, employment is expected to increase by 33 percent in Santa Clara County and the Bay Area overall, outpacing employment growth in Milpitas. The moderate employment growth rate in Milpitas relative to other areas and the substantial rate of household growth in Milpitas shown in Table 3.5 suggest that the City is poised to provide additional housing units that will help to reduce the disparity between jobs and employed residents identified Table 3.7, potentially offering additional housing opportunities for people employed in Milpitas.

Employment growth is expected to occur at a faster rate during the first ten years of the projection period (2010-2020) than in the subsequent twenty years. Milpitas is expected to gain 7,330 jobs between 2010 and 2020, at an average rate of over 733 jobs per year, and 2,010 jobs between 2020 and 2030, at an average rate of 201 jobs per year. Job growth is then projected to increase slightly between 2030 and 2040, with an average rate of 328 jobs per year.

Santa Clara County and the Bay Area are expected to have a similar growth pattern, with large employment increases between 2010 and 2020 and more moderate employment increases between 2020 and 2030, followed by a slight increase in the rate of employment growth between 2030 and 2040.

Table 3.8: Estimated Job Growth, Milpitas, Santa Clara County, and the Bay Area, 2010 - 2040

	2010	2015	2020	2025	2030	2035	2040	Total Change 2010-2040	% Change 2010-2040
Milpitas	45,190	48,660	52,520	53,480	54,530	56,120	57,810	12,620	27.9%
Santa Clara County	926,270	1,003,780	1,091,270	1,118,320	1,147,020	1,187,010	1,229,520	303,250	32.7%
Bay Area (a)	2,571,920	2,788,160	3,027,840	3,105,650	3,187,040	3,301,510	3,421,890	849,970	33.0%

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: ABAG, 2013; BAE, 2013.

Housing Stock Characteristics

The following section provides information on the existing housing stock and recent building trends in Milpitas along with comparative data for Santa Clara County. This information helps to identify existing and anticipated future housing needs in Milpitas, which can inform the development of housing programs.

Housing Stock Conditions

Milpitas has a relatively large number of new units in the housing stock, as shown in Table 3.9.

According to ACS data collected in 2011, the median year built for housing units in Milpitas was 1977, five years newer than the median year built for Santa Clara County overall. Moreover, 73 percent of housing units in Milpitas were built in 1970 or later, compared to 61 percent of housing units in Santa Clara County.

Since housing units typically deteriorate with age, often requiring extensive maintenance or rehabilitation, the relatively new housing stock in Milpitas is likely an indication that a comparatively large number of units in Milpitas are in a state of good repair. Nonetheless, the owners of the limited number of older residential units in Milpitas may be in need of resources to be able to afford necessary maintenance. Milpitas Code Enforcement and Building Department staff estimates that approximately 37 percent of Milpitas homes built prior to 1970 (2,063 units, or 10 percent of the City's total housing stock) are in need of rehabilitation or major repairs.

Table 3.9: Housing Units by Year Built, 2011

Year Built (a)	Milpitas		Santa Clara County	
	Number	Percentage	Number	Percentage
2005 or later	1,593	7.8%	28,286	4.9%
2000 to 2004	383	1.9%	38,141	6.6%
1990 to 1999	2,767	13.5%	63,534	11.0%
1980 to 1989	3,135	15.4%	76,970	13.4%
1970 to 1979	6,966	34.1%	142,825	24.8%
1960 to 1969	3,831	18.8%	123,376	21.4%
1959 or earlier	1,747	8.6%	103,300	17.9%
Total	20,422	100.0%	576,432	100.0%
Median Year Built	1977		1972	

Note:

(a) The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

Sources: American Community Survey, 2011; BAE, 2013.

Structure Type

The majority of housing units in Milpitas are single-family detached homes, as shown in Table 3.10. According to estimates from the California Department of Finance, 76 percent of all homes in Milpitas are single-family homes (59 percent detached single-family and 17 percent attached single-family). This is a slightly higher proportion than in Santa Clara County (64 percent) and the Bay Area (63 percent), due mainly to the high proportion of attached single-family homes in Milpitas. Accordingly, Milpitas has a smaller share of units in multifamily structures (22 percent) than the County (33 percent) and region (35 percent). Mobile homes represent comparable proportions of units in the City (two percent), County (three percent), and region (two percent).

Table 3.10: Housing Units by Type, 2013

Milpitas	Milpitas		Santa Clara County		Bay Area	
	Number of Units	Percent of Total	Number of Units	Percent of Total	Number of Units	Percent of Total
Single Family Detached	11,703	58.7%	346,145	54.1%	1,505,153	53.6%
Single Family Attached	3,363	16.9%	62,201	9.7%	258,633	9.2%
Multifamily 2 to 4 Units	1,384	6.9%	48,923	7.7%	278,450	9.9%
Multifamily 5+Units	3,057	15.3%	163,124	25.5%	705,899	25.1%
Mobile Home	418	2.1%	19,053	3.0%	59,673	2.1%
Total	19,925	100.0%	639,446	100.0%	2,807,808	100%

Sources: CA Department of Finance, E-5 2013; BAE, 2013.

Residential Building Permit Trends

Residential building permit activity in Milpitas over the past ten years reflects regional and nationwide trends, with large amounts of activity prior to 2007 followed by a marked decrease in activity during the recent recession. However, building permit issuances in Milpitas also reveal the surge in residential construction that the City has experienced over the past few years. Prior to 2013, the peak of building permit activity in Milpitas during the past decade occurred in 2006, during which the City issued permits for 744 units, most (638) of which were in multifamily structures with five units or more. Building

permit activity decreased in 2007, with a total of 174 units permitted, and further decreased in 2008, with only 14 units permitted. Building permit activity in Milpitas has resumed in more recent years, totaling 373 units in 2011 and 131 units in 2012. In 2013, Milpitas issued permits for 842 new units, surpassing totals from any other year in the prior decade.

In contrast to the City's existing housing stock, the housing units recently permitted in Milpitas consist largely of multifamily units. Between 2003 and 2012, 77 percent of all units permitted in Milpitas were in structures with five or more units, and 20 percent were single-family homes. Although trends were similar Countywide, 64 percent of all units permitted in Santa Clara County between 2003 and 2012 were in structures with five or more units, representing a smaller share of building permit activity than in Milpitas. These trends suggest a shift over time toward increasingly high proportions of multifamily residential construction throughout the County and in Milpitas in particular.

Table 3.11: Number of Units Issued Building Permits, 2003-2012

Milpitas	Units Permitted											Total 2003-2013	Percent 2003-2013
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013		
Single Family	1	5	26	103	79	5	57	6	7	65	212	566	20%
2 Units	0	0	0	0	0	0	0	0	0	0	0	0	0%
3 & 4 Units	0	12	0	3	0	0	0	0	0	7	42	64	2%
5 or More Units	0	201	72	638	95	9	72	56	366	59	588	2,156	77%
Total	1	218	98	744	174	14	129	62	373	131	842	2,786	100%
Santa Clara County													
Single Family	2,468	2,675	2,333	2,121	1,923	939	602	814	970	1,460	1,729	18,034	34%
2 Units	62	82	28	10	46	50	28	4	2	28	30	370	1%
3 & 4 Units	88	126	202	90	40	49	7	23	50	62	104	841	2%
5 or More Units	4,388	2,497	3,050	3,899	2,153	2,433	417	3,291	2,043	3,941	5,758	33,870	64%
Total	7,006	5,380	5,613	6,120	4,162	3,471	1,054	4,132	3,065	5,491	7,621	53,115	100%

Sources: U.S. Census, 2013; BAE, 2013.

Overcrowding

Although the City has some overcrowded households, overcrowding is not a particularly common problem in Milpitas. A housing unit is typically defined as overcrowded if it houses more than one more person per room (including bedrooms, kitchens, and dining rooms, but not bathrooms or porches) and severely overcrowded if it houses more than 1.5 persons per room.

As shown in Table 3.12, approximately eight percent of Milpitas households were overcrowded in 2011 and approximately three percent were severely overcrowded. Overcrowding is more prevalent among renter households, 13 percent of which were overcrowded, than among owner households, six percent of which were overcrowded. Rates of overcrowding were similar in Santa Clara County, but with a slightly higher rate of overcrowding among renter-occupied households (14 percent) and a lower rate of overcrowding among owner-occupied households (three percent).

Table 3.12: Overcrowded Households, 2011

Milpitas	Owner Households		Renter Households		All Households	
	Number	Percent	Number	Percent	Number	Percent
Overcrowded (a)	708	5.6%	876	13.0%	1,584	8.2%
Severely Overcrowded (b)	212	1.7%	311	4.6%	523	2.7%
Not Overcrowded	<u>11,932</u>	<u>94.4%</u>	<u>5,876</u>	<u>87.0%</u>	<u>17,808</u>	<u>91.8%</u>
Total	12,640	100.0%	6,752	100.0%	19,392	100.0%
Santa Clara County						
Overcrowded (a)	10,764	3.1%	36,097	13.7%	46,861	7.7%
Severely Overcrowded (b)	3,054	0.9%	15,477	5.9%	18,531	3.1%
Not Overcrowded	<u>332,978</u>	<u>96.9%</u>	<u>226,620</u>	<u>86.3%</u>	<u>559,598</u>	<u>92.3%</u>
Total	343,742	100.0%	262,717	100.0%	606,459	100.0%

Notes:

(a) The U.S. Census defines an overcrowded unit as one occupied by more than 1 person per room (excluding bathrooms and kitchens).

(a) The U.S. Census defines a severely overcrowded unit as one occupied by more than 1.5 persons per room (excluding bathrooms and kitchens).

Sources: American Community Survey, 2011; BAE, 2013.

Housing Market Conditions and Affordability

This section provides information on current housing market conditions in Milpitas, including costs and vacancy rates, and assesses the extent to which the housing market is providing for the needs of various economic segments of the local population. Although there are many ways to assess affordability, housing is typically defined as affordable for a given household if housing costs do not exceed 30 percent of household income. Households with housing costs that exceed this affordability threshold often have less money available to available to spend on other essential goods and services, such as food, healthcare, and transportation, or may have difficulty making rent or mortgage payments.

Information on housing market conditions and local demographics helps to identify those segments of the population that face difficulties in securing affordable housing in Milpitas.

Vacancy Trends

Milpitas has low vacancy rates among both rental and for-sale housing units. According to 2010 US Census data, three percent of rental units and one percent of for-sale units in Milpitas was vacant. Vacancy rates were slightly higher in Santa Clara County overall, where four percent of rental units and one percent of for-sale units were vacant, and the Bay Area overall, where six percent of rental units and two percent of for-sale units were vacant. These data indicate a tight residential market in Milpitas for rental and for-sale housing, which often leads to high housing costs and limited housing choices for existing and prospective residents.

Table 3.13: Housing Occupancy and Vacancy Status, 2010

Occupancy Status	Milpitas		Santa Clara County		California	
	Number	Percent	Number	Percent	Number	Percent
Occupied Housing Units	19,184	96.9%	604,204	48.9%	12,577,498	47.9%
Renter	6,359	32.1%	255,906	20.7%	5,542,127	21.1%
Owner	12,825	64.8%	348,298	28.2%	7,035,371	26.8%
Vacant Housing Units	622	3.1%	27,716	2.2%	1,102,583	4.2%
For rent	206	1.0%	11,519	0.9%	374,610	1.4%
For sale only	152	0.8%	5,067	0.4%	154,775	0.6%
Rented or sold, not occupied	107	0.5%	2,222	0.2%	54,635	0.2%
For seasonal, recreational or occasional use	50	0.3%	3,000	0.2%	302,815	1.2%
For migrant workers	4	0.0%	50	0.0%	2,100	0.0%
Other vacant	103	0.5%	5,858	0.5%	213,648	0.8%
Total	19,806	100.0%	1,236,124	100%	26,257,579	100%
Rental Vacancy Rate		3.1%		4.3%		6.3%
For Sale Vacancy Rate		1.2%		1.4%		2.2%

Sources: US Census, 2010; BAE, 2013.

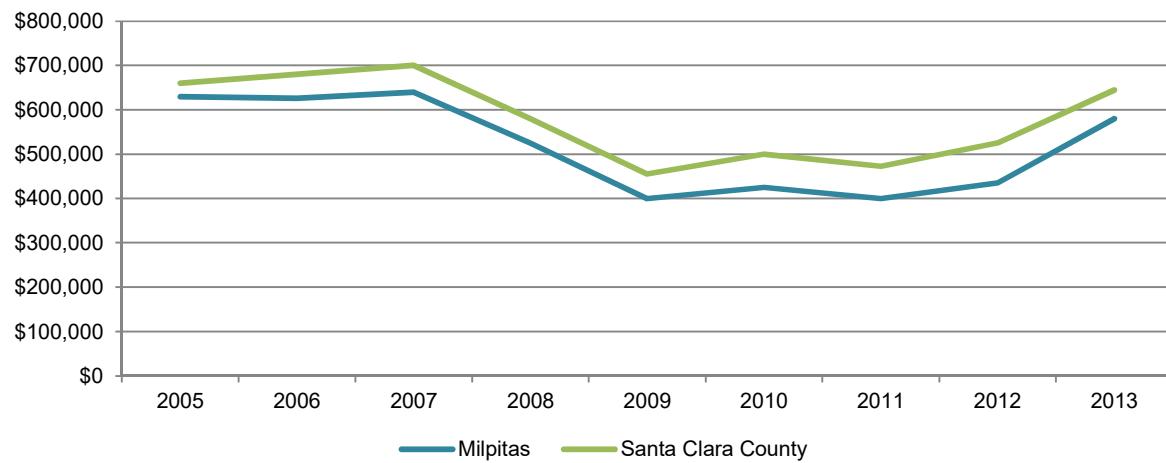
Residential Sale Price Trends

Housing prices in Milpitas fell substantially during the recent recession, but have begun to recover in recent years and are now approaching pre-recession levels. As shown in Figure 3.2, the median residential sale price in Milpitas peaked in 2007 at \$640,000. The median decreased by 38 percent in over the next two years, with a low of \$400,000 in 2009. The median residential sale price did not change significantly between 2009 and 2012, remaining between \$400,000 and \$435,000 in each year. However, the median sale price increased to \$580,000 in 2013, coming close to the median during the years prior to the recession.

Median sale price trends in Milpitas mirrored trends in Santa Clara County overall between 2005 and 2013. However, the median sale price in Milpitas was slightly lower than the Countywide median each year between 2005 and 2013, with a price difference ranging from \$30,000 to \$90,000.

The slightly lower median sale price for homes in Milpitas relative to Santa Clara County, coupled with the City's high median income, could suggest that households in Milpitas do not have difficulty affording homes in Milpitas. However, the City's large household size (3.41 people per household; see Table 3.1) means that household incomes in Milpitas tend to support a large number of people, and therefore many households still face difficulties affording housing along with other household expenses, as shown in Figure 3.8 below.

Figure 3.2: Median Residential Sale Price, 2005-2013



Sources: DQ News, 2006-2013; BAE, 2014.

Data on recent home sales in Milpitas demonstrate variation in price between single-family homes and condominiums, though the median sale price for both types of homes is relatively high. Among homes sold in Milpitas between January and August 2013, the median sale price was \$630,000, as shown in Table 3.14. Single family homes sold during this period tended to be relatively large; half had four or more bedrooms. The median sale price for condominiums sold during this period was \$402,000, approximately two thirds of the median among single-family homes. However, these units also tended to be much smaller; 55 percent were two-bedroom units.

Table 3.14: Sale Price Distribution of Single Family Residences and Condominiums by Number of Bedrooms, Milpitas, January-August 2013

Sale Price Range	Number of Units Sold (a)					% Total
	1 BRs	2 BRs	3 BRs	4+ BRs	Total	
Single-Family Residences						
Less than \$400,000	0	1	18	13	32	14.8%
\$400,000-\$599,999	0	4	40	19	63	29.2%
\$600,000-\$799,999	0	3	35	33	71	32.9%
\$800,000-\$999,999	0	0	6	31	37	17.1%
\$1,000,000 or more	0	1	0	12	13	6.0%
Total	0	9	99	108	216	100.0%
% Total	0.0%	4.2%	45.8%	50.0%	100.0%	
Median Sale Price	N/A	\$580,000	\$555,500	\$746,250	\$630,000	
Average Sale Price	N/A	\$712,444	\$546,226	\$721,593	\$640,836	
Average Size (sf)	N/A	1,618	1,352	1,863	1,618	
Average Price/sf	N/A	\$440	\$404	\$387	\$396	
Condominiums						
Less than \$200,000	1	2	2	0	5	4.5%
\$200,000-\$299,999	1	14	3	0	18	16.2%
\$300,000-\$399,999	4	14	12	0	30	27.0%
\$400,000-\$499,999	0	22	6	0	28	25.2%
\$500,000 or more	0	9	20	1	30	27.0%
Total	6	61	43	1	111	100.0%
% Total	5.4%	55.0%	38.7%	0.9%	100.0%	
Median Sale Price	\$332,500	\$400,000	\$490,000	\$672,000	\$402,000	
Average Sale Price	\$303,500	\$380,357	\$468,395	\$672,000	\$412,935	
Average Size (sf)	821	1,100	1,326	1,764	1,178	
Average Price/sf	\$370	\$346	\$353	\$381	\$350	

Note:

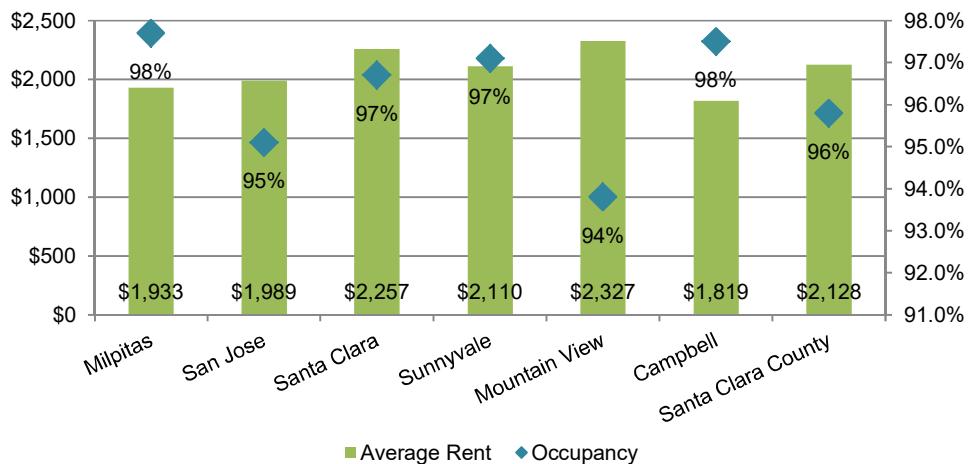
(a) Consists of all full and verified sales of single-family residences and condominiums in the 95035 ZIP code between 1/1/2013 and 8/15/2013.

Sources: DataQuick; BAE, 2013.

Rental Market Trends

In general, residential rental properties in Milpitas have high occupancy rates paired with rental rates that are slightly lower than most other Santa Clara County jurisdictions. Data on occupancy and rental rates in Milpitas and other Santa Clara County jurisdictions were provided by RealFacts, which collects data on rental properties with 50 units or more. As shown in Figure 3.3, in the second quarter of 2013 the average rental rate in Milpitas was slightly lower than the average for Santa Clara County at \$1,933 per month. However, at 97.7 percent, the occupancy rate for properties in Milpitas was higher than the occupancy rate in most other Santa Clara County jurisdictions. Occupancy rates higher than 95 percent are conventionally thought to indicate a tight rental market, suggesting a potential need for additional rental units to allow for housing choice among existing and prospective tenants.

Figure 3.3: Rental Rates and Vacancy, Second Quarter 2013



Note:

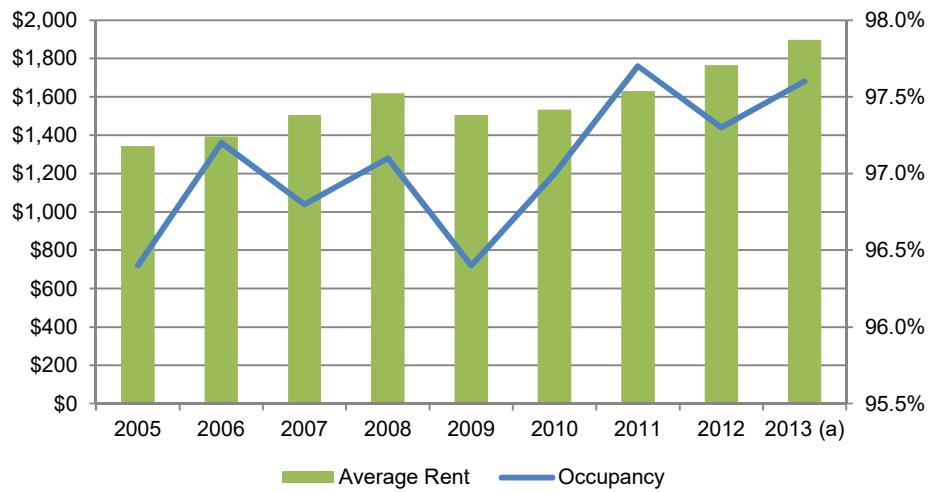
Data are for rental properties with 50 units or more.

Sources: RealFacts, 2013; BAE, 2014.

Rental and occupancy trends in Milpitas demonstrate fluctuations in the market during the past several years, but overall trends indicate increasingly strong occupancy and high rental rates over time. As shown in Figure 3.4, data from RealFacts indicate that the average rental rate in Milpitas increased steadily between 2005 and 2008, followed by a decrease in 2009. However, by 2011 the average rental rate in the City exceeded the 2008 average, and has increased in each subsequent year. The average rental rate during the first half of 2013 was \$1,898 per month, 41 percent higher than the 2005 average.

The occupancy rate in Milpitas has also varied in recent years, but suggests an increasingly tight rental market in the City over time. Between 2005 and 2013, the occupancy rate reported by RealFacts varied from 96.4 percent to 97.7 percent, remaining higher than the 95 percent occupancy rate that is typically thought to indicate a healthy balance between supply and demand. During the first six months of 2013, the average occupancy rate in Milpitas was 97.6 percent, 1.2 percentage points higher than in 2005.

Figure 3.4: Rental Market Trends, Milpitas, 2005-2013



Notes:

Data are for rental properties with 50 units or more.

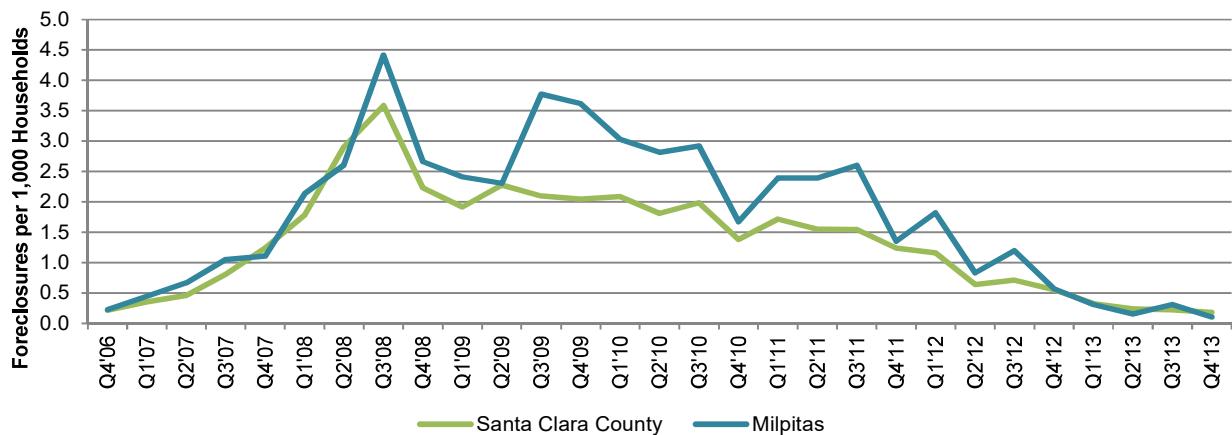
(a) Data for 2013 are for the first and second quarter of 2013 only.

Sources: RealFacts, 2013; BAE, 2014.

Foreclosures

Similar to many Bay Area jurisdictions, Milpitas had a spike in foreclosures at the start of the recession in 2007 and 2008, but has demonstrated a gradual recovery, particularly in recent months. As shown in Figure 3.5, the rate reached 4.4 foreclosures per 1,000 households in the 3rd quarter of 2008, approximately 20 times higher than the rate in the 4th quarter of 2006. The foreclosure rate began to decrease gradually in the 4th quarter of 2008, but continued to fluctuate well above pre-recession levels through the 3rd quarter of 2012. However, the foreclosure rates during all four quarters of 2013 were comparable to the City's foreclosure rate in the fourth quarter of 2006, suggesting a recovery in the City's housing market. Compared to the County as a whole, Milpitas had a higher foreclosure rate during the recession and much of the subsequent recovery, but a comparable rate throughout 2013.

Figure 3.5: Foreclosures per 1,000 Households, Milpitas & Santa Clara County, Sept 2012--Sept 2013



Source: ForeclosureRadar.com, 2013; BAE, 2013.

Affordability

As discussed above, housing is typically considered affordable if total housing costs do not exceed 30 percent of a household's gross income. For renter households, housing costs include rent plus any utilities paid by the household. For owner households, housing costs include mortgage payments, mortgage interest payments, taxes, insurance, utilities, and any homeowner association fees that apply to the property. Many lower-income households have housing costs that exceed this affordability threshold and therefore have difficulty paying for housing costs along with food, medical care, transportation, and other essential goods and services.

Income Limits

In order to determine eligibility for various housing programs and to evaluate the affordability of housing to households at various income levels, households are often categorized based on the relationship between household income and the Area Median Income (AMI). The California Department of Housing and Community Development (HCD) establishes the AMI for each County in California annually, adjusted by household size, and the upper "income limit" of for extremely low-, very low-, low-, and moderate-income households. Table 3.15 shows the percent of AMI and the 2013 income limits for a four-person household in Santa Clara County that correspond to each income category. As shown, the median income for a four-person household in Santa Clara County was \$105,500 in 2013 and the income limit for a low-income household was \$84,900.

Table 3.15: Household Income Limits, Santa Clara County, 2013

Income Category	% of Area Median Income	Top of Income Range (a)
Extremely Low Income	0% to 30%	\$31,850
Very Low Income	31% to 50%	\$53,050
Low Income	51% to 80%	\$84,900
Moderate	80% to 120%	\$126,600
<i>Santa Clara County Median</i>	<i>100%</i>	<i>\$105,500</i>

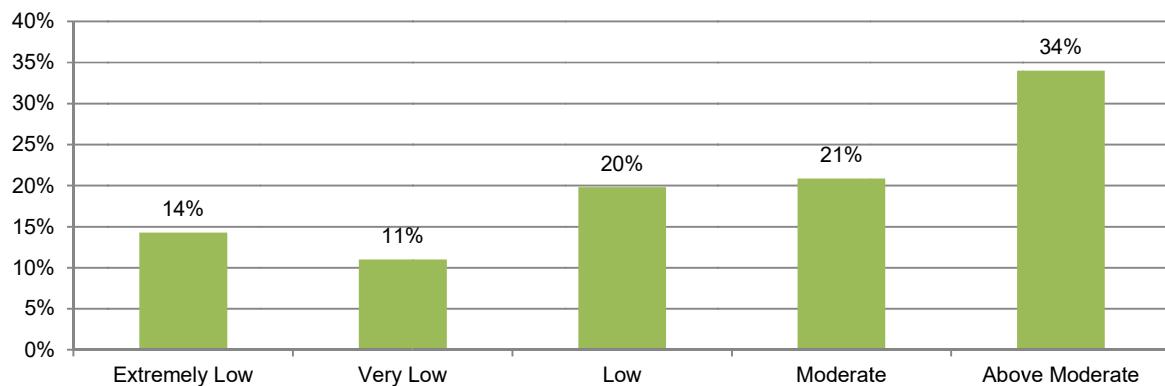
Notes:

(a) Based on HCD 2013 Household Income Limits for a household of four in Santa Clara County.

Sources: California Department of Housing and Community Development 2013; BAE, 2013.

Figure 3.6 shows the 2013 Milpitas household income distribution by AMI level for a four-person household in Santa Clara County. As shown, approximately 34 percent of Milpitas households have above-moderate incomes, 21 percent have moderate incomes, and 45 percent have low, very low, or extremely low incomes.

Figure 3.6: Household Income Distribution by AMI Level for a Four-Person Household, Milpitas, 2013



Note:

Income distribution shown here reflects the estimated distribution of existing households in Milpitas based on the HCD income limits for a four-person household, and represents an approximation of the distribution of households by income level as though all households are four-person households.

Sources: Nielsen, 2013; HCD, 2013; BAE, 2014.

To put these figures in context, Figure 3.7 shows households of various sizes and at different income levels, along with occupations that could support a household at each income level.

Figure 3.7: Representative Households, Santa Clara County, 2013

Moderate Income Household (80% - 120% of AMI)



Estimated Annual Income: \$115,000
One parent is a computer programmer, the other is a part time child care worker; they have two children.

Low Income Household (50% - 80% AMI)



Estimated Annual Income: \$60,265
One parent is a receptionist, the other is a groundskeeper. They have two children.

Very Low Income Household (50% - 80% AMI)



Estimated Annual Income: \$44,900
Single parent is a bookkeeper, and has two children.

Extremely Low Income Household (Up to 30% AMI)



Estimated Annual Income: \$19,300
Parent works in a coffee shop at the counter; has one child

Sources: California Department of Housing and Community Development, 2013; California EDD, Labor Market Info, 2013; BAE, 2014.

Ability to Purchase or Rent Homes

Home sale prices and rental rates in Milpitas typically exceed the affordability threshold for lower-income households. As shown in Table 3.16, a household earning the median income for a four-person household in Santa Clara County can afford a single-family home with a sale price up to approximately \$476,000, three quarters of the median price of single-family homes recently sold in Milpitas. Just one quarter of single-family homes recently sold in Milpitas sold for \$476,000 or less. A smaller percentage of single-family homes were affordable to households earning less than the median income; only 14 percent were affordable to low-income households.

Condominiums provide a more affordable homeownership option for some households. As shown, a household earning the median income for a four-person household in Santa Clara County can afford a condominium sale price up to approximately \$408,000,³ slightly more than the median sale price among condominiums recently sold in Milpitas. Households earning 80 percent of AMI for a four-person household in Santa Clara County can afford 25 percent of condominiums recently sold in Milpitas, provided that these households are able to afford a down payment.

³ The maximum affordable condominium sale price is lower than the maximum affordable single family home sale price to account for payment of monthly homeowner association fees for condominium properties.

Table 3.16: Affordability of Market Rate For Sale Housing in Milpitas

Single-Family Residences			
Income Level	Income Limit (a)	Max. Affordable Sale Price (b)	Percent of SFRs Recently Sold Within Price Range (c)
Extremely Low-Income (Up to 30% AMI)	\$31,850	\$143,697	1.9%
Very Low-Income (Up to 50% AMI)	\$53,050	\$239,345	6.9%
Low-Income (Up to 80% AMI)	\$84,900	\$383,042	13.9%
Median-Income (Up to 100% AMI)	\$105,500	\$475,983	24.5%
Moderate-Income (Up to 120% AMI)	\$126,600	\$571,180	39.8%
Median Sale Price			\$630,000
Number of Units Sold			216
Condominiums			
Income Level	Income Limit (a)	Max. Affordable Sale Price (b)	Percent of Condos on Market Within Price Range (d)
Extremely Low-Income (Up to 30% AMI)	\$31,850	\$89,980	0.0%
Very Low-Income (Up to 50% AMI)	\$53,050	\$181,647	4.5%
Low-Income (Up to 80% AMI)	\$84,900	\$319,363	25.2%
Median-Income (Up to 100% AMI)	\$105,500	\$408,435	53.2%
Moderate-Income (Up to 120% AMI)	\$126,600	\$499,669	73.0%
Median Sale Price			\$402,000
Number of Units Sold			111

Notes:

(a) Income limits published by California Department of Housing and Community Development for four-person household in Santa Clara County, 2013.

(b) Mortgage terms:

Annual Interest Rate (fixed)	5.23%
Term of mortgage (years)	30
Percent of sale price as down payment	20%
Initial property tax (annual)	1.148%
Mortgage Insurance as percent of loan amount	0.0%
Annual homeowner's insurance rate as percent of sale price	0.2%
Homeowners Association Fee (monthly, condominiums only)	\$276
Percent of household income available for housing costs	30%

(c) Consists of all full and verified sales of single-family residences in the 95035 between 1/1/2013 and 8/15/2013

(d) Consists of all full and verified sales of condominiums in the 95035 between 1/1/2013 and 8/15/2013

Sources: California Department of Housing and Community Development, 2013; Freddie Mac, 2013; Santa Clara County Assessor's Office, 2013; CA Dept. of Insurance, 2013; condo.com, 2013; BAE, 2014.

