



**CITY OF MILPITAS
COMPREHENSIVE ZONING ORDINANCE UPDATE
ZONING ADVISORY GROUP MEETING**

Monday, April 22, 2024 6:00 PM

**COMMITTEE CONFERENCE ROOM
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

and

via teleconference (Zoom webinar)

Register in advance to attend the meeting online here:

https://ci-milpitas-ca-gov.zoom.us/meeting/register/tZEudOqqrDIeE9b3FuTfbK0RI49_1tyOGxiX

After registering, you will receive a confirmation email with information about joining the meeting.

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may be provided live during the Zoning Advisory Group meeting in person or by registering for the Zoom meeting in advance. To register you will need to provide an email address (not disclosed) and a name. To minimize technical difficulties, please make sure that you have the latest version of the Zoom Application. Below is the link to register for this meeting only:

https://ci-milpitas-ca-gov.zoom.us/meeting/register/tZEudOqqrDIeE9b3FuTfbK0RI49_1tyOGxiX

After you register a link will be sent to you to join the Zoning Advisory Group meeting in order to give your comments. All Zoom meeting attendees who wish to speak must click on the "raise hand" icon when the Chair calls for public comments. If participating via phone, dial *9 to use the "raise hand" feature, and when called to speak, dial *6 to unmute your phone. Your phone number will be displayed in the live meeting. The Chair will call speakers by name to address the Zoning Advisory Group. All comments provided shall be limited to three minutes or less as determined by the Chair. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items.

AGENDA ITEMS

CALL MEETING TO ORDER and ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF PRIOR MEETING SUMMARY NOTES

ZONING ORDINANCE UPDATE

1. Presentation

2. Questions

- a. Draft Uses Matrix
- b. Alternative Parking Strategies
- c. Transportation Demand Management (TDM)
- d. Incentives

3. Discussion

- a. **(1)** Are any uses missing?
(Refer to Draft Uses Matrix)
- b. **(2)** Are any uses unnecessary?
(Refer to Draft Uses Matrix)
- c. **(3)** Should any proposed use definitions be revised?
(Refer to Draft Uses Matrix)
- d. **(4)** What alternative parking strategies are most appropriate for Milpitas?
(Refer to Attachment 4)
- e. **(5)** Are any alternative strategies missing?
(Refer to Attachment 4)
- f. **(6)** Is there a preference for a quantitative (parking reduction defined) vs. qualitative (case-by-case) approach to shared parking?
(Refer to Attachment 5)
- g. **(7)** What TDM strategies are most appropriate for Milpitas?
(Refer to Attachment 6)
- h. **(8)** Which incentives are most appropriate for encouraging lot consolidation?
(Refer to Attachment 7)
- i. **(9)** Which incentives are most appropriate for encouraging larger (3-bedroom) units?
(Refer to Attachment 7)
- j. **(10)** Are zoning incentives appropriate for sustainability?
Refer to Attachment 7)

4. Public Comment

5. Wrap Up and Next Steps

ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall 455 E. Calaveras Blvd., Milpitas, CA 95035. Phone 408-586-3040.

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities Act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.



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Comprehensive Zoning Ordinance Update – Zoning Advisory Group

City of Milpitas

Zoning Advisory Group (ZAG) Meeting #2 Summary

INTRODUCTION

At 6:07 p.m. on August 24, 2023, the second meeting of the City of Milpitas Zoning Advisory Group (ZAG) commenced. The meeting was conducted in person at Milpitas City Hall and with virtual attendance available via Zoom. Notifications of this meeting were distributed by the City and posted on the project website (www.milpitaszoningupdate.org). The meeting was recorded and posted on the project website so it may be viewed at any time.

ATTENDANCE

ZAG Members

- Prakash Daryani (ZAG Chair) – Economic Development and Trade Commission
- Ricky Davis (ZAG Vice Chair) – Parks, Recreation & Cultural Resources Commission
- Frank Bush – Energy & Environmental Sustainability Commission
- Chris Norwood – Economic Development and Trade
- Becky Strauss – Parks, Recreation & Cultural Resources Commission
- Bill Chaun (Alternate) – Planning Commission

ZAG members John Agg (Arts Commission), Mercedes Albana (Planning Commission), Dipak Awasthi (Planning Commission), and Joyita Ghose (Arts Commission) were absent.

City Staff

- Ned Thomas – Acting City Manager
- Jay Lee – Interim Planning Director
- Holly Pearson – Zoning Update Project Manager
- Kristina Phung – Associate Planner
- Liz Medina – Administrative Assistant

Lisa Wise Consulting, Inc.

- Jen Murillo – Director/LWC Project Manager
- Monica Szydluk – Senior Associate
- Abby Weizer – Associate

OVERVIEW

The ZAG members approved the agenda for this meeting and approved the summary notes for the prior ZAG meeting (Ayes: 4; Abstains: 2). Jen Murillo introduced the Zoning Ordinance Update item and then gave a PowerPoint-supported presentation. The presentation covered the following topics:

- Background Review and Recommendations Report
- New Zoning Districts
- Zoning Map Update

After the presentation, time was given for ZAG members to ask general questions about the presentation. Then ZAG members discussed the preliminary recommendations from the Background Review and Recommendations Report. Six questions were used to facilitate discussion. These questions were included in the ZAG agenda and were displayed via a shared screen on a Miro board for notetaking purposes. The questions were as follows:

1. *Do you agree with the code organization recommendations? (Refer to Section 2.1 of the Background Review and Recommendations Report)*
2. *Do you agree with the zoning districts recommendations? (Refer to Section 2.2 of the Background Review and Recommendations Report)*
3. *Do you agree with the use regulations recommendations? (Refer to Section 2.3 of the Background Review and Recommendations Report)*
4. *Do you agree with the development and design standards recommendations? (Refer to Section 2.4 of the Background Review and Recommendations Report)*
5. *Do you agree with the sign standards recommendations? (Refer to Section 2.5 of the Background Review and Recommendations Report)*
6. *Do you agree with the administration and procedures recommendations? (Refer to Section 2.6 of the Background Review and Recommendations Report)*

ZAG MEMBER COMMENTS AND QUESTIONS

Below is a summary of responses from ZAG members to each discussion question.

1. *Do you agree with the code organization recommendations? (Refer to Section 2.1 of the Background Review and Recommendations Report)*
 - Numbering isn't logically sequenced in the Zoning Ordinance. Restructuring and renumbering is important.
 - Clarify and define acronyms that are present in the Zoning Ordinance.
2. *Do you agree with the zoning districts recommendations? (Refer to Section 2.2 of the Background Review and Recommendations Report)*
 - Can zoning districts that are not mapped on the zoning map be retained in the Zoning Ordinance?
 - Keeping unused districts in the Zoning Ordinance can provide future flexibility, but it may make the Zoning Ordinance too cumbersome.
 - Regulations that are being replaced and made null will be removed from the Zoning Ordinance.
 - All Hillside Combining regulations should be codified in the Zoning Ordinance. Consider the sensitivity of the hillside regulations with any revisions proposed.
 - Some colors on the zoning map are too similar.
3. *Do you agree with the use regulations recommendations? (Refer to Section 2.3 of the Background Review and Recommendations Report)*
 - Modernization in use regulations is necessary.
 - The need for homeless shelters should be reflected in use regulations. Comply with State law and Housing Element programs. Allowing shelters near transit would be ideal.
4. *Do you agree with the development and design standards recommendations? (Refer to Section 2.4 of the Background Review and Recommendations Report)*
 - There is concern about the impacts of spillover parking on surrounding areas, especially in residential areas, if parking ratios are reduced.
 - Project-by-project flexibility regarding parking is ideal, but there is limited authority where State law regulates parking for affordable housing and development near transit.
 - Objective design standards for non-residential uses are necessary and will have a positive impact on Milpitas.
 - The community has some privacy concerns with ADUs, but there is limited flexibility to address these concerns given the State regulations on height and setbacks for ADUs.

5. *Do you agree with the sign standards recommendations? (Refer to Section 2.5 of the Background Review and Recommendations Report)*

- The Metro Specific Plan has exemplary sign standards. Sign standards that are consistent citywide may be good.

6. *Do you agree with the administration and procedures recommendations? (Refer to Section 2.6 of the Background Review and Recommendations Report)*

- Streamlining procedures would be good.
- How will exceptions be handled? We need to be clear about what exceptions will be allowed and how much of a deviation from any given standard will be allowed.

ZAG members also provided other comments, which are as follows:

- What is the City's public input plan to ensure that the public is properly consulted throughout this project?
- The different phases of the project (Phase 1 – expedited work and Phase 2 – comprehensive update) should be clearly explained to avoid confusion.
- Look at/consider impacts around the school district area, and consult with Milpitas Unified School District regarding the proposed zoning changes due to potential increased population and related changes in school enrollment.
- The relationship between modernization and preserving history of amendments to the Zoning Ordinance itself needs to be explored and discussed throughout this process. What modernization would be sacrificed to preserve old zoning districts, old terms, etc.?
- Provide materials for ZAG meetings as far as possible in advance of the meeting.

PUBLIC COMMENT AND ADJOURNMENT

After the ZAG member discussion, there was an opportunity for public comment. No public comment was given before the conclusion of the meeting. The next ZAG meeting is expected to be held in Spring 2024. At 7:53 p.m., the meeting adjourned.



City of Milpitas Comprehensive Zoning Ordinance Update

Zoning Advisory Group Meeting #3

April 22, 2024, 6:00 pm

Milpitas City Hall

455 E. Calaveras Blvd.,

Milpitas, CA, 95035

[Virtual via Zoom](#)



Introductions

City Staff

- Jay Lee, AICP - Planning Director
- Holly Pearson, AICP - Zoning Update Project Manager
- Kristina Phung - Associate Planner

Lisa Wise Consulting, Inc. (LWC)

- Jen Murillo, AICP - Director/Project Manager
- Abby Weizer - Associate



04/22/2024

Agenda

- **Presentation** (6:05 – 6:25pm)
- **Questions** (6:25 – 6:40pm)
 1. Draft Uses Matrix
 2. Alternative Parking Strategies
 3. Transportation Demand Management (TDM)
 4. Incentives
- **Discussion** (6:40 – 7:20pm)
- **Public Comment** (7:20 – 7:45pm)
- **Wrap Up & Next Steps** (7:45 – 7:50pm)

