6 Utilities and Public Facilities

As an already developed section of Milpitas, the Transit Area already has much of the infrastructure needed to provide public utilities and services. However, the transformation of the area from a light industrial district to a high-density residential, office, and retail community will result in users with different needs than are currently supported. Certain utilities will need to be expanded to accommodate greater flows and different patterns of use. In particular, in its present arrangement as a low density job center, the Transit Area currently lacks the public and private services needed to support a residential population.

This chapter describes the infrastructure needed to provide public services for this new mixed-use area. It establishes policies and describes improvement projects necessary for the upgrading and expansion of public facilities, including:

- public utilities such as storm drainage, sewer, water, and waste disposal;
- circulation and streetscape improvements within the Transit Area;
- regional roadway improvements required to ameliorate increased traffic flows; and
- community services provided by public agencies: schools, public safety, and child care.

Policies and development standards for streets, as well as parks, trails, and open space, are covered in Chapters 3 and 5.

6.1 FLOODING AND STORM DRAINAGE

Most of the Transit Area is within a federally-designated floodplain, which will require new development to comply with federal and local regulations. These provisions mostly affect the elevation of the ground floor of a building and whether underground parking is feasible, which in turn could have an effect on the urban design of the Transit Area. Chapter 5, Development Standards and Design Guidelines, addresses these concerns.

The Transit Area will have adequate storm drainage capacity for its projected development upon completion of the improvements identified for the area within the 2001 Storm Drain Master Plan. Development of landscaping and park space in the Transit Area is expected to decrease the amount of storm water runoff in comparison to the impervious surfaces that dominate the area today. However, construction activities, as well as intensification of land use, may result in increased soil and pollutant runoff. As a result, the City will require certain construction projects to develop a Stormwater Pollution Prevention Plan and a Stormwater Control Plan.

FLOODING

FEMA-designated flood hazard zones are considered to be areas of special flood hazard according to Section XI-15-3.2 of the City of Milpitas Municipal Code. As a result, the Milpitas Transit Area Specific Plan is subject to the provisions specified in Section XI-15 'Floodplain Management Regulations' of the Milpitas Municipal Code. These provisions require the developer to submit a permit application showing the development plans, in particular the measures that will be taken to prevent flood hazards or elevate buildings out of the floodplain.

All new residential construction must have the lowest floor built to at least one foot above the Base Flood Elevation, or in the case of areas within Zone AO, at least one foot above the depth number listed on the Flood Insurance Rate Map (FIRM), or three feet above the highest adjacent grade if no depth number is shown. For non-residential construction the lowest floor elevation can be at Base Flood Elevation but the structure needs to be floodproofed and designed for buoyancy. The FEMA-designated flood districts are mapped in Figure 2-12 in Chapter 2.

All new construction (residential and non-residential) with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Within Zone AH or AO, improvements shall be constructed so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures. Further details of these provisions can be found in the following sections of the City of Milpitas Municipal Code:

- Standards of Construction (Section XI-15-5.1) – specify requirements for anchoring, construction materials and methods, and elevation and flood-proofing
- Standards for Utilities (Section XI-15-5.2) – specify requirements for new and replacement water supply and sanitary sewage systems, and on-site waste disposal systems
- Standards for Subdivisions (Section XI-15-5.3)
- Floodways (Section XI-15-5.6) – specify requirements and constraints for encroachments, and other flood hazard reduction provisions.

Programs to increase the capacity of Berryessa Creek will protect portions of the Transit Area from flooding, but any floodplain designation changes would come after FEMA has reviewed the completed projects. The Berryessa projects are slated for completion in 2017 but this is contingent on continued funding. In addition, as of September 2007 no flood control projects are planned for Lower Penitencia Creek, which would be essential to removing the entire planning area from the designated floodplain.

Policy 6.1: Minimize damage associated with flooding events and comply with regulations stipulated by FEMA and the National Flood Insurance Program.

Policy 6.2: New development within a FEMA-designated flood hazard zone must follow the City's construction standards for such areas, as currently laid out in Section XI-15 'Floodplain Management Regulations' of the Milpitas Municipal Code.

Policy 6.3: New development must maintain the Transit Area's urban design standards. In particular, first floor commercial space must be within two feet of the elevation of the public sidewalk.

The design and development standards in Chapter 5 must be followed, as well as the FEMA construction standards. This policy is particularly important regarding the location and appearance of on-site parking and the accessibility of ground floor retail from sidewalks. FEMA's construction standards require a building's floor plate to be one foot above flood level. Rather than elevate a building on stilts and require store access via stairs or ramps, the ground floor should be accessible via a sloping sidewalk. On streets fronted by ground floor commercial, no sidewalk shall be more than two feet above or below the floor level of adjacent commercial space, as specified in Chapter 5. The sidewalk needs to be designed so that the grade of its slope complies with federal, state, and local standards for disabled access.

STORM DRAINAGE

Within the Transit Area, the majority of stormwater runoff is conveyed to Berryessa Creek and Lower Penitencia Creek, with portions of the area draining into Wrigley-Ford Creek. The storm drainage system is shown in Figure 6-1. With the Transit Area changing land use from predominantly industrial to high density residential and commercial, stormwater runoff will decrease from previous estimates. This is because the amount of impervious area found within the Transit Area will decrease as a result of the greater amount of landscaped area associated with residential, mixed use, and commercial land uses, which would replace paved areas and result in less runoff flow from the area. However, the Transit Area requires some storm drain improvements which were identified in the 2001 Storm Drain Master Plan:

1. Constructing a new parallel 48-inch culvert beneath Montague Expressway at Piper Drive,
2. Replacing an existing 30-inch pipe with a 36-inch pipe to drain the low end of Tarob Court,
3. Improving Wrigley Creek (560') along Piper Drive, Downstream of Montague Expressway to carry the 100 year flood,
4. Constructing a 24-inch pipe (390') where Wrigley Creek is crossing Railroad Spurs,
5. Constructing a 54-inch (500') parallel pipe downstream of the Railroad crossing the Wrigley Creek, and
6. Constructing a 36-inch pipe (140') to drain the Piper Drive cul-de-sac.

No major additional improvements for the collection of storm water appear to be needed, beyond those identified in the 2001 Storm Drain Master Plan. However there may need to be minor improvements to adjust the drainage system to be consistent with the new street layout and drainage points.

Construction and grading within the Transit Area would require temporary disturbance of surface soils. During the construction period, grading and excavation activities would result in exposure of soil to runoff, potentially causing erosion and entrainment of sediment in runoff. There is also potential for release of chemicals such as fuels, oils, paints, and solvents from construction sites. These chemicals could be transported to nearby surface waterways and/or groundwater in stormwater runoff, wash water, and dust control water, potentially reducing the quality of receiving waters. To prevent such an outcome, the City will require construction projects that meet certain criteria to submit a Stormwater Pollution Prevention Plan to the San Francisco Bay Regional Water Quality Control Board and a Stormwater Control Plan, as described in Section 5-4, Other Construction Standards.