Rental housing in Milpitas is typically affordable to moderate-income households, but average rental rates exceed the affordability threshold for low-, very low-, and extremely low-income households. As shown in Table 3.17, a household earning the median income for a four-person household in Santa Clara County can afford to pay \$2,450 in monthly rent. This is slightly more than the average rental rate for a two bedroom/two bathroom unit in Milpitas (\$1,986 per month) and slightly less than the average rental rate for a three bedroom/two bathroom unit in Milpitas (\$2,641 per month). Households earning 120 percent of AMI for a four-person household in Santa Clara County can afford to pay \$2,977 per month for rent and can therefore afford the average rent for a three bedroom/two bathroom unit in Milpitas.

However, the maximum affordable rent for households earning 80 percent of AMI for a four-person household in Santa Clara County is \$1,935 per month, slightly less than the average rent for a two bedroom/two bathroom unit in Milpitas, which suggests that low-income households often face difficulties finding adequate affordable units. Households with extremely low and very low incomes have lower affordability thresholds, and therefore many of these households are likely to have housing costs that exceed 30 percent of household income. In most Bay Area cities, rental subsidies or affordability restrictions are often necessary to produce housing affordable to very low- and extremely low-income households.

Table 3.17: Affordability of Market-Rate Rental Housing in Milpitas, 2013

Income Level	Income Limit (a)	Maximum Affordable Rent (b)
Extremely Low-Income (Up to 30% AMI)	\$31,850	\$608
Very Low-Income (Up to 50% AMI)	\$53,050	\$1,138
Low-Income (Up to 80% AMI)	\$84,900	\$1,935
Median-Income (Up to 100% AMI)	\$105,500	\$2,450
Moderate-Income (Up to 120% AMI)	\$126,600	\$2,977
2 Br/ 2 Ba Unit		3 Br/2 Ba Unit
Average Rent in Milpitas (c)	\$1,986	\$2,641

Notes:

(a) Income limits published by CA Department of Housing and Community Development for four-person household in Santa Clara County, 2013.

(b) Assumes 30 percent of household income spent on rent and utilities, based on Santa Clara County Housing Authority utility allowance.

(c) Rental rates provided by RealFacts, Q1 2013.

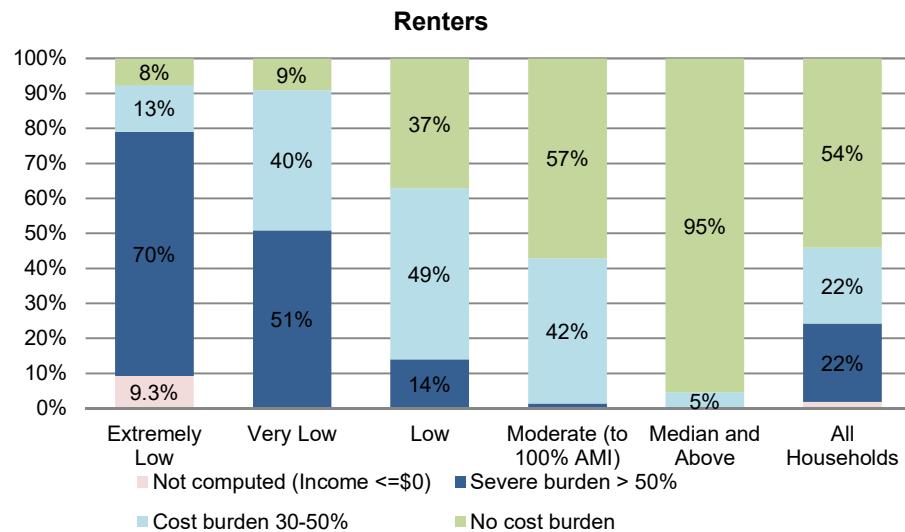
Sources: CA HCD, 2013; Contra Costa County Housing Authority, 2013; RealFacts, 2012; BAE, 2014.

Cost Burden

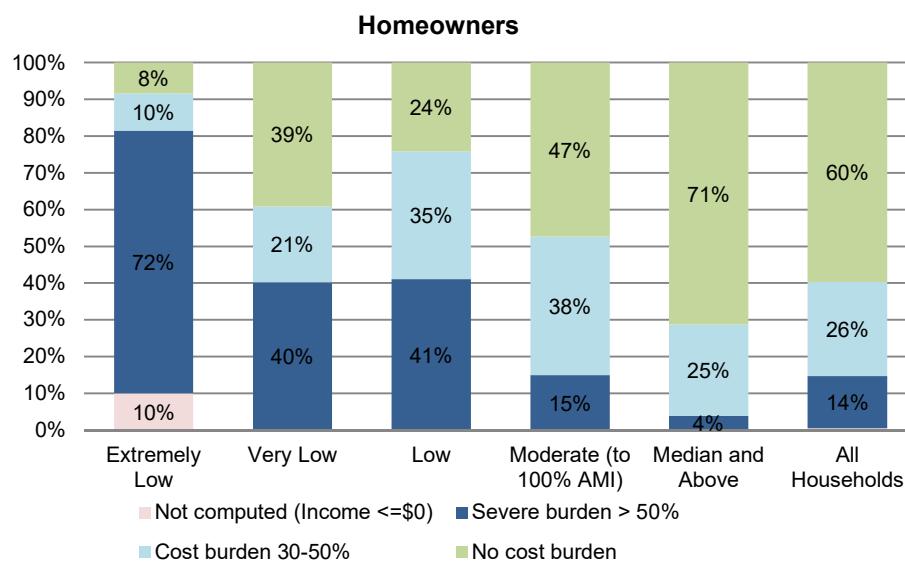
A large portion of Milpitas households have housing costs that exceed the affordability threshold, and therefore experience housing cost burden. Households are considered cost burdened if housing costs exceed 30 percent of household income and are considered severely cost burdened if housing costs exceed 50 percent of household income.

Housing cost burden is most prevalent among renters and lower-income households, as shown in Figure 3.8. According to ACS data collected between 2006 and 2010 (the most recent period for which these data are available), 44 percent of renter households and 38 percent of owner households had housing costs that exceed the affordability threshold. Among extremely low-income households, only eight percent of owners and renters had housing costs that did not exceed the affordability threshold. These findings are consistent with the affordability analysis presented above, which revealed a significant gap between housing costs and the amount that lower-income households can afford to pay for housing.

Figure 3.8: Housing Cost Burden by Household Income Level, Milpitas



Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.



Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Assisted Housing at Risk of Conversion

State Law requires local Housing Elements to include an inventory of affordable housing developments that could be at risk of conversion to market rate during the 10-year period that follows the adoption of the Element. For those units found to be at risk of conversion, the Housing Element must estimate the cost to preserve or replace the at-risk units, to identify the resources available to help in the

preservation or replacement of those units, and to identify those organizations that could assist in these efforts.

Inventory of Existing Affordable Units

Milpitas has a total of 1,233 existing units with affordability restrictions and 15 additional units with affordability restrictions currently under construction. Projects that consist entirely of affordable units account for 456 of affordable units in the City, while 777 existing affordable units and the 15 affordable units that are under construction are in mixed-income projects. The City's large affordable housing stock in mixed-income projects is the result of City policies that encourage developers of market-rate residential projects to add affordability restrictions to a portion of units in each project. Table 3.18 shows the inventory of affordable housing units in Milpitas and the earliest dates of termination of affordability restrictions for each project.

Table 3.18: Inventory of Affordable Rental Housing Units, Milpitas, 2014

Affordable Developments	Affordable Units	Year Built	Tenure	Senior/Family	Target Affordability	Expiration Date
Terrace Gardens 186 Beresford Court	148	1989	Rental	Senior	148 L (Section 8)	None (a)
Summerfield Homes Great Mall Parkway & S. Abel Street	22	1999	Ownership	Family	22 L	2029
Parc West 950 South Main Street	68	2005	Rental	Family	35 L, 33 M	2045
Senior Housing Solutions 751 Vasona	5	2007	Rental	Family	5 ELI Individuals	None (a)
Devries Place Senior Housing 163 N. Main Street	103	2008	Rental	Senior	102 VL, 1 M	None (a)
Scattered Sites on Edsel Court (1129 and 1143) and Shirley Drive (1116 and 1124)	4	2008	Rental	Family	4 VL	2063
Aspen Family Apartments 60 Mihalakis Drive	101	2009	Rental	Family	100 VL, 1M	None (a)
Senior Housing Solutions 1170 N. Park Victoria	5	2011	Rental	Senior	5 ELI Individuals	None (a)
TOTAL	456					
Mixed-Income Projects						
Sunnyhills Apartments 1724 Sunnyhills Drive	149	1971	Rental	Family	Section 8	2018
Montevista Apartments 1001 S. Main Street	153	2001	Rental	Family	77 VL, 76L	2040
Crossing at Montague 775 E. Capitol	94	2003	Rental	Family	94 VL	None (a)
Parc Metro S. Main Street and E. Curtis Avenue	28	2005	Ownership	Family	10 L, 18 M	None (a)
Parc Place E. Curtis Avenue and Hammond Way	58	2006	Ownership	Family	18 VL, 6 L, 34 M	2051
Luna at Terra Serena E. and W. Sides of Abel Street, N. of Curtis Avenue	25	2007	Ownership	Family	25 M	2052
Paragon 1696 S. Main Street	29	2007	Ownership	Family	9 VL, 20M	2044
Terra Serena E. and W. Sides of Abel Street, N. of Curtis Avenue	63	2007	Ownership	Family	63 M	2062
Centria East Great Mall Parkway and Main Street	26	2008	Ownership	Family	9 VL, 7 L, 10M	2053
Town Center Villas 300 Shaughnessy Drive	16	2008	Ownership	Family	16 M	2054
Cerano Apartments Murphy Ranch Road	88	2011	Rental	Family	20 VL, 30 L 38 M	2064
South Main Street Senior Lifestyles 1600 S. Main	48	Under Construction	Rental	Family	48 VL	2069
Shea Properties S. Main and S. Abel	8	Under Construction	Rental	Family	8 VL	None (a)
Coyote Creek Murphy Ranch Road	7	Under Construction	Ownership	Family	7 L	2059
TOTAL	792					
GRAND TOTAL	1,248					

Note:

(a) Affordable units with no expiration date must remain affordable in perpetuity.

Sources: City of Milpitas, 2014; BAE, 2014.

As shown, most of the City's affordable units are subject to affordability restrictions that extend significantly beyond the ten-year period that follows adoption of the Housing Element Update. The exception is Sunnyhills, which provides 149 Section 8 units.

Originally financed under the Section 236 and Section 8 programs in 1981, the owner of Sunnyhills attempted to prepay their mortgage in 1990 under Sections 220 and 221 of the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRA). Originally a total of 104 units were supported through HUD project-based Section 8 vouchers. Through the efforts of the City and HUD, project sponsors entered into a revised Plan of Action in December 1991 in which project affordability restrictions were retained in exchange for a modest increase in rental payments and funding of an additional 45 project-based Section 8 units, for a total of 149 affordable units. Under this revised 20-year agreement between HUD and the JMK Sunnyhills Investors II, affordability restrictions were in place until October 1, 2011. The property owner renewed the contract with HUD in 2011 to continue affordability restrictions until 2014 and in 2014 again renewed the contract to continue affordability restrictions until 2018. Although the property owner has demonstrated an interest in maintaining the property as affordable by renewing the contract with HUD multiple times rather than taking opportunities to convert, Sunnyhills does have the potential to convert to market rate during the ten-year timeframe following Housing Element adoption.

Cost of Replacement vs. Preservation

In addition to quantifying the number of assisted units at risk of conversion, jurisdictions must estimate the costs associated with preserving the affordability of the at-risk units as well as the cost to replace the at-risk units with new affordable units. Although costs vary considerably between projects, Table 3.19 provides an estimated range of the cost to preserve or replace at-risk housing units.

In Project-Based Section 8 properties, such as Sunnyhills Apartments, the owner of the building receives rent from each unit equal to the HUD established Fair Market Rent (FMR) for the area. Where the FMR is less than actual market rents, the owner realizes less income from the property than he or she would without affordability restrictions. Hence, in order to incentivize a property owner to continue to contract out his or her buildings as a Project-Based Section 8 property once mortgage restrictions expire, an ongoing subsidy is required to make up for the gap between FMR and actual market rent. Table 3.19 shows the gap between FMR and actual market rents in Milpitas for various unit sizes. As shown, the monthly gap for Sunnyhills totals approximately \$43,000. If the property owner were willing to enter into a rental subsidy agreement with the City or some other entity that would subsidize the rents on behalf of the lower-income renters, this would require an ongoing annual payment of approximately \$514,000. Based on a 30-year mortgage term at six percent interest, it would take an initial investment of approximately \$7.1 million to reduce the monthly debt service by \$43,000 per month.

Alternatively, the City could attempt to preserve affordability at Sunnyhills by working with a nonprofit housing provider to negotiate the purchase of the building. Nonprofit housing providers that acquire buildings that are at risk of conversion to market rate often renovate or rehabilitate the property to bring the property up to current standards and become eligible for financing. As a result, the cost to

acquire a property in order to preserve affordability can be similar to the cost of new construction, after accounting for renovation or rehabilitation costs.

Table 3.19: Estimated Costs to Preserve 149 Affordable Units at Sunnyhills Apartments

Unit Type	# Units	FMR (a)	Market Rents (b)	Per Unit Gap (c)	Total Gap (d)
Studio	24	\$1,105	\$1,710	\$605	\$14,520
1 BR	39	\$1,293	\$1,690	\$397	\$15,483
2 BR	50	\$1,649	\$1,923	\$274	\$13,700
3 BR	31	\$2,325	\$2,295	-\$30	-\$930
4 BR	5	\$2,636	\$2,641	\$5	\$25
Total	149				\$42,798
Yearly Cost to Preserve 149 Units (e)					\$513,576
Total Cost to Preserve Units (f)					\$7,138,348

Notes:

- (a) 2014 Fair Market Rents for Santa Clara County as established by HUD.
- (b) Prevailing market rents in the City of Milpitas, as reported by RealFacts.
- (c) Represents the difference between Fair Market Rents and prevailing market rents.
- (d) The total difference between rents received by project sponsors and the potential rental income the project could receive if all units were rented at prevailing market rates.
- (e) Represents the yearly cost to preserve current affordability levels in current 2014 dollars.
- (f) Represents the net present value of the yearly rent subsidy based on a 30 year mortgage period and an interest rate of six percent.

Sources: RealFacts 2013; HUDUSER 2014; BAE 2014.

As shown Table 3.20, the estimated cost to replace the 149 affordable units at Sunnyhills are substantially higher than the preservation cost estimates shown in Table 3.19, ranging from \$30 million to \$73 million. Construction costs for replacement units were estimated based on construction costs for recently-constructed multifamily projects in the Bay Area and per-square foot costs estimated in RS Means, a standard source used to estimate construction costs. Land acquisition costs were assumed to range from zero (assuming a land donation from the City or another entity) to \$90 per square foot. The high end of this range was based on estimated land costs in Milpitas, as discussed in further detail in Chapter 5. Per-unit land costs are estimated using an assumed project density, with lower-density projects having a higher per-unit land cost. While this suggests that preservation is the more economical options, other factors,

Table 3.20: Estimated Costs to Replace 149 Affordable Units at Sunnyhills Apartments

Replacement	Cost per Unit	
	Low Estimate	High Estimate
Total Cost per Unit	\$201,000	\$490,000
Land Acquisition	\$0	\$196,000
Construction	\$175,000	\$230,000
Financing/Other	\$26,000	\$64,000
Total Cost - All Units	\$29,949,000	\$73,010,000
Assumptions		
Land Acquisition Costs (per sq. ft.) (a)	\$0	\$90
Residential Construction Costs (per sq. ft.) (b)	\$175	\$230
Units per Acre	60	20
Average Sq. Ft/Unit (incl. common areas)	1,000	1,000
At-Risk Units	149	

Notes:

(a) Low estimate of land acquisition cost assumes no land cost due to land donation or use of City-owned property. High cost of land acquisition is based on current residential land prices in Milpitas, as discussed in Chapter 5.

(b) Residential construction costs are based on RS Means and information on recent multifamily projects in the Bay Area.

Sources: LoopNet, 2014; RS Means, 2013, BAE, 2014.

However, as noted above, the owner of Sunnyhills has preserved affordability at the property multiple times when affordability restrictions were set to expire, and may renew the HUD contract for the property again when it expires in 2018 without requiring subsidies from the City.

The City has access to funding sources that can be used to partially fund preservation or replacement costs to prevent the potential loss of affordable units when the HUD contract with Sunnyhills expires. The City could provide some financing from its CDBG Entitlement Funds or funding from the Milpitas Housing Authority. However, the City's available funds are limited, particularly with the loss of the City's Redevelopment Agency, and use of City funds must be prioritized to meet a wide range of affordable housing and community development needs.

Nonprofit developers also have access to a range of additional funding sources that can be used for the acquisition, rehabilitation, or development of affordable housing. These sources include:

- Mortgage Revenue Bonds
- State Grant Programs, such as MHP
- HOME Program
- Federal Grant Programs
- Low Income Housing Tax Credits
- Housing Trust Fund of Santa Clara County

Qualified Entities

Once the City becomes aware of an impending conversion, it will be necessary for to begin exploring the availability of funding from various sources at that particular time. In many cases, the City will find it advantageous to collaborate with private affordable housing developers or managers to develop and implement a viable plan to preserve affordable housing units. Private developers can often bring additional expertise and access to funding, such as tax credits.

HCD maintains a listing of affordable housing developers and property managers who have expressed an interest in working with local communities on preservation of affordable housing projects. This database lists organizations that are interested in working in any county within the State of California, including such well-known affordable housing providers as Mercy Housing, Inc., and EAH, Inc. The database also lists numerous organizations that have expressed interest in working on preservation projects in Santa Clara County in particular. This list includes such organizations as the Mid-Peninsula Housing Coalition and Eden Housing. A partial listing of these organizations is shown in Table 3.21. The organizations listed here represent some of the entities that the City of Milpitas might consider as potential partners in the event that it becomes necessary to assemble a team to preserve affordability at Sunnyhills if conversion to market rate housing is imminent.

Table 3.21: Partial List of Qualified Entities for Santa Clara County, 2014

Qualified Entity	City	Phone Number
A. F. Evans Development, Inc.	Oakland	(510) 891-9400
Affordable Housing Foundation	San Francisco	(415) 387-7834
BRIDGE Housing Corporation	San Francisco	(415) 989-1111
California Community Reinvestment Corp.	Glendale	(818) 550-9800
California Housing Finance Agency	Sacramento	(916) 326-8801
California Housing Partnership Corporation	San Francisco	(415) 433-6804
Cambrian Center, Inc.	San Jose	(408) 559-0330
Charities Housing Development Corp.	San Jose	(408) 282-1125
Christian Church Homes of Northern California, Inc.	Oakland	(510) 632-6714
Community Development & Preservation, LLC	Los Angeles	(310) 208-1888
Community Home Builders and Associates	San Jose	(408) 977-1726
Community Housing Assistance Program, Inc.	Orange	(714) 744-6252
Community Housing Developers, Inc.	San Jose	408) 279-7677
Community Housing Improvement Systems & Planning Assoc. Inc.	Salinas	(831) 757-6251
EAH, Inc.	San Rafael	(415) 258-1800
Eden Housing, Inc.	Hayward	(510) 582-1460
KDF Communities, LLC	Newport Beach	(949) 622-1888 x 207
Linc Housing Corporation	Long Beach	(562) 684-1100
Maximus Properties, LLC	Calabasas	(818)449-4004
Mercy Housing California	San Francisco	415-355-7160
Mid-Peninsula Housing Coalition	Foster City	(650) 356-2900
National Affordable Housing Trust	Columbus	(614) 451-9929
National Church Residences	Columbus	(614) 451-2151
National Housing Development Corporation	Rancho Cucamonga	(909) 291-1400
National Housing Trust	Walnut Creek	(925) 945-1774
Palo Alto Housing Corp	Palo Alto	(650) 321-9709
Palo Alto Senior Housing Project, Inc.	Palo Alto	(650) 494-1944
Related Companies of California	Irvine	(949)660-7272
Resources for Community Development	Berkeley	(510). 841.4410
ROEM Development Corporation	Santa Clara	(408) 984-5600
Satellite Housing Inc.	Berkeley	(510) 647-0700
South County Housing, Inc	Gilroy	(408) 842-9181
The John Stewart Company	San Francisco	(415) 345-4400
The Trinity Housing Foundation	Lafayette	(925) 385-0754

Sources: CA HCD, 2014; BAE, 2014.

Special Housing Needs

In addition to planning for the total projected housing need in the City, the Housing Element must plan for housing needs among certain groups that tend to have particular challenges with respect to securing appropriate affordable housing. These groups are defined as groups with special housing needs and include large families, female-headed households, extremely low income households, persons with disabilities, senior households, farm workers, and homeless persons and families. This section profiles the populations with special housing needs in Milpitas to assist in identifying programs that might be needed to accommodate special needs populations.

Large Households

Milpitas has a slightly larger proportion of large households than Santa Clara County, consistent with the City's large household size. As shown in Table 3.22, 2011 ACS data indicate that 16 percent of all households in Milpitas were large households (defined as households with five or more persons),

compared to 13 percent in Santa Clara County overall. Large households were particularly common among renters; 21 percent of renter households and 13 percent of owner households had five or more persons in 2011.

Table 3.22: Household Size by Tenure, 2011

Milpitas	Owner		Renter		Total	
	Number	Percent	Number	Percent	Number	Percent
1-4 persons	11,032	87.3%	5,360	79.4%	16,392	84.5%
5+ persons	1,608	12.7%	1,392	20.6%	3,000	15.5%
Total	12,640	100.0%	6,752	100.0%	19,392	100.0%
Santa Clara County						
1-4 persons	302,751	88.1%	226,788	86.3%	529,539	87.3%
5+ persons	40,991	11.9%	35,929	13.7%	76,920	12.7%
Total	343,742	100.0%	262,717	100.0%	606,459	100.0%

Sources: American Community Survey, 2011; BAE, 2013.

As suggested by the data on recent home sales shown in Table 3.14, Milpitas has a large number of homes with three or more bedrooms. As of 2011, 75 percent of units in Milpitas had three or more bedrooms, compared to 58 percent of units in Santa Clara County, as shown in Table 3.23. Large homes were more prevalent among owner-occupied homes, 88 percent of which had three or more bedrooms. Approximately half (51 percent) of renter-occupied homes had three or more bedrooms.

Table 3.23: Existing Housing Stock by Number of Bedrooms, 2011

Milpitas	Owner Households		Renter Households		Total	
	Number	Percent	Number	Percent	Number	Percent
No bedroom	116	0.9%	0	0.0%	116	0.6%
1 bedroom	207	1.6%	990	14.7%	1,197	6.2%
2 bedrooms	1,253	9.9%	2,286	33.9%	3,539	18.2%
3 bedrooms	5,861	46.4%	2,385	35.3%	8,246	42.5%
4 bedrooms	4,805	38.0%	786	11.6%	5,591	28.8%
5 or more bedrooms	398	3.1%	305	4.5%	703	3.6%
Total	12,640	100.0%	6,752	100.0%	19,392	100.0%
Santa Clara County						
No bedroom	1,705	0.5%	18,866	7.2%	20,571	3.4%
1 bedroom	7,105	2.1%	80,235	30.5%	87,340	14.4%
2 bedrooms	51,346	14.9%	97,254	37.0%	148,600	24.5%
3 bedrooms	144,497	42.0%	46,608	17.7%	191,105	31.5%
4 bedrooms	108,093	31.4%	16,051	6.1%	124,144	20.5%
5 or more bedrooms	30,996	9.0%	3,703	1.4%	34,699	5.7%
Total	343,742	100.0%	262,717	100.0%	606,459	100.0%

Sources: American Community Survey, 2011; BAE, 2013.

Female-Headed Households

Single-parent households often face difficulties affording housing because households with a single income typically have lower incomes than two-earner households, and may have additional childcare expenses that further reduce disposable income. Female-headed households are more likely than other households to have incomes below the poverty line and therefore often struggle to find suitable housing

that is affordable. Although affordability is often a primary consideration with respect to housing for female-headed households, proximity to low-cost childcare or other services is also essential for some families.

Milpitas has a relatively large proportion of female-headed families and female-headed families with children. According to ACS data, 15 percent of all households in Milpitas in 2011 were female-headed households and 11 percent were female-headed households with children under 18. In Santa Clara County overall, 11 percent of all households were female-headed families and six percent were female-headed families with children under 18. Moreover, 14 percent of all family households in Milpitas are female-headed families with children, compared to nine percent of family households in Santa Clara County.

Table 3.24: Family Characteristics, 2011

Household Type	Milpitas		Santa Clara County	
	Number	Percent	Number	Percent
2 or more person household:				
Family households:	16,861	86.9%	472,879	78.0%
Family households:				
Married-couple family:	15,927	82.1%	429,293	70.8%
With own children under 18 years	11,919	61.5%	332,402	54.8%
With own children under 18 years	6,011	31.0%	179,771	29.6%
Other family:	4,008	20.7%	96,891	16.0%
Male householder, no wife present:	4,008	20.7%	31,298	5.2%
With own children under 18 years	1,122	5.8%	16,592	2.7%
Female householder, no husband present:	2,886	14.9%	65,593	10.8%
With own children under 18 years	2,175	11.2%	38,200	6.3%
Nonfamily households:	934	4.8%	43,586	7.2%
Male householder	859	4.4%	26,928	4.4%
Female householder	75	0.4%	16,658	2.7%
One-person household:	2,531	13.1%	133,580	22.0%
Total Households	19,392	100.0%	606,459	100.0%

Note:

The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

Sources: American Community Survey, 2011; BAE, 2013.

Although Milpitas has a small share of families with incomes below the poverty line, female-headed families are disproportionately impacted by poverty. As shown in Table 3.25, four percent of all families in Milpitas had incomes below the poverty line in 2011, compared to seven percent of families in Santa Clara County. However, the rate of poverty was significantly higher for female-headed families in Milpitas, 17 percent of which had incomes below the poverty line in 2011. The share of female-headed families with incomes below the poverty line was similarly high in Santa Clara County at 19 percent.

Table 3.25: Poverty Status, 2011

Milpitas	Total	Total Below Poverty Level	Percent Below Poverty Level
Married-couple Family	11,919	212	1.8%
Other Family			
Male Householder, no Wife Present	1,122	0	0.0%
Female Householder, no Husband Present	2,886	475	16.5%
Total Families Below Poverty Line	15,927	687	4.3%
Santa Clara County			
Married-couple Family	332,402	14,420	4.3%
Other Family			
Male Householder, no Wife Present	31,298	2,897	9.3%
Female Householder, no Husband Present	65,593	12,590	19.2%
Total Families Below Poverty Line	429,293	29,907	7.0%

Sources: American Community Survey, 2011; BAE, 2013.

Extremely Low-Income Households

Extremely low-income households are defined as households earning less than 30 percent of area median income. Because of these households have highly limited incomes, deep income targeting is needed to provide housing affordable to extremely low-income households. Some extremely low-income households may benefit from specific housing solutions such as housing with supportive services or single-room occupancy units.

Approximately 1,900 Milpitas households have incomes below 30 percent of AMI, accounting for approximately ten percent of all households in the City. Extremely low-income households account for a relatively large share of renter households in Milpitas (20 percent) and a relatively small share of owner households (five percent). Although figures for Santa Clara County are similar to Milpitas, the County has a slightly larger proportion of extremely low-income households overall (13 percent), among renter households (22 percent) and among owner households (six percent). As shown in Figure 3.8, the vast majority of extremely low-income households in Milpitas experience housing cost burden.

Table 3.26: Housing Problems among Extremely Low-Income Households

	Milpitas			Santa Clara County		
	Renters	Owners	Total	Renters	Owners	Total
Total Number of ELI Households (a)	1,240	645	1,885	53,020	22,375	75,395
Percent with Any Housing Problems (b)	83.9%	81.4%	83.0%	80.6%	71.4%	77.9%
Percent with Cost Burden (c)	83.1%	82.2%	82.8%	79.0%	70.9%	76.6%
Percent with Severe Cost Burden (d)	69.8%	72.1%	70.6%	66.8%	60.3%	64.9%
Total Number of Households (d)	6,350	12,335	18,685	243,350	353,400	596,745
Percent ELI Households	19.5%	5.2%	10.1%	21.8%	6.3%	12.6%

Notes:

(a) Extremely low income (ELI) households are those who earn less than 30 percent of area median income.

(b) Housing problems refers to housing units that lack complete kitchen or plumbing facilities, that are overcrowded, or contain households that are cost burdened. Does not include households for which cost burden data was unavailable.

(c) Includes all households that pay greater than 30 percent of household income towards housing costs. Does not include households for which cost burden data was unavailable.

(d) Includes all households that pay greater than 50 percent of household income towards housing costs. Does not include households for which cost burden data was unavailable.

Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Seniors

Senior households often have special housing needs due to mobility limitations and other physical limitations, restricted incomes, high healthcare costs, or a combination of these factors. Many seniors are able to live independently in standard housing units, particularly with installation of accessibility features such as ramps and grab bars. Some seniors that are able to live independently may choose to move to smaller housing units that require minimal maintenance or to homes with enhanced access to transit, health care, or other services. Other seniors will need housing that provides additional services on site, such as meals, housekeeping, or medical care. Regardless of the type of housing or additional services needed, housing affordability is a key issue for a large share of senior households, many of which have limited incomes.

Although Milpitas has a slightly smaller population age 65 or older than the County as a whole, the senior population in the City has grown substantially over the past decade. As shown in Table 3.27, people age 65 and older accounted for ten percent of the population of Milpitas in 2010, which represents a 44-percent increase in the senior population in Milpitas between 2000 and 2010. Countywide, the population age 65 and older accounted for 11 percent of the population in 2010, a 23 percent increase since 2000. These data suggest a potential need for additional senior housing units in Milpitas during coming years as the population continues to age and a portion of aging baby boomers begin to need or want special housing accommodations.

Table 3.27: Senior Households, 2000 and 2010

Milpitas	2000		2010		% Change 2000-2010
	Number	Percent	Number	Percent	
Under 65	58,287	93.0%	60,451	90.5%	3.7%
65 and older	4,411	7.0%	6,339	9.5%	43.7%
65 to 74	2,877	4.6%	3,775	5.7%	31.2%
75 to 84	1,241	2.0%	2,031	3.0%	63.7%
85 +	293	0.5%	533	0.8%	81.9%
Total	62,698	100.0%	66,790	100.0%	6.5%
Santa Clara County					
Under 65	1,522,058	90.5%	1,584,698	88.9%	4.1%
65 and older	160,527	9.5%	196,944	11.1%	22.7%
65 to 74	87,193	5.2%	106,521	6.0%	22.2%
75 to 84	55,347	3.3%	62,948	3.5%	13.7%
85 +	17,987	1.1%	27,475	1.5%	52.7%
Total	1,682,585	100.0%	1,781,642	100.0%	5.9%

Sources: US Census, 2000 and 2010; BAE 2014.

A large share of senior households, particularly senior renter households, has low incomes. As shown in Table 3.28, 87 percent of senior renter households and 49 percent of senior owner households have incomes below 80 percent of AMI. Moreover, 60 percent of senior renter households and 12 percent of senior owner households have incomes equal to or less than 30 percent of AMI. This underscores the importance of affordability for senior housing units in Milpitas.

Table 3.28: Household Income of Senior Households by Tenure, Milpitas

Senior Renter Households	Number	Percent
<=30% MFI	490	59.8%
>30% to <=50% MFI	145	17.7%
>50% to <=80% MFI	75	9.1%
>=80% MFI	110	13.4%
Total	820	100.0%
Senior Owner Households	Number	Percent
<=30% MFI	215	12.3%
>30% to <=50% MFI	390	22.3%
>50% to <=80% MFI	250	14.3%
>=80% MFI	895	51.1%
Total	1,750	100%

Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Because senior households tend to have low incomes, they often spend a large portion of their income on housing costs. As shown in Table 3.29, a significant share of senior households, particularly those that rent their homes, have housing costs that exceed the affordability threshold. Among senior renter households in Milpitas, 73 percent of all households have housing costs that exceed 30 percent of household income and 48 percent have housing costs that 50 percent of household income. The

prevalence of housing cost burden is highest for lower-income senior households in Milpitas; 87 percent of extremely low-income senior renter households and 72 percent of very low-income senior renter households have housing costs that exceed the affordability threshold.

A significantly smaller share of senior owner households in Milpitas has a housing cost burden. As shown, 34 percent of all senior owner households in Milpitas pay more than 30 percent of the household income on housing costs and 15 percent pay more than 50 percent of the household income on housing costs. Similar to extremely low-income senior renter households, 79 percent of extremely low-income senior owner households pay more than 30 percent of household income on housing costs. However, the prevalence of cost burden is significantly lower for very low-income owner households, 37 percent of which experience housing cost burden. Many lower-income senior owner households that do not have excessive housing costs are households that have owned the same home for many years and now own the home free and clear, and therefore no longer need to make mortgage payments.