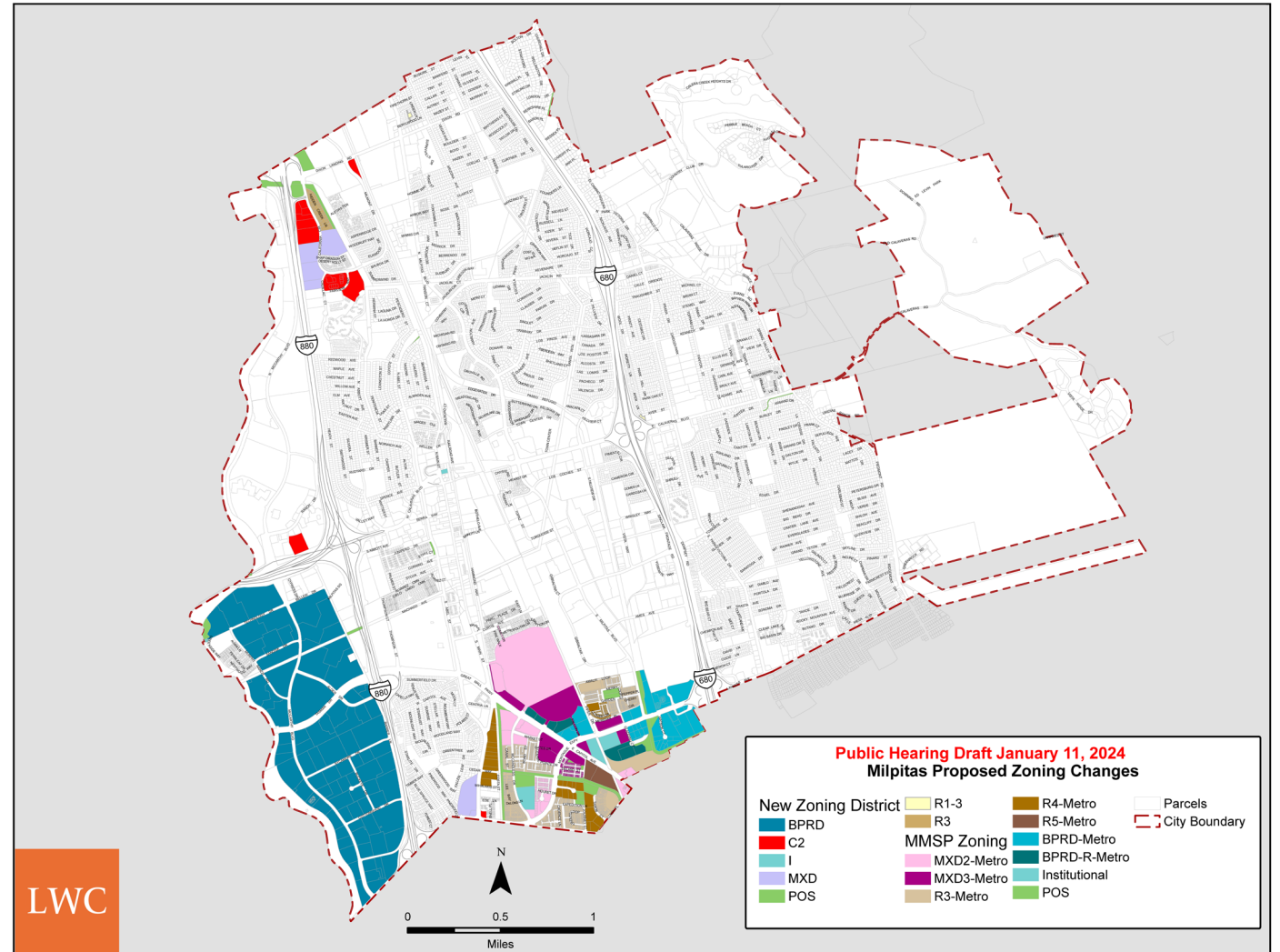


04/22/2024

Project Update: Phase 1

NEW ZONES & ZONING MAP UPDATE

- Awaiting adoption of **New Zones and Zoning Map Update**
 - Planning Commission (May)
 - City Council (TBD)
- Implements the Metro Specific Plan and General Plan 2040
- Public Hearing Drafts available at milpitaszoningupdate.org

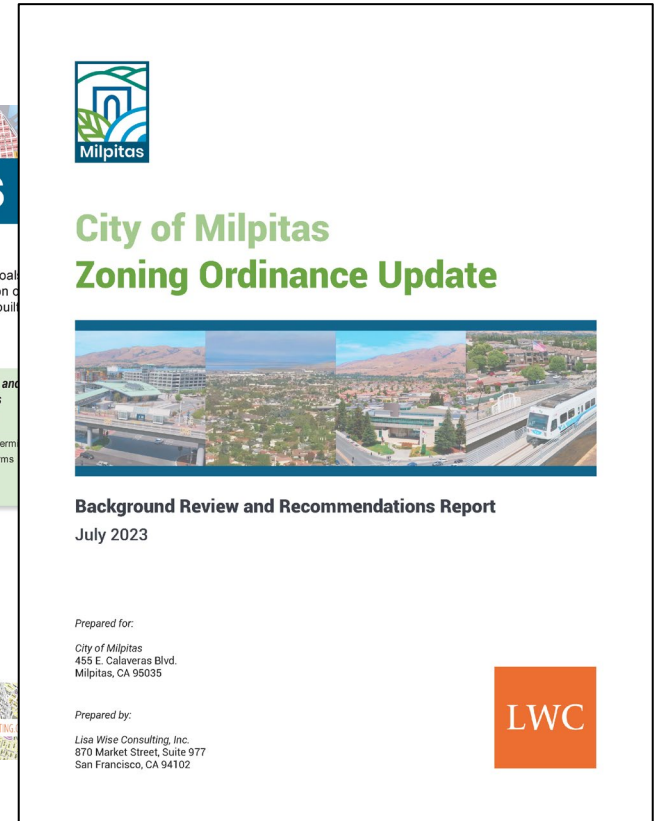
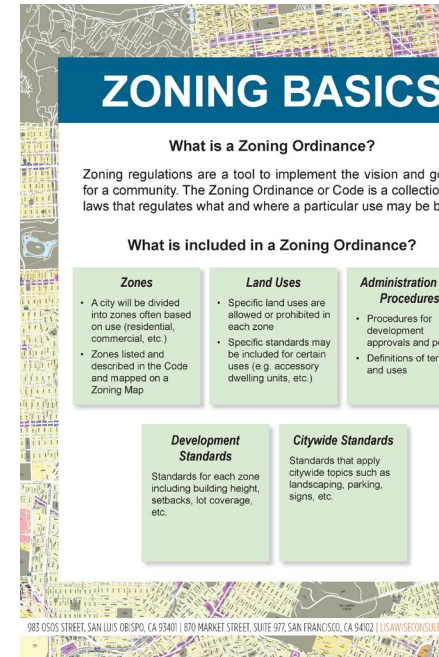


04/22/2024

Project Update: Phase 2

COMPREHENSIVE ORDINANCE UPDATE

- **Drafting of the updated Zoning Ordinance** underway per:
 - Input from City staff, the public, stakeholders, ZAG, and Technical Advisory Committee
 - Background Review and Recommendations Report
 - Best practices, legal compliance



04/22/2024



WE ARE HERE



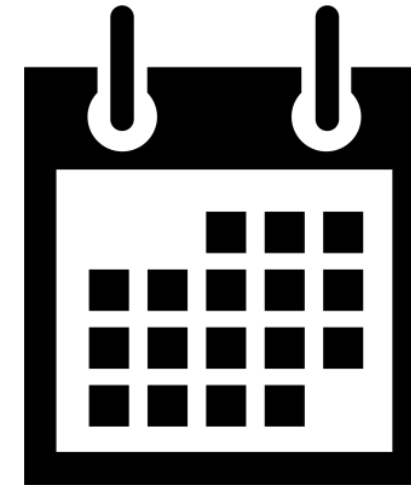
Zoning
Advisory Group
Meeting #3



04/22/2024

ZAG Meeting Schedule

- **Meeting #1 – May 23, 2023** ✓
 - Kick-off, issue identification
- **Meeting #2 – August 24, 2023** ✓
 - Background/recommendations report, new zoning districts, updated zoning map
- **Meeting #3 – April 22, 2024** ← **WE ARE HERE**
 - Draft Uses Matrix, alternative parking strategies, TDM, and incentives
- **Meeting #4 – September 2024**
 - TBD
- **Meeting #5 – November 2024**
 - Public Review Draft Zoning Ordinance



Overview – Seeking Input On...

- 1. Proposed Uses**
- 2. Alternative Parking Strategies**
- 3. Transportation Demand Management**
- 4. Incentives**



04/22/2024

Zoning Ordinance **Draft Uses Matrix**



04/22/2024

Draft Uses Matrix

Purpose and Goals

- **The Draft Uses Matrix was prepared to show all existing uses, proposed changes, and the uses added/edited in Phase 1 of the Ordinance Update**
- **Goals of the Update**
 - Consolidate uses and use categories
 - Improve clarity and organization
 - Reduce nuances and duplicitous uses
 - Adhere to new state law
 - Modernize and add contemporary uses
 - Eliminate out-of-date uses
 - Reflect best practices
 - Allow flexibility in regulation



Update...



04/22/2024

Draft Uses Matrix: Elements

1. Use
2. Proposed Definition
3. Existing Definition (if applicable from existing Ordinance or Phase 1)

1 Uses	2 Proposed Definitions	3 Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition



Draft Uses Matrix: Attachment 3A

- Uses in gray/strikethrough are proposed to “roll up” into the above (“track changes”)

PROPOSED USES (COLOR)

Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition
Agriculture and Farming		Not in Definitions (current Ordinance)
Agricultural Supply Sales	NEW - An establishment or place of business primarily engaged in the retail or wholesale sale from the premises of farm supply, feed, grain, fertilizers, pesticides, and similar goods as well as the provision of agriculturally related services with incidental storage on a lot other than where the service is rendered.	NEW -- need definition
Commercial animal feed sales		Not in Definitions (current Ordinance)

EXISTING USES PROPOSED TO BE CONSOLIDATED (GRAY, STRIKETHROUGH)



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Draft Uses Matrix: Attachment 3B

- Shows **proposed uses only** (i.e., gray/consolidated rows are hidden), “clean”

Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition
Agricultural Supply Sales	NEW - An establishment or place of business primarily engaged in the retail or wholesale sale from the premises of farm supply, feed, grain, fertilizers, pesticides, and similar goods as well as the provision of agriculturally related services with incidental storage on a lot other than where the service is rendered.	NEW -- need definition
Animal Keeping	NEW - The raising or keeping of domestic animals as provided in V-210 (Animal Regulation) of the Milpitas Municipal Code.	NEW -- need definition
Cultivated Agriculture	NEW - The planting, growing, and harvesting of crops or plants, or the preparation of land for this purpose, of more than one-half acre of land for viticulture, horticulture, pasturage, floriculture, or similar farming where a crop or final product is produced (but not necessarily offered for sale) for consumption.	NEW -- need definition
Commercial Agricultural Processing Plant	EXIST/ADD - Facility that transforms, processes, and packages livestock or livestock products, agricultural commodities, or plants or plant products, into goods that are used for intermediate or final consumption including goods for nonfood use. Includes animal slaughter.	Not in Definitions (current Ordinance)



Draft Uses Matrix: Definitions

- Matrix shows proposed definitions for uses
- Proposed definitions are marked using the following tags:
 - **NEW** – for new uses being proposed
 - **REV** – for uses in the existing Ordinance that are proposed to have a revised definition
 - **PHASE1** – for uses and definitions from Phase 1
 - **PHASE1-REV** – for uses and definitions revised from Phase 1
 - **EXIST** – for uses and definitions proposed to be retained from existing Ordinance
 - **EXIST/ADD** – for uses proposed to be retained from existing Ordinance, with a definition added (because there is no current definition for that use)



Draft Uses Matrix: Use Categories

EXISTING ZONING ORDINANCE

1. Agricultural Uses
2. Commercial Uses
3. Entertainment and Recreation Uses
4. Health and Veterinarian Uses
5. Industrial Uses
6. Lodging Uses
7. Professional Offices, Financial Institutions and Related Uses
8. Public, Quasi-Public and Institutional/Assembly Uses
9. Recreational Uses
10. Residential Uses
11. Restaurants or Food Service
12. Unclassified Uses
13. Vehicle Related Uses



PROPOSED USE CATEGORIES

1. Agriculture Uses
2. Commercial Uses
3. Vehicle-Related Uses
4. Industrial & Research and Development Uses
5. Public, Institutional, and Recreational Uses
6. Residential Uses
7. Unclassified Uses

Draft Uses Matrix: Duplicitous Uses

- Eliminates duplicitous uses currently found in the Ordinance
- Consolidate under one name, to be used consistently
 - e.g., Hospitals vs. Hospital vs. Hospitals or sanitariums

Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Hospital	REV - A State-licensed facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.	"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).
Hospital		"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).
Hospitals or sanitariums		"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).