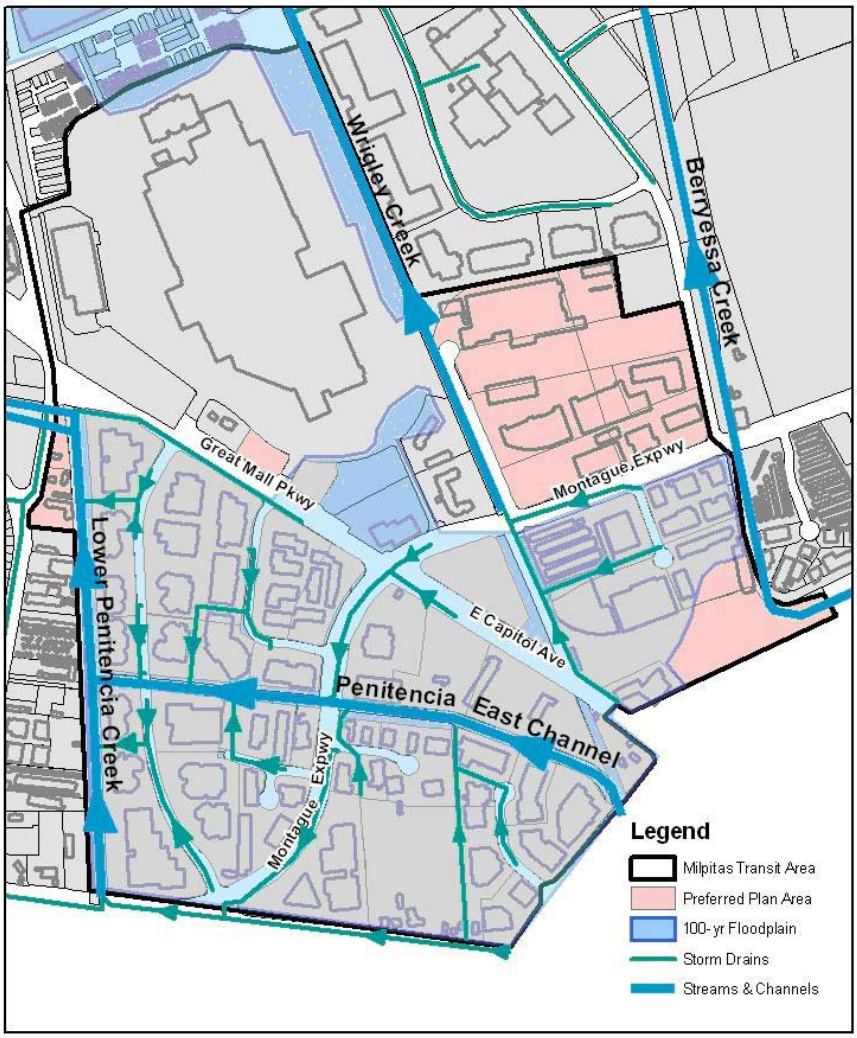


Figure 6-1
Storm Drainage

In addition, the influx of a larger number of residents to the area, as well as new customers to the proposed retail areas, is expected to result in more traffic, which can contribute pollutants such as fuels, oils, and heavy metals to runoff. These problems can be minimized by following guidelines laid out in the Santa Clara County NPDES permit. Furthermore, new development must fund a Storm Drainage Plan for each Transit Area subdistrict in order to reduce runoff pollutants and control pollutant sources.

Policy 6.4: Provide storm drain infrastructure to adequately serve new development and meet City standards.

Policy 6.5: Ensure that runoff in storm drains does not lower water quality within or outside of the Transit Area by implementing Best Management Practices (BMPs) in new developments within the Transit Area..

Policy 6.6: Construct the improvements within the Transit Area that were identified in the 2001 Storm Drainage Master Plan, and any other improvements identified in updates to the Master Plan.

The Master Plan improvements within the Transit Area are:

- Constructing a new parallel 48-inch culvert beneath Montague Expressway at Piper Drive.
- Replacing an existing 30-inch pipe with a 36-inch pipe to drain the low end of Tarob Court.
- Improving Wrigley Creek (560') along Piper Drive, downstream of Montague Expressway to carry the 100-year flood.
- Constructing a parallel 24-inch pipe (390') where Wrigley Creek is crossing Railroad Spurs.
- Constructing a 54-inch (500') parallel pipe downstream of the railroad crossing Wrigley Creek.
- Constructing a 36-inch pipe (140') to drain the Piper Drive Cul-de-Sac.

Policy 6.7: Prepare Master Grading and Storm Drainage Plans for each subdistrict of the Transit Area prior to approval of Zoning Permits for new buildings in that subdistrict.

The site's location within a FEMA-designated floodplain means that areawide planning is required, and special construction methods must be applied to development within much of the planning area. Regional flooding mitigation will be handled by the Santa Clara Valley Water District and the US Army Corp of Engineers for creeks improvements. However, localized flooding mitigations will be handled by individual developers for necessary on-site and off-site improvements. A Transit Area Storm Drainage Plan for each subdistrict will be needed. Funding for the plan would need to be provided by the developers, and the City would need to review and approve construction plans, contract for and oversee the construction in coordination with property owners.

The Plans would, among other things, establish the elevations of the new street network and the points at which the street network drains into the storm drain channels. The Plan would also prepare an overall strategy for how to set sidewalk elevations and floor levels, so that flood plain requirements are met, but the vertical distance between the sidewalks and first floor levels are minimized as much as possible. The Plan would also establish parameters for parking structures so that they meet FEMA requirements and at the same time achieve the design standards of the Transit Plan.

6.2 WASTEWATER COLLECTION AND TREATMENT

The City's sanitary sewer system collects the wastewater flows from the City of Milpitas planning area; they are ultimately pumped to the San Jose/Santa Clara Water Pollution Control Plant (WPCP). The WPCP is operated by the cities of San Jose and Santa Clara which, along with Milpitas, are granted the rights to discharge wastewater to it.

WASTEWATER COLLECTION SYSTEM

The 2004 Sewer Master Plan Revision and the Draft 2007 Sewer Master Plan Update call for several capital improvement projects within the Midtown Specific Plan area, and consequently the Transit Area. The Draft 2007 Update evaluated new buildout land use scenarios for Milpitas, including the Transit Area Plan. Extensive projects will be required by the increase in residential development expected with the Transit Area. The existing sewer mains and proposed improvements specifically related to Transit Area growth are shown in Figure 6-2, although other Sewer Master Plan projects are not illustrated.

Policy 6.8: Construct the improvements to the wastewater collection system within the Transit Area that were identified in the Draft 2007 Sewer Master Plan Update, which include the following:

- Upsize 990 feet of existing 18-inch pipe to 27-inch, 370 feet of 12-inch pipe to 27-inch, and 560 feet of 18-inch pipe to 21-inch along South Main Street north of Great Mall Parkway.
- Upsize 1,460 feet of 15-inch pipe to 21-inch along South Abel Street north of Curtis Avenue.
- Upsize 450 feet of 10-inch pipe to 15-inch, 1,820 feet of 10-inch pipe to 18-inch, and 360 feet of 15-inch pipe with 18-inch along Great Mall Parkway between South Main Street and Montague Expressway.
- Upsize 325 feet of 8-inch pipe to 12-inch, 30 feet of 8 inch pipe to 15-inch and 885 feet of 10-inch pipe to 12-inch along Montague Expressway.
- Upsize 2,060 feet of 8-inch pipe with 12-inch along South Main Street south of Great Mall Parkway.

All other recommended capital improvement projects included in the Draft 2007 Update were identi-fied in the 2004 Revision and are unaffected by the increased flows in the Transit Area.

WASTEWATER TREATMENT CAPACITY

The 2004 Sewer Master Plan Revision indicates that the City's current contracted capacity with the WPCP will be reached by 2015 under current development plans. The City's "Proposed Milpitas Transit Area Specific Plan Draft Water and Sewer Impacts" Study showed that up to 1 mgd of additional wastewater treatment capacity may be needed to handle the wastewater flow generated by the development of land uses under the Transit Area Specific Plan.

Policy 6.9: The City of Milpitas will implement improvements to the Main Sewage Pump Station and the force mains which convey flows to the WPCP in general accordance with those improvements identified in the "Functionality and Operation Report" as prepared for the City by Winzler & Kelly Engineers, November 2005.