Table 3.29: Housing Cost Burden for Senior Households, Milpitas

	Extr. Low <30% AMI	Very Low <50% AMI	Low <80% AMI	Moderate >80% AMI	All Senior Households
Elderly Renter Households	490	145	75	110	820
% with any housing problems (a)	85.7%	72.4%	66.7%	13.6%	72.0%
% Cost Burden >30% (b)	86.7%	72.4%	66.7%	13.6%	72.6%
% Cost Burden >50% (c)	62.2%	51.7%	20.0%	0.0%	48.2%
Elderly Owner Households	215	390	250	895	1,750
% with any housing problems (a)	81.4%	37.2%	46.0%	18.4%	34.3%
% Cost Burden >30% (b)	79.1%	37.2%	46.0%	18.4%	34.0%
% Cost Burden >50% (c)	51.2%	16.7%	28.0%	1.1%	14.6%

Notes:

(a) Housing problems refers to housing units that lack complete kitchen or plumbing facilities, that are overcrowded, or contain households that are cost burdened.

(b) Includes all households who pay greater than 30 percent of household income towards housing costs. For renters, housing costs include rent paid by the tenant plus utilities. For owners, housing costs includes mortgage payments, taxes, insurance, and utilities.

(c) Includes all households who pay greater than 50 percent of household income towards housing costs. For renters, Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Milpitas offers a number of housing resources for seniors. As shown in Table 3.30, there are seven residential care facilities, one skilled nursing facility, and three subsidized independent living housing developments in Milpitas for seniors. Residential care facilities for the elderly, also known as “assisted living” or “board and care” facilities, provide assistance with some activities of daily living while still allowing residents to be more independent than in most nursing homes. Skilled nursing facilities, also known as nursing homes, offer a higher level of care, with registered nurses on staff 24 hours a day.

In addition, Milpitas recently approved a 389-unit senior independent living development with 48 units affordable to very low-income households. The City of Milpitas donated the land for this project, which is valued at \$12.4 million. The development is approved but not yet constructed.

Table 3.30: Housing Resources for Seniors, Milpitas 2013

Residential Care Facilities for the Elderly	Location	Capacity
Carmont Home	1636 Edsel Drive	6
Fla Care Homes	79 Heath Street	6
Hamilton Residential Care Home	998 Hamilton Avenue	6
Jennison Care	878 Nieves Street	6
Soriano Residential Care Home	227 West Capitol Avenue	6
Sunny Care Senior Home	239 S. Temple Drive	6
Sweet Dreams Care Home	1187 Park Grove Drive	6
Total		42
Skilled Nursing Facilities		
Milpitas Care Center	120 Corning Avenue	35
Total		35
Subsidized Independent Senior Rental Housing		
Devries Place Senior Apartments	163 N. Main Street	103
Terrace Gardens	186 Beresford Court	148
Senior Housing Solutions (a)	1170 N. Park Victoria Drive	10
South Main Senior Lifestyles (approved; not yet constructed)	1600 S Main St	48
Total		309

Note:

(a) Senior Housing Solutions consists of two single family homes, each occupied by five senior residents.

Source: California Department of Social Services, 2013; California Healthcare Foundation, 2013; City of Milpitas, 2014; BAE, 2014.

Persons with Disabilities

A disability is a physical or mental impairment that limits one or more major life activities. People with disabilities vary substantially in the manner and degree to which they are affected by the disability, and housing needs for persons with disabilities vary accordingly. Persons with disabilities may require units equipped with wheelchair accessibility or other special features that accommodate physical or sensory limitations. Depending on the severity of the disability, people may live independently with some assistance in their own homes, need car-free access to transportation and other services, or require assisted living and supportive services in special care facilities. Many persons with disabilities face barriers to finding employment and have limited incomes and are therefore unable to afford market-rate housing. In general, affordability, accessibility, and service provision are key considerations in providing housing for this special needs group.

Milpitas has a slightly smaller proportion of individuals with disabilities than Santa Clara County overall. According to ACS data, seven percent of Milpitas residents and eight percent of Santa Clara County residents reported having one or more disabilities in 2011, as shown in Table 3.31. Ambulatory difficulties were the most common type of disability reported; three percent of Milpitas residents and four percent of Santa Clara County residents reported having an ambulatory difficulty. Disabilities were most common among residents age 65 and older; 32 percent of Milpitas residents 65 and older and 34 percent of Santa Clara County residents age 65 and older reported having one or more disabilities.

Table 3.31: Persons with Disabilities by Disability Type, 2011

Age Cohort (a)	Milpitas		Santa Clara County	
	With a Disability	% of Age Cohort	Number	% of Total Disabilities
Under 5 Years with a Disability	0	0.0%	939	0.8%
Ages 5-17 with a Disability	294	2.8%	10,026	3.3%
Hearing difficulty	0	0.0%	1,277	0.4%
Vision Difficulty	0	0.0%	2,248	0.7%
Cognitive disability	160	1.5%	6,876	2.2%
Ambulatory disability	188	1.8%	2,446	0.8%
Self-care disability	23	0.2%	3,078	1.0%
Ages 18-64 With a Disability	2,007	4.6%	61,342	5.3%
Hearing difficulty	350	0.8%	11,593	1.0%
Vision Difficulty	443	1.0%	8,613	0.7%
Cognitive disability	902	2.1%	26,149	2.2%
Ambulatory disability	770	1.8%	27,161	2.3%
Self-care disability	453	1.0%	10,878	0.9%
Independent living disability	861	2.0%	24,673	2.1%
Ages 65+ With a Disability	2,089	31.9%	67,165	33.5%
Hearing difficulty	478	7.3%	27,392	13.6%
Vision Difficulty	363	5.5%	12,449	6.2%
Cognitive disability	431	6.6%	18,081	9.0%
Ambulatory disability	1,173	17.9%	40,740	20.3%
Self-care disability	434	6.6%	17,090	8.5%
Independent living disability	895	13.7%	33,384	16.6%
Total Population With a Disability	4,390	6.7%	139,472	7.8%
Hearing difficulty	828	1.3%	40,262	2.2%
Vision Difficulty	806	1.2%	23,310	1.3%
Cognitive disability	1,493	2.3%	51,106	2.8%
Ambulatory disability	2,131	3.3%	70,347	3.9%
Self-care disability	910	1.4%	31,046	1.7%
Independent living disability	1,756	2.7%	58,057	3.2%

Note:

The American Community Survey (ACS) data used in this table are estimates based on statistical sampling conducted continuously in 2011.

(a) Total population includes all noninstitutionalized civilians. Subtotals may not add to total due to persons reporting more than one type of difficulty.

Sources: American Community Survey, 2011; BAE 2013.

California Housing Element law was amended in 2011 to require that Housing Elements include an evaluation of special housing needs for persons with developmental disabilities. A developmental disability is defined as a disability that originates before an individual attains age 18 years, can be expected to continue indefinitely, and constitutes a substantial disability for that individual. Developmental disabilities include mental retardation, cerebral palsy, epilepsy, and autism, but do not include disabilities that are solely physical in nature.

The State Department of Developmental Services (DDS) provides community-based services to approximately 235,000 persons with developmental disabilities and their families. Services are delivered primarily through 21 regional centers, which are nonprofit agencies that contract with local businesses to provide services to individuals with developmental disabilities.

The San Andreas Regional Center provides these services in Santa Clara, Monterey, San Benito, and Santa Cruz Counties. According to information provided by the San Andreas Regional Center, there are 629 individuals with developmental disabilities currently living in Milpitas, approximately three percent of the population with developmental disabilities Countywide.

Table 3.32: Persons with Developmental Disabilities, 2014

Age Cohort	Milpitas	Santa Clara County
Under 3	189	4,943
3 to 17	339	12,808
18 to 59	82	1,957
60+	19	1,198
Total	629	20,906

Sources: San Andreas Regional Center, 2014;
BAE, 2014.

There are a number of different housing types that are appropriate for individuals with developmental disabilities, which reflect the range of housing needs among this group. Many individuals with developmental disabilities are able to live and work independently within a conventional housing environment and do not require housing that differs from the housing available to the population at large. Individuals with more severe developmental disabilities require a group living environment where services are provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided.

Because developmental disabilities exist before adulthood, a key factor in supportive housing for persons with developmental disabilities is the transition from the person's living situation as a child to an appropriate level of independence as an adult. Additional considerations include housing accessibility modifications, proximity to services and transit, and the availability of group living opportunities. Incorporating 'barrier-free' design in all newly constructed multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Similar to individuals with other types of disabilities, individuals with developmental disabilities often have limited employment options, so special consideration should be given to the affordability of housing for individuals with developmental disabilities.

As shown in Table 3.33 below, Milpitas has ten adult residential facilities with a combined capacity of 55 and two group homes with a combined capacity of ten. Adult residential facilities offer 24-hour non-medical care for adults that are unable to provide for their daily needs due to physical or mental disabilities. Group homes, small residential facilities that serve children or adults with chronic disabilities, provide 24 hour care by trained professionals.

Table 3.33: Community Care Facilities, Milpitas, 2013

Adult Residential Facilities	Location	Capacity
Capri Home II	324 San Andreas Court	3
Easter Home	400 Easter Avenue	6
Glacier Villa	1257 Glacier Drive	6
Helping Hands Residential Care Home 2	349 Spring Valley Lane	4
JD-Len Care Home	1250 Lassen Avenue	6
La Crosse Home	256 La Crosse Drive	6
Our Lady of Manaoag Care Home	222 Autrey Street	6
Santos Care Home	1706 Mr. Ranier Avenue	6
Sunrise House	1221 Sunrise Way	6
Victoria House	539 N. Park Victoria Road	6
Total		55
Group Homes		
Angel Group Home 1	275 Rodrigues Avenue	4
Angel Group home 2	145 N. Gadsden Drive	6
Total		10

Source: California Department of Social Services, 2013; BAE, 2013.

Farmworkers

Agricultural workers often have difficulty securing decent affordable housing. In part, this difficulty is due to the low wages typically offered to farmworkers. Furthermore, a considerable amount of agricultural work is seasonal with jobs filled by migrant workers that need temporary accommodations. These workers often face complications with finding adequate affordable housing on a temporary basis. Because of these issues, farmworkers often live in overcrowded housing units, many of which are in poor condition. Communities with a strong agricultural sector typically have a need for programs to ensure the availability of decent and affordable farmworker housing.

Farmworkers constitute a small share of workers in Milpitas and Santa Clara County. As shown in Table 3.34, the USDA Census of Agriculture reported that there were approximately 5,600 farmworkers in Santa Clara County in 2007, the most recent year for which these data are available. Although the Census of Agriculture does not provide data specific to Milpitas, Table 3.6 indicates that there were only 12 jobs in the Agriculture, Forestry, Hunting, and Mining sector in the third quarter of 2012. Together, the data in Table 3.6 and Table 3.34 suggest that Milpitas has few farmworkers and that the need for farmworker housing in the City will be minimal during the 2015-2023 Housing Element Update cycle.

Table 3.34: Farmworkers, Santa Clara County, 2007

	Number	Percent of Total
Permanent Workers (employed for more than 150 days)	2,842	50.8%
Seasonal Workers (employed less than 150 days)	2,747	49.2%
Total	5,589	100.0%

Note:

Workers consist of hired farm labor (workers on payroll).

Source: USDA Census of Agriculture, Table 7, 2007; BAE, 2013.

Homeless Families and Individuals

The causes of homelessness are complex and vary widely from one individual or family to the next. While difficulty affording housing is a primary cause of homelessness, other factors such as health conditions, trauma, a lack of social support systems, mental health issues, and problems with substance abuse can increase the likelihood that an individual or family will become homeless. Some families and individuals are homeless for a temporary period and experience one or a few episodes of homelessness during their lifetime, while others experience chronic homelessness, which lasts for a year or more or occurs several times within a few years.

Every two years, Santa Clara County conducts a comprehensive count and survey of the County's homeless population to better understand the nature and extent of homelessness in the County and determine how to best target resources to serve the homeless population. The most recent Homeless Census and Survey was conducted in 2013 and provides detailed data on the homeless population in Santa Clara County. According to the survey results, there were 7,067 individuals experiencing homelessness in the County at the time of the survey. An estimated 19,063 people in Santa Clara County experienced homelessness at some point during 2013. The survey found that the primary cause of homelessness was job loss for 46 percent of homeless individuals, alcohol and drug use for 17 percent of homeless individuals, and eviction for 12 percent of homeless individuals. The County's homeless population included 2,518 chronically homeless individuals, 718 veterans, and 203 unaccompanied children under 18 years old.

The 2013 Santa Clara County Homeless Census and Survey found that there were 95 homeless individuals in Milpitas, a decrease of 44 people from the 2011 survey. However, due to the highly unstable nature of homelessness and the difficulties associated with counting the homeless population in a particular jurisdiction, these figures should not be assumed to broadly represent trends over time. All 95 homeless individuals in Milpitas were unsheltered, which includes individuals living on the street or in abandoned buildings, cars, vans, RVs, or encampment areas.

Table 3.35: Homeless Individuals, 2013

Milpitas	% Change		
	2011	2013	2011-2013
Sheltered	0	0	N/A
Unsheltered	<u>139</u>	<u>95</u>	<u>-31.7%</u>
Total	139	95	-31.7%

Santa Clara County			
	2011	2013	% Change
Sheltered	1,898	1,957	3.1%
Unsheltered	<u>5,169</u>	<u>5,674</u>	<u>9.8%</u>
Total	7,067	7,631	12.9%

Sources: Santa Clara County Homeless Census and Survey, 2013; BAE, 2014.

Milpitas provides CDBG funding to nearby service providers to aid in addressing the need for shelters and support services for homeless individuals and families. EHC Lifebuilders (EHC) is a primary provider of shelter and support services for the Milpitas homeless population, operating these services out of a

central location in San Jose. The City of Milpitas provides EHC with CDBG funding to cover the cost of 4,500 Person Shelter Days (PSD) for 55 unduplicated Milpitas residents at EHC's Reception Center on Little Orchard Street in San Jose, the closest overnight shelter that serves Milpitas' homeless population. The City also provides CDBG funding to the YMCA Domestic Violence Department Support Network Program and Next Door Solutions to Domestic Violence, both of which address domestic violence issues by providing supportive services and emergency shelters in Santa Clara County. The City of Milpitas also operates a "cooling and warming" shelter for the homeless in the City's Sports Center, but does not provide overnight housing there. In addition, the City provides daytime warming centers at the City's Community and Senior Centers during the winter.

Milpitas also collaborates with other jurisdictions in Santa Clara County to address the homeless problem regionally, due to the shifting nature of homelessness in Santa Clara County and the tendency of people to move between cities to find work or housing. This collaboration includes supporting regional efforts to build additional transitional and permanent housing with supportive services.

As of January 2014, Santa Clara County provided the following resources:

- 587 year-round shelter beds (192 for families, 375 for adult individuals, 20 for children only);
- 321 seasonal shelter beds;
- 1,214 transitional housing beds (755 for families, 459 for individuals), and
- 3,338 permanent supportive housing beds (1,429 for families, 1,909 for individuals).

The Santa Clara County Housing Authority implements a range of programs to help lower-income individuals afford rental units, many of which can help people who are homeless or at risk of homelessness. These include Section 8 Housing Choice Vouchers, the Veterans Affairs Supportive Housing Program, and the Shelter Plus Care Program. The Veterans Affairs and Shelter Plus Care programs provide supportive services in addition to housing payment assistance. However, the resources for all of these programs are limited, and individuals in need of these services are therefore not always able to access them.

4. SITES INVENTORY

This chapter of the Housing Element details the projected housing need in Milpitas between 2015 and 2023 according to the City's RHNA and assesses the City's capacity to accommodate the projected need during the planning period. The Housing Element Update process calls on each jurisdiction to demonstrate that there are enough residentially-zoned sites in the jurisdiction to accommodate the RHNA, as well as demonstrate that there are enough sites that are zoned to densities adequate to facilitate affordable housing. As this chapter will demonstrate, Milpitas has adequate sites zoned to sufficient densities to accommodate the City's RHNA during the 2015 to 2023 Housing Element Update period.

Projected Housing Needs

The RHNA for Milpitas during the 2015-2023 Housing Element Update Cycle totals 3,290 units, as shown in Table 4.1. Of this total, approximately 31 percent is comprised of units affordable to very low-income households, 17 percent is comprised of units affordable to low-income households, 17 percent is comprised of units affordable to moderate-income households, and 35 percent is comprised of units affordable to above moderate-income households. The total allocation is equivalent to an annual average need of approximately 411 housing units for the eight-year time period.

Table 4.1: Milpitas Regional Housing Needs Allocation, 2015-2023

Income Category	Projected Need	Percent of Total
Very Low (0-50% of AMI)	1,004	30.5%
Low (51-80% AMI)	570	17.3%
Moderate (81-120% of AMI)	565	17.2%
Above Moderate (over 120% of AMI)	1,151	35.0%
Total Units	3,290	100.0%

Sources: ABAG, 2013; BAE, 2013.

Milpitas's 2015-2023 RHNA allocation represents approximately six percent of the total Santa Clara County RHNA figure of 58,836 housing units. It is noteworthy that Milpitas's share of the RHNA for the County is higher than the City's current share of the County's total households (three percent).

Sites Inventory

The Housing Element Update is required to include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment,⁴ to demonstrate

⁴ Sites refer to locations for potential housing development. In some instances, these sites are comprised of several parcels (identified by APN's).

that the City has sufficient land to accommodate its fair share of the region's housing needs during the upcoming Housing Element Cycle (2015-2023). The Housing Element is also required to analyze zoning and infrastructure serving these sites to ensure that residential development is feasible during the planning period. This section provides an overview of the City's inventory of potential residential sites. A detailed list of the sites is provided in Appendix B.

Milpitas has the capacity to accommodate at least 8,920 new residential units during the current Housing Element planning period, significantly exceeding the City's RHNA goals. The City's potential residential sites for the 2015-2023 Housing Element Update cycle include:

- Sites with planned or proposed residential projects in the development pipeline (6,146 units);
- Vacant or underutilized sites zoned for high-density residential development (1,729 units); and
- Vacant or underutilized sites zoned for mixed-use development with high-density residential development potential (1,011 units);
- Vacant or underutilized sites zoned for low-density residential development (34 units).

In addition to identifying adequate sites to meet the RHNA, Milpitas must also show that the available sites are capable of supporting housing demand from all economic segments of the community as specified by the City's RHNA. HCD develops default densities that are presumed to support the development of housing for lower-income households, and jurisdictions can reference these default densities to demonstrate that sites are capable of accommodating the City's RHNA goals for units affordable to lower-income households. The default density for Milpitas is 20 units per acre.⁵ Although housing developed at a density of 20 units per acre often consists of market-rate units that are not affordable to lower-income households, the default densities provide a metric to demonstrate that it is possible to develop affordable housing on sites in the City's inventory, particularly if programs are in place to further facilitate affordable housing development.

Projects in the Development Pipeline

Milpitas has experienced a considerable amount of residential development activity in recent years; this momentum is continuing at present, with a large number of units in the City's development pipeline. As shown in Appendix B, there are 19 residential projects that are proposed, planned, or under construction in Milpitas, with a total of 6,146 units. The location of each pending project is shown in Figure 4.1. While most of these are market-rate units, 56 units will be subject to affordability restrictions that will make units affordable to very low-income households and 7 will be subject to affordability restrictions that will make units affordable to low-income households. All affordable units in the City's pipeline will be subject to affordability restrictions for 55 years.

Table 4.2 shows a summary of the projects in the City's development pipeline along with the RHNA numbers assigned to the City of Milpitas for the 2015-2023 planning period. As shown, Milpitas has

⁵ The default density is 20 units per acre for all cities in Santa Clara County with a population of fewer than 100,000 people (http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php).

enough units in the pipeline to greatly exceed the City's RHNA for units affordable to households with above-moderate incomes, but does not have enough units in the pipeline to meet the City's RHNA for units affordable to very low-, low-, and moderate-income households. If all units in the pipeline are built, there will be a remaining need for 948 units affordable to very low-income households, 563 units affordable to low-income households, and 565 units affordable to moderate-income households during this Element's planning period. The following sections in this chapter will address the City's capacity to meet this remaining need on sites that are zoned for residential or mixed-use development and that are not subject to pending development applications or currently under construction.

Table 4.2: Pending Residential Projects, Milpitas, 2014

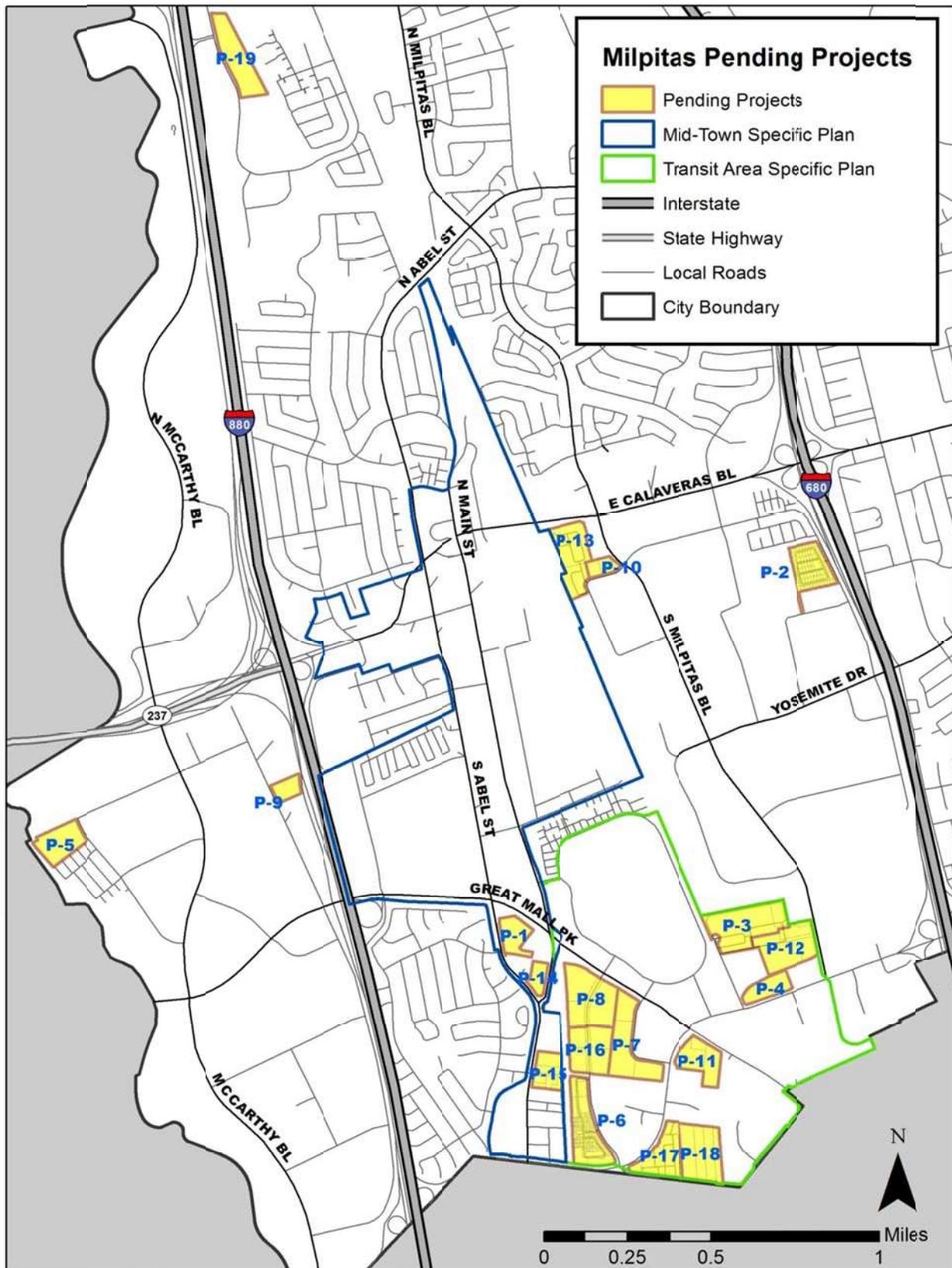
	Income Group Served				Total Units
	Very Low	Low	Moderate	Above Moderate	
Pending Projects (a)	56	7	0	5,807	5,870
2015-2023 RHNA	1,004	570	565	1,151	3,290
Remaining Need	948	563	565	N/A	2,076

Note:

(a) Pending projects include residential all projects planned, proposed or under construction in Milpitas.

Source: City of Milpitas, 2014; BAE, 2014.

Figure 4.1: Pending Residential Projects, Milpitas, 2014



Potential Housing Sites

In addition to the substantial pipeline, Milpitas has sufficient sites zoned and available to accommodate at least 2,774 additional new residential units between 2015 and 2023. Based on the default densities for Milpitas, these sites can accommodate at least 2,740 units affordable to very low-, low-, or moderate income households, exceeding the remaining RHNA need identified in Table 4.2. In addition, the City's available sites can accommodate 34 new units at a density lower than the City's default density, which would likely be affordable to households with above-moderate incomes. The inventory of potential sites that are not currently subject to development applications was developed from two sources:

- First, the City reviewed the list of available sites that were presented in the 2010 Housing Element. The 2010 Housing Element included information on 14 potential housing sites, many of which were comprised of more than one Assessor's Parcel Number (APN). To the extent that these sites are still available for residential development (i.e. have not been recently developed and are not subject to pending or approved development applications), the 2015-2023 Housing Element includes the sites in the inventory of housing opportunity sites.
- Additional sites in the Midtown Specific Plan and TASP areas that are zoned for residential or mixed-use development and are currently vacant or occupied by marginal commercial uses were added to the sites inventory. These sites have a high probability of being redeveloped within the Housing Element planning period, based on current market and development trends in Milpitas. The extension of BART service adjacent to these areas will further stimulate redevelopment of vacant or obsolete uses in the City's two Specific Plan areas.

All of the housing opportunity sites that have been identified as potential sites for meeting the City's RHNA for very low-, low-, and moderate-income households are located within the City's two Specific Plan Areas and are zoned at densities that meet or exceed the default density for Milpitas (20 units per acre). Opportunity sites in the Specific Plan areas have minimum densities ranging from 21 to 41 units per acre and maximum densities ranging from 40 to 94 units per acre. Opportunity sites vary in size from 0.7 acres to 9.5 acres, and all but one site measure one acre or more. Of the 20 sites identified in the Specific Plan Areas, 14 measure at least two acres.

Although some of the opportunity sites in the Specific Plan Areas are currently occupied by commercial uses, the City has re-zoned these parcels to allow for high-density residential uses in order to stimulate redevelopment in these areas. The rezoning has already led a number of developers to redevelop properties that were previously occupied by marginal commercial uses in both Specific Plan Areas, resulting in thousands of residential units that have recently been completed or are in the City's development pipeline in the two Plan Areas. As a result, the identified housing opportunity sites, including sites that are not currently vacant, are poised for redevelopment to residential uses during the 2015-2023 Housing Element planning period.

The inventory of potential high-density residential and mixed-use sites presumes that the opportunity sites will be developed at the lowest end of the allowable density range. This is a conservative assumption, as many pending and completed projects in Milpitas's Specific Plan areas have been developed or have pending applications at densities well above the minimum densities, and some have provided affordable units to become eligible for density bonuses that allow for densities in excess of the maximum that would otherwise apply. If each of the high-density sites are instead assumed to be developed at the midpoint of the allowable density range, the high-density residential sites can accommodate 2,419 units, exceeding the total remaining need identified in Table 4.2, and the mixed-use sites can accommodate 1,426 units.

In addition, the site inventory reduces the acreage by nine percent on mixed-use sites (MXD) to account for the potential development of non-residential uses. This adjustment is based on recent mixed-use developments in the Midtown and TASP Plan Areas that have been redeveloped with residential and commercial uses and is consistent with the methodology from the City's 2010 Housing Element. While it is possible for MXD sites to be developed entirely with non-residential uses, the recent trend within Milpitas is for parcels in these areas to be developed primarily with residential uses.

Although most of the sites identified in the site inventory are located within one of the City's Specific Plan areas, Table 4.3 and Appendix B include a 4.9-acre vacant parcel on North Park Victoria Drive that is zoned for single-family residential uses. The site is located along the west side of North Park Victoria Drive across from the intersection with Country Club Road, inside the Urban Growth Boundary. The location and size of this parcel suggest that it is most suitable for housing that is affordable to households with above-moderate incomes. This site could yield approximately 34 units under current zoning (R1-6 at seven units to the acre).

Table 4.3 provides a summary of the development potential on the City's residential opportunity sites, Figure 4.2 shows the location of each site, and detailed information on the sites is provided in Appendix B.

Table 4.3: Summary of Potential Housing Sites, Milpitas, 2015-2023

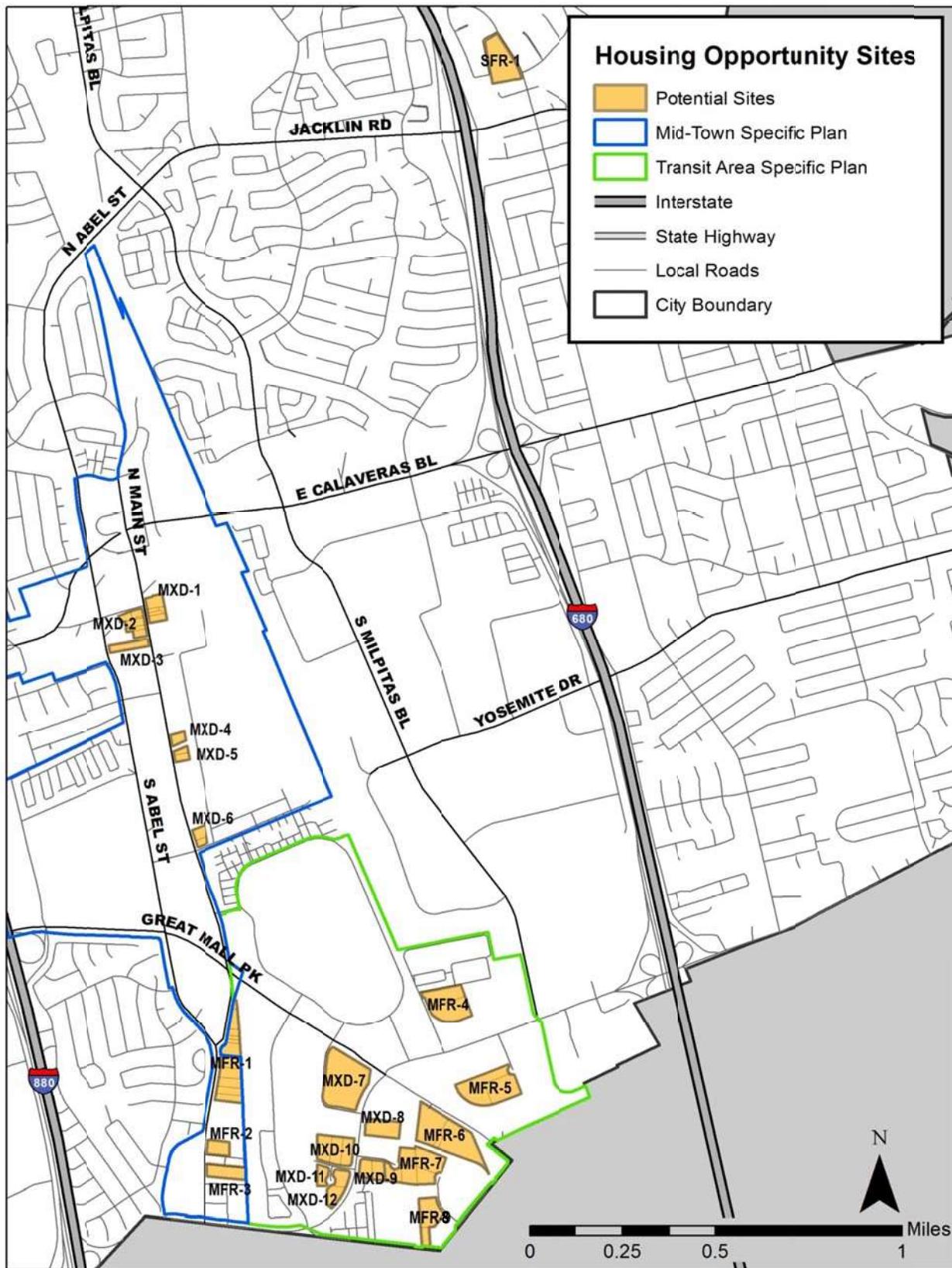
Site Number	Total Parcels	Acreage	Midpoint Density	Yield at Estimated Yield (a)
High-Density Residential/Potential Affordable Housing Sites (b)				
MFR-1	10	7.6	383	311
MFR-2	1	1.4	51	44
MRF-3	1	2.2	78	68
MFR-4	2	5.9	300	244
MFR-5	2	7.4	499	304
MFR-6	2	9.4	632	385
MFR-7	6	7.4	376	305
MFR-8	2	<u>3.2</u>	<u>99</u>	<u>68</u>
Total	26	44.6	2,419	1,729
Mixed-Use/Potential Affordable Housing Sites (c)				
MXD-1	5	2.1	48	40
MXD-2	5	1.9	44	37
MRF-3	1	1.3	31	25
MXD-4	1	0.7	16	13
MXD-5	2	2.8	65	54
MXD-6	2	1.1	25	21
MXD-7	1	9.5	580	353
MXD-8	1	2.5	155	95
MXD-9	2	2.1	98	80
MXD-10	3	4.5	209	170
MXD-11	1	1.0	47	38
MXD-12	2	<u>2.3</u>	<u>106</u>	<u>86</u>
Total	26	31.9	1,426	1,011
Total Potential Affordable Housing Sites				
	52	76.6	3,844	2,740
Low-Density Residential/Above-Moderate Income (d)				
SFR-1	1	4.9	N/A	34

Notes:

- (a) The estimated yield for high-density residential and mixed-use sites uses the minimum density allowed by the zoning ordinance to provide a conservative estimate of the number of units that can be accommodated on each of the opportunity sites.
- (b) High-density residential sites are defined as sites zoned for residential use at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.
- (c) All mixed-use sites shown are zoned at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.
- (d) Low-density residential sites are defined as sites zoned for residential use at densities lower than the "default densities" for Milpitas (20 units/acre) and are therefore presumed to be sites for units serving above moderate-income households.