Draft Uses Matrix: Uses and Sub-uses

Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Eating and Drinking Establishment	NEW - Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.	See subclassifications below.
Bar or Nightclub	REV - Businesses serving beverages for consumption on the premises as a primary use, including serving alcohol such as beer, wine, and mixed drinks. This use includes tasting rooms and micro-breweries where alcoholic beverages are sold and consumed on site and any beverage production or distilling, and food service is subordinate to the sale of alcoholic beverages. See Food Preparation for tasting rooms that are accessory and subordinate to a brewery, winery, or distillery.	"Bar or nightclub" means a commercial establishment serving alcoholic beverages for consumption on the premises where the service of food is only incidental to the consumption of such beverages. Dancing and live entertainment may also be conducted within the establishment.
Mobile Food Park	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Mobile Food Vending (Individual Vehicle)	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Restaurant	See subclassifications below.	See subclassifications below.
Coffee Shop/Café	<i>NEW - Establishments that primarily serve beverages, such as coffee, juices, or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn.</i>	<i>NEW -- need definition</i>
Restaurant, Full Service	<i>NEW - Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.</i>	<i>NEW -- need definition</i>
Restaurant, Limited Service	<i>NEW - Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where no table service is provided. This includes, but is not limited to cafeterias, fast-food restaurants, carryout sandwich shops, limited-service pizza parlors and delivery shops, self-service restaurants, snack bars, and takeout restaurants. This also includes catering businesses or bakeries that have a storefront retail component.</i>	<i>NEW -- need definition</i>
With Alcohol Sales	<i>NEW - Any restaurant that includes the sale of alcoholic beverages.</i>	<i>NEW - need definition</i>

Draft Uses Matrix: Consolidation

- Reducing the number of uses
- Increase flexibility by broadening certain uses where appropriate

EDUCATIONAL INSTITUTIONS
Public colleges or universities
Private colleges or universities [also "College and university, private"]
Elementary (K-8), public or private
Secondary (9-12), public or private
School-elementary (K-8 public or private)
School-secondary (9-12 Public or Private)
Schools, private (elementary, middle, high)
School (not trade or vocational)
Private elementary and secondary
Public schools
Vocational school



EDUCATIONAL INSTITUTIONS
College/University
School, Private
School, Public
Trade and Vocational School

Draft Uses Matrix: Consolidation, cont'd

AUDITORIUM
CONFERENCE CENTER
AUCTION HALL
CLUB OR SOCIAL ORGANIZATION
PLACES OF ASSEMBLY
RELIGIOUS ASSEMBLY

COMMUNITY ASSEMBLY
Major
Minor



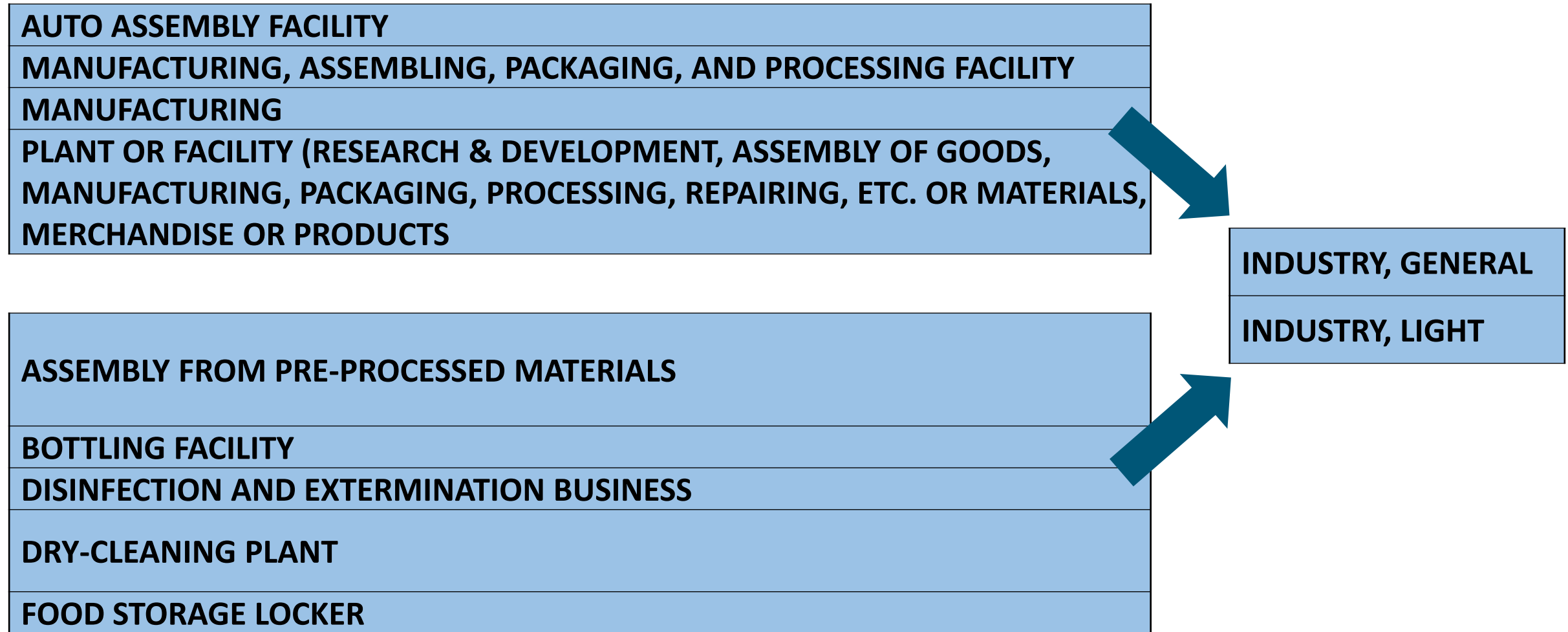
AMUSEMENT PARK
AQUATIC CENTER OR PARK
MOTION PICTURE THEATER
Outdoor
COMMERCIAL RECREATION FACILITIES (OUTDOOR)
GOLF COURSE

ENTERTAINMENT AND RECREATION, COMMERCIAL
Outdoor Entertainment
Outdoor Sports and Recreation



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Draft Uses Matrix: Consolidation, cont'd



Draft Uses Matrix: State Law

- **Changes proposed to comply with state law**
- **Adding new uses**
 - Low Barrier Navigation Center
 - Employee Housing
- **Reorganizing/revising other uses**
 - Manufactured Home (see Single-Family Dwelling)
 - Supportive Housing
 - Transitional Housing



Zoning Ordinance **Alternative Parking Strategies**



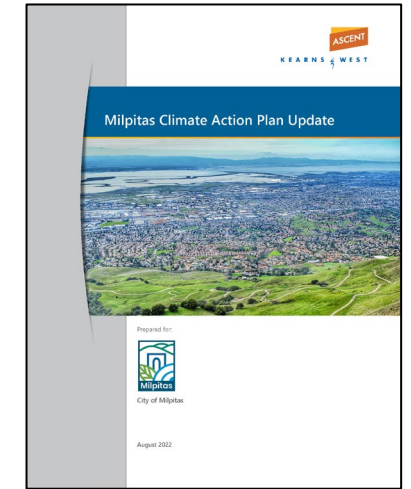
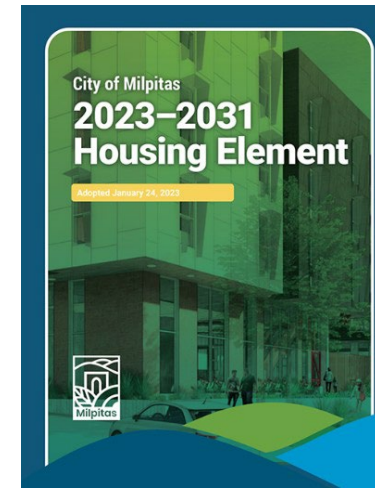
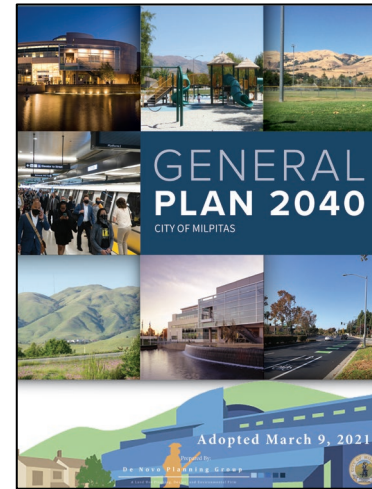
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Alternative Parking Strategies

Purpose and Goals

- Promote efficient land usage and ease of walking/biking
- Reduce environmental and water quality impacts
- Target greenhouse gas (GHG) emission reduction

Parking ratios will also be revised per state law and City policy direction, including bicycle parking and EV charging



04/22/2024

Alternative Parking Strategies

- Allow desired/alternatives types of parking to reduce overall number of parking spaces required
- Can establish a cap to the maximum overall parking reduction with these strategies



Underground Parking



Compact Parking Stalls



EV Charging Spaces



Designated Carshare Parking

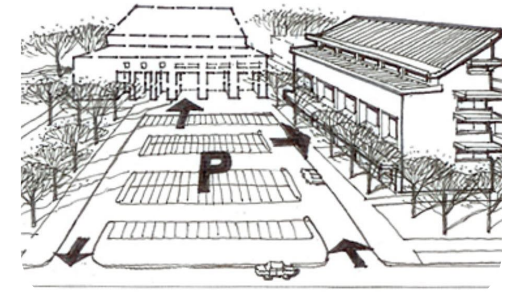


Alternative Parking Strategies

- Allow more significant reductions to the number of on-site spaces required
- State law restrictions on requiring parking near transit
- Maximum parking standards ensures land dedicated to parking is not excessive



Off-Site Parking



Shared Parking



Parking Maximums



Proximity to Transit



Shared Parking

Table 1: Shared Parking Factor for Two Uses

First Use	Second Use			
	Residential	Lodging	Office, Administrative / Professional	Retail, General
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office, Administrative / Professional	1.4	1.7	1.0	1.2
Retail, General	1.2	1.3	1.2	1.0

Table 1: Parking Reductions For Sites with Multiple Uses

First Use	Second Use				
	Multi-Unit Residential ¹	Public, Institutional, or Civic	Food, Beverage, Lodging, Recreation, or Entertainment ²	Retail ²	Other Commercial
Multi-Unit Residential ¹	N/A				
Public, Institutional, or Civic	10%	N/A			
Food, Beverage, Lodging, Recreation, or Entertainment ²	10%	20%	N/A		
Retail ²	15%	25%	25%	N/A	
Other Commercial	20%	25%	25%	20%	N/A

Zoning Ordinance
**Transportation Demand
Management (TDM)**

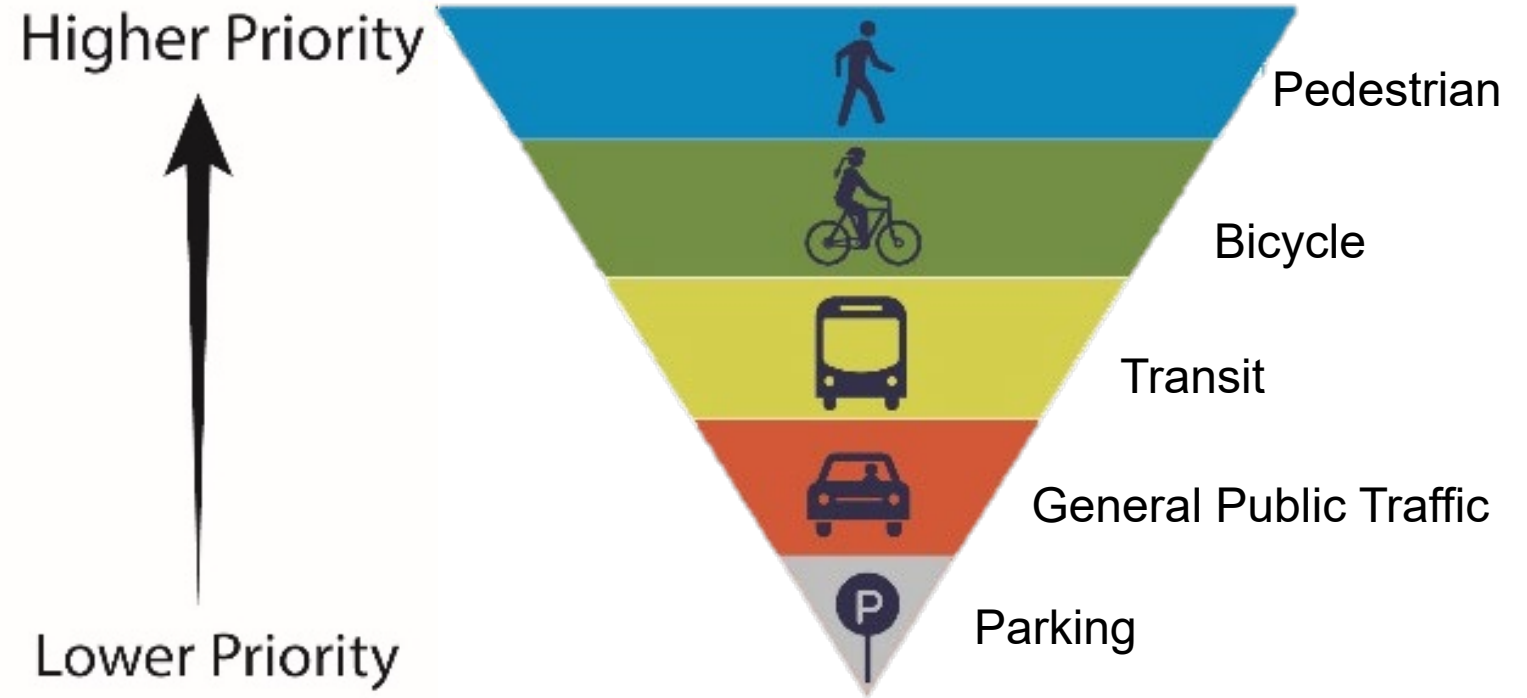


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Transportation Demand Management