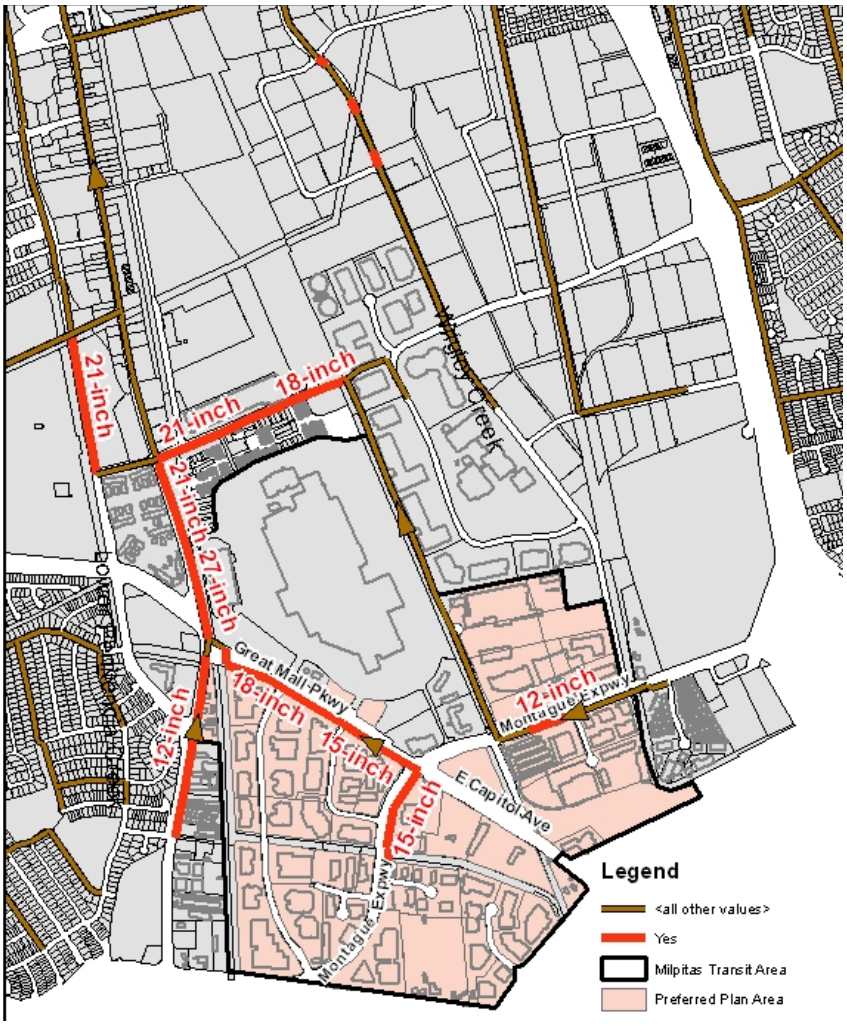


Figure 6-2

Sewer System Improvements Required Due to Transit Area Growth

Note: Figure does not include improvements recommended in the 2004 Master Plan Revision

Policy 6.10: The City of Milpitas will acquire up to 1.0 mgd of wastewater treatment capacity at the WPCP if necessary. The final amount to be acquired, if any, and the timing of the acquisition will be based on studies of actual usage and the pace of development in the city. The City shall monitor the increase in actual sewage flows and the amount of new development approved on an annual basis to determine when additional capacity is required.

This additional capacity will enable the City to meet the cumulative wastewater treatment demands generated by cumulative growth and development throughout the City, including the net increase in demand attributable to the Transit Area. However, the City's need to acquire an additional 1.0 mgd of WPCP capacity is based on the ability to serve all planned growth and development within the City. The need for this additional WPCP capacity will not be triggered until such time in the future when full General Plan buildout and Transit Area Specific Plan buildout is realized.

Policy 6.11: No development is entitled to wastewater treatment capacity until a building permit is issued by the City.

This Plan requires the City to acquire adequate wastewater treatment capacity based on the development expected under this Specific Plan, the Midtown Milpitas Specific Plan, and the City's General Plan. However, wastewater treatment capacity is available on a "first-come-first-served basis." If development in Milpitas exceeds growth projections in these plans, wastewater capacity may not be available to all proposed developments.

Policy 6.12: If development in the Transit Area exceeds 7,100 housing units, additional review of available wastewater treatment capacity may be required.

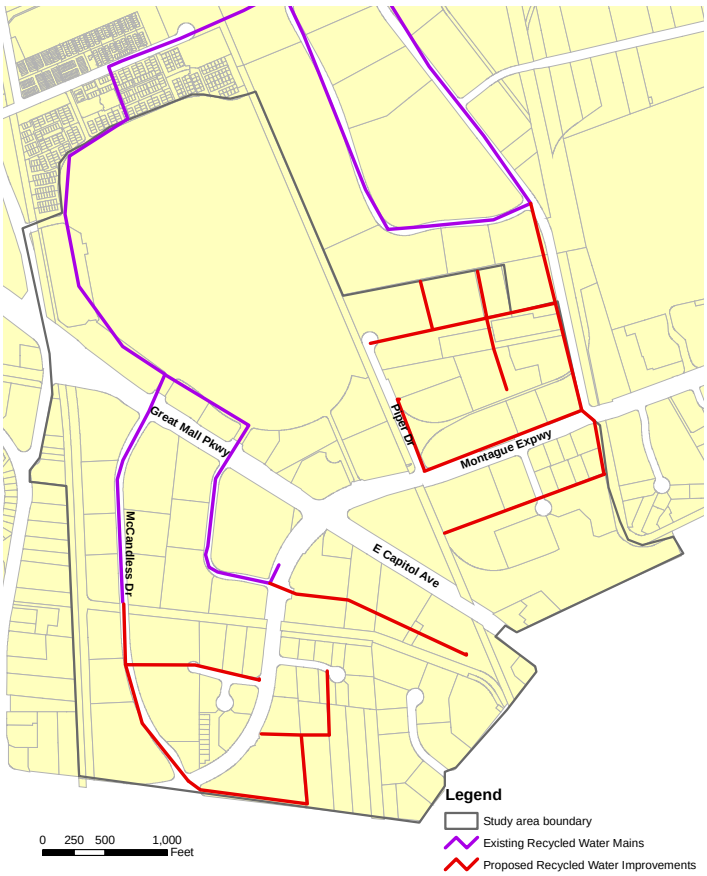
If the Transit Area develops at a greater-than-expected level, the City may need to examine the amount of available wastewater treatment capacity to determine if additional capacity must be purchased to allow continued development under this Plan.

6.3 WATER SUPPLY AND DISTRIBUTION SYSTEM

Potable water supply for the Transit Area is provided by the City of Milpitas through its municipal water system. The City buys domestic water from two sources: the San Francisco Public Utilities Commission (SFPUC), delivered through the Hetch Hetchy Water system, and Santa Clara Valley Water District (SCVWD), delivered through the South Bay Aqueduct. Local water from SFPUC is treated at its Sunol Valley Filtration Plant and water from SFPUC's Hetch Hetchy supply in the Sierra is chlorinated and pH adjusted, prior to its delivery to the City. Water delivered by SCVWD is treated at its Penitencia Water Treatment Plant or the Santa Teresa Water Treatment Plant before being piped to the City. The SFPUC and SCVWD potable water supply sources are not blended under normal operating conditions due to the different corrosion control methods used for each source.

The SFPUC water is unfiltered with a low hardness, alkalinity, and pH. Lime is added to increase the pH to about 8 to 10. The SCVWD water has a medium hardness and alkalinity with a pH generally between 7 and 8. Due to their different characteristics, the indiscriminate blending of these two supplies could potentially lead to water quality problems such as generation of taste and odors. Consequently, the City's water system is physically separated. The Transit Area lies primarily within the zones served by SCVWD water.

Figure 6-3
Recycled Water System Improvements



WATER SUPPLY

The City has produced a Water Supply Assessment for the Transit Area, following the guidelines laid out in the State's "SB 610" regulation, which requires specific information on the demand and availability on a project's water supply if groundwater is identified as a source available to the supplier. The increase in demand brought on by the proposed plan will cause the need for additional allotments of water supply from SCVWD. The increase in water demand can be adequately offset by the supplies available from SCVWD.