Source: BAE, 2014.

Figure 4.2: Housing Opportunity Sites, Milpitas, 2015-2023



Additional Considerations

Additional Sites Not Quantified

Milpitas has a number of potential housing sites in addition to the sites listed in Table 4.3 and Appendix B that have not been quantified in this Housing Element Update. Sites that were not quantified include sites that would require zoning changes to allow residential development, sites on which residential development potential is limited, and sites that require a use permit for residential uses. While not needed to meet the City's RHNA goals, these sites are described here for informational purposes, because they do offer additional residential development potential beyond the figures shown in Table 4.3 and Appendix B, and could be used for residential development during the 2015-2023 planning period.

Sites that could accommodate housing after zoning changes include a set of City-owned parcels in the northern portion of the Midtown Specific Plan area that total 2.23 acres. The site is bound by North Main Street to the west and north, a Southern Pacific Railroad line to the east, and Weller Lane to the south. The site is currently vacant and is zoned for parks and open space, but the City has considered rezoning the site for residential uses. Existing residential uses abut the northwestern edge of the site. Because the site is City-owned, it would provide an opportunity for Milpitas to facilitate affordable housing development by providing low- or no-cost land to an affordable housing developer.

Additional sites that were not quantified in this Housing Element Update include the hillside areas, which allow for a limited amount of residential development. Due to the high cost associated with development on the hillside and extending services to this area, sites in the hillside areas would be suitable for high-end units that serve households with above-moderate incomes. While these sites continue to provide residential development opportunities within the City, significant development in the hillside areas is unlikely during the 2015-2023 planning period as a result of the high cost of hillside development, geologic hazards, and low-density zoning designations in the hillside areas. Because the units in the City's development pipeline greatly exceed the City's RHNA for above-moderate income households, the additional potential for high-end residential development that is offered in the hillside areas was not quantified in this Housing Element.

Finally, the Milpitas Zoning Ordinance allows for residential development subject to approval of a use permit in the Town Center (TC) zoning designation, which is intended primarily for commercial uses. With use permit approval, live-work units and residential uses are permitted in the TC zone at densities up to 40 units per acre. Two approved projects in the City's residential development pipeline are located on sites with the TC zoning designation, as shown in Appendix B. Additional residential development in these areas may be possible throughout the 2015-2023 planning period, but are not quantified in this Element.

Adequacy of Infrastructure and Services

The housing sites identified in this Chapter are largely infill sites served by existing infrastructure and services. However, the majority of the City's housing sites are located within the TASP and Midtown

Specific Plan Areas, and residential development on these sites would therefore involve the conversion of older industrial and commercial sites to residential and mixed land uses. In some cases, this transition requires infrastructure investments to provide service to new residential development.

Since the majority of the City's potential housing sites are located in the TASP and Midtown Specific Plan Areas, there is a considerable amount of existing and planned transportation infrastructure to serve the sites. The potential housing sites are generally located in close proximity to two major freeways, two light rail stations, and a future BART Station. However, traffic congestion can be problematic in Milpitas under current conditions, and future growth is expected to add to the existing traffic problems. The City has implemented a fee for new development in the TASP area to generate funding to address potential impacts resulting from development in the area. Furthermore, traffic impacts are expected to be mitigated somewhat because the Specific Plan areas have easy access to transit, allowing many residents to commute without the use of a car.

Aside from these potential transportation issues, remaining infrastructure, such as water, sewers, and storm drains, are adequate to support the planned growth in Milpitas. Chapter 5 of this Housing Element provides more detailed information on the adequacy of roads, water, wastewater, storm drainage, and solid waste removal to serve new residential development in Milpitas.

In addition to physical infrastructure needs, new development will require fire and emergency medical assistance services, which are provided throughout Milpitas by the Milpitas Fire Department (MFD). The TASP EIR identified a need to address potential limitations to the MFD's capacity to provide these services to new development, resulting in the creation of two community facilities districts (CFDs) in the TASP. Additional property taxes are assessed on properties in the CFDs, funds from which are used to support additional police, fire, and recreation services.

Environmental Constraints

Potential environmental constraints to developing the housing sites identified in this Housing Element include potential earthquakes, flooding, and hillside erosion. Similar to the rest of the Bay Area, Milpitas is subject seismic hazards due to proximity to active fault lines. However, none of the City's housing opportunity sites are located on landfill, reducing the potential extent of earthquake damage somewhat. All structures built in Milpitas are required to meet building code requirements for earthquake safety. Some of the City's housing sites in the Transit Area are located within the 100-year floodplain. Although flood depths would be very shallow, a combination of on-site and off-site improvements may still be required before building in areas that could experience potential flooding.

In addition, since many of the potential sites are located in a transitional area changing from older industrial and heavy commercial uses to a mixed-use community, it is possible that there are hazardous materials on some of the potential sites. While there are no known contamination issues on any of the potential opportunity sites, further study will be required before redevelopment of some sites, and some may require environmental remediation before development can take place.

A final environmental issue relates to vibration levels that may affect future development inside and outside the TASP area related to the UPRR and BART right-of-way. To make sure that vibration levels do not exceed acceptable levels, the TASP includes mitigation measures to address potential issues related to vibration, and development in the TASP is potentially subject to siting or construction features that to reduce the impacts of ground vibration. Housing Element sites outside the TASP but within 300 feet of an active UPRR and/or BART alignment are also subject to an analysis of vibration impacts and are required to provide for vibration reduction consistent with the direction of TASP policies.

Zoning for Special Housing Needs

As discussed in Chapter 3, individuals and households with special housing needs often have difficulty securing housing that is adequate to meet those needs. In addition to identifying adequate sites to meet the City's RHNA, the Housing Element is required to ensure that there are sites that have the ability serve groups with special housing needs. As discussed below, Milpitas has taken key steps to facilitate the production of housing for individuals and households with special housing needs, including farmworker housing, manufactured housing, single-room occupancy developments, emergency shelters, and transitional and supportive housing.

Farmworker Housing

Although the need for farmworker housing is expected to be minimal in Milpitas during the 2015-2023 Housing Element planning period, the City facilitates a variety of housing types that can serve farmworkers and their families. During the previous (2007-2014) Housing Element Update period, Milpitas updated the City's Zoning Ordinance to allow farmworker housing by right in all agricultural zones. Additionally, many farmworker households can meet their housing needs through standard residential units, provided that units are affordable. As a result, zoning regulations and other programs that facilitate affordable housing production in Milpitas in general help to serve any potential need for farmworker housing in the City. In some cases, this housing need may be met by single-room occupancy units, which are discussed below.

Manufactured Housing

Although manufactured housing does not serve any special needs group in particular, it is generally less expensive to construct than other housing and therefore can provide a more affordable option for some households with special housing needs. During the previous (2007-2014) Housing Element planning period, Milpitas amended the City's Zoning Ordinance to allow manufactured housing in all single-family (R-1) zoning districts. Program D.5.3 states that the Milpitas will modify the City's zoning ordinance during the upcoming planning period to allow manufactured housing in all zoning districts where residential development is allowed, subject to the same architectural and development standards as other dwellings in the same zone.

SRO Housing

Single room occupancy (SRO) units typically serve extremely low-income households that are unable to afford market-rate housing or affordable housing targeted to households earning more than 30 percent

of AMI. SROs provide small units that may have shared kitchen and bathroom facilities or may provide a small bathroom or kitchenette in each unit. During the 2007-2014 Housing Element planning period, the City of Milpitas updated the City's Zoning Ordinance to allow SROs in all multifamily zoning districts, subject to approval of a conditional use permit.

Emergency Shelters

California Senate Bill 2 (SB 2) required that all jurisdictions designate at least one zoning district where emergency shelters are allowed by right. During the 2007-2014 Housing Element Update period, Milpitas amended the City's Zoning Ordinance to allow emergency shelters by right in the highway services (HS) Zoning District. According to the City's Land Use Plan, there are 271 acres of land designated as HS, of which 44 acres are undeveloped. Parcel sizes range from less than one-half acre to 23 acres. The median parcel size is 1.3 acres, and the average parcel size is about three acres. Fifteen parcels are below one acre in size. Thus, the HS zone has parcels that would be of an appropriate size for a homeless shelter. In addition, some properties in the HS zone have vacant commercial and other properties that could be converted to an emergency shelter, which is often more feasible than building an emergency shelter on vacant land.

The following locations include HS zoned parcels:

- West of I-880 and south of Calaveras Boulevard
- West of I-880, North of Montague Expressway
- Jacklin Road near I-680
- Along North Milpitas Boulevard near Minnis Circle

Transitional and Permanent Supportive Housing

In addition to requiring that jurisdictions zone for emergency shelters, SB 2 required that all jurisdictions explicitly identify transitional and supportive housing as an allowed use in all residential zoning districts, subject only to the restrictions that apply to other residential uses in the same zone. In 2013, Milpitas amended the City's Zoning Ordinance to identify transitional and supportive housing by right in all single-family and multifamily residential zones in compliance with SB 2. However, the Zoning Ordinance was not amended to explicitly allow transitional and supportive housing in mixed-use zoning districts. Chapter 6 of this Housing Element includes a program to amend the City's Zoning Ordinance to allow transitional and supportive housing in all zoning districts that allow residential uses (see Program D.4.3).

Financing and Subsidy Sources

Along with a sufficient number of residential sites zoned to appropriate densities, affordable housing production in Bay Area jurisdictions requires local, State, and Federal financing sources to bridge the gap between affordable rent and sale prices and the prices needed to support new construction. Almost all affordable housing developments in the Bay Area rely on a combination of financing from several public and private sources in order to become financially feasible.

Federal Programs

CDBG Program: Through the CDBG program, the federal Department of Housing and Urban Development (HUD) provides funds to local governments for funding a wide range of housing and community development activities for low- and moderate-income individuals and households. Cities with at least 50,000 residents, including Milpitas, are designated CDBG entitlement communities and receive annual allocations directly from HUD.

Based on previous allocations, Milpitas expects to receive an annual allocation of approximately \$400,000 and an additional \$50,000 in Program Income from the Single Family Housing Rehabilitation Program for a total of \$450,000 per year (a substantial decline of approximately \$200,00 per year compared to the previous Housing Element cycle). Milpitas typically uses CDBG funds for site acquisition, rehabilitation, first-time homebuyer assistance, development of emergency and transitional shelters and fair housing/housing counseling activities. Additional activities in support of the new construction of affordable housing include site clearance and the financing of related infrastructure and public facility improvements.

HOME Program: The HOME Investment Partnership Program (HOME) provides grants to support a broad range of housing activities. Eligible activities include home purchase or rehabilitation financing for eligible homeowners and first-time buyers, site acquisition, and construction or rehabilitation of affordable housing. Milpitas does not receive HOME funds directly from HUD; however the City can compete for funds that are allocated by the State of California and can work with affordable housing developers to support applications for these funds.

Section 8 Assistance: The Section 8 program is a federal program that provides rental assistance to very-low income persons in need of affordable housing. Tenant-based Section 8 Assistance allows households to find housing in the private market, provided that the housing meets the program requirements. The program provides a rent voucher that pays the difference between the current fair market rent and what the household can afford to pay (defined as 30 percent of household income). At present, 627 Milpitas households receive Section 8 Vouchers. The Santa Clara County Housing Authority administers the Section 8 program for households in Milpitas.

In addition to tenant-based Section 8, HUD offers project-based Section 8 assistance to housing developments that provide units to low-income households. Similar to tenant-based Section 8, project-based Section 8 Assistance provides the difference between fair market rent and the rent that households can afford to pay.

State Programs

California Housing Finance Agency (CalHFA): The California Housing Finance Agency operates several programs that help to create affordable rental and ownership housing opportunities for low- and

moderate-income households. These programs, funded by the sale of tax-exempt bonds, provide permanent financing of affordable housing developments, as well as financing for homebuyers.

Low Income Housing Tax Credit Program: Created by the 1986 Tax Reform Act, the Low Income Housing Tax Credit (LIHTC) Program is one of the primary sources of financing for affordable housing. Although enabling legislation for LIHTC was passed at the federal level, allocations of the tax credits are made by the State of California.

Affordable housing developers utilize this program in combination with City and additional funding sources to encourage the construction and rehabilitation of rental housing for lower-income households. The program allows investors an annual tax credit over a ten-year period, provided that the housing meets affordable income requirements. The tax credit is typically sold to large investors at a syndication value.

To be eligible for a tax credit, 20 percent of the units in a housing development must rent to very-low-income households earning less than 50 percent of area median income, or 40 percent of the units must rent for incomes under 60 percent of the median. California law also requires that developments retain these levels of affordability for at least 55 years.

Mortgage Credit Certificate (MCC) Program: The Mortgage Credit Certificate Program (MCC), authorized by Congress in 1984, provides financial assistance in the form of a tax credit to first-time homebuyers. Similar to the LIHTC Program, the MCC Program was authorized by the federal government, but is administered by the State. The MCC reduces the amount of federal income taxes otherwise due to the federal government; however, the mortgage tax credit cannot be claimed as a refund. The MCC program enables program participants to reduce their federal income tax withholdings, creating additional net spendable household income.

Santa Clara County administers the MCC Program on behalf of all participating cities located in the County. Program eligibility requirements determine the maximum sale price of homes purchased through the MCC program and the maximum income for households that receive tax credits through the program. In 2014, the maximum sale price for homes purchased through the MCC program in Santa Clara County was \$673,616.⁶ The maximum income for a household participating in the MCC program in Santa Clara County was \$81,040 per year for one- or two-person households and \$101,300 for households with three or more people.

⁶ The maximum eligible sale price is higher in specified “targeted areas”. However, the only Census tract in Santa Clara County that is designated a targeted area is located in San Jose, and therefore the targeted area maximum sale price does not apply to any areas in Milpitas.

Local Programs

Redevelopment Housing Set-aside Funds: In 2011, the California legislature mandated the dissolution of all redevelopment agencies (RDAs) throughout the State. Prior to 2011, RDAs in California jurisdictions, including Milpitas, set aside 20 percent of all tax increment revenues generated from redevelopment project areas to fund housing projects that increased, improved, or preserved the supply of affordable housing. Housing developed with these set-aside funds were required to remain affordable to low- and moderate-income households for at least 55 years for rentals and 45 years for ownership housing. Prior to the dissolution of the RDA, Milpitas used these set-aside funds to facilitate the development of a significant number of affordable units in the City. Between 1999 and 2014, the City provided \$42.8 million in RDA-funded grants, loans, and land dedication to residential projects in Milpitas, assisting in the development of 874 units affordable to lower-income households (see Table 4.4 for a detailed list). Similar to many jurisdictions throughout the State, Milpitas will now face challenges with identifying funding sources to facilitate affordable housing production due to the loss of the City's RDA.

Milpitas Housing Authority: Following the dissolution of RDAs, jurisdictions have been able to retain the housing set-aside funds generated through redevelopment activity. Milpitas currently has approximately \$7 million of remaining set-aside funds that can be used to support affordable housing programs in the City. In addition, the City receives approximately \$200,000 to \$250,000 per year from repayments on loans previously issued through the use of RDA housing set-aside funds, which the city can use to support housing programs. However, these repayments amount to only a fraction of the funds previously generated on an annual basis from the RDA housing set-aside.

Housing Trust of Silicon Valley: The Housing Trust of Silicon Valley provides housing assistance throughout Santa Clara County through three core program areas: first-time homebuyer loans, multifamily loans, and the Finally Home Grant program. The multifamily loan program supports nonprofit developers constructing or rehabilitating affordable multifamily rental housing. The Finally Home Grant program provides grants for security deposits to assist families or individuals moving from homelessness or unsuitable housing into permanent housing. Between 2007 and 2014, the City of Milpitas contributed \$1.1 million to the Housing Trust of Silicon Valley.

Table 4.4: Residential Projects Receiving Assistance from the Milpitas RDA, 2009-2014

Project Name	Total Units	Total City Funding	Type of Funding			Affordability Level			Tenure		
			Loans		Grants	Land		Above Mod	Mod	Low	Very Low
			2009-2006	2007-2014							
DeVries Place Senior Housing	103	\$9,600,000	\$9,600,000			0	1	0	102	0	103
Aspen Family Apartments	101	\$2,300,000	\$2,300,000			0	1	0	100	0	101
Centria East	137	\$770,000	\$770,000			111	10	7	9	137	0
Crossing at Montague Apartments	470	\$1,190,000	\$1,190,000			376	0	0	94	0	470
Montevista Apartments	306	\$3,000,000	\$3,000,000			0	153	76	77	0	306
Parc Metro	382	\$1,500,000	\$1,500,000			354	18	10	0	382	0
Senior Group Home (Senior Housing Solutions)	1	\$800,000	\$800,000			0	0	0	1	0	1
Parc Place	258	\$1,974,000	\$1,974,000			200	34	6	18	258	0
1999-2007 Total	1,758	\$21,134,000	\$21,134,000			\$0	\$0	1,041	217	99	401
2007-2014											
Paragon	147	\$1,199,997	\$1,199,997			118	20	0	9	147	0
Terra Serena	94	\$6,500,000	\$1,800,000	\$4,700,000		31	63	0	0	94	0
Town Center Villas	65	\$800,000	\$800,000			49	16	0	0	65	0
Senior Group Home (Senior Housing Solutions)	1	\$750,000	\$750,000			0	0	0	1	0	1
South Main Senior Lifestyles	389	\$12,400,000	\$4,549,997	\$4,700,000	\$12,400,000	341	0	0	48	0	389
2007-2014 Total	696	\$21,649,997	\$4,549,997	\$4,700,000	\$12,400,000	539	99	0	58	306	390
1999-2014 TOTAL	2,454	\$42,783,997	\$25,683,997	\$4,700,000	\$12,400,000	1,580	316	99	459	1,083	1,371

Sources: City of Milpitas, 2014; BAE, 2014.

Opportunities for Energy Conservation

HCD requires that the Housing Element provide an assessment of opportunities for energy conservation in residential development and document City policies and programs that assist in curbing residential energy use. In addition to aiding in the attainment of environmental goals, reducing energy consumption often leads to lower gas and electricity bills, thereby reducing housing costs.

The City of Milpitas facilitates energy conservation through its residential development and zoning policies by encouraging high-density residential development near transit amenities. Through implementation of the Midtown and Transit Area Specific Plans, Milpitas has supported a significant amount of ongoing multifamily residential development in areas within walking distance to the City's future BART Station, scheduled to begin passenger service in 2018, and an existing VTA light rail station. As a result, the Specific Plans encourage transit use among occupants of new developments in the City, thereby reducing car trips and the associated energy usage.

Additionally, the City's Transit Area Specific Plan (TASP) promotes walking and biking for short internal trips. For example, the TASP requires new development to install sidewalks, and the City intends to provide pedestrian bridges over major streets, such as Great Mall Parkway, Capitol Avenue, and Montague Expressway, which will be constructed using funding generated by the TASP impact fees.

Milpitas promotes energy conservation in new construction through enforcement of Title 24, Part 6 of the California Code of Regulations (Energy Efficiency Standards for Residential and Nonresidential Buildings). These regulations were adopted in 1978 and most recently updated in 2013 (with changes going into effect July 1, 2014). All new construction must comply with the standards in effect on the date a building permit application is made.

Milpitas further promotes energy conservation in new construction through implementation of the City's Green Building Ordinance (adopted in 2008 and updated in January 2014), which applies to both residential and nonresidential construction. The City also implements additional green building policies, including:

- The U.S. Green Building Council's LEED rating system for non-residential buildings and Build It Green's GreenPoint Rated system for residential buildings have been adopted as the official green building standards for the City of Milpitas.
- Planning applications for new buildings must include a completed LEED or GreenPoint Rated checklist for informational purposes.
- New city buildings and renovation projects over 5,000 square feet are required to be evaluated for feasibility to achieve at least a LEED Silver certification.

In addition, the City provides outreach on an ongoing basis to inform residents about the Pacific Gas and Electric Energy Savings Assistance Program. This program provides income-qualified customers with

services to help reduce energy use and decrease energy costs, including minor home improvements, replacement of old appliances, and information on energy conservation.

5. HOUSING CONSTRAINTS

In addition to identifying adequate sites for housing, the Housing Element is required to analyze potential governmental and non-governmental constraints to housing production and present programs to mitigate these constraints to the extent necessary and possible (Government Code, Section 65583(a)). Governmental constraints typically consist of regulations that limit opportunities to develop housing, impose requirements that unnecessarily increase the cost to develop housing, or make the development process so arduous as to discourage housing development. Non-governmental constraints are often related to land prices, construction costs, the availability of financing, infrastructure capacity constraints, and environmental features. Although local governments have little control over non-governmental constraints, identification of these constraints can be helpful to Milpitas in formulating housing programs.

Governmental Constraints

Government regulations can affect housing costs through local land use policies, zoning regulations and development standards, subdivision regulations, urban limit lines, and development fees. Lengthy approval and processing times may also constrain development.

Recent development trends in Milpitas indicate that the City's regulations and policies support residential development, particularly development of high-density housing near transit and other transportation corridors. The City's development pipeline, which consists of over 5,000 residential units, demonstrates the success of City policies in facilitating residential development. Recent housing construction in Milpitas has consisted primarily of multifamily developments built at significantly higher densities than the City's older housing stock, as intended by adoption of the Midtown and Transit Area Specific Plans.

General Plan

In 2014, the Milpitas City Council authorized funding for a comprehensive update to the City's General Plan, which will occur over the next two to three years. The last comprehensive update to the Milpitas General Plan occurred in 1994. In 2002 and 2008, the General Plan was amended to incorporate the land use designations, design guidelines, and other policies defined by the Midtown Specific Area Plan and the Transit Area Specific Plan (TASP), respectively. The General Plan was updated again in 2010 to integrate the City's Park and Recreation Master Plan and Bikeway Master Plan into the document and to provide updates to exhibits, tables, and figures. Concurrent with this Housing Element Update, the City is updating the Safety Element of the General Plan to address flooding hazards.

The General Plan distinguishes between land use designations on the Valley Floor and designations in the Hillside areas. On the Valley Floor, there are eight residential land use designations along with three mixed-use designations and one commercial designation that allow for residential development. The residential designations range in density from Single Family Low (three to five units per acre) to Very High Density Transit-Oriented Residential (41 to 75 units per acre, or up to 90 units per acre with a use permit).

The mixed-use zones that allow for residential development range in density from the Mixed-Use (Residential) designation, which allows 21 to 30 units per acre, to the Boulevard Very High Density Mixed-Use designation, which allows 41 to 75 units per acre. The Town Center designation, which allows for densities up to 40 units per acre provided that certain findings are made, is the only commercial designation that allows for residential development.

The three land use designations in the Hillside area are intended to provide for only a limited amount of residential development and therefore allow for only low-density residential development. The Very Low Density land use designation applies mostly to land outside of the City's Urban Service Area and Urban Growth Boundaries, and allows for one unit per ten acres. The Low and Medium Density designations allow for up to one and three units per acre, respectively.

The land use designations that allow for residential development are shown in Table 5.1 along with the residential density allowed in each.

Table 5.1: General Plan Land Use Residential Designations

Land Use Designation	Residential Density (units/acre)
Valley Floor	
Residential	
Single Family Low	3 to 5
Single Family Moderate	6 to 15
Multifamily Medium (a)	7 to 11
Multifamily High	12 to 20; up to 40 with PUD approval
Multifamily Very High	31 to 40; 41 to 60 with TOD Overlay (b)
Urban Residential	41 to 75; up to 25% additional with CUP approval
Mobile Home Park	6 to 7
Mixed Use	
Mixed Use (Residential)	21 to 30; 31-40 with TOD Overlay (b)
Residential-Retail High Density Mixed Use	31 to 50; Up to 60 with a Use Permit
Boulevard Very High Density Mixed Use	41 to 75
Commercial	
Town Center	Up to 40 (b)
Hillside	
Very Low Density	Up to 0.1
Low Density	Up to 1
Medium Density	Up to 3

Notes:

(a) TOD Overlay does not change the standards for density and development intensity for the underlying land use designation.

(b) TOD Overlay is provided through the zoning ordinance rather than the General Plan.

(c) Findings are necessary to build residential in land with the Town Center designation.

Sources: City of Milpitas, 2010; BAE, 2014.

Zoning Ordinance

The City's Zoning Ordinance facilitates residential development through implementation of high-density residential zoning designations. Milpitas has adopted two Specific Plans with many sites zoned for high-density residential development and created a TOD Overlay District that further augments allowable residential densities, reduces setbacks and parking requirements, and increases height limits in areas

near transit. Builders have responded to these changes by proposing and building many housing units in the City's Specific Plan Areas. While a large share of these have been market rate units and are therefore unaffordable to lower-income households, the City's affordable housing policies have also resulted in the development of affordable units in both Specific Plan Areas. The Zoning Ordinance, other development standards, and the permitting process do not constitute barriers to residential development in Milpitas.

The City's Zoning Ordinance has five basic residential zoning districts and three mixed-use zoning districts that allow residential development. Within the single family (R-1) zoning designation, there are eight subcategories to specify differences in minimum lot sizes. In addition, the City has overlay districts that modify the underlying zoning for the areas covered by the overlays, including a Mobile Home Park (MHP) Overlay, a High Rise (HR) Overlay, and a Transit Oriented Development (TOD) Overlay.

The City of Milpitas also enforces minimum site development standards for new residential developments through the City's Zoning Ordinance. These standards include lot width, setbacks, lot coverage, and maximum building height, along with other development standards. As with other stipulations of the Zoning Ordinance, some of the site development standards that apply to the base zoning districts are modified in areas located within the City's Overlay Districts.

Table 5.2 summarizes the allowable densities, development types, site development standards, and other requirements that apply to residential and mixed-use zoning districts and Table 5.3 shows the manner in which these standards and requirements are modified by various overlay districts.

Base Zoning Densities and Permitted Land Uses: Table 5.2 provides a summary of the base zoning regulations for the five residential and three mixed-use categories that allow residential development in Milpitas, before accounting for any modifications to the base zoning from overlay districts. As shown, the allowable densities range from very low densities ranging from 80 acres per dwelling unit in certain hillside areas to 60 units per acre in the R5 or MXD3 zone. Second units are permitted without a conditional use permit in all single family zoning districts, and all residential zones allow transitional and supportive housing, subject to the same requirements as other projects in the zoning district. Although transitional and supportive housing are not explicitly identified as permitted uses in mixed-use zoning districts, Program D.4.3 states that the City will amend the Zoning Ordinance to identify transitional and supportive housing as permitted uses in all mixed-use zoning districts that allow residential uses, subject to the same requirements that apply to other residential uses in each zone.

Base Zoning Height Limits: Consistent with the density ranges shown in Table 5.2, the development standards put forth in the Zoning Ordinance provide a range of residential height limits that vary substantially between zoning districts. Height limits range from 17 feet under certain conditions in the hillside (R1-H) zone to 150 feet in MXD3 zone. Most single-family zoning districts (R1 and R2) allow heights up to 30 feet, while multifamily and mixed-use zoning districts have height limits ranging from 35 feet to 150 feet.

Base Zoning Setbacks: Setback requirements for residential uses are somewhat similar between zoning districts, with the exception of the Hillside (R1-H) District. However, the setbacks in the R4, R5, and Mixed Use districts are slightly smaller in general than the setbacks in the R1 and R2 Districts to permit efficient utilization of sites. Setbacks in the R1-H District are larger than the setbacks in other residential districts, in keeping with the low-density designations for the City's hillside areas.

Base Zoning Parking Requirements: Table 5.2 also provides information on the parking requirements specified in the Zoning Ordinance. For the R1 and R2 residential districts, two spaces per unit are required for units with three or fewer bedrooms. Units with four or more bedrooms require three spaces per unit plus one additional space for each additional bedroom. Parking requirements for R3, R4, R5, and the MXD zones are as follows:

- Studios: one covered parking space/unit.
- One-bedroom units: 1.5 covered parking space/unit.
- Two- and three-bedroom units: two covered parking spaces/unit.
- Four-bedroom units: three parking spaces/unit, of which at least two must be covered.
- Five-bedroom units: four parking spaces/unit, of which at least two must be covered.
- Guest parking requirements: projects with structured parking must provide 15 percent additional parking spaces over the required number of spaces. All of these spaces may be uncovered. For projects with private garages, 20 percent additional parking spaces are required. All of these spaces may be uncovered.

Table 5.2: Residential Zoning District Regulations

Zoning District	Density (units/acre)	Minimum Lot Size (SF)	Height	Front Setback		Side Setback		Rear Setback	Residential Types Permitted (w/o CUP) (a)	Parking Requirements
				W side of crestline: 25' (b)	40'	25'	40'			
R1-H	0.002 to 0.1, depending on the average slope of the parcel (max)	435,600	17'1 story E side of crestline: 27'2 stories						Single family & 2nd Unit	3 bedrooms or fewer: 2 spaces per unit 4 + bedrooms: 3 per unit, plus 1 per each additional bedroom
R1-10	4 (max)	10,000	30'	25'	8' one side; Total 20'	25'	30' or 35' (c)			
R1-8	5 (max)	8,000	30'	25'	7' one side; Total 17'	20'	25' or 30' (c)			
R1-6	7 (max)	6,000	30'	20'	Adjacent to garage 6'	Total 13'	25'			
R1-5	9 (max)	5,000	30'	20'	Adjacent to garage 6'	Total 10'	20'			
R1-4	11 (max)	4,000	30'	20'	6' one side	5' one side	15' for single-story units; 20' for units with 2+ stories			
R1-3	15 (max)	3,000	30'	20'	5' one side	5' one side				
R1-2.5	17 (max)	2,500	30'	20'	5' one side	5' one side				
R2	7 (min) to 11 (max)	6,000 (single family); 8,000 (duplex)	30' (2.5 stories)	20'	Single family, 1 story: 4' one side; total 12', Single family, 2 story: 6' one side; total 15', Duplex, 1 story: 7' one side; total 12', Duplex, 2 story: 8' one side; total 20'	Single family, 1 story: 4' one side; total 12', Single family, 2 story: 6' one side; total 15', Duplex, 1 story: 7' one side; total 12', Duplex, 2 story: 8' one side; total 20'	Single family: 25' Duplex: 25' or 30' (c)	Single family & Duplex		
R3	12 (min) to 20 (max)	2,000/dwelling unit	35' (3.5 stories)	20'	1 story: 5' one side; total 12' 2-2.5 story: 10' one side; total 25' 3-3.5 story: 12' one side; total 30'	1 story: 30' 2-2.5 story: 35' 3-3.5 story: 40'	1 story: 30' 2-2.5 story: 35' 3-3.5 story: 40'	Multifamily	Studio: 1 covered per unit 1 bedroom: 1.5 covered per unit 2-3 bedrooms: 2 covered per unit 4 + bedrooms: 3 per unit, plus 1 additional space for each additional bedroom (at least two covered)	Guest Parking: projects with structured parking: 15% of the total required, may be uncovered; projects with private garages: 20% of the total required, may be uncovered.
R4	31 (min) to 40 (max)	None	60' (4 stories)	8' (min) to 15' (max)	15'; or 20' for buildings over 3 stories that abut residential uses	15' or 20' for buildings over 3 stories that abut residential uses	10'			
R5	41 (min) to 60 (max)		75' (6 stories)	12' (min) to 20' (max)	15'; or 20' for buildings over 3 stories that abut residential uses	15' or 20' for buildings over 3 stories that abut residential uses	10'			
MXD	21 (min) to 30 (max)	Size must be large enough to accommodate all space requirements.	45' (3 stories)	8' (min) to 15' (max)	0' (min) to 10' (max)	10' or 15' when abutting residential use, 20' for buildings over 60' or 4 stories.	10' or 15' when abutting residential use, 20' for buildings over 60' or 4 stories.			
MXD2	31 (min) to 40 (max)		75' (6 stories)							
MXD3	41 (min) to 60 (max)		150' (12 stories, or 20 with CUP approval)	12' (min) to 20' (max)	15' or 20' when abutting residential use, 30' for buildings over 60' or 4 stories.	15' or 20' when abutting residential use, 30' for buildings over 60' or 4 stories.	15' or 20' when abutting residential use, 30' for buildings over 60' or 4 stories.			