Purpose and Goals

- Reduce vehicle trips and reduce congestion without building more roads
- Require a TDM Plan for new projects of a certain size

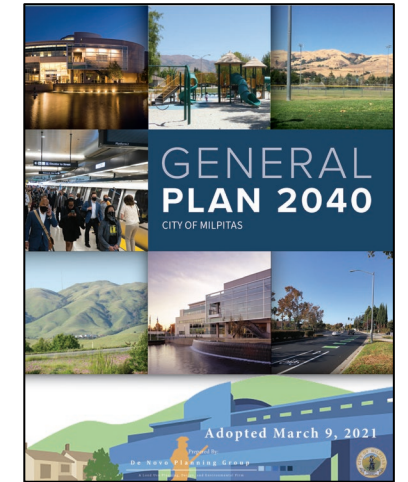
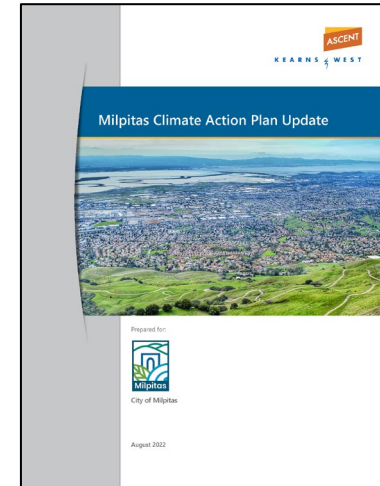


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Transportation Demand Management

Transportation Demand Management (TDM) Approaches

- **Lower Level/Tier TDM Plan** (required, smaller projects)
- **Higher Level/Tier TDM Plan(s)** (required, larger projects)
- **Supplemental TDM strategies** (optional, additional strategies may reduce parking requirement)



04/22/2024

Transportation Demand Management

Example TDM Strategies

- Transit pass subsidies
- Carpool/vanpool programs and parking
- On-site car share
- Employee shower facilities
- Paid parking or parking cash-out program
- Unbundle parking
- Telecommuting/flex work schedules
- Funds for local transit/pedestrian/bike facilities/infrastructure
- Active transportation gap closure
- Transit capital improvements
- On-site amenities (café, childcare, etc.)
- Bicycle share or micromobility program participation



04/22/2024

Zoning Ordinance **Incentives**

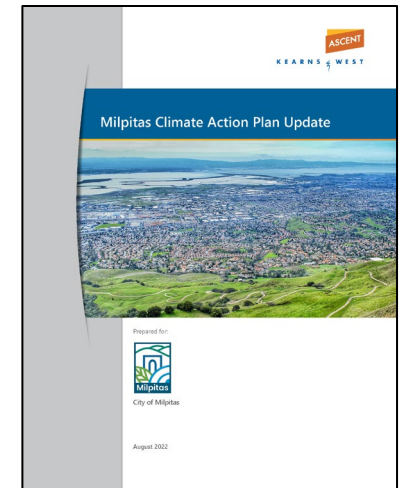
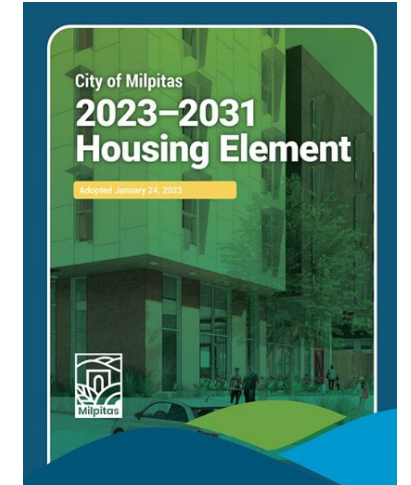


04/22/2024

Incentives

Purpose and Goals

- Encourage desired development projects, housing unit types, and project features (e.g., sustainability)
- Strategically use the Zoning Ordinance as a tool to accomplish
- Development standards impact financial performance (a development project's pro forma)



04/22/2024

Incentives

Lot Consolidation Incentives

- Increase in density
- Reduction in parking requirements
- Reduction in guest parking requirements
- Waive entitlement fees
- Increase in maximum floor area
- Reduction in common and/or private open space



04/22/2024

Incentives

Larger Residential Unit Incentives (e.g., 3-bedroom rental units)

- Waive private exterior open space requirements
- Floor area ratio bonus
- Deviations from development standards (e.g., up to 4 deviations)
- Exempt from development impact fees (DIF)



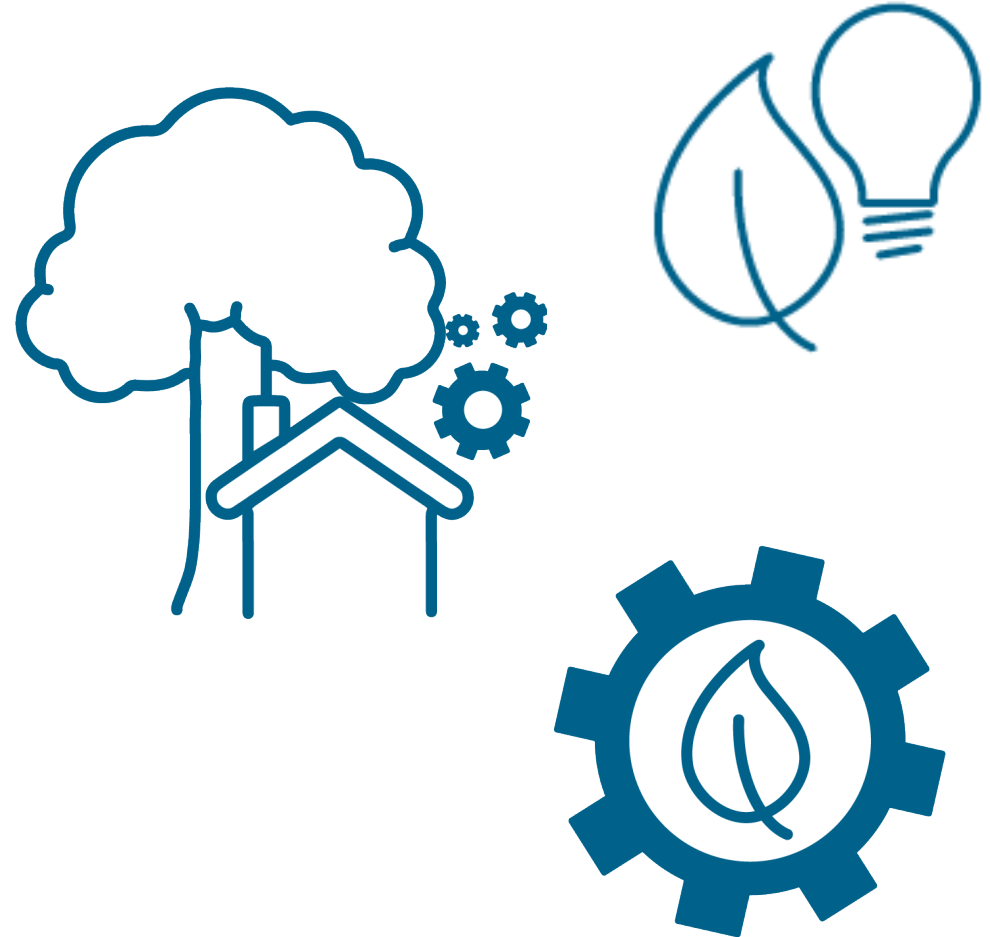
Incentives

Sustainability Incentives

- Streamline development review for all projects (residential or non-residential)

Climate Action Plan: Action BE-2.3.1

*Voluntary Tier 2 Measures of Title 24, Part 11
California Green Building Standards Code*



04/22/2024

Questions/Discussion



04/22/2024

Prompts: Proposed Uses

1. Are any uses **missing**?
2. Are any uses **unnecessary**?
3. Should any proposed use definitions be **revised**?

Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 PHD January 2024 where applicable)
Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition
Agricultural Supply Sales	NEW - An establishment or place of business primarily engaged in the retail or wholesale sale from the premises of farm supply, feed, grain, fertilizers, pesticides, and similar goods as well as the provision of agriculturally related services with incidental storage on a lot other than where the service is rendered.	NEW -- need definition
Animal Keeping	NEW - The raising or keeping of domestic animals as provided in V-210 (Animal Regulation) of the Milpitas Municipal Code.	NEW -- need definition
Cultivated Agriculture	NEW - The planting, growing, and harvesting of crops or plants, or the preparation of land for this purpose, of more than one-half acre of land for viticulture, horticulture, pasturage, floriculture, or similar farming where a crop or final product is produced (but not necessarily offered for sale) for consumption.	NEW -- need definition
Commercial Agricultural Processing Plant	EXIST/ADD - Facility that transforms, processes, and packages livestock or livestock products, agricultural commodities, or plants or plant products, into goods that are used for intermediate or final consumption including goods for nonfood use. Includes animal slaughter.	Not in Definitions (current Ordinance)

EDUCATIONAL INSTITUTIONS
Public colleges or universities
Private colleges or universities [also "College and university, private"]
Elementary (K-8), public or private
Secondary (9-12), public or private
School-elementary (K-8 public or private)
School-secondary (9-12 Public or Private)
Schools, private (elementary, middle, high)
School (not trade or vocational)
Private elementary and secondary
Public schools
Vocational school



EDUCATIONAL INSTITUTIONS
College/University
School, Private
School, Public
Trade and Vocational School



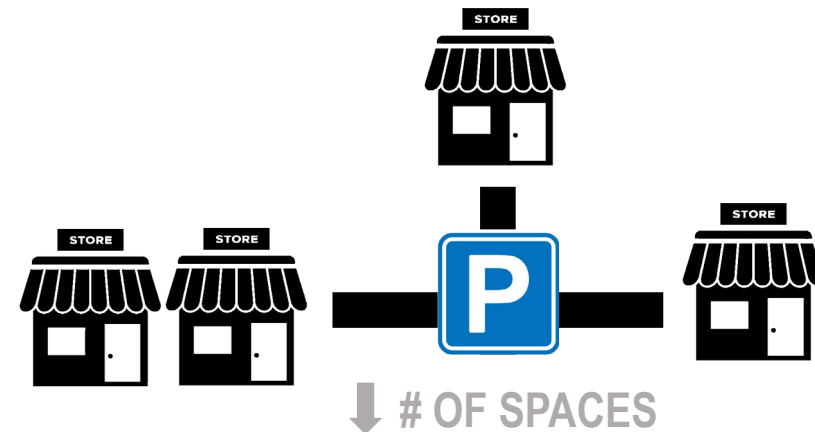
Update...