This capacity is aided by the expectation that landscaping will be irrigated with recycled water, provided through an extension of the City's existing recycled water infrastructure. Water recycling will also offset some of the increased disposal of treated wastewater from the WPCP, which has a discharge flow limit set by the California Water Quality Control Board. The Midtown Milpitas Specific Plan requires new development in the area to include recycled water lines for irrigation, and for existing irrigation users to convert to recycled water for irrigation as soon as feasible. The Transit Area already contains recycled water mains, though for recycled water service to reach the entire area, new mainlines must be installed along Great Mall Parkway and East Capitol Avenue, as well as Montague Expressway, Sango Court, and into the Piper/Montague subdistrict, as shown in Figure 6-3

Policy 6.13: Provide water supply for the Transit Area from the Santa Clara Valley Water District per the Water Supply Assessment.

Policy 6.14: No development is entitled to municipal water until a building permit is issued by the City.

Potable water is available on a "first-come-first-served basis." If development in Milpitas exceeds growth projections in adopted plans, municipal potable water may not be immediately available to all developments.

Policy 6.15: If development in the Transit Area exceeds 7,100 housing units, the City may need to update the Water Supply Assessment.

Policy 6.16: Reduce water consumption through a program of water conservation measures, such as use of recycled water, water-saving features, and drought-tolerant landscaping.

Policy 6.17: The City of Milpitas will require that water saving devices, as required by the California Plumbing Code, be installed in all residential, commercial, industrial and institutional facilities within the Transit Area. Such devices are capable of reducing the amount of water used indoors, resulting in substantial wastewater flow reductions.

Policy 6.18: Construct recycled water mains along Great Mall Parkway, Capitol Avenue, Montague Expressway, Sango Court, and into the Piper/ Montague subdistrict, as shown in Figure 6-3.

Policy 6.19: Per the Midtown Specific Plan, require new development to include recycled water lines for irrigation.

Policy 6.20: The City of Milpitas will require that recycled water be used to irrigate all parks, plazas, community facilities, linear parks, landscaped front yards and buffer zones. Recycled water may also be used for landscape irrigation on vegetated setbacks and private common areas. The City shall also require, where reasonable and feasible, that commercial uses, schools and non-residential mixed use developments be provided with dual plumbing to enable indoor recycled water use for non-potable uses to the extent feasible.

If the cumulative flow trigger of 120 mgd of disposal at the WPCP is reached, the City of Milpitas will work with other jurisdictions to implement appropriate mitigations as described in the South Bay Action Plan. In addition, the City will work with other jurisdictions to establish consistent requirements to be applied in all jurisdictions regarding dual-plumbing, recycled water irrigation use, or other measures that reduce flow to the Bay.

Only non-residential buildings are allowed to use recycled water for indoor water use. The use of recycled water will reduce the amount of effluent otherwise requiring disposal.

Policy 6.21: Require existing irrigation users to convert to recycled water when it becomes available.

Recycled water use requirements are established in Municipal Code Title 8, Chapter 6, Section 3.07.

WATER DISTRIBUTION SYSTEM

The substantial increase in water demand caused by development of this Specific Plan requires improvements to the existing water infrastructure.

The City's Draft 2007 Water Master Plan Update analyzed the latest land use buildout scenarios for Milpitas, including the Transit Area Plan. The Draft 2007 Update determined that a new SCVWD turnout would supply the additional water needed by the Transit Area and eliminate the need for any pipeline improvements in the SCVWD pressure zones.

As shown on Figure 6-4, the new turnout would be constructed in a city-owned right-of-way in a landscaped buffer area adjacent to Piper Drive. A new storage tank, location to be determined, will also be required.

Policy 6.22: Upgrade and expand the water distribution system such that it will be adequate to serve new development in the Transit Area.

The following additional improvements were developed as part of the Draft 2007 Water Master Plan Update and are required to accommodate future water demands due to development of the Transit Area as specified in this Plan:

- Construct an additional 20-inch turnout along the SCVWD supply pipeline within the Transit Area.
- Construct 6.6 MG tank within the SCVWD system. The tank will also need a pump station. This improvement would supersede the recommendation from the 2002 Water Master Plan because of a requirement for additional storage.

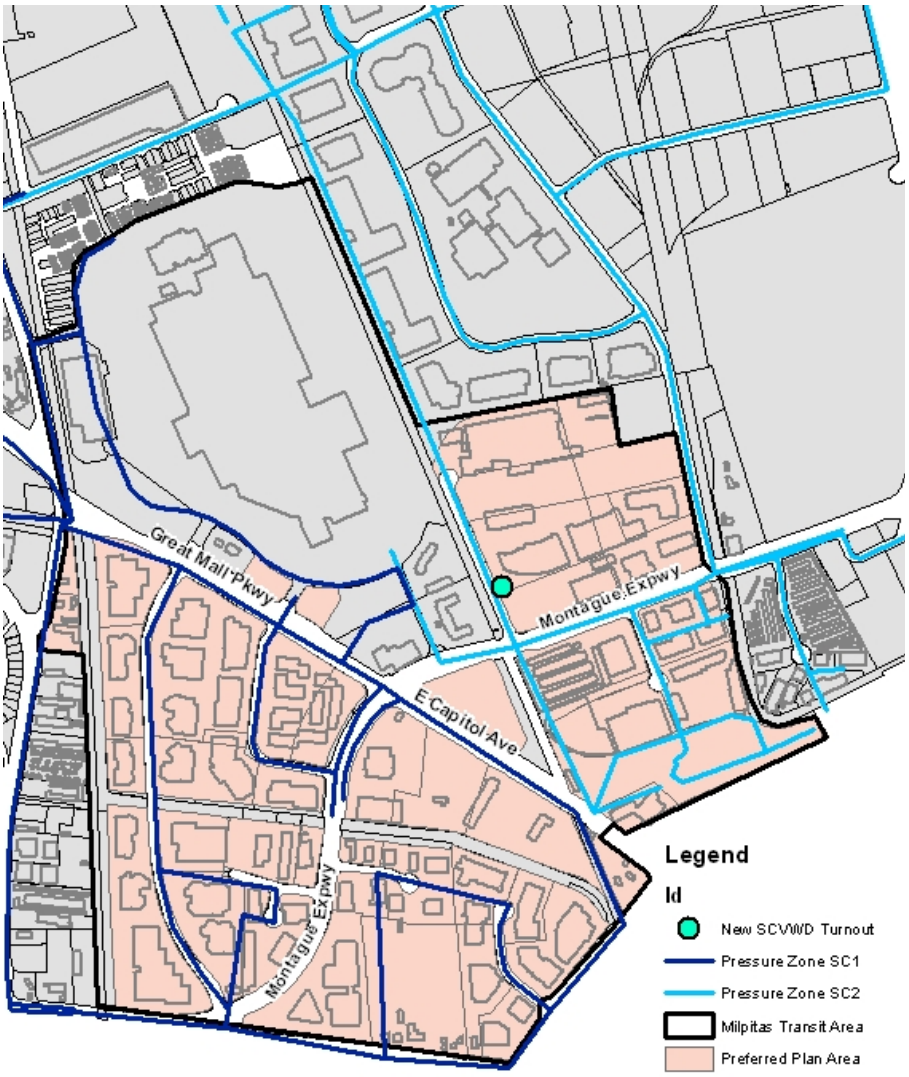


Figure 6-4
Required Water System Improvements

6.4 SOLID WASTE DISPOSAL

The City of Milpitas disposes of all solid waste at the Permitted Class III, Subtitle D facility, the Newby Island Sanitary Landfill (NISL), administered by BFI. The Newby Island facility accepts solid waste, recyclables, and compostable materials. The City's contract with the NISL runs through September 5, 2017.

The NISL does not accept hazardous waste, but the City of Milpitas currently participates in Santa Clara County's Hazardous Waste Program, which provides a drop-off site for residents and small generators.

Policy 6.23: All new development shall participate to the maximum extent practical in solid waste source reduction and diversion programs.