Note:

(a) Transitional and supportive housing is a permitted use in all residential zones.

(b) This assumes that slope is less than 16 percent.

(c) First number applies to single story units. Second number applies to units with 2 or more stories.

Overlay Districts: As discussed above, Milpitas has a TOD Overlay, HR Overlay, and MHP Overlay that modify the underlying zoning for the areas covered by the overlay districts to allow additional residential density or flexibility in development standards or residential uses permitted. Table 5.3 shows the zoning district regulations as modified by each of these overlay districts. Only those zoning districts that are affected by each overlay district are shown in the table.

The TOD Overlay allows for considerable increases in density and building heights and reductions in parking requirements. Because the TOD Overlay is applied in areas near transit, the increased density provided by the Overlay helps to support transit use, potentially leading to a reduced need for car trips, which makes reductions in parking requirements feasible.

The HR Overlay is intended to allow for high-density residential development in the areas where it is applied, allowing up to 150 dwelling units per acre.

The main purpose of the MHP Overlay District is to promote the expansion and diversification of the available housing opportunities within the City of Milpitas by establishing standards for the creation of planned mobile home parks.⁷ The MHP Overlay District establishes a zoning designation that permits and establishes regulations related to parking requirements, minimum mobile home park size, and maximum densities.

⁷ Paragraph A of Section XI-10-12.04 of the Zoning Code.

Table 5.3: Residential Zoning District Regulations as Modified by Overlay Districts

Zoning District	Density (units/acre)	Minimum Lot Size (SF)	Unit Types Permitted (w/o CUP)	Parking Requirements	Height	Front Setback	Side Setback	Rear Setback
Transit Oriented Development Overlay								
R3 (TOD)	21 minimum 40 maximum	No change	No change	Reduce by 20%. Guest parking is the same.	60' (4 stories)	8' (min) to 15' (max)	8' (min) to 15' (max)	No change
R4 (TOD)	41 minimum 60 maximum				75' (6 stories)	12' (min) to 20' (max)	No change	No change
R5 (TOD)	41 minimum 75 maximum				No change	No change	No change	No change
MXD2 (TOD)	31 minimum 50 maximum				No change	No change	No change	No change
MXD3 (TOD)	41 minimum 75 maximum				Up to 24 stories possible with Planning Commission review	No change	No change	No change
High Rise Overlay								
MXD3	60 minimum 150 maximum	No change	No change	No change	No change	No change	No change	No change
Mobile Home Park Overlay								
Highway Services (HS)	7 mobile homes. Can be increased to 8 homes/acre with findings by Planning Commission.	25 acres per park	Mobile Home Parks for single family dwelling uses and residential quarters for employees.	2.5 spaces per home-one of which must be contiguous to mobile home.	No change	35' from a public street	25' if abutting a residential district. Otherwise 15'.	25' if abutting a residential district. Otherwise 15'.

Note:

Only those zoning districts for which development standards are modified by the overlay districts are listed.

No change = No change due to overlay district.

Sources: City of Milpitas, 2014: BAE, 2014.

Standards for Second Units

Second units are allowed by right in all single-family (R1) zoning districts in Milpitas, subject to the standards specified in the City's Zoning Ordinance. Among other standards, the City's Zoning Ordinance requires that second units have a maximum of one bedroom, are no more than 15 feet in height (17 feet in Hillside areas), and that second units adhere to size and setback requirements. The original home must be owner-occupied at the time an application for a second unit is submitted. One parking space is required for second units, which can be uncovered and tandem. Overall, the City's regulations pertaining to second units are fairly flexible and do not pose a constraint to second unit production.

Urban Growth Boundary

Milpitas voters approved an Urban Growth Boundary (UGB) in 1998 that substantially limits development in the hillside areas on the eastern side of the City by limiting the extension of City services to areas outside of the UGB. The primary goals of the UGB are to preserve the existing character of the hillside, protect the views of the hillside from the valley floor, and reduce the cost of extending public service and infrastructure to new development. The UGB is intended to remain in place through 2018 and can only be amended through a majority vote of the electorate.

The ordinance that enacted the City's UGB stipulates that the City will begin a comprehensive review of the UGB beginning in 2015, in preparation for the expiration of the UGB in 2018. Following this review, City Council will have the authority to determine whether to allow the UGB to expire, renew the UGB, or place a measure on a ballot to let Milpitas voters decide if the UGB will be renewed. However, the zoning that is in place would not be impacted as a result of the expiration of the UGB. Therefore, no changes in allowable density or other development standards in the hillside areas would result if the UGB is allowed to expire.

The Urban Growth Boundary primarily impacts the above moderate-income housing market and has had little or no impact on the feasibility of producing housing for low- and moderate-income households. Residential development in the hillside area would be unlikely to be affordable to lower-income households due to the high cost of hillside construction, the prestige associated with a view or hillside home, and the high cost of extending utility and road extensions to hillside areas. Additionally, developing high-density housing in the hillside area would require large-scale grading, cuts, and fills, and would have substantial adverse environmental impacts. A limited amount of residential development is permitted beyond the Growth Boundary, subject to a slope density formula that dictates minimum lot sizes, as reflected in the City's General Plan and Zoning Ordinance, discussed above.

The City has mitigated impacts from the growth boundary on the supply of housing by significantly increasing the residential development potential of land within the existing urbanized area. The increase in the City's residential development potential resulting from the rezoning of several hundred acres of former commercial and industrial sites within the Specific Plan Areas to very high residential densities and mixed use development greatly exceeds the loss of development potential outside the Urban Growth Boundary. Moreover, the viability of affordable housing in the Specific Plan Areas is far greater than it would be on sites in the hillsides, given the increased feasibility of high-density development on the valley floor and the areas' proximity to mass transit and urban services. Additionally, the UGB is in keeping with Plan Bay Area, which aims to focus new development within the existing urban footprint and in areas served by transit.

Density Bonus Ordinance

Milpitas adopted a Density Bonus Ordinance (Section XI-10-54-15 of the Zoning Code) in 2005 that provides increases in allowable densities for projects that provide a minimum proportion of affordable units. A number of recent projects in Milpitas, including Shea Properties, Edsel Court, and Summerfield Homes, have provided affordable units and received incentives in accordance with the City's Density Bonus Ordinance. The Density Bonus applies to all zoning districts that allow residential development and all projects with at least five dwelling units. In addition to providing higher densities, the Ordinance also allows reduced parking standards. Table 5.4 provides a summary of the key features of this Ordinance.

Table 5.4: Milpitas Density Bonus Ordinance

Attribute	Milpitas Housing Density Bonus (a)
Percent of Units Required to be Affordable	5% of units to be affordable to very low-income, or 10% of units to be affordable to lower-income households, or a senior housing development (no affordability restrictions), or 10% of units to be affordable to moderate-income households, if the development is a condominium.
Resale/Rent Restrictions	For very low- and low-income housing, a 30-year restriction applies, if required by other funding programs or if the City provides at least one incentive in addition to the Density Bonus. Otherwise, there is a minimum 10-year restriction.
Maximum Amount of Density Bonus	Sliding scale. Very low (percentage of very low-income units ranges from 5% to 11% and accompanying density bonus ranges from 20% to 35%); Low (percentage of low-income units ranges from 10% to 20% and accompanying density bonus ranges from 20% to 35%), and Moderate (percentage of moderate-income units ranges from 10% to 40% and accompanying density bonus ranges from 5% to 35%). For senior housing, since 100% of units in a development must be targeted to seniors, a uniform density bonus of 20% applies.
Rounding of Density Bonus Units	All fractions are rounded up to provide for more density.
Number of Incentives Provided (b)	Under the minimum required percentage of units for very low-, low- and moderate-income households, one incentive is provided. If a project doubles the percentage of affordable units, e.g., 10% of units for very low-income; 20% of units for lower-income, or 20% of units for moderate, then two incentives are provided. If a project triples the percentage of affordable units, e.g., 15% of units for very low-income; 30% of units for lower-income, or 30% of units for moderate, then three incentives are provided.
Reduced Parking Incentive	There are three ways that the reduction in the number of parking spaces provides a cost benefit to developers. First, for developments outside the TOD Overlay District, the number of required spaces for each unit size is lower (except for four-bedroom units). Secondly, parking spaces do not need to be covered, and thirdly, there is no requirement for guest parking.

Notes:

(a) Excludes density bonuses related to provision of child care facilities in residential developments.

(b) The actual incentives are not defined. Incentives must result in more affordable housing costs.

Sources: City of Milpitas Zoning Ordinance, XI-10-54.15.

Affordable Housing Goals

Although the City of Milpitas does not have an Inclusionary Zoning Ordinance, the City's Zoning Ordinance includes an Affordable Housing Goal (Section XI-10-6.03) that stipulates that at least 20 percent of units in new residential developments should be affordable. To achieve this goal, the City negotiates with residential developers on a project-by-project basis for the inclusion of units affordable to lower-income households. As a result of these negotiations, market-rate developers have agreed to further the City's affordable housing goals by providing on-site inclusionary units, in-lieu fees, land dedication, and off-site development. The ordinance provides the City with flexibility to waive the requirement for a particular project if compliance would render a project financially infeasible.

The City offers a range of incentives to developers that agree to provide affordable units, including loans, grants, and fee reductions or waivers. In addition to financial assistance, the City may allow for modifications to development standards that intensify land utilization, thereby lowering per-unit land costs. Modifications to development standards may include reduced parking requirements, increased height limits, density bonuses, or reduced setbacks. The City provided these incentives to several recent residential projects, including Parc Place, Paragon, Aspen Apartments, DeVries Place, Shea Properties, Edsel Court, and Summerfield Homes, assisting in the provision of over 300 affordable units.

The Milpitas Zoning Ordinance does not specify the income group targeting for affordable units, allowing the City to negotiate with developers based on project specifics and prevailing market conditions. During the height of the recent recession (2008-09), the price for market-rate condominiums approached the price of deed-restricted units targeted to moderate-income households. Because prices were similar and deed-restricted units are subject to resale restrictions, the City and developers encountered problems in marketing deed-restricted moderate-income units. To respond to this challenge, the City devoted a portion of its redevelopment housing set-aside funds to offer second mortgages, making the deed-restricted units affordable to low-income buyers.⁸

Since the City's affordable housing goals do not provide specific affordability targets and some projects are exempted from providing affordable units, the program is flexible enough to mitigate any potential negative impacts on housing production. While compliance with the City's affordable housing target could result in a decrease in the profitability of residential development or an increase in the cost of market rate housing in the City, the flexibility in the City's policy has allowed Milpitas to continue to support market-rate residential development while providing affordable units, as evidenced by the City's considerable ongoing residential construction activity.⁹

The City's affordable housing goal has resulted in 967 affordable units in mixed-income developments built, under construction, or approved in Milpitas in addition to units provided in developments that are 100 percent affordable. A significant share of affordable units in mixed-income developments were produced during the previous Housing Element cycle with financial assistance from the City, with much of the City's financial assistance originating from the RDA, as shown in Table 4.4. Due to the dissolution of the RDA, Milpitas will need to rely more heavily on alternate mechanisms to incentivize the inclusion of affordable units in market-rate developments in the upcoming years. Incentives are likely to include fee waivers or reductions and modifications to development standards, which the City has a history of providing to developments with affordable units. Additionally, Chapter 6 of the Housing Element Update includes programs to generate additional funding for affordable housing production, which can

⁸ Since much of the new residential development is located in a former redevelopment project area, the City was able use its housing set-aside funds to support the affordable housing required under the City's Zoning Ordinance and California Redevelopment Law.

⁹ Much of this boom can be attributed to higher densities and other development incentives provided under the City's two specific plans as well as to an increase in demand due to job growth in Silicon Valley.

be used to provide financial assistance to projects that provide affordable residential units (see Policy D.1).

Building Codes and Enforcement

The City of Milpitas has adopted the California Building Code (CBC), the California Electrical Code, the California Mechanical and Plumbing Code, and the California Fire Code. It also enforces California Energy Commission's Title 24 standards for energy efficiency. City codes are updated regularly to reflect changes made in state and national codes and standards.

The City has not adopted any special requirements beyond those in the CBC. Class B (or better) roofing is required in new residential construction on the Valley Floor. Structures on the hillsides are subject to special engineering criteria for high wind, fire-retardant roofing standards, and sprinkler requirements, representing an added cost for the small number of homes that may be built in these areas. The City allows the use of the more flexible State Historic Building Code for historic structures, although the number of eligible structures is small.

While the CBC contains no prohibitions on exterior building materials, the Midtown and Transit Area Specific Plans disallow certain materials, including vinyl, aluminum, and T-111 siding, and horizontal sliding or plastic snap-in windows. These prohibitions are not likely to affect housing affordability or the level of housing production. Affordable housing projects in the City have been constructed with stucco or wood exteriors, allowing them to better blend with the surrounding community and convey an image of quality and durability.

Site Improvement Requirements

Residential developers are responsible for constructing road, water, sewer, and storm drainage improvements to extend services to new housing sites when needed. Developers are also often responsible for offsetting the any off-site impacts from a project such as increased run-off or added congestion at a nearby intersection.

The City's Subdivision Ordinance establishes the requirements for new subdivisions, including local street rights-of-way and curb-to-curb widths, sanitary sewer and storm drainage lines, and easements. These requirements do not restrict market rate housing development and while there are no special provisions or exceptions for affordable units, the City Council has the discretion to consider such exceptions in order to enhance the feasibility of a project. The City allows narrower streets within new subdivisions if these streets are privately owned and maintained, and if safety and emergency access concerns are adequately addressed.

Design Review

The City of Milpitas requires design review for projects within the "S" overlay zoning district only, which generally applies in commercial, industrial, multifamily residential, and hillside areas. Since most single family homes are outside the S district, alterations to individual homes (such as remodels and additions)

are not usually subject to design review. New multifamily projects are typically evaluated through a site plan review process, which includes an evaluation of design attributes by the Planning Commission. The City does not have a design review process that is separate from Planning Commission review.

The City has not adopted citywide residential design guidelines, but has adopted guidelines for the Midtown and Transit Specific Plan Areas.¹⁰ These Guidelines cover site planning and building design, including massing, windows, materials, color, roof design, landscaping, signage, and lighting. In addition, there are specific guidelines by building type, covering mixed-use and multifamily residential. These guidelines do not pose a constraint, and are intended to ameliorate concerns that could arise when new residential projects are proposed that have higher densities than most of the City's existing housing stock.

It has been the City's experience that these guidelines do not have a significant impact on development costs. Moreover, developers have reported that the guidelines are straightforward and help to provide certainty on the type of projects that can be approved in various locations in Milpitas.

Permit Processing

Lengthy permit processing times can serve as a constraint to housing production and affordability by adding to financing costs. However, permit processing times in Milpitas are reasonable and do not constitute a development constraint. Projects that are consistent with the City's Zoning Ordinance, General Plan, and any applicable specific plans typically receive planning entitlements (if needed) within six to eight months, provided that extensive environmental analysis is not necessary. Building permits are issued within 30 working days after the City receives a complete application.

Processing Time for Planning Approvals. Residential projects that are consistent with the General Plan and Zoning Ordinance typically receive planning approval within six to eight months from the date that a complete application is submitted, provided that an Environmental Impact report is not required. Projects for which an Environmental Impact Report is required under the California Environmental Quality Act may require a year before planning approvals are processed. Projects requiring a General Plan Amendment or a major rezoning may also require longer processing times.

Milpitas has taken steps to help to reduce processing times for new residential projects in the City's Specific Plan Areas by preparing plan-level Environmental Impact Reports (EIRs) for each of the City's Specific Plans prior to adoption. These plan-level EIRs enable new projects that are developed in either of the Specific Plan Areas to rely heavily on those documents to assess broad-based and cumulative impacts (such as geologic hazards and air quality), rather than preparing entirely new EIRs. Projects in the Midtown Specific Plan and TASP Areas only require additional environmental review if

¹⁰ The Appendix to the Transit Area Specific Plan provides detailed design guideline information for new residential construction in both Specific Plan Areas.

the project has the potential for impacts not already considered in the plan-level EIR, shortening the processing time associated with environmental review.

Table 5.5 identifies the typical processing time for various planning entitlements. Few projects will require all of the entitlements shown in the table (for example, small-scale projects consistent with General Plan and zoning designations do not generally require EIRs, General Plan Amendments, Rezones, or Variances), and some review and approval procedures may run concurrently, so processing times shown in the table are not additive. The City encourages the joint processing of related applications for a single project (for example, a rezone petition may be reviewed in conjunction with the required site plan, a tentative tract map, and any necessary variances for the same project). These procedures save time, money, and effort for both the public and private sector and often decrease the costs for the developer.

Table 5.5: Permit Processing Times

Type of Approval or Permit	Typical Processing	Approval Body
Minor Conditional Use Permit	1-2 weeks	City Staff
Site Plan Review (Building Permit)	1 - 6 weeks	City Staff
Minor Site Development Permit	4 – 6 weeks	Planning Commission Subcommittee
Site Development Permit	8 – 12 weeks	Planning Commission
Conditional Use Permit	8 -12 weeks	Planning Commission
Variance	8 - 12 weeks	Planning Commission
Zone Change	12 - 24 weeks	City Council
General Plan Amendment	12 - 24 weeks	City Council
Final Subdivision Map	6 weeks	Community Development Director
Tract Subdivision Maps	14 -16 weeks	City Council
Parcel Subdivision Maps	8 -12 weeks	Planning Commission
Negative Declaration	4 - 6 weeks (a)	Planning Commission
Environmental Impact Report	4 - 6 months (a)	Planning Commission or City Council (b)

Notes:

(a) After project is deemed complete.

(b) Depending on entitlement.

Sources: City of Milpitas, 2014; BAE, 2014.

Processing Time for Building Permits. Once zoning approval is obtained, building permit processing times are relatively short. The City is in compliance with the Permit Streamlining Act and typically issues building permits within 30 working days after complete applications are received. To expedite the process, an applicant may request an outside Plan Checker from the City's approved list. Milpitas encourages developers to participate in pre-development conferences and meetings with staff before applications are submitted in order to address concerns early and avoid subsequent delays.

The Zoning Code stipulates the residential types permitted, conditionally permitted, or prohibited in each zone that allows residential uses. Permitted uses are those uses allowed without discretionary review, as long as the project complies with all development standards. Most conditionally permitted

uses require Planning Commission approval of a conditional use permit (CUP).¹¹ However, a Minor CUP can be approved at the staff level, which is usually completed within two weeks or less. While Minor CUPs do not apply to most residential uses, live-work spaces can be approved with a Minor CUP in some cases. Typical findings necessary to approve a CUP include that the project is consistent with the General Plan and that the use is compatible with surrounding uses. Table 5.6 shows which housing types are permitted, not permitted, or conditional uses in each residential zone.

Table 5.6: Housing Types Permitted by Zoning District

Use	Residential Zones					Mixed Use Zones			
	R1	R2	R3	R4	R5	MXD	MXD 2 (ground)	MXD2 (upper)	MXD3
Condominiums & Condo Conversions	NP	SFR: C Duplex: C	C	C	C	C	C	C	C
Duplex (Two Dwellings)	NP	P	NP	NP	NP	NP	NP	NP	NP
Group Dwelling	NP	NP	NP	C	C	NP	NP	NP	NP
Guest House	C	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home	P	NP (b)	NP (b)	NP (b)	NP (b)	NP (b)	NP (b)	NP (b)	NP (b)
Multifamily Dwellings (3+ Units)	NP	NP	P	P	P	P	NP	P	P
Planned Unit Development	P	P	P	P	P	P	P	P	P
Second Units	P	SFR: P Duplex: NP	NP	NP	NP	NP	NP	NP	NP
Single Family Dwellings	P	P	NP	NP	NP	NP	NP	NP	NP
Single-room Occupancy Residences	NP	NP	C	C	C	NP	NP	NP	NP
Transitional and Supportive Housing	P	P	P	P	(a)	NP	(a)	(a)	(a)

Notes:

C - Conditional Use Permit

P - Permitted

NP - Not Permitted

(a) Transitional and supportive housing are not identified as permitted uses in MXD districts. Program D.4.3 states that the City will amend the Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses.

(b) Manufactured homes are permitted in the R1 zoning district but not in other zoning districts that allow residential development.

Program D.5.3 states that the City will amend the Zoning Ordinance to allow manufactured homes in all zoning districts that allow residential uses.

Sources: City of Milpitas, 2014; BAE, 2014.

Projects proposed outside of the City's Site and Architectural and Hillside Overlay Districts that are consistent with the General Plan and zoning require only a building permit. Most single-family zoning districts in Milpitas are located outside of the Site and Architectural and Hillside Overlay Districts.

Processing Times in the Site and Architectural and Hillside Overlay Districts. Additional planning entitlements are required for projects proposed within the City's Site and Architectural and Hillside Overlay Districts. The City works closely with developers to expedite approval procedures to the extent possible in order to facilitate the development process.

¹¹ Parties wishing to appeal a Planning Commission decision can file an appeal with the City Council.

In most cases, the additional planning entitlements and review process that apply in the Site and Architectural Overlay District do not substantially impact housing affordability. Milpitas works to expedite the review process by maintaining a close working relationship between City staff, developers, and decision-making bodies. Furthermore, the Site and Architectural Overlay District overlaps substantially with the City's two Specific Plan Areas, which facilitate residential development through streamlined environmental review, high-density zoning designations, and other provisions, counterbalancing any potential impacts of enhanced review requirements. The substantial recent residential development activity in these areas demonstrates that these additional review processes do not pose a substantial constraint to development.

Although the additional review required for projects in the Hillside Overlay area may extend processing times somewhat, the Hillside zoning districts are intended to allow only a limited amount of development and do not constitute significant opportunities for residential projects. Moreover, geographical features generally make the development of affordable housing in these areas infeasible, regardless of the entitlements required.

Development Fees

Like cities throughout California, the City of Milpitas collects development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications. New housing typically requires payment of impact fees for schools, parks, and traffic, connection fees for sewer, storm drainage, and water, and building permit fees, wastewater treatment plant fees, and a variety of service charges. In addition, developers of larger projects may incur costs in complying with the City's Affordable Housing Policy, either by building affordable units or by providing land or capital to affordable housing developers.

Table 5.7 shows total fees for two residential prototypes in Milpitas.

- The first prototype is a three-bedroom, two-story single family home measuring 2,000 square feet on a 5,000 square foot lot outside of the Hillside Combining District and the two Specific Plan Areas.
- The second prototype is a 150-unit multifamily development that is wood-frame construction on 4.5 acres (density is 34 units per acre). Each unit has two bedrooms and is 1,200 SF in size with 200 SF of parking space per unit. Fees for this prototype were calculated both outside the two Specific Plan Areas and within the TASP.

According to the estimates presented in Table 5.7, development fees for a single family home total approximately \$43,800 in development fees. Development fees for a multifamily project outside the TASP average approximately \$29,200 per unit, while development fees for a multifamily project inside the TASP average approximately \$42,800 per unit. These figures underestimate actual fees because they do not include the City's traffic impact fee, which varies by location and is difficult to model.

Table 5.7: City of Milpitas Residential Development Fees, 2014

Fee Type	Outside TASP		Inside TASP
	Single Family (a)	Multifamily (b)	Multifamily (b)
Sewer Connection	\$1,908	\$1,406	\$1,406
Water Connection	\$1,910	\$1,164	\$1,164
Storm Drainage Connection Fee	\$1,100	\$503	\$503
Treatment Plant Fee	\$880	\$690	\$0
Fire Fees	\$1,476	\$377	\$377
School Impact	\$6,520	\$3,912	\$3,912
Park In-Lieu Fee	\$22,370	\$18,427	\$0
Total Building Department Fees (c)	\$7,315	\$2,463	\$2,463
Approvals Process Review (d)	\$286	\$214	\$214
Transit Area Impact Fee	<u>\$0</u>	<u>\$0</u>	<u>\$32,781</u>
Total (e)	\$43,765	\$29,156	\$42,820

Notes:

(a) Single family fees based on a three-bedroom, two-story, 2,000 SF home situated on a 5,000 SF lot.

(b) Multifamily fees based on a wood-construction building with 150 units on 4.5 acres (34 units per acre) with 200 SF of parking per unit. Each unit is 1,200 SF in size.

(c) Includes building permit and plan check fees. Assumes there are no additional fees for a grading permit, Zoning or General Plan changes.

(d) Includes review by Planning, Engineering, Building Inspection and Fire Departments.

Estimates are based on total staff review costs for a recent project.

(e) The City of Milpitas assesses traffic impact fees that vary greatly by street location. Since there is no uniform way to calculate these fees, they are not included in this table.

Sources: City of Milpitas, 2014; BAE, 2014.

In addition to development fees, the City charges planning fees to processs planning applications as needed, as shown in Table 5.8. The majority of these fees would apply to subdivisions or multifamily housing, but some, such as a conditional use permit or variance, could also apply to single family housing. These fees are necessary to cover the staff time that is required to process applications associated with proposed developments.

Table 5.8: City of Milpitas Residential Planning Fees, 2014

Fee Category	Amount
Variance	Single-Family: \$375 Multifamily: \$3,000 initial deposit
Conditional Use Permit	Single-Family: \$375 Multifamily: \$3,000 initial deposit
General Plan Amendment	\$20,000 initial deposit
Zoning Change	\$5,000 initial deposit
Site Development Permit	Minor: \$750 initial deposit New Buildings: \$20,000 initial deposit
Planned Unit Development	\$20,000 initial deposit
Specific Plan	\$20,000 initial deposit
Development Agreement	\$20,000 initial deposit
Tentative Tract Map	\$10,000 initial deposit
Tentative Parcel Map	\$5,000 initial deposit

Sources: City of Milpitas, 2014; BAE, 2014.

City staff report that the City's fees for projects outside of the TASP are generally comparable with other jurisdictions in Silicon Valley. The TASP impact fee brings fees for projects in the TASP slightly higher than average, but the fee is necessary to cover the cost of infrastructure improvements needed to serve new development.

Development fees have increased in Milpitas since the prior Housing Element Update, but have not constrained residential development. Due to high demand for housing in Silicon Valley, land use policies in Milpitas that facilitate high-density residential development, and the City's access to existing transportation amenities and a future BART station, Milpitas has maintained strong residential construction activity with the current fee rates. The City also has a history of working to provide fee reductions for developments that provide affordable units in order to mitigate potential constraints to the development of affordable housing.

Infrastructure and Public Facility Constraints

Most of the housing sites shown in Chapter 4 are in developed areas that are fully served by infrastructure, primarily within the Midtown and Transit Area Specific Plan Areas. Although the conversion of older industrial and heavy commercial sites to residential and mixed land uses in the Specific Plan Areas requires that additional infrastructure investment be undertaken to serve new development, the EIRs that were prepared for these Specific Plans addressed the adequacy of infrastructure in both areas and established mitigation measures where necessary and possible. Because the EIR for the TASP was completed after the EIR for the Midtown Specific Plan, and therefore accounted for any potential infrastructure constraints arising from implementation of both Specific

Plans, the findings of the TASP EIR can be used to evaluate infrastructure constraints that would impact the development of the housing sites identified in Chapter 4.

Roads: Even in the absence of new development in the Transit Area, traffic congestion is often a problem in Milpitas during peak hours. The Environmental Impact Report for the Transit Area Specific Plan discusses impacts of planned growth in the area on the roads and highways in Milpitas. The EIR concludes that there will be significant, unavoidable environmental impacts on the transportation system, including the following:

- Freeway speeds and delays on I-680, I-880, and SR-237/Calaveras Blvd segments will be below the Congestion Management Program LOS Standards.
- There will be substandard roadway segment operation during peak hours along numerous roads.
- Growth in the Transit Area will contribute to substandard intersection operations during peak hours along 15 key intersections. However, impacts at two intersections are more easily mitigated than are impacts at other affected intersections.

In the detailed listing of impacts, 13 intersections are identified that could operate at unacceptable levels of service when the area is built out. These intersections are divided into two groups. The first group consists of roads that are not programmed for improvements and includes the following intersections:

1. Tasman/Alder Drive
2. McCarthy Boulevard/Alder Drive
3. Tasman Drive/N. First St.
4. Montague Expressway/Milpitas Boulevard
5. Montague Expressway/First Street

The second group consists of intersections that can be improved once funds are generated through the Transit Area Impact Fee:

1. Tasman Drive/I-880 SB Ramps
2. Great Mall Parkway/I-880 NB Ramps
3. Montague Expressway/McCarthy Boulevard-O'Toole Avenue
4. N. Capitol Avenue/Trade Zone Boulevard-Cropley Avenue
5. Great Mall Parkway-E. Capitol Avenue/Montague Expressway
6. Montague Expressway/Zanker Road
7. Montague Expressway/S. Main Street-Oakland Road
8. Montague Expressway/McCandless Drive-Trade Zone

Freeway congestion is a regional issue, and therefore requires a regional solution. In the long run, it is hoped that more development located near transit will reduce some of the auto trips throughout the Bay Area, including new trips associated with new development in the Transit Area. It is anticipated that

the light rail system and future BART extension to Milpitas will help to manage future congestion in the City, as will the improvement of bicycle and pedestrian facilities planned for the Specific Plan Areas.

Water: The City's current Urban Water Management Plan was adopted in June 2011. As described in the Plan, the City of Milpitas receives potable water from the San Francisco Public Utilities Commission (SFPUC) and the Santa Clara Valley Water District (SCVWD) and has one existing and one future groundwater well that can provide emergency water supply when necessary. In addition, the City operates and maintains a recycled water system owned by the City of San Jose South Bay Water Recycling Program (SBWR). During normal rainfall periods, the City has sufficient water supply to meet water demands through 2035. However, the City could be impacted by shortages in drought periods, during which the two water wholesalers may not have sufficient supplies to meet demand. If a shortage occurs, it may be necessary to reduce water deliveries through drought rationing options, such as calls for voluntary water conservation or mandatory reductions.

The Transit Area Development Impact Fee will fund the design and construction of a second SCVWD water connection to improve the City's water supply. The fee will also provide partial funding toward an additional water supply tank and pump station. These potable water supply improvements are anticipated to occur in five to ten years. The fee will also cover costs to extend the City's recycled water system, which provides water that can be used for irrigation and industrial processes. Some residential projects in the TASP (Harmony, Pace, and Milpitas Station) have already planned or constructed extensions.

In addition, new development is required to install water saving devices required by the Uniform Plumbing Code as adopted by the City of Milpitas. These devices reduce water consumption and reduce wastewater. New irrigation systems for landscaping must meet Statewide conservation requirements and shall be served by recycled water wherever possible.

Wastewater: Wastewater from Milpitas is directed to the San Jose/Santa Clara Water Pollution Control Plan (WPCP) for treatment. Improvements needed within the Transit Area to existing sewer mains are identified in the 2004 Sewer Master Plan Revisions and 2009 Sewer Master Plan Update. The Transit Area Development Impact Fee provides partial funds to construct the improvements necessary to transport wastewater from developing portions of the Transit Area to the City's sewage treatment trunk lines connecting the City to the treatment plant.

The additional capacity required to accommodate cumulative growth in the city, including buildout of the TASP, can be accommodated by the City's contracted capacity at the WPCP. The City has contractual rights to 14.25 mgd, but could need to acquire an additional 0.75 mgd of biochemical oxygen demand treatment capacity at the WPCP. The City will monitor the increase in demand generated by growth throughout the City, including the net increase attributable to the TASP, to determine when additional capacity will be needed.

Storm Drainage: Much of Milpitas, including portions of both Specific Plan Areas and some of the City's housing opportunity sites, is located within the lower floodplain areas of local watersheds and is subject to flood hazards. As a result, area-wide planning is required and special construction methods must be applied to development within much of the TASP and in some other areas in the City. Milpitas updated the City's Storm Drain Master Plan in 2013 to mitigate flooding risk in the City, including the two Specific Plan Areas. In addition, the Santa Clara Valley Transportation Authority has constructed several storm drain improvements that were needed for the planned BART extension to Milpitas.

In addition to area-wide improvements, storm drainage studies for new development projects are performed on a case-by-case basis, with mitigation measures determined for each project. These measures may include on-site improvements, such as raising development sites with fill or adding a storm water retention pond, and off-site improvements, such as the widening of channels or culverts downstream. These improvements are typically financed by the developer as a condition of approval.