04/22/2024

Prompts: Alternative Parking Strategies

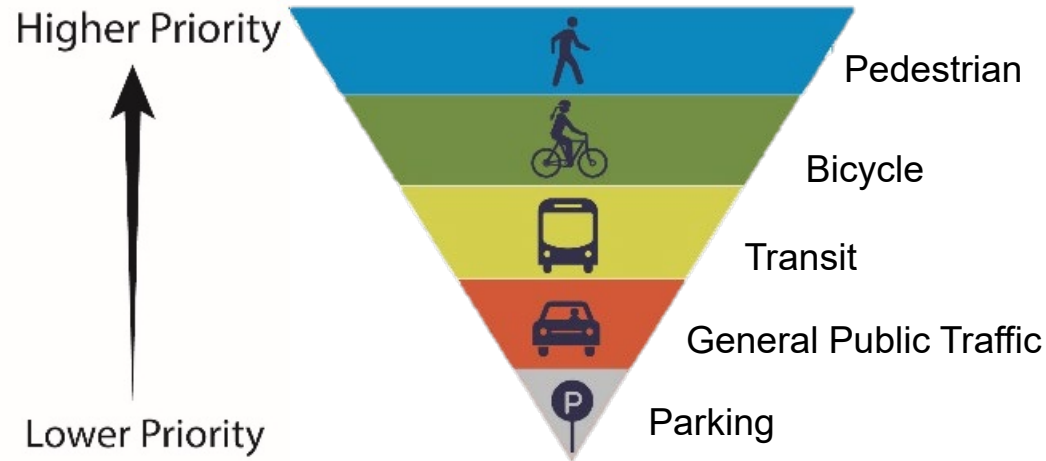
4. What alternative parking strategies are most **appropriate for Milpitas**?
5. Are any alternative strategies **missing**?
6. Is there a preference for a **quantitative** (*parking reduction defined*) vs. **qualitative** (*case-by-case*) approach to shared parking?



04/22/2024

Prompts: Transportation Demand Mgmt

7. What **TDM strategies** are most appropriate for Milpitas?



TDM STRATEGY EXAMPLES

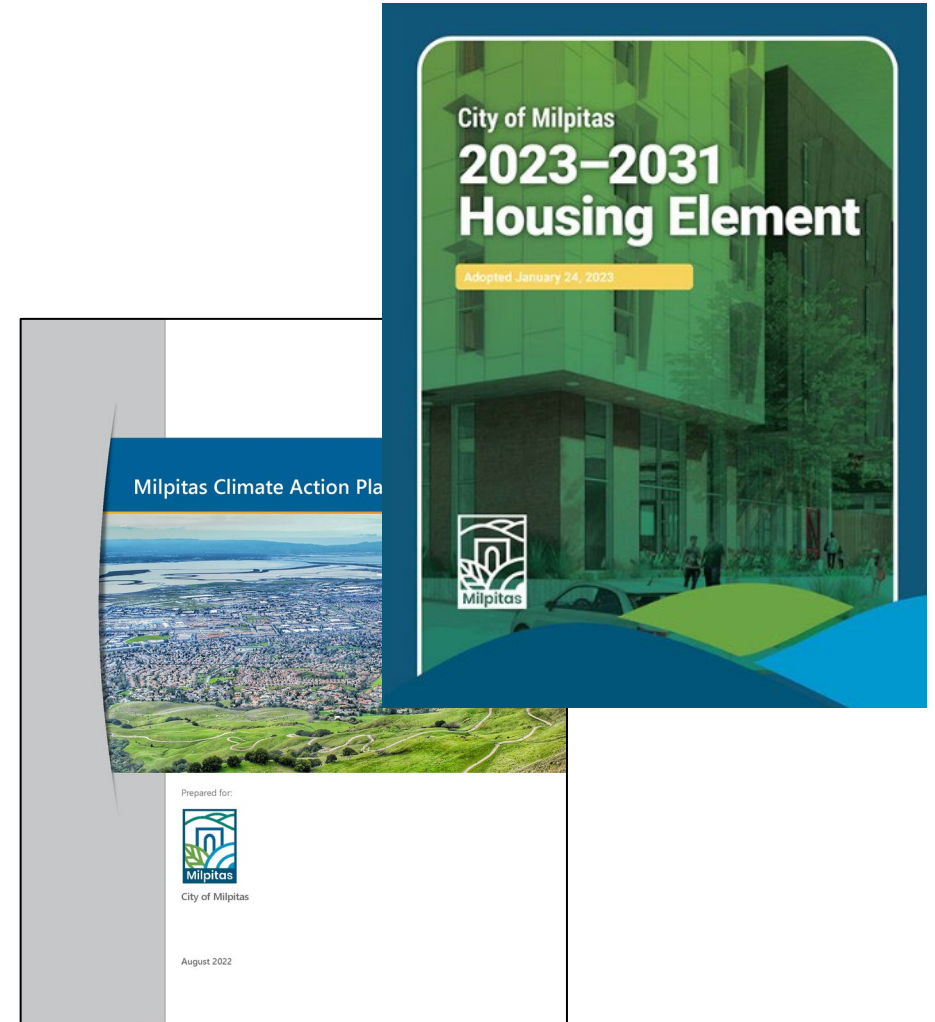
- Transit Pass Subsidies
- Carpool/Vanpool Bicycle Storage
- Showers and Lockers
- Designated TDM Coordinator
- Bicycle and Pedestrian-Oriented Site Access
- Telecommuting and Flexible Work Schedules
- Paid Parking
- Unbundled Parking
- Enhanced Shuttle Commitment
- Active Transportation Gap Closure
- Transit Capital Improvements
- Cash Reward Incentives
- Active Transportation Subsidies
- Bicycle Repair Station



04/22/2024

Prompts: Incentives

8. Which incentives are most appropriate for **encouraging lot consolidation**?
9. Which incentives are most appropriate for **encouraging larger (3-bedroom) units**?
10. Are zoning incentives appropriate for **sustainability**?



04/22/2024

Wrap Up & Next Steps

PHASE 1 – NEW ZONES & ZONING MAP UPDATE

- *Planning Commission Adoption Hearing – May 22, 2024*
- *City Council Adoption Hearing – TBD*

PHASE 2 – COMPREHENSIVE ZONING ORDINANCE UPDATE

- Summer
 - *Planning Commission Study Session*
 - *City Council Study Session*
 - *Community Workshop*
- Fall
 - *Next ZAG Meeting*
 - *Public Review Draft Zoning Ordinance*

Thank you!

<https://www.milpitaszoningupdate.org/>



04/22/2024

DRAFT MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX Updated 4/4/24			
LEGEND		INFORMATION	
NEW - for new uses we are proposing	PHASE1-REV - for kept uses from Phase 1 that we're proposing to revise the definition for	Uses in colored cells (not gray) are proposed to be listed in the new Ordinance's use tables. Uses in gray strikethrough cells are existing Ordinance uses that are proposed to be consolidated, renamed, or eliminated.	
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PHASE1 - for kept uses from Phase 1 that we're proposing to keep the Phase 1 definition for	EXIST/ADD - for kept uses that lack a definition in the existing Ordinance		
	Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Agriculture Uses	Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition
	Agriculture and Farming		Not in Definitions (current Ordinance)
	Agricultural Supply Sales	NEW - An establishment or place of business primarily engaged in the retail or wholesale sale from the premises of farm supply, feed, grain, fertilizers, pesticides, and similar goods as well as the provision of agriculturally related services with incidental storage on a lot other than where the service is rendered.	NEW -- need definition
	Commercial animal feed sales		Not in Definitions (current Ordinance)
	Animal Keeping	NEW - The raising or keeping of domestic animals as provided in V-210 (Animal Regulation) of the Milpitas Municipal Code.	NEW -- need definition
	Cultivated Agriculture	NEW - The planting, growing, and harvesting of crops or plants, or the preparation of land for this purpose, of more than one-half acre of land for viticulture, horticulture, pasturage, floriculture, or similar farming where a crop or final product is produced (but not necessarily offered for sale) for consumption.	NEW -- need definition
	Agriculture		Not in Definitions (current Ordinance)
	Commercial Agricultural Processing Plant	EXIST/ADD - Facility that transforms, processes, and packages livestock or livestock products, agricultural commodities, or plants or plant products, into goods that are used for intermediate or final consumption including goods for nonfood use. Includes animal slaughter.	Not in Definitions (current Ordinance)
	Slaughterhouse		Not in Definitions (current Ordinance)
	Guest Ranch	EXIST/ADD - Short-term lodging provided to visitors on property where agricultural activities take place (e.g., animal husbandry, cultivated agriculture, etc.) and that is not considered to be another lodging uses (e.g., See Bed and Breakfast, Hotel, Motel, etc.).	Not in Definitions (current Ordinance)
Riding Academy and Public Stables	EXIST/ADD - Stables leased to the public for the keeping of horses with areas for horse riding and horse riding lessons.	Not in Definitions (current Ordinance)	
Adult Business	Adult Business	EXIST - Keep existing definition(s).	See XI-10-13-04(B).
	Animal Care and Services	NEW - Retail sales and/or services related to the boarding, grooming, and care of household pets.	See subclassifications below.
	Kennel	REV - Facilities for keeping, boarding, training, breeding, or maintaining for commercial purposes, four or more dogs, cats, or other household pets more than four months of age and not owned by the kennel owner or operator.	"Kennel" means any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept.
	Pet Day Care and Sales	NEW - Facilities for providing non-medical care for four or more dogs, cats, or other household pets not owned by the pet day care owner or operator on a less than 24-hour basis. This include retail sales of household pets but excludes pet supply stores that do not sell animals or provide on-site animal services.	NEW -- need definition
	Animal grooming (no boarding)		Not in Definitions (current Ordinance)
	Veterinary Clinic	EXIST/ADD - Medical care for small animals on a commercial basis with no overnight (24-hour) accommodation of animals.	Not in Definitions (current Ordinance)
	Veterinary Hospital or Services	EXIST/ADD - Medical care for small animals on a commercial basis with 24-hour accommodation of animals but does not include kennels. Also includes overnight (24-hour) accommodation of small animals for grooming services.	Not in Definitions (current Ordinance)
	Business Support Services	PHASE1-REV - Establishments primarily within structures that provide other businesses with ancillary services that further or facilitate the other businesses' primary activity, including but not limited to commercial art and design (production); copying and quick-printing services; equipment rental businesses within structures; janitorial services; mailbox rentals; mail advertising services (reproduction and shipping); other "heavy service" business services; outdoor advertising services; protective services (other than office related); rental, repairs and distribution of office or business equipment; and window cleaning.	"Business Support Services" means establishments primarily within structures that provide other businesses with ancillary services that further or facilitate the other businesses' primary activity. This term does not include activities or uses that are specifically listed as a conditionally permitted or prohibited use in the applicable zone. Examples of business support services include but are not limited to: 1 - Business equipment repair services (except vehicle repair); 2 - Commercial art and design (production); 3 - Computer-related services (rental, repair); 4 - Copying and quick-printing services; 5 - Equipment rental businesses within structures; 6 - Heavy equipment repair services where repair occurs; 7 - Janitorial services; 8 - Mailbox rentals; 9 - Mail advertising services (reproduction and shipping); 10 - Other "heavy service" business services; 11 - Outdoor advertising services; 12 - Protective services (other than office related); 13 - Rental, repairs and distribution of office or business equipment; 14 - Window cleaning.
	Drive-Through Facility	NEW - A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed or used to provide goods or services to the occupants of motor vehicles. It includes, but is not limited to, banks and other financial institutions and fast food establishments, but shall not include drive-in movies, service stations, or car-wash operations.	NEW - need definition