Policy 6.24: Before the expiration of its current waste disposal contract, the City shall negotiate new agreements to handle the long-term disposal of its solid waste past the closure of the Newby Island Sanitary Landfill.

6.5 CIRCULATION AND STREETSCAPE IMPROVEMENTS WITHIN THE MILPITAS TRANSIT AREA

NEW LOCAL STREETS

New local streets will need to be constructed as shown in the street sections in Chapter 5 in order to provide adequate access for developments. The costs of these new local streets will be paid for by whoever owns the property. Many of the streets are shared by more than one development and each would pay a proportional cost. The City may need to fund and construct certain street segments where multiple parcels are not being developed at the same time, and recoup costs as parcels are developed in the future.

Streets that do not currently have frontage improvements would also need to be improved by property owners as part of development projects consistent with the street sections in Chapter 5. This situation occurs on Trade Zone Boulevard.

STREETSCAPE IMPROVEMENTS ON EXISTING STREETS

The Transit Area Specific Plan calls for streetscape improvements on existing streets in order to create an attractive and inviting character for the area. Streetscape improvements include street trees, landscaping, decorative lighting fixtures, etc. These types of improvements are critical to transforming the area from an industrial area to an attractive and inviting urban neighborhood. Resi-

dents and businesses have many choices about where to live or where to locate their businesses and the character of the area is a key determinant in that decision, which in turn drives property values. Thus is it is recommended that the streetscape improvements be installed by the City as a comprehensive project, and funded on an areawide basis, rather than being installed project by project in a piecemeal fashion. However, in some subdistricts where a few developers are developing large acreages along a single street, it may be more appropriate for those costs to be borne solely by property owners in that subdistrict. Examples of this situation may include McCandless Drive and Centre Point Drive.

The Transit Area Specific Plan includes streetscape improvements on the following existing streets. Greater detail, including notes about all the improvements, is provided in the street sections in Chapter 5 of the Plan.

Policy 6.25: Fund, design and install the following streetscape improvements during the 20 year timeframe of the Milpitas Transit Area Plan:

- ***Montague Expressway***—Palm Trees, Deciduous Trees, Sidewalks, Landscaping, Median Trees and Landscaping, Decorative Avenue Scale Street Lights and Pedestrian-Scale Street Lights.
- ***Great Mall Parkway***—Deciduous Trees, Sidewalks, Landscaping, Median Trees and Landscaping, Decorative Street Lights (Avenue and Pedestrian-Scale).
- ***McCandless Drive***—Construct Median with trees and landscaping, re-stripe roadway to create travel lanes, bike lanes, and parallel parking; add sidewalks where gaps exist.
- ***Capitol Avenue***—Deciduous Trees, Sidewalks, Landscaping, Median Trees and Landscaping, Decorative Street Lights (Avenue and Pedestrian-Scale).
- ***Piper Drive***—Curbs Moved to create a landscape buffer area that includes a triple row of trees; decorative light fixtures (Avenue and Pedestrian Scale), Sidewalks, Landscaping.
- ***Falcon Drive***—Low ornamental retaining wall, sidewalks, supplemental trees, pedestrian scale street lights.

Policy 6.26: Prepare a streetscape design master plan for each streetscape project.

The design master plan will include detailed designs and specifications for each streetscape project. It will also resolve many factors, including location of utility lines, location and spacing and species of street trees, variations in conditions at different points along the street, relationships of street improvements with curb cuts, etc. The vegetation needs to be compatible with recycled water. The design master plan must incorporate NPDES permit requirements for reducing impervious surfaces.

PEDESTRIAN ACCESS AND CIRCULATION

Policy 6.27: Create a continuous network of pedestrian sidewalks as private development occurs throughout the Transit Area.

Policy 6.28: Install improvements at the intersections of Great Mall and Main, and Great Mall and Montague, in order to improve pedestrian comfort and safety in crossing these wide intersections.

Sidewalks are provided on most of the major streets within the Transit Area Specific Plan. However, gaps exist and the current sidewalk network is not adequate to meet future demand generated by new and higher intensity land uses. The Plan will require sidewalks on both sides of all existing and proposed streets to provide adequate pedestrian circulation. Developers will be required to install new sidewalks along the frontage of their properties if the sidewalks do not already exist in the configuration specified in the street section drawings in Chapter 5.

Pedestrian improvements are needed at the intersections of Great Mall and Main, and Great Mall and Montague, to improve pedestrian comfort and safety in crossing these very wide intersections. Residents and workers must cross these intersections to access both the light rail and the future BART station. Recommended improvements include pedestrian-scaled street lights, new date palm trees, and ornamental paving, as shown in Figures 3-3 and 3-4 in Chapter 3. These should be funded on an areawide basis.

Pedestrian improvements are also needed in the intersections along Great Mall Parkway that connect from McCandless Drive and Centre Point Drive to the Great Mall. These could include signal timing, street trees, pedestrian-scale lights, ornamental paving, and/or other types of improvements to make pedestrian crossings of this wide street more safe and comfortable.

PEDESTRIAN BRIDGES

Because of the wide heavy traffic expressways through the area, bridges for pedestrians and bicycles are necessary to provide connections to transit, shopping, and open space. Four pedestrian bridges or other major connections are included in the Plan.

Policy 6.29: Construct the following pedestrian bridges during the 20 year timeframe of the Milpitas Transit Area Plan:

- Over Montague Expressway to provide a pedestrian connection from the McCandless/Centre Point Subdistrict to the BART and LRT station. This connection would be part of the trail system and it is proposed that this bridge have a ramp at both ends which extends in or along the creek channel.

- Over Montague Expressway connecting the Piper/Montague subdistrict with the BART and LRT Station. This would also serve residents living south of Montague Expressway who walk to the Great Mall. This bridge could be a freestanding structure with elevators. Alternatively it could be constructed as part of the BART station if the station is above ground with entrances on both sides of Montague, or it could be constructed as part of an overhead BART line.
- From Piper/Montague to the Great Mall. This will require some sort of bridge to cross the retained cut of the BART line and the rail tracks.
- From LRT to BART Station. This would be constructed simultaneously with the BART Station. This bridge is a half-bridge over Capitol Avenue that connects the LRT and BART stations. Pedestrians crossing Capitol Avenue would cross at grade at the future signalized intersection of Montague Boulevard extension.

BICYCLE ACCESS AND CIRCULATION

A continuous network of Class II bicycle lanes should be provided throughout the transit area for bicycle access to work, shopping, and transit destinations. Existing gaps in Class II bicycle lanes need to be closed to provide continuous bicycle circulation through the project site and to adjacent areas, and Class III bike routes should be upgraded to Class II bike lanes wherever it is physically feasible. The trails and pedestrian bridges will provide recreational bicycle facilities on Class I bike paths.

Policy 6.30: Construct the following bicycle circulation improvements during the twenty year timeframe of the Milpitas Transit Area Plan:

- Re-stripe Capitol Avenue and Great Mall Parkway to fill in gaps and create full bike lanes instead of bike routes.
- Re-stripe Milpitas Boulevard to add bike lanes.
- Create bicycle lanes on both sides of the Milpitas Boulevard extension.
- Create a bicycle route through the Montague Trade Zone subdistrict, extending from Milpitas Boulevard-Capitol Avenue intersection along Tarob Court to Trade Zone Boulevard.
- Replace the existing bike routes on Montague Expressway with full Class II bicycle lanes.
- Create bike lanes along Trade Zone Boulevard from Lundy Place to Montague Expressway.
- Maintain bike lanes on McCandless Drive when it is redesigned with a median and on-street parking.

TRANSIT STOP AMENITIES

Policy 6.31: Coordinate with VTA to provide amenities at all transit stops within the plan area, including transit shelters, seating, waste receptacles, and signage.

6.6 REGIONAL ROADWAY IMPROVEMENTS

Despite the availability of BART and VTA light rail lines, the increase in housing, jobs, and shopping destinations in the Transit Area will generate more automobile traffic. This increased traffic will affect not just the Transit Area but many intersections and roadways in the immediate region.