Most of the large residential projects built during the last few years, including affordable projects, have been subject to storm drainage improvement requirements. While the storm drainage improvements add to development costs, they have not been a constraint to development, as evidenced by the recent construction of housing projects in the floodplain, and are necessary public safety measures.

Solid Waste: The City of Milpitas sends its recycling to the Republic Waste Services (Republic) Recyclery for processing and sends its garbage to the Newby Island Sanitary Landfill (NISL) for disposal. The City's collection and disposal contracts with Republic (and affiliate companies) end September 5, 2017. Recent studies estimate that the NISL may remain open until approximately 2025, dependent upon the facility obtaining an extension of its State permit. The City offers residential and commercial recycling programs and maintains outreach programs promoting source reduction and waste prevention.

Although residential and commercial development in the Transit Area will increase recycling and garbage generation, the Transit Area EIR states that development in the Transit Area will not cause an appreciable change in the filling rate of the NISL, due primarily to effective diversion rates (recycling program participation).

Environmental Constraints

Both commercial and residential development in Milpitas are constrained by steep hillsides to the east, wetlands to the west, and City boundaries on the north and south. Although some development on the hillsides is possible, the area has significant seismic and landslide risks, and residents in the area are subject to ongoing geologic and wildfire risks. Additionally, hillside homes are expensive to construct and often have significant environmental impacts. Because of the City's various environmental constraints, future housing development in the City will consist largely of infill projects and redevelopment of existing uses. In most cases, properties that are redeveloped are expected to consist

of obsolete industrial buildings that will be redeveloped to accommodate high-density residential uses in the two Specific Plan Areas.

Like much of the Bay Area, the City of Milpitas is located in a seismically active area, with the Hayward Fault Zone located two miles to the east of the TASP area. In Milpitas and throughout the Bay Area, housing must meet building code standards which reflect the area's earthquake and liquefaction hazards.

The potential for flooding constitutes an additional environmental constraint that could limit housing production in Milpitas. Approximately 50 percent of the City, including some of the City's housing sites, is located within the 100-year floodplain. Although flood depths would be very shallow, a combination of on-site and off-site improvements may still be required before building in areas that could experience flooding. Milpitas is in the process of implementing the City's Storm Drain Master Plan, which was updated in 2013 to reduce the impacts of flooding in Milpitas. Concurrent with this Housing Element Update, the City is also updating the Safety Element of the General Plan to address current flooding hazards and establish goals, policies, and objectives to protect the community from the risk of flooding. The Santa Clara Valley Water District has scheduled additional projects that will further reduce the risk of flooding in Milpitas.

Although some environmental constraints might impact the cost of new housing, these constraints are relatively common in the Bay Area, and the City is limited in its ability to reduce their impact on housing costs without endangering public safety.

Housing for Persons with Disabilities

Although many persons with physical disabilities do not require special housing, a proportion of the City's disabled population requires housing that is specially adapted to accommodate their disabilities. Housing can be made available to those individuals that require accessibility features by making modifications to existing housing units to make these units accessible and by ensuring that new housing units incorporate accessibility features. Some individuals with disabilities also benefit from living near transit and supportive services, and some may require housing with supportive services on site.

The City ensures that new housing developments comply with California building standards (Title 24 of the California Building Code), which have more rigorous accessibility requirements than the ADA, and provides applicants with a check list to assist them in developing plans that are compliant with Title 24 and ADA before they are submitted. Building Department staff is well versed in accessibility requirements and able to assist applicants when needed. In addition to requiring that residential buildings meet accessibility requirements, the City requires ADA-compliant parking, accessible entries, accessible paths of travel through areas being altered, and accessible restrooms, drinking fountains and public phones.

Pursuant to State law, Milpitas does not require discretionary review of small group homes (six or fewer residents) for persons with disabilities. The City allows small group homes in all residential zones and allows large group residential facilities in the R3 and R4 zones. Milpitas does not have any zoning, design review, or building code provisions that conflict with the goal of providing a barrier-free environment and does not impose zoning, building code, or permitting procedures to housing serving individuals with disabilities other than those allowed by State law. There are no City-mandated constraints on housing for persons with disabilities and no spacing requirements for group homes in Milpitas.

The City encourages residential retrofitting to make existing homes more accessible for persons with disabilities and provides funding for retrofits. During the last Housing Element planning period, Milpitas assisted 63 households with funding for home retrofits to accommodate accessibility features at a total cost of \$185,000. The City also works with applicants who need special accommodations in their homes to ensure that building code requirements do not create a constraint.

The City of Milpitas adopted Zoning Ordinance amendments in 2013 to establish a procedure for requesting reasonable accommodations for persons with disabilities and for City review of reasonable accommodation requests. In addition to these amendments, the Zoning Ordinance [Section 10-54.08(B)(9)] allows accessibility ramps and associated railings in any front, side or rear setback, provided that these features are no closer than three feet from the property line.

Potential Non-Governmental Constraints

Apart from governmental constraints, there are often non-governmental constraints that limit the production of both market-rate and affordable housing. Non-governmental constraints to housing production often consist of market-related conditions, such as the cost of land and construction and the availability of financing, which can significantly constrain housing production for low- and moderate-income households in particular.

Land Costs

The cost of land has a considerable impact on development costs, and high land prices impact the feasibility of residential development throughout the Bay Area, including Milpitas. A study completed in July 2013 reported that recent land sales in Milpitas varied from approximately \$41 to \$78 per square foot, and data on recent land sales and currently selling properties indicate that current prices for land zoned for high-density residential development in Milpitas typically range from approximately \$70 to \$90 per square foot. However, the actual sale price of land in Milpitas could vary substantially from these figures based on a number of factors.

Jurisdictions can influence the impact of land prices on development costs by increasing the number of units that can be built on a given piece of land. Although land zoned at higher densities often costs more per acre than land zoned at low densities, higher-density zoning typically reduces the cost of land

on a per-unit basis. The densities allowed in the Midtown and Transit Area Specific Plan areas, as well as the increased densities allowed in the Transit Oriented Development Overlay District demonstrate that Milpitas has implemented higher densities to decrease housing development costs on a per-unit basis in key areas of the City.

In addition to zoning land at densities that help to reduce housing costs, Milpitas has facilitated residential development by providing City-owned land to residential developers at no cost. In 2013, Milpitas gave 5.94 acres to the developer of a senior housing project on Main Street, which is planned for 389 units, 48 of which will be affordable to lower-income households. Depending largely on the outcome of the Redevelopment Successor Agency's disposition agreement with the State, Milpitas may be able to provide affordable housing developers with additional sites that were formerly controlled by the City's Redevelopment Agency to at low or no cost in the future.

Construction Costs

According to RS Means, a standard source used to estimate construction costs, construction costs for an average-quality 1,600-square foot single-family home in Milpitas average approximately \$190,000 to \$265,000 per unit, or approximately \$120 to \$165 per square foot. However, construction costs vary substantially depending on product type, building design, and the quality of finishes, and construction costs are often considerably higher for custom or luxury-quality housing units. In addition, soft costs such as financing, permit fees, and marketing add to the total development costs for a project.

On a per-square-foot basis, construction costs for multifamily residential units tend to be slightly higher than construction costs for single-family homes. RS Means estimates that average construction costs range from approximately \$175 to \$230 per square foot for a one- to three-story multifamily project and approximately \$200 to \$230 for a four- to seven-story multifamily residential project in Milpitas. Assuming an average unit size of 1,200 square feet (including common areas), these estimates result in construction costs ranging from approximately \$210,000 to \$280,000 per unit in Milpitas. In addition to the cost of unit construction, parking adds substantial additional costs to multifamily construction, which vary considerably based on the type of parking provided. Structured parking can average \$30,000 or more per space, while underground parking can cost \$40,000 per space or substantially more.

The high land and development costs in Milpitas mean that, without subsidies, new rental units affordable to very low and low-income households are difficult to provide at a feasible rate of return to a developer or investor. This also tends to hold true for for-sale housing at the moderate income level.

Financing

Although the constrained availability of construction and permanent financing for new development projects has hindered housing production nationwide during the past several years, financing has become somewhat more accessible as the housing market recovers. Residential developers reported that lenders substantially restricted the availability of financing for new residential construction

following the 2007 mortgage crisis. While private lenders often offered loans equal to 70 to 90 percent of the building value prior to the crisis, many began limiting loans to 50 percent of the building value after 2007. Furthermore, lenders instituted strict standards to determine whether developers would qualify for loans, even at the reduced loan-to-value ratios. These lending standards significantly lowered the pace of new housing development throughout the Bay Area and nationally.

The availability of mortgages for homebuyers was also severely restricted following the 2007 subprime mortgage crisis, but lenders have begun to make financing more accessible as the housing market has shown signs of recovery. Prior to 2007, prospective homebuyers were often able to purchase homes with little or no down payment. However, in response to the 2007 mortgage crisis, lenders instituted strict lending standards, typically requiring a 20 percent down payment and high credit scores. One outcome of these stricter standards was reduced access to homeownership for low- and moderate-income households unable to afford the large down payment required to purchase a home.

As the housing market and economic conditions in general have improved, lenders have begun to relax some of the lending restrictions that were instituted after 2007. Although lending standards continue to be less flexible than they were prior to the mortgage crisis, and may remain so indefinitely, loans have become more accessible for developers and individual homebuyers in recent years than in the years immediately following the height of the housing crisis.

Current home mortgage interest rates for home loans are at historically low levels, averaging 3.98 percent in 2013 for a 30-year fixed-rate mortgage. This means that prospective homebuyers that are able to qualify for home loans under the more stringent current lending standards are often able to benefit from low interest rates, reducing ownership costs.

6. HOUSING PLAN

This chapter presents Milpitas's housing goals during the 2015-2023 planning period as well as policies and programs to support these goals. While Milpitas has long had an active set of housing programs, much of the activity was dependent on federal, state, and Redevelopment Agency funding resources. Given the limitations imposed by current budget constraints and reductions in available funding, this Housing Element adds policies and programs balanced with these limitations. All policies and programs have been reviewed to maximize development of affordable housing, effectively utilize funding for affordable housing activities, provide housing for special needs populations, and provide housing for all economic segments of the community. It should be noted that certain prior programs have been modified or deleted to reflect current market and fiscal conditions, as well as accomplishments during the previous Housing Element period.

Housing Goals, Policies, and Programs

Housing policies and programs are grouped under six major goals:

- Goal A: Provide Adequate Sites.** Maintain adequate sites to accommodate the City's share of the regional housing need, including sites that are appropriate for the development of housing affordable to very low-, low-, moderate- and above moderate-income households.
- Goal B: Maintain and Preserve Housing Resources.** Maintain high-quality residential neighborhoods and preserve existing housing resources, including units affordable to extremely low-, very low-, low-, and moderate-income households and market rate units.
- Goal C: Facilitate New Housing Production.** Promote new housing development and remove public infrastructure constraints to new housing development.
- Goal D: Support Housing Diversity and Affordability.** Support the development of a diverse range of housing types, including rental and ownership units, housing affordable to all economic segments of the community, and housing for individuals with special housing needs.
- Goal E: Eliminate Housing Discrimination.** Ensure equal housing opportunity for all households and equal access to the City's housing resources.
- Goal F: Promote Energy Conservation.** Promote energy efficiency in residential development in Milpitas, including reduction of energy use through better design and construction in individual homes and energy-efficient urban design.

Goal A: Provide Adequate Sites

Ensure provision of adequate sites to accommodate the City's share of the regional housing need, including sites that are appropriate for the development of housing affordable to very low-, low-, moderate- and above moderate-income households.

Policy A.1: Facilitate land acquisition and site assembly.

Program A.1.1: The City will continue to work with local property owners to assemble small sites for future developments.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget for Staff

Time Frame: Ongoing

Policy A.2: Consider land use re-designations as needed

Program A.2.1: Although the City is able to accommodate its share of the regional housing need without rezoning during the current Housing Element period, the City will consider land use re-designations as needed in order to accommodate specific residential projects.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget

Time Frame: Ongoing

Goal B: Maintain and Preserve Housing Resources

Maintain high-quality residential neighborhoods and preserve existing housing resources, including units affordable to extremely low-, very low-, low-, and moderate-income households and market rate units.

Policy B.1: Enforce housing codes and regulations to correct code violations while minimizing the displacement of residents.

Program B.1.1: The City will continue to enforce its existing codes through its Code Enforcement Program. This program has been strengthened through the passage of the Neighborhood Beautification Ordinance (NBO), which establishes guidelines for the overall maintenance and preservation of neighborhoods citywide.

Responsible Department: Planning & Neighborhood Services

Funding Source: General Fund

Time Frame: Ongoing

Program B.1.2: Through its Replacement/Relocation Program, the City will assist any households displaced through code enforcement activities to relocate to other suitable housing that is affordable to the households that are displaced.

Responsible Department: Planning & Neighborhood Services

Funding Source: City Housing Authority

Time Frame: Ongoing

Policy B.2: **Provide assistance for the rehabilitation of housing units occupied by very low-income and low-income households.**

Program B.2.1: Through the Housing Rehabilitation Program, the City will provide funds to assist very low- and low-income owner households to undertake repairs to their homes to bring them up to standard condition and prolong the useful life of the local housing stock. The City will give priority for participation in this program to very low-, and low-income homeowners who are subject to code enforcement actions that could otherwise lead to displacement of residents. Assuming adequate CDBG funding, the City will continue assisting between 16 and 24 low-income homeowners over the course of the planning period.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG, City Housing Authority

Time Frame: Ongoing

Program B.2.2: The City will continue to provide CDBG funds to Rebuilding Together to provide safety, accessibility, and mobility repairs to mobile and single family homes owned by very low- and low-income households.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG

Time Frame: Ongoing

Program B.2.3: The City will continue to support Project Sentinel, which provides fair housing assistance, landlord-tenant mediation services, and mortgage default counseling to Milpitas residents.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG, City Housing Authority

Time Frame: Ongoing

Policy B.3: **Monitor the need to replace infrastructure as needed to conserve older neighborhoods.**

Program B.3.1: When updating its Capital Improvement Program and associated budget, the City will allocate resources to rehabilitate and/or replace infrastructure in older neighborhoods whose infrastructure is approaching obsolescence.

Responsible Department: Engineering
Funding Source: Department Budget (CIP)
Time Frame: Ongoing

Policy B.4: **Collaborate with other public and private entities to ensure that no extremely low-, very low-, or low-income residents are adversely impacted by the conversion of existing affordable housing projects to market rate rents.**

Program B.4.1: The City will continue to monitor the status of the 149 units at risk of conversion to market rates at Sunnyhills Apartments. The City will work with the Santa Clara County Housing Authority, U.S. Department of Housing and Urban Development, and the property owner to ensure the continuation of subsidies to the 149 low-income renters. If notice is received that the owner will convert the property to market rate use, the City will implement the following actions:

- Establish contact with public and non-profit organizations, such as Mid-Peninsula Housing Coalition, BRIDGE Housing, and other non-profit housing providers working in the Santa Clara area to inform them of the potential conversion status of Sunnyhills Apartments and to determine interest in purchasing and/or managing units at-risk.
- Provide technical assistance and support to these organizations with respect to financing to acquire or replace these units.
- Work with tenants of at-risk units and provide them with education regarding tenant rights and conversion procedures, Section 8 vouchers available through the Santa Clara Housing Authority, and other housing opportunities in the City for low-income households.
- Assist tenants to obtain priority status on the Section 8 Waiting List.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget
Time Frame: Beginning in 2017, in anticipation of the expiration of the current contract between HUD and the property owner

Policy B.5: **Maintain the existing stock of housing affordable to extremely low-, very low-, low-, and moderate-income households that is provided through the private market and provide tenant protections for apartment units at risk of condominium conversion.**

Program B.5.1: The City will continue to administer its condominium conversion ordinance to minimize the negative impacts of conversions on the rental market.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget
Time Frame: Ongoing

Program B.5.2: The City will continue to administer its mobile home rent control ordinance, which regulates rental rates and the rights and responsibilities of tenants and property owners for the three mobile home parks in Milpitas.

Responsible Department: Planning & Neighborhood Services
Funding Source: N/A
Time Frame: Ongoing

Goal C: Facilitate New Housing Production.

Promote new housing development and remove public infrastructure constraints to new housing development.

Policy C.1: **Continue to facilitate housing production through implementation of the TASP and Midtown Specific Plan.**

Program C.1.1: Continue to expedite environmental review in the TASP area by utilizing the Specific Plan EIR for projects that are consistent with the TASP.

Responsible Department: Planning & Neighborhood Services
Funding Source: N/A
Time Frame: Ongoing

Program C.1.2: The City will continue to implement the planning and design guidelines specified in the Midtown and Transit Area Specific Plans, including minimum densities, intensive land utilization, and mixed-use zoning.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget, TASP Impact Fee
Time Frame: Ongoing

Policy C.2: **Address public infrastructure constraints to housing production where feasible.**

Program C.2.1: The City will continue to coordinate sanitary and storm sewer improvements with the Cities of San Jose and Santa Clara and other relevant agencies if needed to acquire sufficient wastewater capacity to serve residential development. Measures to be explored include the reduction of wastewater flows (through water conservation programs) and the purchase of surplus capacity from other agencies using the regional water pollution control plant.

Responsible Department: Planning & Neighborhood Services, Engineering
Funding Source: Department Budgets
Time Frame: Ongoing

Program C.2.2: The City will continue to work with the Santa Clara Valley Water District to reduce the extent of the flood plain on the housing sites identified in the Midtown Specific Plan in accordance with the Safety Element Update currently in progress.

Responsible Department: Planning & Neighborhood Services, Engineering
Funding Source: Department Budgets
Time Frame: Ongoing

Program C.2.3: On an ongoing basis, the City will explore alternatives to the on-site retention of stormwater on each housing site, including the development of an area-wide retention pond or allowances for porous pavement and other surfaces that can absorb runoff.

Responsible Department: Planning & Neighborhood Services, Engineering
Funding Source: Department Budgets
Time Frame: Ongoing

Program C.2.4: The City will continue to pursue State and federal grants and other financing to reduce the cost of off-site traffic improvements for housing developers in the City.

Responsible Department: Planning & Neighborhood Services, Engineering
Funding Source: Department Budgets, TASP Impact Fee
Time Frame: Ongoing

Program C.2.5: The City will continue to monitor additional infrastructure improvements needed for access to the Union Pacific Site.

Responsible Department: Planning & Neighborhood Services, Engineering

Funding Source: Department Budgets

Time Frame: Ongoing

Policy C.3: **Facilitate development of executive-luxury style housing to support the City's economic development strategy.**

Program C.3.1: The City will continue to work with builders developing high-rise buildings and with custom homebuilders to assist in the creation of additional executive-luxury style housing within the City.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget

Time Frame: Ongoing

Goal D: Support Housing Diversity and Affordability

Support the development of a diverse range of housing types, including rental and ownership units, housing affordable to all economic segments of the community, and housing for individuals with special housing needs.

Policy D.1: **Seek out new funding sources to support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households and housing for individuals with special housing needs.**

Program D.1.1: Advocate for policies and legislation at the State and Federal level that increase the funding available to support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

Program D.1.2: The City will continue to monitor federal, State, and other public and private funding sources that support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households and submit applications for funding as appropriate.

Responsible Department: Planning & Neighborhood Services
Funding Source: N/A
Time Frame: Ongoing

Policy D.2: **Facilitate the development of at least 565 new housing units affordable to moderate-income households, 570 units affordable to low-income households and 1,004 new housing units affordable to very low-income households.**

Program D.2.1: The City will continue to operate its Below-Market Rate Financing Program for new construction.

Responsible Department: Planning & Neighborhood Services
Funding Source: City Housing Authority, developer contributions
Time Frame: Ongoing

Program D.2.2: The City will continue to promote affordable units in residential projects. In conformance with Section XI-10-6.03 of the City's Zoning Ordinance, affordable housing requirements are negotiated on a project-by-project basis, aiming for a minimum percentage (20 percent) of units in all housing developments to be affordable to extremely low-, very low-, low-, and/or moderate-income households.

Responsible Department: Planning & Neighborhood Services
Funding Source: N/A
Time Frame: Ongoing

Program D.2.3: The City will continue to provide density bonuses in accordance to the City's Density Bonus Ordinance.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget, City Housing Authority
Time Frame: Ongoing

Program D.2.4: When possible, the City will continue to provide fee reductions, waivers, or financial assistance to cover the cost of fees for housing developments that provide units that are affordable to extremely low-, very low-, low-, or moderate-income households.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget, City Housing Authority
Time Frame: Ongoing

Program D.2.5: When possible, the City will allow for deviations from development standards or provide other incentives to developers that agree to provide community benefits such as housing that is affordable extremely low-, very low-, low-, and/or moderate-income households.

Responsible Department: Planning & Neighborhood Services

Funding Source: City Housing Authority

Time Frame: Ongoing

Policy D.3: **Promote homeownership opportunities for low- and moderate-income households.**

Program D.3.1: The City will continue to provide assistance to first-time homebuyers to purchase below market rate units.

Responsible Department: Planning & Neighborhood Services

Funding Source: City Housing Authority

Time Frame: Ongoing

Policy D.4: **Support the development of housing for individuals and households with special housing needs.**

Program D.4.1: The City will encourage affordable housing developers to include units for extremely low-income households in future developments and will provide its housing trust funds to help subsidize development costs to achieve affordability targeting to extremely low-households.

Responsible Department: Planning & Neighborhood Services

Funding Source: City Housing Authority, Housing Trust of Silicon Valley

Time Frame: Ongoing

Program D.4.2: The City will continue to facilitate the development of emergency and transitional housing through financial and/or other incentives.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG

Time Frame: Ongoing

Program D.4.3: The City will modify its Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses, subject to the same requirements as other residential uses in the same zones.

Responsible Department: Planning & Neighborhood Services
Funding Source: Department Budget
Time Frame: 2015

Program D.4.4: The City will continue to support emergency services and housing resources consistent with the City's ongoing commitment to and participation in the Santa Clara County Continuum of Care Plan.

Responsible Department: Planning & Neighborhood Services
Funding Source: CDBG
Time Frame: Ongoing

Program D.4.5: Milpitas will continue to provide funds (through CDBG and other programs) to local non-profits such as Rebuilding Together to assist residents with home retrofits.

Responsible Department: Planning & Neighborhood Services, Building
Funding Source: CDBG & Department Budgets
Time Frame: Ongoing

Program D.4.6: Milpitas will require units that are accessible to individuals with disabilities in new housing developments.

Responsible Department: Planning & Neighborhood Services, Building
Funding Source: CDBG & Department Budgets
Time Frame: Ongoing

Program D.4.7: Milpitas will continue to enforce Title 24 of the California Building Code and the Americans with Disabilities Act (ADA) when reviewing proposed development plans.

Responsible Department: Planning & Neighborhood Services, Building
Funding Source: CDBG & Department Budgets
Time Frame: Ongoing

Program D.4.8: The City will provide information on housing resources and suitable housing opportunities in Milpitas to individuals with disabilities.

Responsible Department: Planning & Neighborhood Services, Building
Funding Source: CDBG & Department Budgets
Time Frame: Ongoing

Program D.4.9: Working with the San Andreas Regional Center, Milpitas will implement an outreach program that informs residents on housing and services available for persons with developmental disabilities. The program could include the development of an informational brochure, updating the City's housing assistance resource web page to provide additional information on services, and providing housing-related training for individuals and families through workshops.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budgets, City Housing Authority

Time Frame: 2015

Program D.4.10: During project review, City staff shall encourage the inclusion of studio and four-bedroom units in new projects as feasible and provide financial and regulatory incentives when possible.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

Policy D.5: **Support alternative housing types such as live/work lofts and manufactured housing.**

Program D.5.1: Consistent with the Midtown Specific Plan, the City will favorably consider applications for live-work units in zoning districts where live-work units are a permitted or conditionally-permitted use.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

Program D.5.2: The City will continue to permit manufactured housing in R1 zones subject to the same architectural requirements and development standards as other dwellings in the same zone.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

Program D.5.3: The City will modify the zoning ordinance to allow manufactured housing in all zoning districts where residential development is allowed, subject to the same

architectural requirements and development standards as other dwellings in the same zone.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget

Time Frame: 2015

Policy D.6: **Support the inclusion of space for childcare facilities in new residential developments.**

Program D.6.1: The City will continue to encourage new residential developers to provide space for childcare facilities to promote the integration of this needed service in residential areas as they are developed.

Responsible Department: Planning & Neighborhood Services, Child Care Coordinator

Funding Source: Department Budget

Time Frame: Ongoing

Goal E: Eliminate Housing Discrimination

Ensure equal housing opportunity and equal access to the City's housing resources for all households.

Policy E.1: **Work to eliminate all unlawful discrimination in housing with respect to age, race, gender, sexual orientation, marital or familial status, ethnic background, medical condition, or other arbitrary factors, so that all residents can obtain decent housing throughout the City.**

Program E.1.1: The City will work with appropriate local, State, and federal agencies to ensure that fair housing laws are enforced.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG, Department Budget

Time Frame: Ongoing

Program E.1.2: The City will continue to implement its ordinances and policies prohibiting discrimination in housing practices.

Responsible Department: Planning & Neighborhood Services

Funding Source: CDBG, Department Budget

Time Frame: Ongoing

Program E.1.3: The City will carry out necessary actions to address any impediments to fair housing choice identified in the City's HUD-mandated Analysis of Impediments to Fair Housing (AI).

Responsible Department: Planning & Neighborhood Services
Funding Source: CDBG, Department Budget
Time Frame: Through 2017 for impediments identified in the most recent (2012-2017) AI; 2017-2022 for impediments identified in the upcoming AI (to be completed prior to 2017).

Program E.1.4: The City will continue to distribute information on fair housing laws through flyers, brochures, public service announcements, and other means.

Responsible Department: Planning & Neighborhood Services
Funding Source: CDBG, Department Budget
Time Frame: Ongoing

Program E.1.5: The City will continue to fund an appropriate agency, such as Project Sentinel, to advocate for Milpitas households that may have experienced unfair or illegal housing practices.

Responsible Department: Planning & Neighborhood Services
Funding Source: CDBG, Department Budget
Time Frame: Ongoing

Goal F: Promote Energy Conservation

Promote energy efficiency in residential development in Milpitas, including reduction of energy use through better design and construction in individual homes and energy-efficient urban design.

Policy F.1: **Promote energy efficiency in new and existing residential development.**

Program F.1.1: The City will continue to partner with local utility providers to promote participation of Milpitas' low-income residents in available energy efficiency programs, such as PG&E's Energy Partners Program.

Responsible Department: Planning & Neighborhood Services, Building
Funding Source: Department Budgets
Time Frame: Ongoing

Program F.1.2: The City will continue to promote use of passive solar devices and promote energy audits of existing homes.

Responsible Department: Planning & Neighborhood Services, Building

Funding Source: Department Budgets

Time Frame: Ongoing

Program F.1.3: Milpitas will continue to implement the City's Green Building Ordinance.

Responsible Department: Planning & Neighborhood Services, Building

Funding Source: Department Budgets

Time Frame: Ongoing

Program F.1.4: The City will continue to encourage the incorporation of energy- and water-saving principles in the design and planning of new residential developments, including features such as solar orientation and the use of recycled water.

Responsible Department: Planning & Neighborhood Services, Building

Funding Source: Department Budgets

Time Frame: Ongoing

Program F.1.5: The City will continue to encourage mixed-use and transit-oriented development at transit nodes.

Responsible Department: Planning & Neighborhood Services, Building

Funding Source: Department Budgets

Time Frame: Ongoing

Program F.1.6: In accordance with the Green Building Policy Resolution adopted in February 2008, the City will continue to require that planning applications for new buildings include a completed LEED checklist.

Responsible Department: Planning & Neighborhood Services, Building

Funding Source: Department Budgets

Time Frame: Ongoing

Quantified Objectives

The following table summarizes the quantified objectives for the construction, rehabilitation, and conservation of housing in the City of Milpitas for the 2015-2023 Housing Element period.

Table 6.1: Summary of Quantified Objectives, City of Milpitas, 2015-2023

	<u>Construction (a)</u>	<u>Rehabilitation</u>	<u>Conservation/</u>
			<u>Preservation (b)</u>
Total Units	3,290	60	149
Extremely Low Income (c)	502	0	149
Very Low-Income	502	25	0
Low Income	570	35	0
Moderate Income	565	0	0
Above Moderate Income	1,151	0	0

(a) Construction goal reflects housing need defined by the RHNA numbers. As of 2014, a significant number of new units are already under construction, approved or are in the planning process.

(b) This figure does not include mobile home units rented to seniors on fixed incomes.

(c) The quantified objective for extremely low-income housing units is assumed to be one-half the total of the very low-income units required.

Sources: City of Milpitas, 2014; BAE, 2014.

The figures shown in Table 6.1 are based the following:

- New construction goals reflect the RHNA figures for Milpitas for the 2015-2023 planning period.
- Rehabilitation goals are based on the current funding provided by the City's CDBG Rehabilitation Program.
- The conservation goal is based on the need to preserve or replace the 149 affordable units at-risk to market conversion at Sunnyhills Apartments. In addition, there are 544 mobile home units in the City's three mobile home parks. The City administers a Mobile Home Rent Control Ordinance to maintain affordability for those units occupied by low-income seniors, which are estimated to comprise approximately 65 percent of mobile home residents in Milpitas.

APPENDIX A: MILPITAS HOUSING ELEMENT ACCOMPLISHMENTS, 2007-2014

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
A. Identification of Adequate Sites		
Goal A-1: Provide Adequate Sites for Housing Development in the City of Milpitas		
Policy A-1: Facilitate land acquisition and assembly		
Facilitate land acquisition and site assembly	Milpitas facilitated the land acquisition and site assembly as needed throughout the planning period.	Ongoing Program 2014-2022
Policy A-2: Modify land use designation as necessary		
Study land use redesignation as needed	Due to the adoption of the Transit Area and Midtown Specific Plans, the City had sufficient sites to accommodate residential development throughout the planning period. As a result, no redesignations were necessary.	Ongoing Program 2014-2022
B. Housing and Neighborhood Conservation		
Goal B-1: Maintain High Quality Residential Environments		
Goal B-2: Preserve Housing Resources		
Policy B-1: Continue to enforce housing codes and regulations		
Operate Code Enforcement Program	Code Enforcement Staff continue to implement citywide Neighborhood Beautification Ordinance to address code violations.	On-Going Program 2014-2022
Operate Replacement/Relocation Program to assist any households displaced through code enforcement activities	Code enforcement activities did not displace any households during the planning period and therefore no replacement or relocation assistance was needed.	Continue to monitor any replacement/relocation of households and provide funding as needed.
Policy B-2: Provide assistance for rehabilitation to lower-income households		
Continue to operate the CDBG Rehabilitation Program	Milpitas provided \$1.3 million through the CDBG Rehabilitation Program during the planning period, providing assistance to 21 low-income households.	On-Going Program 2014-2022
Operate a Lift Program where needed	Milpitas was unable to implement this program during the planning period due to limited property owner interest.	Program will not be continued during the 2014-2022 Housing Element period.
Continue to support Rebuilding Together to preserve affordable housing	Milpitas provided \$355,000 to Rebuilding Together to assist in the preservation of affordable housing units during the planning period.	On-Going Program 2014-2022
Continue to support Project Sentinel	Continued to support Fair Housing Services	On-Going Program 2014-2022
Policy B-3: Replace infrastructure as needed		
Provide priority in Capital Improvement Program to rehabilitate/replace infrastructure in older neighborhoods	Milpitas Capital Improvement Program and Housing Authority has provided funding to address needs of older neighborhoods	On-Going Program 2014-2022
Policy B-4: Preserve or replace affordable housing that converts to market rate		
Continue to monitor at-risk Sunnyhills Apartments. If notice to convert is received, the City will: 1) Contact public and non-profit agencies to inform them of potential conversion; 2) Provide technical assistance and support to agencies; 3) Help at-risk tenants.	Milpitas has worked with the Housing Authority of Santa Clara County to renew the Section 8 Vouchers for tenants of Sunnyhills Apartments to maintain long-term affordability and prevent units from being at-risk. Milpitas continues to monitor the project.	On-Going monitoring 2014-2022

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
Policy B-5: Preserve affordable housing provided by the market		
Continue to administer the Condominium Conversion Ordinance	No condominium conversions were proposed during the 2007-2014 Housing Element Update cycle.	On-Going monitoring 2014-2022
Continue to administer the Mobile Home Rent Control Ordinance	Milpitas continued to administer the ordinance throughout the planning period.	On-Going Program 2014-2022
C. New Housing Production		
Goal C-1: Facilitate New Housing Production		
Policy C-1: Continue to use planning tools to facilitate housing production		
Use Transit Area Specific Plan EIR to expedite environmental review for projects located in the area	The TASP EIR was used to expedite environmental review of all projects approved within the TASP area during the 2007-2014 Housing Element Update cycle.	On-Going 2014-2022
Continue to implement planning and design guidelines in the Midtown and Transit Area Specific Plans	The Mid-Town and TASP design guidelines were implemented during project review throughout the planning period.	On-Going 2014-2022
Policy C-2: Address Infrastructure constraints to housing production where feasible		
Continue to coordinate sanitary and storm sewer improvements with the Cities of San Jose and Santa Clara	Developers of projects in the TASP area provided upgrades to the sanitary and storm sewer systems to serve the new developments. No additional improvements were needed during the planning period.	On-Going 2014-2022
Continue to work with the Santa Clara Valley Water District to reduce flood plain issues on specific sites	Milpitas has worked with Santa Clara Valley Water District to identify any flood plain issues and has updated Master Flood Plain Map and documents to address potential flood issues in the future	On-Going 2014-2022
Explore alternatives to on-site retention of storm water	On an going basis, Milpitas will continue to explore alternatives to on-site retention of storm water on each housing site including the development of an area wide retention pond or allowances for porous pavement and other pervious surfaces which can absorb runoff. Storm water retention strategies have been explored. However, the residential development community does not require the need at this time. The City will continue to monitor any future needs.	On-Going 2014-2022
Pursue grants to reduce cost of off-site traffic improvements.	Milpitas pursued and received Federal, State and Regional grants and used part of the revenue generated by the TASP impact fee to address traffic improvements.	On-Going 2014-2022
Continue to monitor additional infrastructure improvements needed for access to the Pacific Union site	Milpitas did not approve any developments that necessitated infrastructure improvements to the Pacific Union site during the 2007-2014 Housing Element Update period.	On-Going 2014-2022
Policy C-3: Facilitate the development of executive-luxury style housing to support economic development strategy		
Continue to work with builders developing high-rise buildings and with custom homebuilders to assist in the creation of executive-luxury style housing within the City	Milpitas approved several developments in the TASP and Midtown Specific Plan Areas that include executive-luxury style units between 2007 and 2014.	