DRAFT MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX Updated 4/4/24		
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NEW - for new uses we are proposing	PHASE1-REV - for kept uses from Phase 1 that we're proposing to revise the definition for	Uses in colored cells (not gray) are proposed to be listed in the new Ordinance's use tables. Uses in gray strikethrough cells are existing Ordinance uses that are proposed to be consolidated, renamed, or eliminated.
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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Drive-in or drive-through		"Drive-in" means a restaurant that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises. "Drive-thru" means a restaurant which includes one (1) or more drive-through lanes for the ordering and receipt of foods and/or beverages by patrons remaining in their vehicles.
Drive-in or drive thru		Not in Definitions (current Ordinance)
(With drive-in and drive thru)		1—"Drive-in" means a restaurant that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises. 2—"Drive thru" means a restaurant which includes one (1) or more drive-through lanes for the ordering and receipt of foods and/or beverages by patrons remaining in their vehicles.
Drive through uses (restaurants, pharmacies, etc.)		From current Ordinance: "Drive Through Uses" means any component or part of a building or structure which attracts or invites persons in motor vehicles to drive their vehicles upon the premises, and which is used to conduct business or used for the purpose of selling merchandise from the inside of said building to the occupants of motor vehicles.
Eating and Drinking Establishment	NEW - Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.	See subclassifications below.
Bar or Nightclub	REV - Businesses serving beverages for consumption on the premises as a primary use, including serving alcohol such as beer, wine, and mixed drinks. This use includes tasting rooms and micro-breweries where alcoholic beverages are sold and consumed on site and any beverage production or distilling, and food service is subordinate to the sale of alcoholic beverages. See Food Preparation for tasting rooms that are accessory and subordinate to a brewery, winery, or distillery.	"Bar or nightclub" means a commercial establishment serving alcoholic beverages for consumption on the premises where the service of food is only incidental to the consumption of such beverages. Dancing and live entertainment may also be conducted within the establishment.
Bars or nightclubs (including dancing/entertainment)		"Bar or nightclub" means a commercial establishment serving alcoholic beverages for consumption on the premises where the service of food is only incidental to the consumption of such beverages. Dancing and live entertainment may also be conducted within the establishment.
Mobile Food Park	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Mobile Food Vending (Individual Vehicle)	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Restaurant	See subclassifications below.	See subclassifications below.
<i>Restaurants</i>		"Restaurant" means an establishment in which the principal use is the preparation and sale of food and non-alcoholic beverages. If approved, the service of alcoholic beverages is incidental to the principal use.
<i>With live entertainment/dancing</i>		XI-10.13.04 (Adult Businesses).
<i>With music (indoor/outdoor)</i>		XI-10.13.04 (Adult Businesses).
<i>With other live entertainment/dancing</i>		XI-10.13.04 (Adult Businesses).
Coffee Shop/Café	NEW - Establishments that primarily serve beverages, such as coffee, juices, or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn.	NEW -- need definition
Restaurant, Full Service	NEW - Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.	NEW -- need definition
Brewery/Eateries		Not in Definitions (current Ordinance)
Restaurant, Limited Service	NEW - Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where no table service is provided. This includes, but is not limited to cafeterias, fast-food restaurants, carryout sandwich shops, limited-service pizza parlors and delivery shops, self-service restaurants, snack bars, and takeout restaurants. This also includes catering businesses or bakeries that have a storefront retail component.	NEW -- need definition
Banquet hall		Not in Definitions (current Ordinance)
Cafeteria		Not in Definitions (current Ordinance)
With Alcohol Sales	NEW - Any restaurant that includes the sale of alcoholic beverages.	NEW - need definition
<i>With ancillary on-premise beer & wine with no separate bar</i>		Not in Definitions (current Ordinance)
<i>With on-site service of alcohol</i>		Not in Definitions (current Ordinance)
<i>Without on-site service of alcohol</i>		Not in Definitions (current Ordinance)
Entertainment and Recreation, Commercial	NEW - This use type refers to establishments or places of business primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators.	NEW - need definition
Indoor Entertainment	NEW - Predominantly spectator uses conducted within an enclosed building. Typical uses include movie theaters, enclosed sports arenas, video game activities and competitions such as e-sports, and dance halls.	NEW - need definition
Indoor motion picture theater		Not in Definitions (current Ordinance)
Motion picture theater		Not in Definitions (current Ordinance)
Indoor		Not in Definitions (current Ordinance)
Theater (Indoor)		Not in Definitions (current Ordinance)

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Indoor Sports and Recreation	NEW - Predominantly participant sports conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, arcades, ice and roller skating rinks, indoor racquetball courts, athletic clubs, and physical fitness centers. Excludes operations where activities are primarily class- or appointment-based such as yoga studios and personal trainers.	NEW - need definition
Billiards		Not in Definitions (current Ordinance)
Bowling alley		Not in Definitions (current Ordinance)
Commercial athletic facilities		"Commercial Athletic Facility" means a building or site equipped for physical training or athletic type games and sports, such as but not limited to, health spa, tennis, gymnasiums, handball courts, racquetball courts; also including ancillary uses when incidental to the primary use, such as but not limited to, steam baths, weight training, aerobic classes, massage, saunas, and the retailing of athletic supplies to be used in the facility.
Indoor		Not in Definitions (current Ordinance)
Outdoor		Not in Definitions (current Ordinance)
Recreation or entertainment facility		"Recreation or Entertainment Facility" means a commercial establishment (indoors or outdoors) where patrons can actively participate in entertainment or recreation activities either independently or in conjunction with other uses.
Private recreation areas, uses and facilities (clubhouses)		"Private Recreational Areas" means any usable open space or recreational facility available for use by all of the site's residents.
Sauna and steam bath		Not in Definitions (current Ordinance)
Shooting range, indoor		Not in Definitions (current Ordinance)
Outdoor Entertainment	NEW - Predominantly spectator uses conducted open or partially enclosed or screened facilities. Typical uses include outdoor theaters, partially enclosed sports arenas, racing facilities, outdoor concerts, drive-in movie theaters, aquatic parks, and amusement parks.	NEW - need definition
Amusement park		Not in Definitions (current Ordinance)
Aquatic center or park		Not in Definitions (current Ordinance)
Motion picture theater		Not in Definitions (current Ordinance)
Outdoor		Not in Definitions (current Ordinance)
Outdoor Sports and Recreation	NEW - Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, and tennis courts.	NEW - need definition
Commercial recreation facilities (outdoor)		Not in Definitions (current Ordinance)
Golf Course		Not in Definitions (current Ordinance)
Financial Institution	See subclassifications below.	NEW -- need definition
Alternative Loan Business	NEW - Establishments that conduct a check cashing business, and/or engage in the business of cashing checks, warrants, drafts, money orders, or other commercial enterprise defined herein. The term "check cashing business" as used herein includes a retail business owned or operated by a "check casher" as that term is defined in California Civil Code §1789.31, as amended from time to time. This classification also includes the business of deferred deposits, or "payday lending," which is defined as an establishment owned or operated by a "licensee," as that term is defined in California Financial Code §23001(d), as amended from time to time. Similar lending services that provide vehicle title loans or microfinance loans shall also be included in this classification. Microfinance institutions are characterized by their use of interest rates that are higher than traditional banks and credit unions and typically targeted towards low-income borrowers or borrowers with limited or no credit history. Alternative loan businesses do not include state or federally chartered banks, savings associations, credit unions, or industrial loan companies (see Bank and Credit Union). They also do not include retail sellers engaged primarily in the business of selling consumer goods, such as consumables to retail buyers, that cash checks or issue money orders incidental to their main purpose or business.	NEW -- need definition
Check cashing and payday loan businesses		Not in Definitions (current Ordinance)
Bank and Credit Union	NEW - Financial institutions, including federally-chartered banks, savings associations, industrial loan companies, and credit unions that provide retail banking services to individuals and businesses. Includes only those institutions engaged in the on-site circulation of money, and whose deposits are insured by the state or federal government and/or a state or federal sponsored entity, including credit unions.	NEW -- need definition
Automatic teller machines (freestanding)		Not in Definitions (current Ordinance)
Financial institutions (banks, savings and loans, etc.)		Not in Definitions (current Ordinance)
Pawnbroker	NEW - Place of business where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money.	NEW - need definition
Pawnshops		Not in Definitions (current Ordinance)
Food and Beverage Retail Sales	NEW - Retail sales of food and beverages for off-site preparation and consumption.	NEW -- See subclassifications below.

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Alcoholic Beverage Sales	NEW - Any food and beverage sales use that includes the sale of alcoholic beverages.	Not in Definitions (current Ordinance)	
Grocery Store	REV - Retail establishments that primarily sell food, but also may sell other convenience and household goods, and could include a delicatessen or specialty food shop, baked goods, frozen foods, fruits, vegetables, meats, cheeses, dairy, and prepared food, and which occupy at least 5,000 square feet dedicated to sales, but not more than 25,000 square feet of gross floor area.	"Grocery Store" means any premises wherein any of the following are exposed, offered for sale, or sold by retail: fresh fruits; fresh vegetables; bakery; meat; poultry, or fish products; frozen foods; and processed and prepackaged food.	
Supermarket	NEW - Retail establishments that primarily sell food, but also may sell other convenience and household goods, and could include a delicatessen or specialty food shop, baked goods, frozen foods, fruits, vegetables, meats, cheeses, dairy, and prepared food, and which occupy more than 25,000 square feet of gross floor area, but not more than 80,000 square feet of gross floor area.	NEW - need definition	
Grocery store (supermarkets)		Not in Definitions (current Ordinance)	
Within 1,000 ft. of residential zone			
Not within 1,000 ft. of residential zone			
Funeral Parlor and Mortuary	EXIST/ADD - An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.	Not in Definitions (current Ordinance)	
Mortuary or Crematory		Not in Definitions (current Ordinance)	
Home Occupation	REV - A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.	"Home Occupation" means a business enterprise conducted within a dwelling by the residents of the dwelling and which is incidental and secondary to the use the dwelling for residential purposes.	
Hospital	REV - A State-licensed facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.	"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).	
Hospital		"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).	
Hospitals or sanitariums		"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).	
Lodging	NEW - An establishment providing overnight accommodations to transient patrons for payment for periods of 30 consecutive calendar days or fewer.	See subclassifications below.	
Bed and Breakfast	EXIST/ADD - A residential structure that is occupied by a resident as his or her primary residence with one or more bedrooms dedicated for rental for overnight lodging for periods of 30 consecutive days or fewer and where meals may be provided. Excludes Short-Term Rental uses (see Short-Term Rental).	Not in Definitions (current Ordinance)	
Hotel	REV - A commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or fewer, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens.	"Hotel" means a commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens.	
Motel	REV - A building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or fewer, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.	"Motel" means a building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.	
Hotels/motels		"Hotel" means a commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens. "Motel" means a building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.	

Commercial Uses

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MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX		
Updated 4/4/24		
LEGEND		INFORMATION
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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Hotel and motel		"Hotel" means a commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini-refrigerators and microwave ovens. "Motel" means a building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.
Short-Term Rental	REV - The use of a dwelling unit, including, without limitation, a single-family, two-family, or multiple-family dwelling unit, mobile home, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of 30 or fewer calendar days, counting portions of days as full calendar days. Also, a short-term rental unit or STR.	"Short-Term Rental Unit" or "Short-Term Rental" or "STR" means the use of a dwelling unit, including, without limitation, a single-family, two-family, or multiple-family dwelling unit, mobile home, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of 30 or fewer calendar days, counting portions of days as full calendar days.
Maintenance and Repair Services	NEW - Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Vehicle Repair and Maintenance) and personal apparel (see General Services).	NEW -- need definition
Furniture repair and reupholstering		Not in Definitions (current Ordinance)
Household appliance store		See subclassification below.
Small appliance repair		Not in Definitions (current Ordinance)
Large appliance repair		Not in Definitions (current Ordinance)
Medical Support Laboratory	EXIST - A facility for scientific laboratory analysis of medical resources. The analysis is generally performed for an outside customer, to support the work of that customer.	"Medical Support Laboratory" means a facility for scientific laboratory analysis of medical resources. The analysis is generally performed for an outside customer, to support the work of that customer.
Offices	See subclassifications below.	See subclassifications below.
Business and Professional Office	PHASE1-REV - Offices of firms or organizations providing professional, executive, business, management, or administrative services, including but not limited to accounting, architectural, computer software design, engineering, graphic design, insurance, interior design, real estate, legal, and tax preparations offices. Also includes co-working spaces designed to accommodate organizations that provide such services.	"Offices, Business and Professional" means offices of firms or organizations providing professional, management, or administrative services, including but not limited to accounting, architectural, business and management consulting, computer and technology, engineering, insurance, interior design, graphic design, real estate, title companies, and legal services. This classification includes co-working spaces designed to accommodate different organizations that provide such services. Does not include medical and dental offices or financial institutions such as retail and commercial banks.
Administrative, professional or research		Not in Definitions (current Ordinance)
Auto broker (wholesale, no vehicles on site)		Not in Definitions (current Ordinance)
General offices (administrative and business services, real estate, travel agencies, etc.)		Not in Definitions (current Ordinance)
Government offices and related facilities (Federal, State and Local)		Not in Definitions (current Ordinance)
Medical Office/Clinic	NEW - Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, chiropractors, optometrists, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental laboratories and research within the office that supports the on-site patient services is considered part of the office use. Excludes independent research laboratory facilities and hospitals (see Medical Support Laboratory and see Hospital).	NEW -- need definition
Medical and dental offices and clinics		"Medical and Dental Offices" means a building or place where (a) member(s) of the medical profession, dentists, chiropractors, osteopaths, acupuncturists, and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices, consultation rooms, pharmacy and x-ray providing that all such uses have access only from the interior of the building or structure. "Medical and Dental Clinics" means the same as Medical and Dental Offices, except they also include minor operating rooms and out-patient surgery with no overnight stay.
Medical clinic or offices (Public)		Not in Definitions (current Ordinance)
Optician and optometrist shop		Not in Definitions (current Ordinance)
Medical and dental clinic		"Medical and Dental Clinics" means the same as Medical and Dental Offices, except they also include minor operating rooms and out-patient surgery with no overnight stay.