Using a transportation model developed by VTA, the degree of traffic increase, its distribution, and its impact on regional roadways and intersections was analyzed. Based on the automobile traffic patterns expected once the Plan is fully developed, a decline in traffic levels of services is expected in several locations. This result takes into consideration a reduction in vehicle miles traveled due to transit ridership. In order to avoid or mitigate the expected traffic congestion, the Plan calls for a number of improvements to intersections and roadways in and around the Transit Area.

Policy 6.32: The City shall establish and assess a transportation impact fee program to contribute toward traffic improvements to be undertaken in whole or in part by the County of Santa Clara or City of San Jose. This fee will go toward the Montague Expressway Widening project east of Trade Zone Boulevard, the Calaveras Boulevard (SR 237) Overpass Widening project, and Capitol Avenue improvements within the City of San Jose.

Policy 6.33: The City shall establish and assess a transportation impact fee program to provide improvements to mitigate future traffic operations on the roadway segments within the City of Milpitas. All projects within the Transit Area Plan will be required to pay this fee.

Policy 6.34: The new traffic impact fee program should include fair-share payments toward the following improvement: At the West Calaveras Boulevard / I-880 northbound ramps, convert the northbound center left-turn lane to a shared left-turn/right-turn lane. The City of Milpitas will coordinate with Caltrans to implement this improvement.

This action will provide acceptable LOS C intersection operations.

Policy 6.35: The new traffic impact fee program should include fair-share payments toward the following improvement: At the intersection of Tasman Drive / McCarthy Boulevard, the southbound (McCarthy Boulevard) shared through/right-turn lane will be converted to an exclusive right-turn lane with overlap signal phasing. The southbound right-turn will have a green arrow and enter the intersection at the same time as the eastbound left-turn movement. Eastbound left-turns will be prohibited. The City of Milpitas will implement this improvement.

This policy will provide acceptable intersection operations during morning and afternoon peak travel hours (LOS D in the AM and LOS D+ in the PM). The eastbound left-turn prohibition will not affect a significant number of vehicles (five or fewer vehicles during the PM peak-hour).

Policy 6.36: The new traffic impact fee program should include fair-share payments toward the following improvement: Coordinate the traffic signals at the Tasman Drive / I-880 southbound ramps and the Great Mall Parkway / I-880 northbound ramps with one another as well as adjacent intersections, particularly Tasman Drive/Alder Drive, in order to improve operations in the Great Mall Parkway/Tasman Drive corridor north of the Transit Area. The City of Milpitas will coordinate with Caltrans to implement this improvement.

Policy 6.37: The grade separation of Montague Expressway at McCarthy Boulevard planned as part of the North San Jose Development would eliminate this intersection and provide acceptable operations with development of the Transit Area Plan.

Construction of square loops will eliminate this intersection and provide acceptable operations with development of the Transit Area Plan.

Policy 6.38: The new traffic impact fee program should include fair-share payments toward the following improvement: Install an overlap phase for eastbound Trade Zone Boulevard right turns at Capitol Avenue.

This action is required to provide LOS E operations at the intersection.

Policy 6.39: Widening Zanker Road at its intersection with Montague Expressway to provide second northbound and southbound left-turn lanes is planned as part of the North San Jose Development.

This improvement is a required mitigation of North San Jose development. The combination of this improvement along with the planned widening of Montague Expressway to eight lanes (as identified in the Montague Expressway Improvement Project Final Technical Report) will provide LOS E+ operations at the intersection of Montague Expressway / Zanker Road.

6.7 PARKS, PUBLIC SPACES, AND TRAILS

PARKS

Public parks are marked on the Plan Map, with their locations and sizes determined to provide maximum value to the Transit Area's future residents, workers, and visitors. Although the details of park programming are left to the City's Recreation Services Department, this Plan recommends the types of activities each park should support. In addition to developed parks, the Transit Area will also include a trail network and landscaped areas to enhance the connectivity and aesthetic character of the community.

Parks, public spaces, and trails will be provided through land dedication and in-lieu payments as established in the City's zoning and subdivision ordinances. Policies on the development and design of parks are laid out in Chapter 3. Property owners are required to dedicate land for parks rather than pay in-lieu fees if a park site is shown on their property in the Milpitas Transit Area Plan. Impact fees and/or other funding mechanisms will be used to pay for parks improvements.

Policy 6.40: Create the parks and public spaces specified in the Transit Area Plan as development occurs and park land is dedicated. The City shall undertake the following implementation actions building on existing City programs and procedures for parks construction:

- ***Funding Mechanisms:*** Establish a funding mechanism to acquire land for parks and build parks improvements, using a combination of any or all of the following: private property owner land dedication, impact fees, Redevelopment Agency funds, and State and Federal grants.
- ***Land Acquisition Program:*** Set up a program to acquire park land through dedication and/or fee purchase. Prioritize sites and negotiate with property owners. Coordinate timing and phasing with the pace of development and the amount of in-lieu fees available.
- ***Parks Design Process:*** Establish a design process that involves the community to establish the facilities, program, and design parameters for all new parks.
- ***Parks Construction:*** Incorporate the construction on new parks into the City's Capital Improvements Program. Carry out parks construction to ensure that new residents have parks available when projects are completed.

TRAILS

Policy 6.41: Construct a continuous trail network as delineated in the Transit Area Plan through land dedication and improvements by property owners in coordination with the Santa Clara Valley Water District and the City of Milpitas.

Pedestrian trails are included in the plan to provide a continuous trail network which ties into the larger City trail system and to provide connections to open space. Much of the trail network is proposed along creek corridors. Additional right of way will need to be acquired along the creek corridor to provide area for the new trail. Improvements to the creek right of way owned by the Santa Clara Valley Water District would need to be made to create an attractive and secure trail system. Where land acquisition is required, property owners are required to provide land for trails rather than pay in-lieu fees if a trail is shown adjacent to their property in the Milpitas Transit Area Plan. This land counts toward a property owners' required land dedication for open space. Details are provided in Chapter 3.

Policy 6.42: Prepare a master plan for the trail system within the Transit Area.

The trails master plan will specify the design for items such as: right of way required, landscape improvements, security fencing, etc. The costs of the master plan for the trail system should be allocated proportionally to all the property owners.

6.8 SCHOOLS

The planning area falls within three different school districts: Milpitas Unified School District (MUSD), which handles students in grades K-12, and two overlapping districts: Berryessa Union School District (grades K-8) and East Side Union High School District (grades 9-12). The estimated numbers of students resulting from the residential component of the project, shown in Table 6-1, are based on attendance data from these districts, with variations by grade group and housing type. Unlike the other projections, which are based on generation rates per housing unit provided by Enrolling Projection Consultants, the East Side Union High School District estimate is based on a conversation with their Assistant Superintendent of Operations.

It is projected that the Transit Area Plan will generate around 1,440 new students at buildout. Most of these new students (61%) will be located in the MUSD.

Table 6-1: Projected Student Enrollment

	New Students
Milpitas Unified School District *(Housing Units = 4,776)*	
K-6	576
7-8	112
9-12	190
Total	*878*
Berryessa Union School District *(Housing Units = 2,333)*	
K-5 (Northwood Elementary)	226
6-8 (Morrill Middle School)	104
East Side Union HS District	
9-12 (Independence High School)	233
Total	*563*

Given the lack of additional capacity in MUSD's existing schools, the student generation projections for the planning area suggest a need for a new K-6 or K-8 school for Milpitas Unified. This is particularly because of the cumulative impact of students expected to come from the adjacent Midtown Plan Area. The MUSD student increase by grade is shown in Table 6-2.