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
D. Housing Diversity and Affordability		
Goal D-1: Promote Housing Affordability for Renters and Homeowners Goal D-2: Support Housing to Meet Special Needs Goal D-3: Support Housing Diversity and Creativity in Residential Development		
Policy D-1: Facilitate the development of at least 441 new housing units affordable to moderate-income households, 421 units affordable to low-income households and 689 new housing units affordable to very low income households		
Continue to operate the Below-Market Rate Financing Program for new construction	Milpitas provided grants and loans totaling \$21,649,997 to support the development of 99 units affordable to moderate-income households and 62 units affordable to very low income households between 2007 and 2014.	On-Going seeking other funds sources, 2014-2022
Policy D-2: Continue to target the provision of 20 percent affordable units within new multifamily projects		
Continue to promote affordable units in new residential projects	Milpitas approved 13 projects with a total of 791 units affordable to lower-income households (351 very low-income, 194 low-income, and 174 moderate-income units) between 2007 and 2014.	On-Going seeking other funds sources, 2014-2022
Policy D-3: Provide incentives for affordable units		
Continue to provide density bonuses to new residential development	Two projects in Milpitas received density bonuses between 2007 and 2014: Shea Properties, which includes 8 units affordable to very low-income households, and S. Main St Senior Housing, with includes 48 units affordable to 48-income households.	On-Going 2014-2022
Continue to assist developers in paying development fees for low-income and special needs units included in new residential projects	Milpitas provided \$5.3 million in development fee reductions and waivers to assist in the development of 308 units affordable to very low-, low-, or moderate-income households between 2007 and 2014.	On-Going seeking other funds sources 2014-2022
Policy D-4: Promote homeownership for lower- and moderate-income households		
Continue to provide assistance to first-time homebuyers	Between 2007 and 2014, Milpitas assisted 227 first-time homebuyer households in the purchase of homes through the City's first-time homebuyer program.	On-Going seeking other funds sources 2014-2022
Policy D-5: Expand housing opportunities for extremely low-income households		
Encourage affordable housing developers to include units for extremely low-income households in future developments. Provide additional financial support for these units.	Milpitas has provided previous Redevelopment 20% Low-Income Housing Set-Aside funds and Community Development Block Grant (CDBG) funds for purchase two (2) single-family homes (& rehabilitation) for 10 extremely low-income Milpitas Seniors. A total of 5 ELI Seniors live in each home. Approximately \$1.4 million was used to purchase these units. The City also has provided CDBG funding (\$40,000) to Emergency Housing Consortium to provide shelter and services to 78 Milpitas residents to prevent homelessness.	On-Going seeking other funding sources 2014-2022
Policy D-6: Support housing for the homeless		
Continue to facilitate development of emergency and transitional housing through financial and other incentives	Milpitas adopted Zoning Ordinance Amendments (Fall 2013) to facilitate the development of emergency and transitional housing.	On-Going seeking other funding sources 2014-2022

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
Continue to support emergency services and housing resources through ongoing commitment to and participation in the Santa Clara County Continuum of Care Plan	Milpitas provides a financial contribution every two years to support the Countywide homeless census and survey, which is used by the County to apply for Emergency Shelter Grant funds. Milpitas also ensures that the City's five-year Consolidated Plan remains consistent with County Continuum of Care plan.	On Going 2014-2022
Policy D-7: Promote housing for persons with disabilities		
Provide funds to local non-profits to assist residents with home retrofits	Milpitas provided \$185,000 in CDBG funding to provide 63 households with funding to assist residents with home retrofits.	On-Going 2014-2022
Include accessible units within new residential developments	All residential developments constructed in Milpitas between 2007 and 2014 included accessible units in accordance with the City's Building Code.	On-Going 2014-2022
Enforce Title 24 of the Building Code and the ADA when reviewing proposed development plans	The Milpitas Building Department continues to enforce Title 24 of the Building Code and the ADA through the plan approval process. Developers are able to access information about accessibility requirements on the City website and at City Hall.	On-Going 2014-2022
Provide information on housing resources to disabled residents	The City provides information on housing resources for residents with disabilities at City Hall and on the City's website. Milpitas also provides information on housing resources for residents with disabilities in pamphlets distributed to service providers.	On-Going 2014-2022
Modify Zoning Ordinance to include a statement specifying reasonable accommodation for persons with disabilities	Milpitas adopted Zoning Ordinance Amendments (Fall 2013) to address reasonable accommodations.	Not needed. Program was completed with adoption of ordinance.
Policy D-8: Continue to encourage developers to provide new units meeting the needs of both very small and large households		
Encourage developers to include studio and four-bedroom units in new projects as feasible through incentives	Projects approved or built in Milpitas between 2007 and 2014 included 16 studio units and 24 four-bedroom units.	On-Going 2014-2022
Policy D-9: Provide outreach to encourage community acceptance of affordable housing		
Consider establishing a public education campaign that provides positive examples of affordable housing	By encouraging the inclusion of affordable units in high-quality developments in the City, Milpitas has facilitated in providing positive examples of affordable housing in the community. However, public education campaign was not established.	Remove
Policy D-10: Support housing alternatives, such as live/work lofts and manufactured housing		
The City will favorably review applications for live work lofts in R4 and R5 districts	16 live/work units were approved in Milpitas between 2007 and 2014. The City continues to review applications for live work units favorably.	On-Going 2014-2022
The City will modify the Zoning Ordinance to permit manufactured housing in R1 zones	Milpitas Zoning Ordinance was amended to permit manufactured housing in R-1 zones	Program was completed through amendment to the Zoning Ordinance. Milpitas will continue to allow for manufactured housing through continued implementation of the Zoning Ordinance.
Policy D-11: Support the inclusion of space for child care facilities in new residential communities		
The City will explore the feasibility of encouraging developers of large residential projects to include space on-site for child care facilities	Two residential projects with on-site child care facilities were constructed in Milpitas between 2007 and 2014 (Terra Serena and Aspen Family Apts).	On-Going 2014-2022

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
E. Fair Housing		
Goal E-1: Eliminate Housing Discrimination		
Policy E-1: Work to eliminate all forms of unlawful discrimination so that residents can obtain decent housing through the City		
Ensure that fair housing laws are enforced	Milpitas continues to work with Project Sentinel to enforce fair housing laws.	On-Going 2014-2022
Continue to implement City ordinances and policies that prohibit discrimination in housing	Milpitas continues to review and implement ordinances and policies to address housing discrimination	On-Going 2014-2022
In the event that the Analysis of Impediments identifies any impediments, the City will take appropriate actions to address them	Milpitas has monitored and addressed all impediments identified in the most recent AI Report.	On-Going review 2014-2022
Continue to distribute information on fair housing laws	The City distributes information on fair housing laws through the City website, cable television, and at City Hall.	On-Going 2014-2022
Continue to fund Project Sentinel to assist Milpitas households that experience discrimination in the housing market	Milpitas provided \$165,000 to Project Sentinel between 2007 and 2014 to assist households that experience discrimination in the housing market.	On-Going 2014-2022
F. Energy Conservation		
Promote Energy Conservation in Residential Development		
Policy F-1: Continue to work to achieve energy efficiency in residential developments		
Promote PG&E's Energy Partners Program	Milpitas continues to promote PG&E's Energy Partners Program through information provided on cable television and the City's website.	On-Going 2014-2022
Promote use of passive solar devices and energy audits of existing homes	Milpitas adopted a green building ordinance in 2008 that promotes green building practices in new construction and renovations in accordance with the ordinance.	On-Going 2014-2022
Adopt a Green Building Ordinance	Milpitas adopted a Green Building Ordinance in 2008 and updated the ordinance in Jan. 2014.	Program was completed through adoption of the Ordinance.
Encourage the adoption of energy-saving design in new residential developments, including solar orientation	Milpitas has adopted policies to encourage energy-saving design	On-Going review 2014-2022
Encourage mixed-use and development at transit nodes	Milpitas adopted the Midtown Specific Plan in 2002 and the TASP in 2008, both of which encourage mixed use development at transit nodes and have facilitated the development of a number of projects between 2007 and 2014.	On-Going through continued implementation of the TASP and Midtown Specific Plan.
Require the inclusion of a completed LEED checklist in planning applications for new buildings	Milpitas adopted a LEED checklist for planning applications during the planning period.	Program completed. Use of the LEED checklist will continue in the 2014-2022 Housing Element cycle.
G. Remove Government Constraints		
Goal G-1: Continue to Promote Land Use Policies and Development Standards to Facilitate Housing Production		
Goal G-2: Remove Government Constraints on the Production of Special Needs Housing		
Policy G-1: Continue to enforce policies and standards that facilitate affordable housing production		
Continue to enforce development standards that encourage multifamily housing. These include minimum residential densities, higher densities near transit, and mixed-use zoning.	Milpitas adopted the Midtown Specific Plan in 2002 and the TASP in 2008, both of which encourage multifamily housing through minimum residential densities, higher densities near transit, and mixed-use zoning.	Ongoing through continued implementation of the TASP and Midtown Specific Plan.

Table B-1: Evaluation of Programs in the 2007-2014 Housing Element

2007-2014 Housing Element Program	2007-2014 Achievements	Appropriateness for 2015-2023 Housing Element
Policy G-2: Modify Zoning Ordinance to ensure there are opportunities for special needs housing in multifamily developments.		
Modify Zoning Ordinance to allow homeless shelters as a use "by right" in the Highway Services Zone. Adopt development standards that subject shelters to the same standards that apply to other allowed uses within this Zone.	The City adopted an ordinance in November 2013 to allow emergency shelters by right in the Highway Services zone.	Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. Emergency shelters will continue to be allowed through implementation of the City's Zoning Ordinance.
Modify Zoning Ordinance to allow transitional housing as a use "by right" in residential zones. Adopt development standards that subject transitional housing to the same restrictions that apply to other residential uses of the same type in this zone.	The City adopted an ordinance in November 2013 to allow transitional housing by right in residential zones, subject to the same restrictions that apply to other residential uses of the same type in each zone.	Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. Transitional housing will continue to be allowed through implementation of the City's Zoning Ordinance.
Modify Zoning Ordinance to allow permanent supportive housing as a use "by right" in residential zones. Adopt development standards that subject permanent supportive housing to the same restrictions that apply to other residential uses of the same type in this zone.	The City adopted an ordinance in November 2013 to allow permanent supportive housing by right in residential zones, subject to the same restrictions that apply to other residential uses of the same type in each zone.	Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle to allow transitional and supportive housing in all residential zones. The 2015-2023 Housing Element includes a program to amend the Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses.
Modify Zoning Ordinance to identify zones for farmworker housing as a use "by right."	Farmworker housing is allowed by right on agricultural land.	Farmworker housing is allowed by right on land zoned for agricultural use.
Modify Zoning Ordinance to identify zones for SRO units as a use "by right."	The Zoning Ordinance was modified to allow SRO units in all multifamily zoning districts, subject to approval of a conditional use permit.	Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. SRO units will continue to be allowed through implementation of the City's Zoning Ordinance.

Source: City of Milpitas, 2014; BAE, 2014.

APPENDIX B: DETAILED SITE INVENTORY

Table B-1: Pending Residential Projects, Milpitas, August 2014

Site ID	APN	Plan Area	Address	Zoning	Overlay	Acres	Planned Units	Income Mix			Comments
								Very Low	Low	Mod	
P-1	8612021	Midtown	S Abel St & Great Mall Pwy	R4	TOD	5.24	366	0	0	0	366 Apex
P-2	8670001 through 8670082	N/A	Sinclair Frontage Rd & Los Coches St	R1-3		7.27	80	0	0	0	80 Belcourt
P-3	8632037	TASP	Piper Drive & Montague Expy	R3	TOD	15.52	732	0	0	0	732 Citation
P-4	8632029	TASP	Montague Expy & Piper Dr	MXD3	TOD	4.94	381	0	0	0	381 Citation II
P-5	8601041	N/A	Murphy Ranch Road	R4		7.59	285	0	7	0	278 Coyote Creek
P-6	(a)	TASP	McCandless Dr & Montague Expy	R3		12.34	276	0	0	0	276 Harmony
P-7	8633086	TASP	Centre Pointe Dr	MXD2	TOD	3.13	342	0	0	0	342 Integral Centre Pointe
	8633087	TASP		MXD2	TOD	2.66					
	8633088	TASP		R3	TOD	4.19					
	8633089	TASP		MXD3	TOD	2.93					
P-8	8633092	TASP	McCandless Dr & Great Mall Pwy	MXD2	TOD	12.91					
	8633101	TASP		MXD2	TOD	4.96					
	8633093	TASP		MXD2	TOD	5.77					
				MXD2	TOD	2.57					
				MXD2	TOD	13.30					
P-9	8601034	N/A	Baber Ln (Old Chev. Site)	MXD3	HR	3.00	375	0	0	0	354 Integral Properties
P-10	86339001	N/A	S. Milpitas Bl. & Los Coches St	TC		1.48	32	0	0	0	375 Landmark Tower
	86339002	N/A		TC		1.17					
				2.65							
P-11	8637021	TASP	Montague Expy & Capitol Ave	R5	TOD	3.48	451	0	0	0	451 Lyon Montague
	8637004	TASP		MXD3	TOD	0.90					
	8637020	TASP		MXD3	TOD	3.69					
				8.07							
P-12	8632040	TASP	Piper Dr & Montague Expy	R3	TOD	0.56	303	0	0	0	303 Milpitas Station
	8632038	TASP		R3	TOD	2.34					
	8632033	TASP		R3	TOD	2.86					
	8632041	TASP		R4	TOD	4.96					
	8632039	TASP		R3	TOD	1.97					
P-13	8628041	N/A	S Main St & Los Coches St	TC		12.69	80	0	0	0	80 Orchid Residential
	8639003		S Main St and S. Abel St	R4	TOD	11.54					
P-14	8616100	Midtown	S Main St and S. Abel St	R4	TOD	2.68	200	8	0	0	192 Shea Properties

Table B-1: Pending Residential Projects, Milpitas, August 2014

Site ID	APN	Plan Area	Address	Zoning	Overlay	Acres	Planned Units			Income Mix			Comments
							Very Low	Low	Mod	Above Mod.	High		
P-15	8622027	Midtown	1600 S Main St	R4	TOD	1.17	389	48	0	0	0	341 South Main Sr Lifestyles	
	8622042	Midtown		R4	TOD	0.98							
	8622041	Midtown		R4	TOD	0.83							
	8622034	Midtown		R4	TOD	0.52							
	8622033	Midtown		R4	TOD	0.39							
	8622028	Midtown		R4	TOD	2.05							
P-16	8633095	TASP	McCandless Dr	R3	TOD	2.24	200	0	0	0	0	200 Taylor Morrison	
	8633098	TASP		R3	TOD	2.72							
	8633099	TASP		R3	TOD	2.77							
	8633094	TASP		R3	TOD	1.94							
P-17	8636043	TASP	Montague Expy & Trade Zone Blvd	R3		9.31	134	0	0	0	0	134 Trumark	
	8636005	TASP	Montague Expy & Trade Zone Blvd	R3	TOD	2.95	206	0	0	0	0		
P-18	8636003	TASP		R3	TOD	2.02						206 Traverse	
	8636006	TASP		R3	TOD	4.48							
	8636004	TASP		R3	TOD	2.93							
						12.37							
P-19	2237012	N/A	California Cir & Dixon Landing Rd	R1-2.5		5.27	84	0	0	0	0	84 Waterstone	
	2237011	N/A		R1-2.5		5.42							
TOTAL						10.69	6,146	56	7	0	6,083		

Note:

(a) Prior to approval, the Harmony site consisted of APNs 8641019, 8641020, 8641021, and 8641022. The site has subsequently been subdivided into over 100 parcels.
 Source: City of Milpitas, 2014; BAE, 2014.

Table B-2: High-Density Residential Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning	Overlay	Acres	Minimum Density (du/acre)	Maximum Density (du/acre)	Midpoint Density (du/acre)	Yield at Midpoint Density (du)	Estimated Density (du/acre) (a)	Estimated Yield (du)	Comments
MFR-1	8622229	Midtown	1474 S Main St	Commercial	R4	TOD	0.85	41	60	50.5	383	41	311	Nine of these parcels contain commercial uses, including several auto-related uses, an old restaurant and commercial services, and a sixth is vacant. Commercial structures on some of the sites appear to vacant and/or in disrepair. They are adjacent to the new Great Mall Light Rail station and new residential developments and have strong potential for reuse. Six of these parcels comprised Site # 7 in the 2007-2014 Housing Element.
	8622230	Midtown	1452 S Main St	Commercial	R4	TOD	0.87	41	60	50.5	41	41		
	8622231	Midtown	1440 S Main St	Commercial	R4	TOD	0.99	41	60	50.5	41	41		
	8623004	TASP	1362 S Main St	Commercial	R4	TOD	0.22	41	60	50.5	41	41		
	8623006	TASP	1312 S Main St	Commercial	R4	TOD	0.37	41	60	50.5	41	41		
	8623011	TASP	1380 S Main St	Commercial	R4	TOD	1.10	41	60	50.5	41	41		
	8623013	TASP	1300 S Main St	Commercial	R4	TOD	0.94	41	60	50.5	41	41		
	8623014	Midtown	1430 S Main St	Commercial	R4	TOD	1.00	41	60	50.5	41	41		
	8623015	Midtown	1400 S Main St	Commercial	R4	TOD	1.04	41	60	50.5	41	41		
	8623016	TASP	1338 S Main St	Vacant	R4	TOD	0.21	41	60	50.5	41	41		
MFR-2	86222024	Midtown	1640 S Main St	Commercial	R4		1.43	31	40	35.5	51	31	44	Multi-tenant commercial space occupied primarily by auto-oriented uses. Adjacent to planned and completed new residential developments.
MFR-3	86340009	Midtown	1680 S Main St	Commercial	R4		2.21	31	40	35.5	78	31	68	Self-storage facility adjacent to new residential development.
MFR-4	86320442	TASP	1300 Piper Dr	Commercial	R4	TOD	3.21	41	60	50.5	300	41	244	Single-story, low-density office and light industrial space. Close to light rail station and planned BART station.
	86320443	TASP	1250 Piper Dr	Commercial	R4	TOD	2.73	41	60	50.5	300	41		
							5.95							
MFR-5	9208002	TASP	1523 Gladding Ct	Vacant	R5	TOD	4.25	41	94 (b)	67.4	499	41	304	Manufacturing and distribution operations and vacant land.
	9208003	TASP	1535 Gladding Ct	Commercial	R5	TOD	3.16	41	94 (b)	67.4	41			
							7.41							
MFR-6	8637015	TASP	W Capitol Ave	Vacant	R5	TOD	0.33	41	94 (b)	67.4	632	41	385	Sites have two warehouse structures surrounded by a large amount of vacant land. In close proximity to the light rail station and planned BART station. Parcels 8637015 and 8637027 comprised Site #1 in the 2007-2014 Housing Element.
	8637026	TASP	730 E Capitol Ave	Commercial	R5	TOD	3.96	41	94 (b)	67.4	41			
	8637027	TASP	750 E Capitol Ave	Commercial	R5	TOD	5.10	41	94 (b)	67.4	41			
							9.39							

Table B-2: High-Density Residential Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning	Overlay	Acres	Minimum Density (du/acre)	Maximum Density (du/acre)	Midpoint Density (du/acre)	Yield at Midpoint Density (du)	Estimated Density (du/acre) (a)	Estimated Yield (du)	Comments
MFR-7	8636011	TASP	Sango Ct	Commercial	R4	TOD	0.44	41	60	50.5	376	41	305	Low-density warehouse and light industrial properties with manufacturing, auto service, and car rental uses. Could be combined with Site MXD-9 to create a larger site.
	8636012	TASP	1700 Sango Ct	Commercial	R4	TOD	1.31	41	60	50.5	41	41	41	
	8636013	TASP	355 Sango Ct	Commercial	R4	TOD	1.27	41	60	50.5	41	41	41	
	8636030	TASP	1841 Tarob Ct	Commercial	R3	TOD	2.52	41	60	50.5	41	41	41	
	8636037	TASP	328 Sango Ct	Commercial	R4	TOD	0.72	41	60	50.5	41	41	41	
	8636041	TASP	1905 Tarob Ct	Commercial	R4	TOD	1.17	41	60	50.5	41	41	41	
	8636033	TASP	1951 Tarob Ct	Commercial	R3	TOD	2.55	21	40	30.5	99	21	68	
	8636046	TASP	635 Trade Zone Blvd	Commercial	R3	TOD	0.70	21	40	30.5	21	21	21	
TOTAL							44.65				2,419		1,729	

Notes:

(a) This analysis estimates that the density on each site will be equal to the minimum density required in order to provide a conservative approach to estimating total yield on each site. However, the actual density of projects built on these sites is likely to be higher than the minimum required density, as demonstrated by recent projects in Milpitas.

(b) Maximum density is 75 units/acre by right, or up to 25 percent additional density with a use permit.

Sources: City of Milpitas, 2014; BAE, 2014.

Table B-3: Mixed-Use Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning Overlay	Acres	Effective Acreage (a)	Minimum Density (du/acre)	Maximum Density (du/acre)	Midpoint Density (du/acre)	Yield at Midpoint Density (du)	Estimated Density (du/acre) (a)	Est. Yield (du)	Comments
MXD-1	86277019	Midtown	174 S Main St	Commercial	MXD	0.23	1.90	21	30	25.5	48	21	40	This site is located at the heart of Old Town Milpitas and includes several adjacent parcels under separate ownership. This was Site #2 in the 2007-2014 Housing Element.
	86277037	Midtown	154 S Main St	Commercial	MXD	0.96	0.19	21	30	25.5		21	21	
	86277039	Midtown	166 S Main St	Commercial	MXD	0.15	0.15	21	30	25.5		21	21	
	86277041	Midtown	S Main St	Commercial	MXD	0.56	0.56	21	30	25.5		21	21	
	86277040	Midtown	196 S Main St	Commercial	MXD	2.09								
MXD-2	8608023	Midtown	209 S Main St	Commercial	MXD	0.33	1.74	21	30	25.5	44	21	37	This site is located at the heart of Old Town Milpitas and includes several adjacent parcels under separate ownership. Affordable housing would be most likely if the parcels are assembled to form a larger development site. This was Site #3 in the 2007-2014 Housing Element.
	8608024	Midtown	227 S Main St	Commercial	MXD	0.46	0.06	21	30	25.5		21	21	
	8608048	Midtown	187 S Main St	Commercial	MXD	0.64	0.42	21	30	25.5		21	21	
	8608030	Midtown	195 S Main St	Commercial	MXD	0.42	1.91	21	30	25.5		21	21	
	8608045	Midtown	Serra Way	Vacant	MXD									
MXD-3	8608012	Midtown	Main St	Vacant	MXD	1.32	1.20	21	30	25.5	31	21	25	This is a flat, unconstrained lot with excellent transportation access and frontage along both Abel Street and South Main Street. This was Site #4 in the 2007-2014 Housing Element.
MXD-4	8625011	Midtown	526 S Main St	Vacant	MXD	0.68	0.62	21	30	25.5	16	21	13	Vacant, unconstrained site separated from MXD-5 by a 0.37-acre park. This constituted a portion of Site #5 in the 2007-2014 Housing Element.
MXD-5	8625013	Midtown	542 S Main St	Commercial	MXD	0.34	2.55	21	30	25.5	65	21	54	Uses on these sites consist of a car wash and a business that offers boat repair, parts, and accessories. The site is separate from Site #4 by a 0.37-acre park. This site constituted a portion of Site #4 from the 2007-2014 Housing Element.
	8625012	Midtown	554 S Main St	Commercial	MXD	0.46	2.81	21	30	25.5		21	54	
MXD-6	8625020	Midtown	850 Main St	Vacant	MXD	0.41	0.99	21	30	25.5	25	21	21	This site consists of a contractor's storage yard with an adjoining vacant lot under separate ownership. It is adjacent to new multifamily housing. This was Site #6 in the 2007-2014 Housing Element.
	8625021	Midtown	808 Main St	Commercial	MXD	0.68	1.08	21	30	25.5		21	21	

Table B-3: Mixed-Use Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning	Overlay	Acres	Effective Acreage (a)	Minimum Density (du/acre)	Maximum Density (du/acre)	Midpoint Density (du/acre)	Yield at Midpoint Density (du)	Estimated Density (du/acre) (a)	Est. Yield (du)	Comments
MXD-7	86333102	TASP	1646 Centre Point Dr	Commercial	MXD3	TOD	9.47	8.61	41	94 (c)	67.4	580	41	353	Single-story commercial property with a mix of retail, office, commercial service, and other uses. Adjacent to planned residential projects, some of which are under construction, and in close proximity to the light rail station and the planned BART station.
MXD-8	86377019	TASP	400 E Montague Expy	Commercial	MXD3	TOD	2.53	2.31	41	94 (c)	67.4	155	41	95	Site occupied by an industrial use and is adjacent to the Light Rail Station and planned BART station. This site was a portion of Site #10 in the 2007-2014 Housing Element.
MXD-9	86366044	TASP	368 Montague Expy	Commercial	MXD3	Commercial	1.02	1.94	41	60	50.5	98	41	80	Sites are occupied by low-density office and warehouse structures occupied by a commercial services company and a religious organization. Site could be combined with Site MFR-7 to create a larger project. Site is adjacent to residential projects that are currently under construction and in close proximity to the light rail and planned BART stations.
MXD-10	8641034	TASP	231 Hourct Dr	Commercial	MXD3	1.71	4.14	41	60	50.5	209	41	170	Partially-occupied warehouse and manufacturing buildings. There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site.	
MXD-11	8641009	TASP	247 Hourct Dr	Commercial	MXD3	1.45	41	60	1.39	41	60	41	41	38	Partially-occupied warehouse and manufacturing buildings. There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site.
			271 Hourct Dr	Commercial	MXD3	4.55	41	60	50.5	41	47	41			
			1757 Hourct Ct	Commercial	MXD3	1.03	0.94	41	60	50.5	47	41			

Table B-3: Mixed-Use Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning Overlay	Acres	Effective Acreage (a)	Minimum Density (du/acre)	Maximum Density (du/acre)	Midpoint Density (du/acre)	Yield at Midpoint Density (du)	Estimated Density (du/acre) (a)	Est. Yield (du)	Comments
MXD-12	8641010	TASP	1752 Hourt Ct	Commercial	MXD3	1.05	2.09	41	60	50.5	106	41	86	Partially-occupied warehouse and manufacturing buildings with a mix of auto services and other uses.
	8641011	TASP	1810 Hourt Ct		MXD3	1.25		41	60					There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site.
TOTAL						2.30						1,426	1,011	

Notes:

- (a) Effective acreage for mixed-use sites reduces the acreage of each site by nine percent to account for the potential development of non-residential uses.
- (b) This analysis estimates that the density on each site will be equal to the minimum density required in order to provide a conservative approach to estimating total yield on each site. However, the actual density of projects built on these sites is likely to be higher than the minimum required density, as demonstrated by recent projects in Milpitas.
- (c) Maximum density is 75 units/acre by right, or up to 25 percent additional density with a use permit.

Table B-4: Low-Density Residential Opportunity Sites, Milpitas

Site ID	APN	Plan Area	Address	Existing Use	Zoning	Overlay	Acres	Min. Density (units/acre)	Max. Density (units/acre)	Est. Density (units/acre) (a)	Estimated Yield (units)	Comments
SFR-01	2904040	N/A	1005 N Park Victoria Dr	Vacant	R1-6	N/A	4.90	N/A	7	7	34	This is the largest vacant single-family housing site in Milpitas. It is in a desirable location, adjacent to existing single-family neighborhoods. This would be a site for market-rate housing, given current zoning.

APPENDIX C: OTHER REQUIREMENTS

Consistency with the General Plan

A comprehensive update of the City's General Plan was conducted in 1994 and several amendments have occurred subsequently. Changes were made to the General Plan to incorporate the Midtown and Transit Area Specific Plans, which encompass most of the City's housing opportunity sites, including revisions to the General Plan land use map and text for consistency among these planning documents. The 2015-2023 Housing Element is consistent with the General Plan.

In 2014, the Milpitas City Council allocated funding to initiate a comprehensive update to the City's General Plan. In the event that the forthcoming update to General Plan or future changes to the Zoning Ordinance or other regulations governing the City of Milpitas result in any inconsistencies between the Housing Element policies and the General Plan, the City will determine the most appropriate means to achieve overall General Plan consistency.

Notification to Water and Sewer Providers

Upon adoption and certification of this Housing Element, the City of Milpitas will provide a copy of the Housing Element to the San Francisco Public Utilities Commission, the Santa Clara Valley Water District, and the Milpitas Department of Engineering in the City of Milpitas, pursuant to Government Code Section 65589.7. The purpose of this notification is to ensure that these providers of water and sewer services place a priority for proposed housing developments for lower-income households in their current and future resource or service allocations.

Review of Conservation and Safety Elements Pursuant to AB 162

Assembly Bill 162 requires that the City of Milpitas review and, if necessary, identify new information for its Conservation Element at the time the Housing Element is revised. The purpose of this review is to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. In addition, Milpitas is undertaking an update to the City's Safety Element concurrent with the Housing Element Update to identify information regarding flood hazards in the City.

APPENDIX D: SUMMARY OF WRITTEN COMMENTS RECEIVED

Table D-1: Summary of Written Comments Received

#	Comment	Response
1	City should do more to encourage public participation.	City engaged in an extensive public participation process, including three community meetings, two Planning Commission meetings, and one City Council meeting. Notice of all meetings was distributed to over 80 organizations, agencies, and special interest groups as well as the general public. All six public meetings were advertised in the Milpitas Post, the City's website, and City Cable television. Copies of documents were available for public review and comment on the City's website, at Milpitas City Hall, and at the Milpitas Public Library. Copies were also forwarded to interested parties as requested. The public participation process is discussed in more detail in the public participation section of the Housing Element document.
2	City should provide a better analysis of the progress and outcomes from the prior Housing Element & analyze the reasons for the not meeting housing unit production goals during the previous planning period.	Due to the considerable difficulties associated with developing affordable housing, most cities are unable to meet RHNA production goals. Milpitas' zoning standards and other programs and policies led to production of a large number of market-rate and affordable units during the previous planning period relative to other jurisdictions. The progress and outcomes from the prior Housing Element are analyzed in Chapter 2 and Appendix A.
3	City should include policies to connect households with special housing needs to resources that meet these needs (e.g. large units, housing adjacent to services).	Programs C.1.1, C.1.2, and D.6.1 facilitate the production of housing in mixed-use areas and adjacent to transit and other amenities. Programs D.4.1, D.4.2, D.4.3, D.4.6, D.4.7, D.4.10, and D.6.1 facilitate the production of housing that serves households with special housing needs. Programs D.4.8 and D.4.9 ensure the City will provide information about housing resources to individuals with disabilities.
4	Housing Element should include a deeper analysis of economic displacement and include policies that will prevent displacement of low-income residents.	Because the City's most feasible residential and non-residential development sites do not have existing residential uses, and there is little risk of conversion of existing affordable units to market rate, direct displacement of existing residents is not a likely result of new development in Milpitas. However, the increase in housing costs in Milpitas and throughout the region and associated decrease in affordability are documented in the Housing Element on pages 20-30. Programs listed under Goal B aim to mitigate displacement and programs listed under Goals C and D aim to facilitate production of new affordable units, which could serve any households that are displaced due to increases in housing costs.
5	Housing Element should further analyze community resistance as a constraint to the development of affordable housing.	City staff has not found community resistance to affordable housing to be a constraint in Milpitas.
6	The Housing Element should analyze the City's decision to not set aside boomerang funds as a constraint to the development of affordable housing and include a program to commit a portion of the yearly tax increment funds received towards affordable housing.	While the high costs of development are identified as a constraint, the City is not expected to identify the use of specific funding streams for uses other than affordable housing as a constraint. Boomerang funds and any funds that will revert to the City rather than the RDA have been committed to other City functions.
7	Inventory of at-risk units should include the type of subsidy attached to each property and ensure that properties shown to have no expiration date for affordability do not have restrictions that will expire.	Inventory has been edited to clarify that affordable units with no expiration date are affordable in perpetuity.
8	Add a program to conduct a nexus study for a housing impact fee.	City Council considered and declined to include a program in the Housing Element that will consider adoption of a Housing Impact Fee during September 16, 2014 meeting.