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Medical and dental office		"Medical and Dental Offices" means a building or place where (a) member(s) of the medical profession, dentists, chiropractors, osteopaths, acupuncturists, and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices, consultation rooms, pharmacy and x-ray providing that all such uses have access only from the interior of the building or structure.
Retail	See subclassifications below.	See subclassifications below.
Convenience Store	PHASE1 - A retail establishment selling food, beverages, and small convenience items such as personal hygiene products, cigarettes, magazines, etc. Food and beverage products sold primarily consist of packaged and canned goods, prepared foods and hot drinks for immediate consumption, fountain sodas, etc., with less than 10 percent of net retail floor area allocated for the sale of fresh fruits, fresh vegetables, fresh meat and dairy products, and other similar perishable items. Convenience stores are smaller in floor area than supermarkets/grocery stores (typically 4,000 square feet or less) and have long or late hours of operation (open before 7:00 am or after 10:00 pm).	"Convenience Store" means a retail establishment selling food, beverages, and small convenience items such as personal hygiene products, cigarettes, magazines, etc. Food and beverage products sold primarily consist of packaged and canned goods, prepared foods and hot drinks for immediate consumption, fountain sodas, etc., with less than 10 percent of net retail floor area allocated for the sale of fresh fruits, fresh vegetables, fresh meat and dairy products, and other similar perishable items. Convenience stores are smaller in floor area than supermarkets/grocery stores (typically 4,000 square feet or less) and have long or late hours of operation (open before 7:00 am or after 10:00 pm).
Firearms Dealer	NEW - An establishment engaged in the selling, dealing in, trading, or transferring firearms.	NEW - need definition
Large Format Retail	NEW - Retail establishments over 80,000 square feet in size that sell merchandise and/or bulk goods primarily for individual consumption, including, but not limited to, department stores, home improvement stores, membership warehouses which emphasize bulk sales to the general public as well as to other businesses, and other big box format stores. Large format retail uses may include a limited (5,000 square feet or less) grocery store sales component. Excludes supermarkets (see Supermarket) and home improvement stores with outdoor nursery or garden centers (see Nursery and Garden Center).	NEW - need definition
Home improvement (hardware, blinds, interior decorating, etc.)		Not in Definitions (current Ordinance)
Fully enclosed		Not in Definitions (current Ordinance)
Not fully enclosed operation		Not in Definitions (current Ordinance)
Nursery and Garden Center	NEW - An establishment primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. This classification includes commercial and wholesale greenhouses and nurseries offering plants for sale.	NEW - need definition
Nursery (flower or plant)		Not in Definitions (current Ordinance)
Indoor		Not in Definitions (current Ordinance)
Outdoor		Not in Definitions (current Ordinance)
Retail, Limited	PHASE1 - An establishment that offers the sale of a limited line of merchandise that is generally necessary or desirable for everyday living or everyday business activities. Examples include small grocery stores offering primarily prepared or pre-packaged food and beverage items, small drugstores and variety stores, small stationery, office supply stores, shops selling other small household goods, and walk-out retail stores. This excludes convenience stores (see Convenience Store).	"Retail, Limited" means an establishment which offers the sale of a limited line of merchandise that is generally necessary or desirable for everyday living or everyday business activities. Examples include small grocery stores offering primarily prepared or pre-packaged food and beverage items, small drugstores and variety stores, small stationery, office supply stores, shops selling other small household goods, and walk-out retail stores. This classification excludes convenience stores.
Grocery store (small)		"Grocery Store, Small" means any premises less than 15,000 gross square feet in area wherein any of the following are exposed, offered for sale, or sold by retail: fresh fruits; fresh vegetables; bakery; meat; poultry, or fish products; frozen foods; and processed and pre-packaged food.
Retail Store, General Merchandise	PHASE1-REV - The retail sale or rental of merchandise not specifically listed under another use definition. This includes, but is not limited to, retail establishments with 80,000 square feet or less of sales area, including department stores, clothing stores, furniture stores, pharmacies, pet supply stores, flower shops (florist), art supply stores, music stores, book stores, and other businesses retailing (or renting) toys, hobby materials, handcrafted items, formalwear, music equipment and instruments, jewelry, cameras, candy, gifts and novelties, electronic equipment, sporting goods, hardware, appliances, antiques, art, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation, see Vehicle Repair and Maintenance).	"Retail Stores, General Merchandise" means retail trade establishments selling lines of merchandise. This classification excludes convenience stores. Examples of general retail stores and lines of merchandise include but are not limited to: 1 - Art supply; 2 - Antiques; 3 - Bakeries (retail only); 4 - Bicycles; 5 - Books; 6 - Candy stores; 7 - Clothing and accessories; 8 - Collectables; 9 - Fabrics and sewing supplies; 10 - Floral; 11 - Gifts (novelties and souvenirs); 12 - Hobby materials; 13 - Jewelry; 14 - Luggage and leather goods; 15 - Music stores; 16 - Office supplies and stationery; 17 - Sporting goods and equipment; 18 - Toys and games; 19 - Tuxedo and formalwear rental; 20 - Variety stores.
Art/photography studio or gallery		Not in Definitions (current Ordinance)
Furniture sales		Not in Definitions (current Ordinance)
Newsstand, indoor		Not in Definitions (current Ordinance)

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
<i>Paint and wallpaper stores</i>		Not in Definitions (current Ordinance)
<i>Pet store</i>		Not in Definitions (current Ordinance)
<i>Pet shops</i>		Not in Definitions (current Ordinance)
<i>Pharmacy or drug store</i>		Not in Definitions (current Ordinance)
<i>Rentals (medical supplies, costumes, party equipment, office equipment)</i>		Not in Definitions (current Ordinance)
<i>Thrift store</i>		"Thrift Store" means any profit or nonprofit business, organization, group or otherwise that engages in or specializes in the sale or resale of previously owned or used goods and merchandise from an area greater than 25 percent of the total floor area devoted to retail sales and whose goods and merchandise are donated or primarily donated. A specialty retail store that sells used goods or merchandise not donated for sale, including but not limited to used record stores, used book stores, used furniture stores, and sports trading card stores, shall not be considered a thrift store for the purpose of this Chapter.
<i>Thrift shops (used merchandise)</i>		See subclassifications below.
<i>Retail only</i>		Not in Definitions (current Ordinance)
<i>With collections</i>		Not in Definitions (current Ordinance)
<i>Retail</i>		Not in Definitions (current Ordinance)
Smoke/Tobacco Shop	REV - A retail establishment primarily engaged in the selling of smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substances. Tobacco products may include but are not limited to cigarettes, cigars, loose leaf tobacco, tobacco pipes, Electronic Smoking Devices and accessories, vaporizers and accessories and any other product, device or component used in the inhalation of tobacco, nicotine or other substance. For the purposes of this definition only, "primarily engaged" means when 30 percent or more of products sold at the retail establishment are smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substance.	"Head/Smoke/Tobacco Shop" means a retail establishment primarily engaged in the selling of smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substances. Tobacco products may include but are not limited to cigarettes, cigars, loose leaf tobacco, tobacco pipes, Electronic Smoking Devices and accessories, vaporizers and accessories and any other product, device or component used in the inhalation of tobacco, nicotine or other substance. For the purposes of this definition only, "primarily engaged" means when thirty percent (30%) or more of products sold at the retail establishment are smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substance.
Head/Smoke/Tobacco Shop		"Head/Smoke/Tobacco Shop" means a retail establishment primarily engaged in the selling of smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substances. Tobacco products may include but are not limited to cigarettes, cigars, loose leaf tobacco, tobacco pipes, Electronic Smoking Devices and accessories, vaporizers and accessories and any other product, device or component used in the inhalation of tobacco, nicotine or other substance. For the purposes of this definition only, "primarily engaged" means when thirty percent (30%) or more of products sold at the retail establishment are smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substance.
Services	See subclassifications below.	See subclassifications below.
General Services	NEW - Facilities primarily engaged in providing general services and miscellaneous repair services, including but not limited to dry cleaning pick-up stores without equipment that uses chemical solvents, self-service laundries, photocopying and photo finishing services, tailor shops, watch repair, shoe repair, home electronics repair, and locksmiths. Does not include repair of vehicles or boats (see Vehicle Repair and Maintenance) or personal services (see Personal Services).	NEW -- need definition
Repair and cleaning, small items		"Repair and Cleaning, Small Items" means a commercial establishment that performs cleaning, repair, and alteration of small consumer and household items, such as laundromats (self-service laundries), dry cleaning pick-up stores (where cleaning is done off-site), tailors, shoe repair shops, jewelry and watch repair shops, and locksmiths. Excludes dry cleaning plants, business equipment and computer repair, heavy equipment and machinery repair, repair and servicing of large and bulky household items such as appliances and furniture, or vehicle repair.
Massage Establishment	REV - Any establishment having a fixed place of business where any person, firm, association, partnership, corporation, or other entity engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any massage for compensation. Also includes, but is not be limited to, any business providing off-premises massage services.	"Massage Establishment" means any establishment having a fixed place of business where any person, firm, association, partnership, corporation or other entity engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any massage for compensation. For the purpose of this Chapter, the term "massage establishment" shall also include, but not be limited to, any business providing off-premises massage services.
Masage Establishment, Accessory	EXIST - An establishment that provides massage which is incidental to the primary business, where the owner of the primary business is responsible for the massage services and conduct of the massage technician(s) employed at the location.	"Massage Establishment, Accessory" means an establishment that provides massage which is incidental to the primary business, where the owner of the primary business is responsible for the massage services and conduct of the massage technician(s) employed at the location.