Table 6-2: Comprehensive MUSD Enrollment Increase

Grades	Transit Area Specific Plan	Midtown Plan[1]	Total
K-6	576	299	875
7-8	112	115	227
9-12	190	198	388
Total	878	612	1,490

1. Excludes areas that overlap with Transit Area Specific Plan.

Source: Kinzie & Associates, Facilities Planning Consultant to the Milpitas Unified School District, 2007

Both school districts south of Montague Expressway—Berryessa Union and East Side Union High—have existing capacity for more students and will likely not need to add new school sites to accommodate increased demand. It is anticipated that the Berryessa Union School District will receive an increase of 226 students in K-5 and 104 students in grades 6-8, while East Side Union High School District will experience an increase of 223 students in grades 9-12. Data obtained from the school districts' enrollment consultant indicates that there is capacity in existing school facilities in those districts to accommodate the new students.

STATE CRITERIA

The State of California has standards for acceptable locations and sizes for new public schools. While exceptions can be granted, the location regulations that most apply to the Transit Area are:[1]

- At least 100 feet from 50-133 kV power lines;
- Sites within 1,500 feet of a railroad easement require a safety study;
- Not adjacent to a road or freeway that will create safety problems or noise that will adversely affect the educational program;
- Not on major arterial streets with a heavy traffic pattern, unless mitigation of traffic hazards and a plan for the safe arrival and departure of students appropriate to the grade level is provided;
- Cannot be within an area of flood inundation, unless the cost of mitigating the flood is reasonable;
- Not located near an above-ground water or fuel storage tank, nor within 1,500 feet of an above ground or underground pipeline that can pose a safety hazard;
- Not subject to moderate to low liquefaction; and
- Zoning of the surrounding properties shall not pose a potential health or safety risk to students or staff.

In addition to these conditions, a school site for the MUSD should ideally be located within the district boundaries. Within the Transit Area, that means the areas north of Montague Expressway, as well as a portion of the Trade Zone/ Montague subdistrict.

Given the projected number of students and the existing distribution and capacities of MUSD schools, the most likely strategy of the district will be to build a new elementary school, although building a school for grades K-8 is another possibility. The new school will likely need to accommodate students coming from new residential development in the Midtown Plan area, as well.

The State has recommendations for school site acreage, based on projected attendance, with different space requirements for different grade levels. The acreage requirements for an elementary school, based on the reasonable worst case scenario number of students to be generated by both the Transit Area and Midtown Plans are around 14 acres for a K-6 school and around 16 acres for a K-8 school. MUSD has a Class Size Reduction policy—requiring more classrooms and hence larger school buildings—for grades K-3, which is reflected in these acreages.

1 The full list of school site regulations can be found at http://www.cde.ca.gov/ls/fa/sf/title5regs.asp

SCHOOL LOCATION

Although the Transit Area is generating most of the students that will require a new school, there is no location in the proposed layout of the Transit Area that meets all of the State's regulations on both school siting and school size. However, the California Department of Education (CDE) may approve smaller site sizes under certain conditions, if adequate land is unavailable even after considering eminent domain. However, the proposed site and school must still satisfy these conditions:

- Compliance with Title 5 for building square footages, classroom sizes, and the provision of minimum essential facilities, such as cafeterias, libraries, and multi-purpose rooms/gyms.
- Assurance of site safety using criteria for environmental toxic hazards, geological hazards, and railroad safety analysis as required for all school site approvals.
- Completion of CEQA as required for all school site approvals.
- Adequate and safe access to the site for students walking, student pick-up and drop-off, and bus loading and unloading.
- Adequate provisions for staff parking/access to the site.
- Adequate physical education, intramural, recess, and/or competitive athletic program areas.
- Minimum playgrounds areas:
    - Elementary school up to 1,000 students: 2.0 acres
    - Middle school: 6.0 acres
- Location of schools within the greatest student population areas and within residential areas.

Given the projected number of students and the existing distribution and capacities of MUSD schools, the most likely strategy of the district will be to build a new elementary school, although building a school for grades K-8 is another alternative. Two potential school configurations are shown in Tables 6-3 and 6-4, breaking out the number of acres that the State would require for a K-6 and a K-8 school. MUSD has a Class Size Reduction policy—requiring more classrooms and hence larger school buildings—for grades K-3, which is reflected in these tables. The K-6 school example would require around 13.8 acres and the K-8 school example would require 16.3 acres.

Table 6-3: Site Size Projection for a Potential K-6 School

Grade Level	# Classrooms	Student Capacity	Site Required (acres)
K	3	120	0.8
1,2,3	17	340	4.8
4,5,6	13	325	8.2
Special	1	12	-
Total	34	797	13.8

Source: Kinzie & Associates

Table 6-4: Site Size Projection for a Potential K-8 School

Grade Level	# Classrooms	Student Capacity	Site Required (acres)
K	2	80	0.5
1,2,3	14	280	3.2
4,5,6	11	275	5.9
7,8	7	189	6.7
Special	2	24	-
Total	36	848	16.3

Source: Kinzie & Associates

There is a possibility that less land could be required if a more urban school site plan is approved by the School District and the State Department of Education. A brief study was conducted of school sites in the Bay Area, targeting schools that have 600-900 students and are located in an urban or dense suburban part of the Bay Area. K-8 schools in particular were sought out. Table 6-5 shows the total building square footage and site size for nine schools. Most schools are located on 5 to 10 acres, and up to 15 acres. Many of these schools are on sites that are smaller than State requirements.

Table 6-5: Comparable School Site acreages

School	District	City	Grades	Enrollment	Building Sq. Ft.	Site Size (acres)
Callejon School	Santa Clara Unified	Santa Clara	K-8	900 (capacity)	74,500 in 5 buildings	7.5 + 7.5 shared space for play-grounds
Cesar Chavez Education Center	Oakland Unified	Oakland	K-5	600	95,000 in 3 buildings	8.0
Chavez Elementary	Alum Rock Union Elementary	San Jose	K-6	764	56,205 in 8 buildings	14.5
Cherryland Elementary	Hayward Unified	Hayward	K-6	897	103,647	6.7
Harder Elementary	-	-	-	695	45,300	7.8
Longwood Elementary	-	-	-	759	40,300	10.5
Garden Gate Elementary	Cupertino Union	Cupertino	K-6	709	50,163	10.0
Belle Haven Elementary	Ravenswood City Elementary	Menlo Park	K-8	726	37,360 in 10 units	7.63
Horace Mann Elementary	San Jose Unified	San Jose	K-5	550	86,180	3.0

The high traffic volumes on the arterials that bisect the Transit Area and its pervasive soil contamination significantly limit the areas where a school would be appropriate. In addition, part of the area is within another school district. As a result, the only location in the Transit Area that meets the State's siting criteria is just south of Lower Penitencia Creek, between McCandless Drive and Montague Expressway, on 7.0 acres.[2] As Tables 6-3 and 6-4 show, a K-6 or K-8 school would typically need 13.8 to 16.3 acres of land.

However, the State may allow a smaller school site given the dense, developed nature of the Transit Area and the size of the available site is similar to many listed in Table 6-5. To reduce the amount of land needed for a school, it could be built in multiple stories, such as the new Horace Mann Elementary School in downtown San Jose, which has a multi-story building wrapped around play-ground space. Also, State regulations allow joint use facilities—such as parks and libraries—to count toward the recommended site acreage. Other strategies to reduce the amount of land required for a school include the use of parking structures and roof-top play areas. These approaches do increase the cost of construction and ongoing maintenance costs significantly.

2 This assumes that the site can be removed from the FEMA flood area with a berm or site elevation, otherwise it will not qualify as an acceptable school site.

There will also be a need for improvements at the existing high school site and/or another location to provide facilities for the additional high school students.

Policy 6.43: Coordinate with the affected school districts on facilities needed to accommodate new students and define actions the City can take to assist or support them in their efforts.

Policy 6.44: The City will ensure that all school impacts fees are paid from individual projects prior to the issuance of any building permits.