Table D-1: Summary of Written Comments Received

#	Comment	Response
9	Add a program to conduct a nexus study for a commercial linkage fee.	City Council considered and declined to include a program in the Housing Element that will consider adoption of a Commercial Linkage Fee during September 16, 2014 meeting.
10	Adopt source of income protections for Section 8 voucher holders.	Because the requirements of the Section 8 program can present operational challenges that would be overly burdensome to some property owners, this is not a program that the City wishes consider at this time.
11	Enact a rent stabilization ordinance.	Milpitas has adopted rent control for its mobile home parks, which provide long-term affordable housing to mobile home residents. There are also over 1,200 rental units in Milpitas with long-term affordability restrictions (as shown in Table 3.18 in the document). Units with long-term affordability restrictions are means-tested, allowing these units to serve extremely low-, very low-, low-, and moderate-income households more effectively than rent control in many cases. The City does not intend to expand rent control to other market-rate units at this time.
12	Enact a just cause eviction ordinance.	Milpitas currently provides CDBG funding and Housing Authority funds to Project Sentinel, which provides fair housing assistance and landlord-tenant mediation services, including services to tenants that may have experienced an unlawful eviction. Programs B.2.3 and E.1.5 state that Milpitas will continue to provide funding to Project Sentinel or another appropriate agency throughout the planning period.
13	Include a program to track employment growth by income for the same period used to track population growth.	Milpitas monitors the City's jobs/housing ratio on an annual basis to assess its employment, types of jobs created, and housing needs.
14	Adopt a program to monitor jobs housing fit in the City for renters and homeowners.	Milpitas monitors the City's jobs/housing ratio on an annual basis to assess its employment, types of jobs created, and housing needs.
15	Adopt a program to improve low wage jobs and affordable housing fit.	The gap between low-wage jobs and housing affordable to lower-income households is addressed through programs that facilitate the production of housing affordable to extremely low-, very low-, and low-income households, particularly policies and programs listed under Goal C.
16	Adopt program to complete a yearly annual progress report and public meeting to discuss progress prior to submitting report to HCD.	Milpitas completes its annual progress report to HCD and makes information from the report available on the City's website along with other housing documents for public review. Housing staff reports to the City Council on housing programs every two years in a public meeting.
17	Adopt program to prioritize housing for very low- and low-income workers, especially in key transportation corridors.	Milpitas' housing goals aim to provide housing for all economic segments of the community, including very low- and low-income workers, and support housing near transit and along key transportation corridors. By negotiating with developers for the inclusion of units affordable to extremely low-, very low-, low-, and moderate-income households in all market-rate developments (see Program D.2.2) and other programs that encourage mixed-income housing (Programs D.2.1, D.2.3, D.2.4, and D.2.5), Milpitas seeks to ensure that units affordable to very low- and low-income workers are included among the priorities for all new housing development in the City.

Table D-1: Summary of Written Comments Received

#	Comment	Response
18	Identify additional housing opportunity sites that are located within priority development areas, near key transportation corridors, and near key services to maximize LIHTC viability.	Due to the competitive nature of the LIHTC program, there are few sites in Milpitas that will maximize LIHTC viability. To the extent that sites adjacent to the City's VTA light rail station and future BART station are not already developed with or planned for residential uses and are reasonably likely to be developed with residential uses during the planning period, these parcels have been identified as housing opportunity sites. Almost all opportunity sites identified in the Housing Element are located within the two Specific Plan areas, which puts the sites in areas that are adjacent to transit and other services. Programs listed under Policy D.1 aim to expand the funding sources available for affordable housing, which would help to decrease developers' dependence on the LIHTC program to produce affordable housing in Milpitas.
19	Include a program to conduct further research and a public meeting on a potential housing overlay zone, community benefits policy, or other creative land use and zoning solutions.	During the September 16, 2014 meeting, Milpitas City Council considered and declined to include a program in the Housing Element that would call for the City to explore creative land use and zoning solutions.
20	Include a program to identify all publicly owned parcels and brownfield sites.	All publicly-owned parcels have been identified in previous Redevelopment Agency and Milpitas Housing Authority documents, which are available to the public. There are no brownfield sites in Milpitas.
21	Include a program to develop a policy to prioritize, require, or incentivize housing affordable to those making 80% of AMI or less on public land.	In the past, Milpitas has donated land, provided financial assistance for land acquisition, and provided fee reductions or waivers to developers building affordable housing. The City has also worked with developers to assist in obtaining tax credits and provided a range of incentives to assist in the development of housing affordable to extremely low-, very low-, low-, and moderate-income households. As City-owned land becomes available, Milpitas will continue to consider use of these properties to support affordable housing projects as financially feasible, but will need to balance the need for affordable housing with other City priorities.
22	The Housing Element should identify the low-density zoning designation in the hillside areas as a constraint.	The Housing Element provides an analysis of the City's low-density zoning designation in the hillside areas and the Urban Growth Boundary on page 75 and 76. As discussed in the text, these regulations are unlikely to have an impact on housing that serves any income group other than above moderate-income households due to the high cost of developing in hillside areas and other factors.
23	The Housing Element should identify the use of development agreements to achieve 20% affordable housing in all market-rate developments should be identified as a potential government constraint.	It is not appropriate to identify this use of development agreements as a constraint because the City is not able to require that developers include affordable units in new developments due to recent State court decisions that invalidated the use of mandatory inclusionary ordinances.
24	The Housing Element should provide additional information on funding available for the preservation of at-risk units at Sunnyhills and actions that the City will take to engage with entities willing to preserve these units.	As discussed on page 34, the owner of Sunnyhills has demonstrated an interest in maintaining the property as affordable by renewing contracts with HUD multiple times rather than taking opportunities to convert to market rate. Therefore, the existing affordability agreement is likely to be extended to fund the preservation of affordability and the risk of conversion of these units is relatively low. Program B.4.1 provides specific actions that the City will take to preserve affordability at Sunnyhills if the property owner does allow the existing contract to expire at the end of the term.

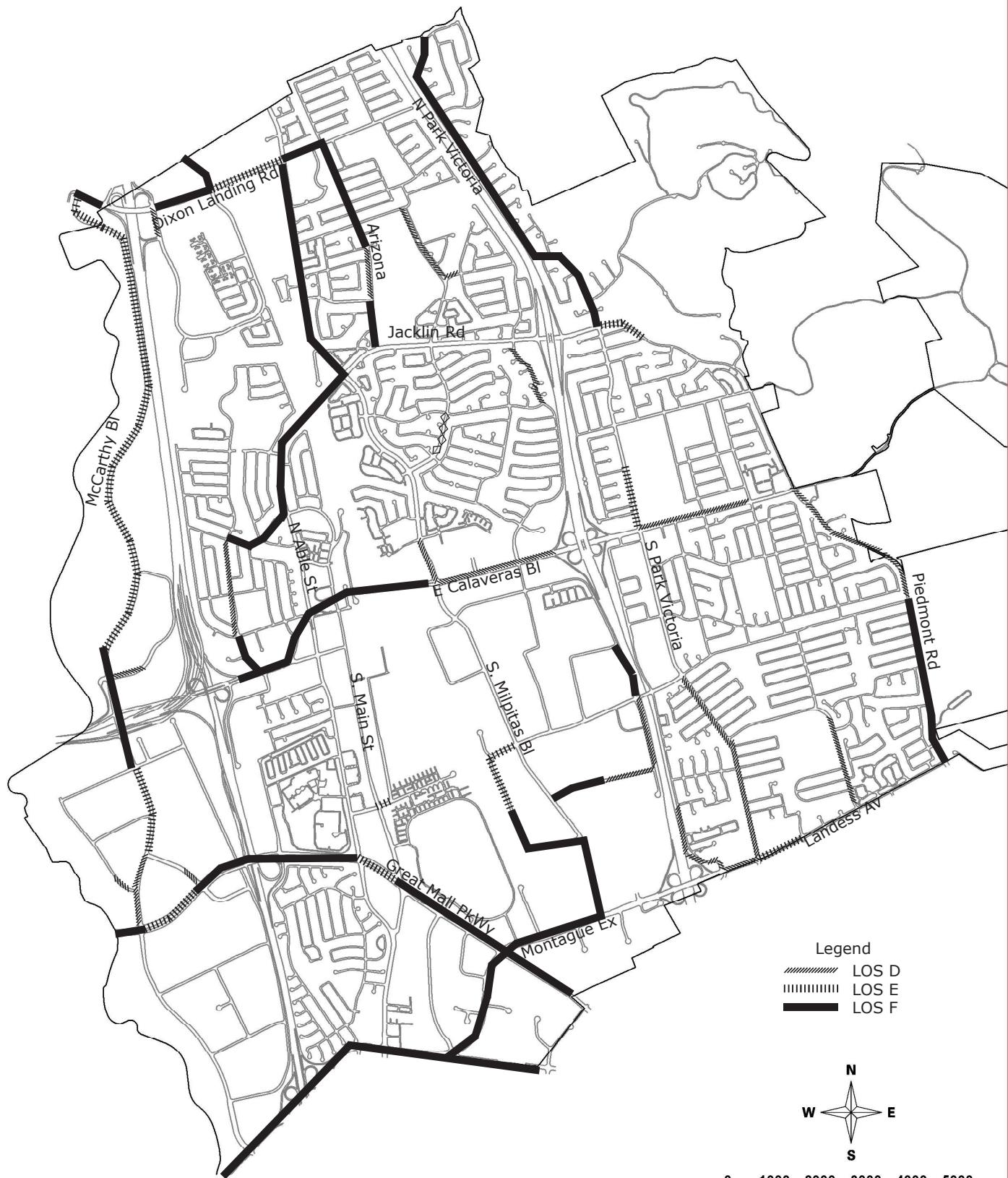
Table D-1: Summary of Written Comments Received

#	Comment	Response
25	The Housing Element should provide additional information on the development potential of non-vacant housing opportunity sites.	The Housing Element has been revised to provide additional information on market trends (page 55) that have supported the redevelopment of a large number of non-vacant sites to high-density residential uses. These trends are expected to continue to result in the redevelopment of the housing opportunity sites.
26	The site inventory assumes that every single unit developed on higher density parcels will be affordable to low- and very-low income households, which is not realistic.	The City's RHNA calls for 1,574 units affordable to very low- or low-income households, and the estimated yield from the sites inventory is 2,740 units on higher-density parcels, considerably more than the RHNA for very low- or low-income households. Moreover, the estimated yield is based on the minimum density for each site, and therefore likely underestimates the actual yield from each site.
27	The site inventory includes many very small parcels that are less than an acre and therefore may not realistically support the development of affordable housing.	While many individual parcels measure less than one acre, parcels are aggregated to form larger housing opportunity sites. As shown in Table 4.3 and Appendix C, the City's housing opportunity sites range from 0.7 acres to 9.5 acres, with only one site measuring less than one acre. Sites measuring 0.7 acres or more are more than adequate to develop high-density multifamily housing.

Appendix A

PM Peak Traffic Volume and LOS Maps.

**Projected PM Peak Hour
Level - of - Service
2035**



Appendix B

Milpitas Transit Service Frequency (minutes)						
Routes	Final Destination	Rush Hour	Midday	After 6pm	Saturday	Sunday/Holiday
Local						
20	Mountain View	15	30	30-60	30-60	60
56	Sunnyvale	30				
59	Great America	30				
66	Southeast San Jose	15	30	30-60	30-60	30-60
70	Southeast San Jose	15	15	30	20-60	30-60
71	East San Jose	15	30	30-60	30-60	30-60
74	East San Jose	35	30	30-60	45	60
77	Evergreen College	30	30		60	60
Limited						
321	East San Jose		30-60			
Express						
104	East San Jose/Los Altos		20-30			
140	Fremont BART/Mountain View		65			
141	Fremont BART/Great America				75-40	75-40
180	Fremont BART/San Jose Amtrak	15	30	30-60	30-60	30-60
520	Fremont BART/Moffett Field		30-60			
AC Transit						
22	Fremont BART					
28	Fremont BART					
Source: Santa Clara Transportation Agency, 1994						

Appendix C

The existing noise environment in Milpitas was characterized by a noise monitoring and measurement program conducted between Tuesday, November 30 and Wednesday, December 1, 1993. All measurements and monitoring employed Larson Davis Model 700 digital programmable noise monitors. These devices were housed in weatherproof containers, and programmed to digitally record the noise environment at each location, at half - second intervals, throughout the noise monitoring period. Two control sites were selected: Site 1 was along I-880, 180 feet east of the roadway centerline, north of Route 237; Site 2 was located along I-680, 160 feet east of the roadway centerline, west of Shirley Drive. Each of these monitoring systems operated concurrently during an identical time period between November 30 and December 1, 1993. The detailed monitoring data results are attached and summarized in Table C1

Four additional 1-minute duration noise measurements were at the other four measurement locations (sites 3, 4, 5 and 6 on November 30; see Table C-1). The description of each measurement location is given in the table along with summary noise measurement results.

Table C-1 is followed by background information on noise and physiological responses to noise.

Fundamental Concepts of Community Noise

Background

Three aspects of community noise are important in determining subjective response:

- Level (i.e., magnitude or loudness) of the sound.
- The frequency composition or spectrum of the sound.
- The variation in sound level with time.

Airborne sound is a rapid fluctuation of air pressure and local air velocity. Sound levels are measured and expressed in decibels (dB) with 0 dB roughly equal to the threshold of hearing.

The frequency of a sound is a measure of the pressure fluctuations per second measured in units of hertz (Hz). Most sounds do not consist of a single frequency, but are comprised of a broad band of frequencies differing in level. The characterization of sound level magnitude with respect to frequency is the sound spectrum. A sound spectrum is often described in octave bands which divide the audible human frequency range (i.e., from 20 to 20,000 Hz) into ten segments. Figure D-1 shows a range of sound spectra for various types of sound over the audible hearing range.

Table C-1
Summary of Noise Measurements for the City of Milpitas
Tuesday, 30 November 1993 – Wednesday, 1 December 1993

Site	Location	Date/Time	L_{eq}	L₁₀	L₅₀	L₉₀	DNL
1	I-880, 180 ft east of roadway centerline, north of Route 237	30 November – 1 December 1993 Noon	73	75	72	62	77
2	I-680, 160 ft. east of roadway centerline, west of Shirley Drive	30 November – 1 December 1993 Noon	75	77	74	65	79
3	Landess Ave., 50 feet north of roadway centerline, across from Paris Way	30 November 1993 1:40-1:55PM	66	70	62	52	70*
4	Dixon Landing Rd., 65 ft. south of roadway centerline, west of Milmont Dr.	30 November 1993 Noon – 12:15PM	68	72	65	60	72*
5	Piedmont Rd., 40 ft. west of turning lane centerline, 2271 Mesa Verde Dr.	30 November 1993 1:30 -1:45PM	64	69	57	44	68*

Site	Location	Date/Time	L_{eq}	L₁₀	L₅₀	L₉₀	DNL
6	N. Milpitas Blvd., 65 ft. east of turning lane centerline north of Arbor Ln.	30 November 1993 12:30-12:45PM	69	72	66	61	73*

* These DNL values are extrapolated from shorter-duration measurements.

Frequency Weighting

Many rating methods exist to analyze sound of different spectra. The simplest method is generally used so that measurements may be made and noise impacts readily assessed using basic acoustical instrumentation. This method evaluates all frequencies by using a single weighting filter that progressively de-emphasizes frequency components below 1000 Hz and above 5000 Hz. This frequency weighting, shown in Figure D-2, reflects the relative decreased human sensitivity to low frequencies and to extreme high frequencies. This weighting is called A-weighting and is applied by an electrical filter in all U.S. and international standard sound level meters. Some typical A-weighted sound levels are presented in Figure D-3.

Noise Exposure

Noise exposure is a measure of noise over a period of time, whereas noise level is a single value at an instant in time. Although a single sound level may adequately describe community noise at any instant in time, community noise levels vary continuously. Most community noise is produced by many distant noise sources, which produce a relatively steady background noise having no identifiable source. These distant sources change gradually throughout the day and include traffic, wind in trees, and distant industrial activities. Superimposed on this slowly varying background is a succession of identifiable noise events of brief duration. These include nearby activities such as single vehicle passbys or aircraft flyovers which cause the community noise level to vary from instant to instant.

A single number called the equivalent sound level or Leq is used to describe noise varying over a period of time. The Leq is the average noise exposure level over a period of time (i.e., the total sound energy divided by the duration). It is the constant sound level which would contain the same acoustic energy as the varying sound level, during the same time period. The Leq is useful in describing noise over a period of time with a single numerical value.

Discrete short duration transient noise events, such as aircraft flyovers, may be described by their maximum A-weighted noise level or by their sound exposure level (i.e., SEL). The SEL value is the preferred descriptor because measured results may be more reliably repeated and because the duration of the transient event is incorporated into the measure (thereby better relating to subjective response). Maximum levels of transient events vary with instantaneous propagation conditions while a total energy measure, like SEL, is more stable. The SEL of a transient event is a measure of the acoustic energy normalized to a constant duration of one second. Figure D-4 shows this relationship. The SEL differs from the Leq in that it is the constant sound level containing the same acoustic energy as a one-second event, whereas the Leq is the constant sound level containing the same acoustic energy over the entire measurement period. The SEL may be considered identical to the California standard Single Event Noise Exposure Level (i.e., SENEL).

SEL values may be summed on an energy basis to compute Leq values over any period of time. This is useful in modeling noise in areas exposed to numerous transient noise events, such

as communities around airports. Hourly L_{eq} values are called Hourly Noise Levels (i.e., HNL values).

In determining the daily measure of community noise, it is important to account for the difference in human response to daytime and nighttime noise. During the nighttime, exterior background noise levels are generally lower than in the daytime. Most household noise also decreases at night, and exterior noise intrusions become more noticeable. People are more sensitive to noise at night than during other periods of the day.

To account for human sensitivity to nighttime noise, the DNL (or L_{dn}) descriptor was adopted by the Environmental Protection Agency to describe community noise exposure from all sources. The DNL is called the day-night sound level and represents the 24-hour A-weighted equivalent sound level with a 10-dB penalty added for the nighttime noise between 10:00 pm to 7:00 am.

In California, the Community Noise Equivalent Level (CNEL) is the adopted standard. DNL and CNEL are typically computed by energy summation of HNL values, with the proper adjustment applied for the period of evening or night. The CNEL is computed identically to the DNL but with the addition of a 5-dB penalty for evening (i.e., 7:00 pm to 10:00 pm) noise. The CNEL value is typically less than 1 dB above the DNL value. Figure D-5 shows the adjustments applied for the DNL and CNEL measures. Noise exposure measures such as L_{eq} , SEL, HNL, DNL, and CNEL are all A-weighted, with units expressed in decibels (dB).

Subjective Response to Noise

The effects of noise on people can be classified into three general categories:

- Subjective effects of annoyance, nuisance, dissatisfaction.
- Interference with activities such as speech, sleep, and learning.
- Physiological effects such as anxiety or hearing loss.

The sound levels associated with community noise usually produce effects only in the first two categories. No universal measure for the subjective effects of noise has been developed, nor does a measure exist for the corresponding human reactions from noise annoyance. This is primarily due to the wide variation in individual attitude regarding the noise source(s).

An important factor in assessing a person's subjective reaction is to compare the new noise environment to the existing noise environment. In general, the more a new noise exceeds the existing, the less acceptable it is. Therefore, a new noise source will be judged more annoying in a quiet area than it would be in a noisier location.

Knowledge of the following relationships is helpful in understanding how changes in noise and noise exposure are perceived.

- Except under special conditions, a change in sound level of 1 dB cannot be perceived.

- Outside of the laboratory, a 3-dB change is considered a just-noticeable difference.
- A change in level of at least 5 dB is required before any noticeable change in community response would be expected.
- A 10-dB change is subjectively heard as an approximate doubling in loudness and almost always causes an adverse community response.

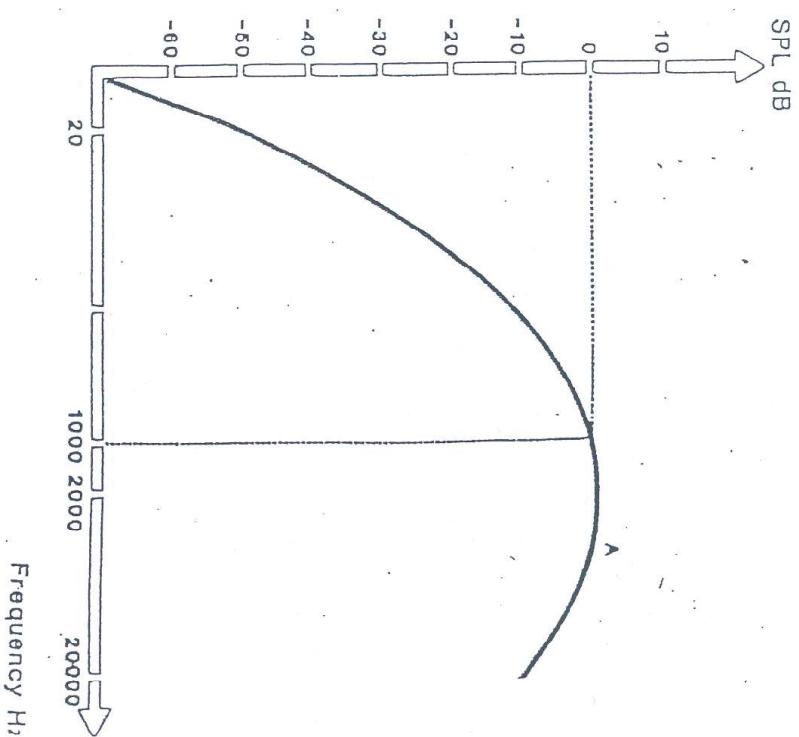
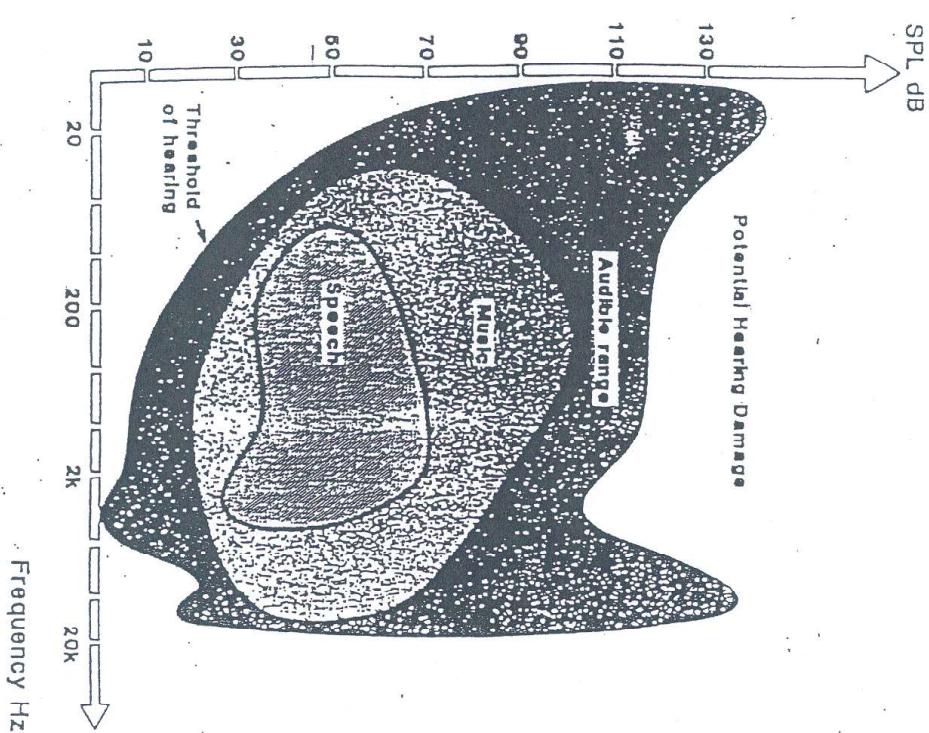
Combination of Sound Levels

Because we perceive both the level and frequency of sound in a non-linear way, the decibel scale is used to describe sound levels. The frequency scale is also measured in logarithmic increments. Decibels, measuring sound energy, combine logarithmically. A doubling of sound energy (for instance, from two identical automobiles passing simultaneously) creates a 3-dB increase (i.e., the resultant sound level is the sound level from a single passing automobile plus 3 dB). The rules for decibel addition used in community noise prediction are:

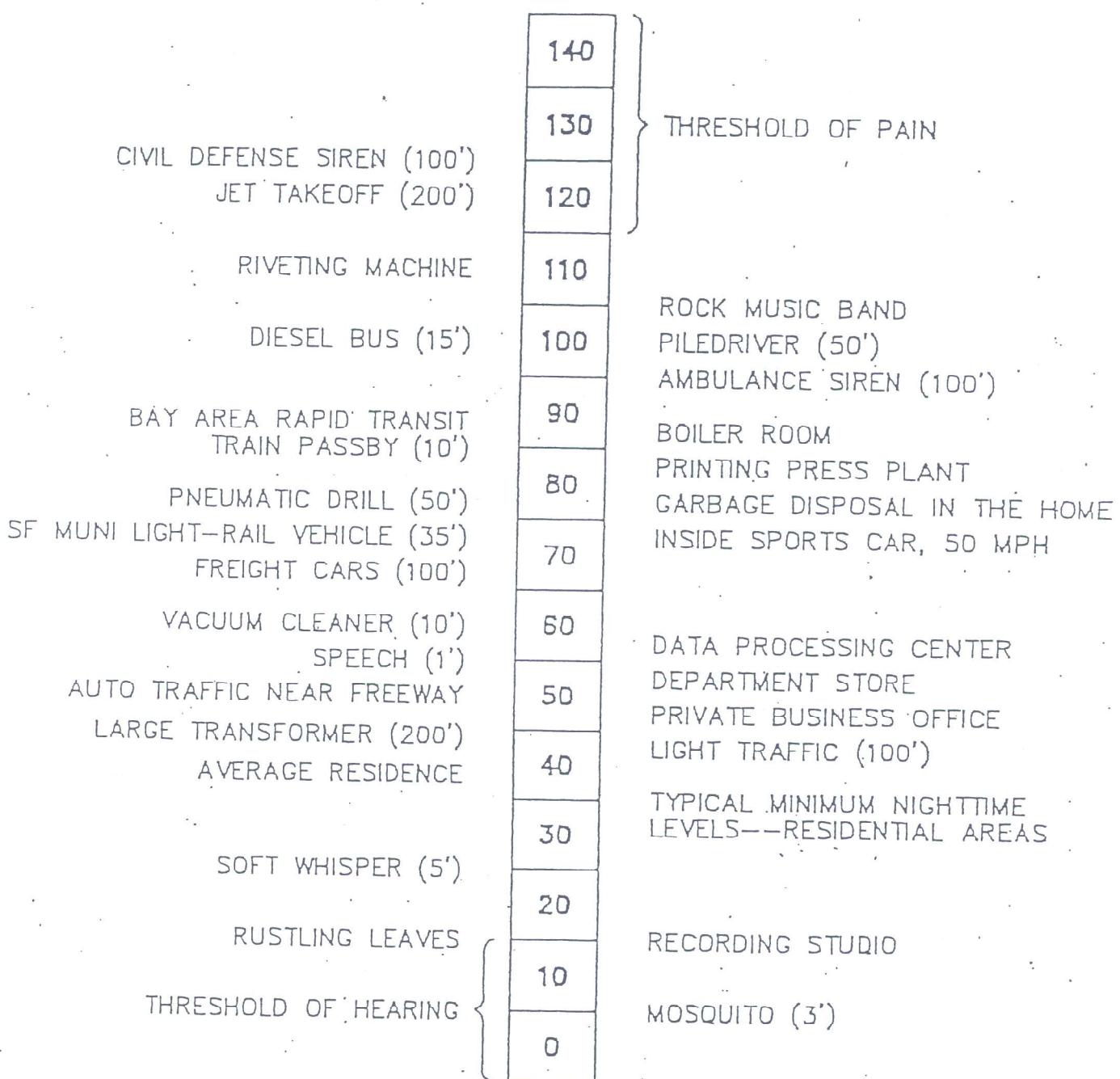
- If two sound levels are within 1 dB of each other, their sum is the highest value plus 3 dB.
- If two sound levels are within 2 to 4 dB of each other, their sum is the highest value plus 2 dB.
- If two sound levels are within 5 to 9 dB of each other, their sum is the highest value plus 1 dB.
- If two sound levels are greater than 9 dB apart, the contribution of the lower value is negligible and the sum is simply the higher value.

RANGE OF SOUND SPECTRA

A-WEIGHTING NETWORK

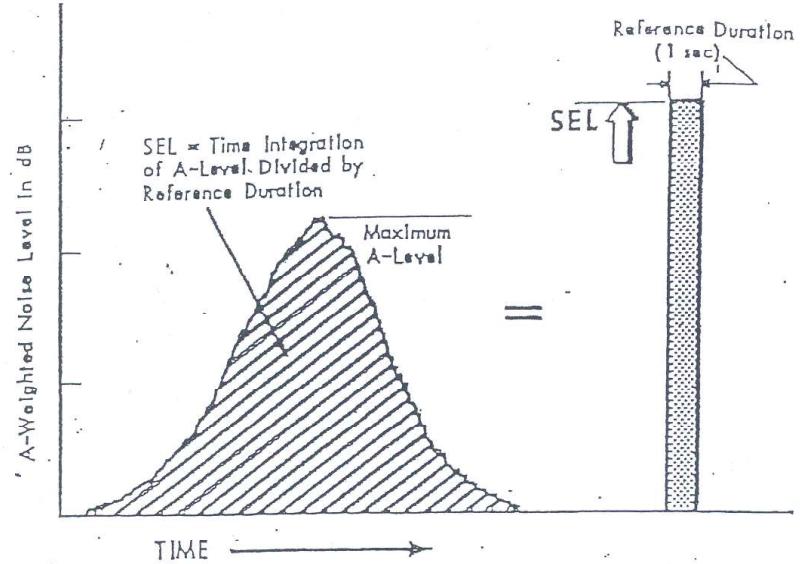


A-WEIGHTED
SOUND PRESSURE LEVEL,
IN DECIBELS

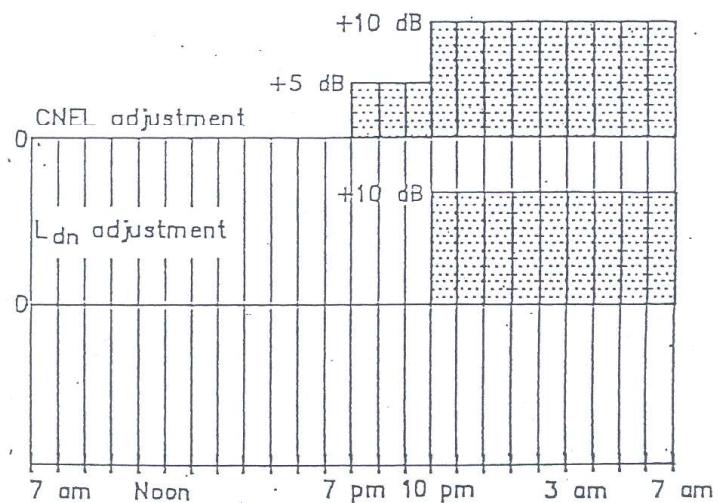


(100') = DISTANCE IN FEET
BETWEEN SOURCE
AND LISTENER

TYPICAL SOUND LEVELS
MEASURED IN THE ENVIRONMENT
AND INDUSTRY



SOUND EXPOSURE LEVEL



Hourly Noise Level (HNL)

HOURLY NOISE LEVELS
AND ANNUAL METRICS