Policy 6.45: Cooperate with the Milpitas Unified School District to identify and evaluate potential sites for the construction of a K-8 public school, within or in reasonable proximity to the Transit Area, taking the State's school siting guidelines into consideration.

If feasible, the public elementary school should be located within the Transit Area. Doing so makes sense given that the expected number of K-8 students living in the Transit Area at buildout would be enough to populate a standard MUSD K-8 school. It would also help promote a sense of community, reduce traffic, and could prevent development of natural habitat or agricultural land.

The Milpitas Unified School District should consider applying for a waiver from the State's Department of Education to allow development of an elementary school on a seven acre site (smaller than the State would typically permit). The District could model its new school on Horace Mann Elementary School in San Jose, which enrolls around 550 students in a multi-story building and includes playground space on 3.0 acres.

Policy 6.46: The City and the school districts located in the Transit Area should consider entering into a joint use agreement, allowing public use of a new school's playfields when not in use by students, and public use of rooms in the school building for community meetings and events. Any new school site should include outdoor active recreation facilities, which would be counted toward the Transit Area's public parks requirement. The school building should include facilities that can be accessed and used for community events.

Policy 6.47: If a new Milpitas Unified school is not located within the Transit Area, it should be sited and developed in such a way as to be accessible to students in the Transit Area by safe continuous walking and biking routes. The City and the Milpitas Unified School District should work together to create the necessary pedestrian and bicycle connections.

6.9 CHILDCARE

Childcare plays an important role in economic development and household wealth, by permitting parents to work either part- or full-time. It plays an especially important role in single-parent households, where the sole adult must work. Childcare can also provide informal income for home-based caregivers. Demand for childcare can be all-day or just after-school in nature, and can come from local residents as well as workers within the area.

The City of Milpitas has a Childcare Master Plan, adopted in 2004 and updated in 2006. It calls for the Milpitas General Plan to:

- Require incoming projects to be evaluated for their potential impact on child care demand within the city, and
- Require incoming projects to be evaluated for their potential to provide child care facilities within the project.

The City's General Plan already recommends establishing a program of incentives for developers should they incorporate child care into their developments. The City now offers fee reductions for large family child care homes and has a practice of prioritizing the processing of child care centers. The Childcare Master Plan suggests that additional incentives, such as density bonuses, could be developed to further meet the intent of this policy.

The Midtown Specific Plan has a policy to encourage the provision of childcare services to support demand generated by employees and residents in the Midtown area, with new childcare centers especially encouraged near large housing developments, near transit stations, and within new office developments.

Policy 6.48: Encourage childcare services near the BART and light rail stations. Allow a private childcare center to be located at the neighborhood retail location (designated on the Plan Map, Figure 3-1) in lieu of a retail establishment.

Policy 6.49: Encourage new commercial space to provide childcare services for its employees. Floor area devoted exclusively to childcare shall be exempted from FAR limits on a parcel.

6.10 PUBLIC SAFETY FACILITIES – POLICE AND FIRE

FIRE PROTECTION

The Milpitas Fire Department (MFD) provides full response, preparedness, and prevention services. The Department's emergency response and preparedness division handles emergency incidents, safety, training, disaster preparedness and public information. The Department's fire prevention division handles fire plans, permits, hazardous materials regulation, inspections and investigations.

Three fire stations near the project area are: Fire Station #1, just northwest of the Great Mall at Curtis and South Main streets; Station #2, located north east of the project on Yosemite Drive and South Park Victoria Drive; and Station #4 on Barber Lane just west of I-880. The City has automatic aid and mutual aid agreements with the cities of San Jose and Fremont.

More firefighting personnel and equipment will be needed to provide the same level of service the community currently enjoys, roughly at the ratio of one firefighter per 1,000 residents. Given the Transit Area's anticipated population increase of almost 18,000 new residents, MFD estimates that at least one and possibly two new fire companies would be needed.

The new fire company(s) could be housed by expanding an existing fire station or building a new one. MFD would not place a new station in or around the Transit Area because of its proximity to Station #1. If it proved more cost-effective to add a station rather than remodeling an existing station to accommodate the staffing needed to serve the population, MFD would need to proceed in that manner. MFD could expand into another district that may reduce the number of responses out of Station #1 so it would be available to handle the increased call-volume attendant to the Transit Area. Station #2 is a likely candidate for expansion and is around a mile and a half northeast of the Planning Area with easy access via Park Victoria Drive and Montague Expressway, or Yosemite Drive and Milpitas Boulevard. If MFD decided to construct a new fire station, it would need to have the capacity to house two engine companies, although only one needs to be staffed initially with a second added at a later date. This new station would likely require around one acre of land.

Ultimately, MFD will need to conduct a "standards of cover" analysis to determine the Transit Plan's precise impact on the department's staffing and equipment, and any required facility enhancements.

The MFD will also need to write an addendum to the City's emergency management plan to address the development of the project area. Adjustments to communication systems, evacuation plans and community warning systems may also be necessary.

The City already has building regulations that ensure adequate emergency access to buildings. However, the building and streetscape standards established in Chapter 5 were developed in coordination with MFD in order to balance dense development with safety.

The Fire Department will evaluate individual development plans to assess whether emergency access is adequate.

Policy 6.50: The Fire Department shall conduct a "standards of cover" analysis to determine the Transit Plan's precise impact on the department's staffing and equipment, and any required facility needs. Identify and evaluate potential sites for an expanded or new fire station near the Transit Area if the standards of cover analysis determines it is warranted.

Policy 6.51: Additional fire department staff will be hired, equipment purchased, and facilities built to provide an adequate level of service—as determined by City Council—for the residents, workers, and visitors of the Transit Area. New equipment and facilities shall be funded by the Community Facilities District fee and new staff paid from the City's General Fund.

These facilities are not expected to be sited within the Transit Area.

Policy 6.52: If a new fire station is built to meet the service needs of the Transit Area, it must be sited and developed in such a way to not create substantial adverse physical impacts or significant environmental impacts.

The new station should be chosen to minimize noise and traffic impacts on existing land uses.

Policy 6.53: The Fire Department shall update the City's emergency and disaster response plans to take the location and type of new development, and future traffic levels, into account.

POLICE SERVICES

Law enforcement services in Milpitas are provided by the City of Milpitas Police Department (MPD). Additionally, the California Highway Patrol provides law enforcement services in the Transit Area, and the Transit Patrol Division of the Santa Clara County Sheriff provides contract security and law enforcement services for the Valley Transportation Authority.

Most of the crime that occurs in the Transit Area is specific to the Great Mall—thefts, forgery/fraud, and stolen vehicles—and there is little violent crime. In the rest of the Transit Area, more than half of the police-related calls are vehicle violations, traffic accidents, and theft from autos.

The increase in population, business traffic, and vehicular traffic resulting from the buildout of the Transit Area will increase the workload of MPD. In addition, given the expected change in land uses, traffic flows, and number of residents caused by the Plan, the nature of police needs in the plan area will probably change significantly. To maintain current levels of service, an increase in staffing and equipment will be necessary.

Given the estimated addition of 18,000 residents to the city—a population increase of 28 percent—maintaining the current ratio of police officers to residents would require an additional 26.5 officers (95 existing officers increased by 28 percent). However, the metrics that MPD would use to determine the precise number of additional staff required are the projected call volume and impact in service levels, such as an increase in dispatch and response times; ring times for 9-1-1 calls; and calls that are pending for an officer. The City should also anticipate investing in additional MPD communications, patrol staff, and the patrol vehicle fleet. The construction of new MPD facilities should not be needed, since existing facilities have capacity for more staff and equipment.

Policy 6.54: Additional police staff will be hired and equipment purchased to provide an adequate level of service—as determined by City Council—for the residents, workers, and visitors of the Transit Area. New equipment shall be funded by the Community Facilities District fee and new staff paid from the City's General Fund.

As the Transit Area develops over its 20 year timeframe, the Milpitas Police Department will review its level of service calls and response times in order to recommend the amount of additional staff they require.

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