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)	
Personal Services	REV - A commercial establishment which provides services of a personal or aesthetic nature directly to consumers, including but not limited to barber and beauty shops, nail salons, tanning salons, hair removal salons, tattoo and body piercing studios, spa/wellness center (excluding massage establishments (see Massage Establishment)), and personal trainers.	"Personal Services" means a commercial establishment which provides services of a personal or aesthetic nature directly to consumers, including but not limited to: 1 - Beauty salons and barber shops; 2 - Nail salons; 3 - Tanning salons; 4 - Hair removal salons; 5 - Tattoo studios; 6 - Body piercing studios.	
Vehicle-Related Uses	Automobile/Vehicle Washing	EXIST/ADD - Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.	Not in Definitions (current Ordinance)
	Commercial Fueling Facility	REV - a fueling facility designed for commercial customers which dispenses gasoline, diesel, or similar vehicle fuels, and which is not open to the general public, has no cash sales and provides no personal services on-site. <i>[Note - development standards for separation will be addressed in Specific to Uses].</i>	"Commercial Fueling Facility" means a fueling facility designed for commercial customers which dispenses gasoline, diesel, or similar vehicle fuels, and which is not open to the general public, has no cash sales and provides no personal services on-site, provided that said facility is located not closer than five hundred (500) feet from any residentially zoned district or any area designated on the General Plan as being "residential" or any mobile home park.
	Fleet-based Service	NEW - Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles. This includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, home cleaning services, pedicab services, and similar businesses. This does not include towing operations (see Vehicle Storage), taxi or delivery services with two or fewer fleet vehicles on-site (see Business Support Services), facilities that handle third party goods for local or worldwide delivery (see Freight and Trucking Yard) or last mile parcel processing/redistribution facilities (see Parcel Hub).	NEW - need definition
	Transportation facility (taxi, limousine, etc.)		Not in Definitions (current Ordinance)
	Transportation facility (taxi, parcel service, armored car, etc.)		Not in Definitions (current Ordinance)
	Fuel Transport Station	CITY - LET'S DISCUSS. ADDED IN RESPONSE TO EMAIL RE INTERSTATE OIL COMPANY.	NEW - need definition
	Mobile Fueling	PHASE1 - A commercial service that offers on-demand fueling of motor vehicles at a specified location instead of at a service station. Mobile fueling may be provided to individual customers via the use of a mobile app, with fuel delivered to a home, office, or other location requested by the customer. Mobile fueling may also be provided for operators of fleet vehicles at a fixed, semi-permanent or permanent location.	"Mobile Fueling" means a commercial service that offers on-demand fueling of motor vehicles at a specified location instead of at a service station. Mobile fueling may be provided to individual customers via the use of a mobile app, with fuel delivered to a home, office, or other location requested by the customer. Mobile fueling may also be provided for operators of fleet vehicles at a fixed, semi-permanent or permanent location.
	Service Station	PHASE1-REV - Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.	"Service Station" means any premises used for supplying gasoline and oil at retail, direct to the customer, including minor accessories and services for automobiles, but not including automobile repairs.
	Service stations (with or without repair or retail)		"Service Station" means any premises used for supplying gasoline and oil at retail, direct to the customer, including minor accessories and services for automobiles, but not including automobile repairs.
	With car wash		Not in Definitions (current Ordinance)
	Vehicle Rental	NEW - Establishment providing for the rental of automobiles. Includes, but is not limited to car rental agencies.	NEW - need definition
	Auto Rental		Not in Definitions (current Ordinance)
	Vehicle rental (auto, RV and truck)		Not in Definitions (current Ordinance)
	Vehicle Sales and Leasing	NEW - Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Includes, but is not limited to automobile dealers and recreational vehicle sales agencies.	NEW - need definition
	Auto Sales		Not in Definitions (current Ordinance)
	Auto sales and rental		Not in Definitions (current Ordinance)
Auto sales and rental, outdoor (new and used cars, RV and truck)		Not in Definitions (current Ordinance)	
Vehicle sales and rental (auto, RV and truck new and used in operable condition)		Not in Definitions (current Ordinance)	
Vehicle Repair and Maintenance	See subclassifications below.	NEW - See subclassifications below.	
Major	NEW - Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes the servicing and repair of engines, body and fender, transmission, axels, wheels and brake, auto glass services, tire sales and installation, and vehicle painting. Excludes vehicle dismantling or salvaging (see Salvage and Wrecking) and tire retreading or recapping.	NEW - need definition	

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	Minor	NEW - The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to an automotive accessories and supply store, and quick-service oil, tune-up and brake and muffler shops, auto glass sales and replacement, stereo and alarm sales, and tire sales where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials, and repair of heavy trucks, limousines, or construction vehicles (see Vehicle Repair and Maintenance, Major). It also excludes towing services (see Vehicle Storage) and fueling stations (see Service Station).	NEW - need definition
	Auto repair shop		"Auto Repair shop" means any shop, building, room, place or space wherein, for compensation, any automobile, other motor vehicle, or any parts thereof, are repaired, remodeled, overhauled, reconditioned, or painted.
	Auto repair (tire, oil change, smog check, etc.)		"Auto Repair shop" means any shop, building, room, place or space wherein, for compensation, any automobile, other motor vehicle, or any parts thereof, are repaired, remodeled, overhauled, reconditioned, or painted.
	Vehicle service uses		Not in Definitions (current Ordinance)
	Vehicle Storage	NEW - The use of a site for the short- or long-term storage of automobiles, trucks, motorcycles, and/or other vehicles. Includes towing and impound lots.	NEW - need definition
	Advanced Manufacturing	PHASE1 - The use of innovative technologies to create existing and new products or to improve products and processes. Advanced manufacturing focuses on the rapid transfer of science and technology into production activities and may incorporate high technology elements such as information, automation, computation, software, sensing, and networking. Advanced manufacturing may include storage space for raw materials and/or finished goods that actively supports the primary use.	"Advanced Manufacturing" means the use of innovative technologies to create existing and new products or to improve products and processes. Advanced manufacturing focuses on the rapid transfer of science and technology into production activities and may incorporate high technology elements such as information, automation, computation, software, sensing, and networking. Advanced manufacturing may include storage space for raw materials and/or finished goods that actively supports the primary use.
	Commercial Laboratory		"Commercial Laboratory" means a facility for scientific research in technology-intensive fields. Examples include biotechnology, pharmaceuticals, genetics, plastics, polymers, films and fibers.
	Commercial Mine	NEW - An operation that extracts gravel, sand, other construction aggregates, or minerals from the ground. Includes quarries and gravel pits.	NEW - need definition
	Commercial Mines/Quarries/Gravel Pits		Not in Definitions (current Ordinance)
	Construction Yard and Equipment Rental	NEW - Storage of construction materials or equipment on a site other than a construction site. Includes rental of large equipment.	NEW - need definition
	Building material sales (equipment rental)		Not in Definitions (current Ordinance)
	Lumberyards		Not in Definitions (current Ordinance)
	Contractor's yard and offices		Not in Definitions (current Ordinance)
	Landscape contractor		Not in Definitions (current Ordinance)
	Custom and Artisan Manufacturing	PHASE1-REV - An establishment primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on site. Includes, but is not limited to metalworking, pottery and ceramic studios, film processing, photo finishing, printmaking, lithography, glass furnace, or woodworking.	"Custom and Artisan Manufacturing" means an establishment primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on site. Typical uses include metalworking, pottery and ceramic studios, film processing, photo finishing, printmaking, lithography, glass furnace, or woodworking.
	Contractor's shop	"Contractor's Shop" means an establishment for specialized business activities related to building construction. This classification includes establishments for trades such as painting, carpentry, plumbing, glassworking, heating, air conditioning, roofing, landscaping, cabinetmaking, and sign making. painting, carpentry, plumbing, glassworking, heating, air conditioning, roofing, landscaping, cabinetmaking, and sign making.	"Contractor's Shop" means an establishment for specialized business activities related to building construction. This classification includes establishments for trades such as painting, carpentry, plumbing, glassworking, heating, air conditioning, roofing, landscaping, cabinetmaking, and sign making.
	Film processing, photo finishing and printing, etching, lithography, printmaking, and other similar creative industries	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)
	Plumbing, metalworking, glassworking or woodworking	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)
	Plumbing, sheet metal or woodworking	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)
	Pottery or tile manufacturing	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)
Printing (newspaper, blueprint, publishing)	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)	
Sign sales and fabrication (Electric and neon sign, sign painting)	Not in Definitions (current Ordinance)	Not in Definitions (current Ordinance)	
Data Center	PHASE1 - A facility for the storage of computer systems and associated components.	"Data Center" means a facility for the storage of computer systems and associated components.	

DRAFT MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX Updated 4/4/24			
LEGEND			INFORMATION
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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)	
Industrial & Research and Development Uses	Food Preparation	NEW - Cooking, processing, packaging, and shipping of food products for off-site sales. Includes, but is not limited to wholesale bakeries, catering services, and commissary kitchens. This includes breweries, wineries, distilleries, and micro-breweries. Tasting rooms that are accessory and subordinate to a brewery, winery, or distillery may be included.	NEW -- need definition
	Catering Establishment		"Catering establishment" means an establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for serving and consumption.
	Commissary		"Commissary" means a fixed location kitchen where food is stored and prepared for off-site vending from mobile food vehicles. Commissaries serving mobile food vendors may include shared-use commercial kitchens, private commercial kitchens, restaurant kitchens, and kitchens associated with civic and community organizations such as churches or social clubs; but do not include catering service establishments.
	Freight and Trucking Yard	EXIST/ADD - Facilities that handle third party goods for local or worldwide freight, courier, local messenger, and postal services by truck or rail. This includes fulfillment centers and parcel sorting centers, which provide storage and distribution of e-commerce products to consumers or end-users, either directly or through a parcel hub (see Parcel Hub).	Not in Definitions (current Ordinance)
	Industry, General	NEW - Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials, where operations are conducted primarily within an enclosed building. Includes, but is not limited to operations such as biomass energy conversion; food and beverage processing; textile mills; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; recycling materials processing facilities in which post-consumer materials are sorted, condensed, baled, or transformed; and automotive, ship, aircraft, and heavy equipment manufacturing.	NEW -- need definition
	Auto-assembly facility		Not in Definitions (current Ordinance)
	Manufacturing, assembling, packaging, and processing facility		Not in Definitions (current Ordinance)
	Manufacturing		"Manufacturing" means the preparation, making, treatment, or processing of articles as merchandise.
	Plant or facility (research & development, assembly of goods, manufacturing, packaging, processing, repairing, etc. or materials, merchandise or products)		Not in Definitions (current Ordinance)
	Industry, Light	NEW - Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. Includes, but is not limited to operations such as manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.	NEW -- need definition
	Assembly from pre-processed materials		"Assembly from pre-processed materials" means assembling, packaging, or distributing from previously prepared materials, such as cloth, plastic, paper, leather, precious or semi-precious metals or stones, electric or electronic instruments and devices such as television, radios, and pharmaceutical products. Assembly in the context of industrial manufacturing is distinct from and unrelated to the definition of "Places of Assembly" involving groups of people.
	Bottling facility		Not in Definitions (current Ordinance)
	Disinfection and extermination business		Not in Definitions (current Ordinance)
	Dry-cleaning plant		"Dry-Cleaning Plant" means an establishment providing onsite, high-volume laundry and garment cleaning services, typically with the use of volatile solvents, including dry cleaning and garment pressing, diaper services, commercial laundries, and linen supply services. These facilities may include incidental onsite customer pick-up services.
	Food storage locker		Not in Definitions (current Ordinance)
	Mini-storage or Self Storage	PHASE1-REV - Facilities offering enclosed storage with individual access for personal effects and household goods. Typical provided in small individual units (e.g., 400 square feet or less) that are available for rental by the general public.	"Self-Storage or Mini-Storage" means the storage, generally of furniture and/or other household items, in small individual units (typically 400 square feet or less) that are available for rental by the general public.
Mini-storage complex		Not in Definitions (current Ordinance)	
Mini-storage complex with or without caretaker residence		"Self-Storage or Mini-Storage" means the storage, generally of furniture and/or other household items, in small individual units (typically 400 square feet or less) that are available for rental by the general public.	
Parcel Hub	PHASE1 - A "last mile" facility warehouse or similar establishment for the processing and/or redistribution of parcels or products to end-user customers. A parcel hub's primary function is moving a shipment from one mode of transport to vehicles with rated capacities less than 10,000 pounds, for delivery directly to consumers or end-users primarily within a 10-mile radius.	"Parcel Hub" means a "last mile" facility warehouse or similar establishment for the processing and/or redistribution of parcels or products to end-user customers. A Parcel hub's primary function is moving a shipment from one mode of transport to vehicles with rated capacities less than 10,000 pounds, for delivery directly to consumers or end-users primarily within a ten-mile radius.	

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)	
Recycling Facility	NEW - A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. A certified recycling facility or certified processor means a recycling facility certified by the California Beverage Container Recycling and Litter Reduction Act. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business, or manufacturer.	NEW - need definition	
Recycling processing facility		"Recyclable Processing Facility" means a building or space used for the collection and processing of recyclable materials. Processing means the preparation of material for shipment by such means as baling, briquetting, compacting, flattening, grinding, crushing, sorting, shredding, cleaning and remanufacturing.	
Intermediate Processing Facility	NEW - A facility that receives, sorts, compresses or bales, and stores recyclable materials for efficient transfer to other processing facilities or to an end user.	NEW - need definition	
Collection Facility	NEW - A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public where limited processing and storing of such items is conducted on-site.	NEW - need definition	
Research and Development	PHASE1 - REV - Industrial or scientific research for the design, development, engineering and testing of high technology, clean technology, industrial, or scientific products. May include limited manufacturing as necessary for the production of prototypes, but excludes the full-scale manufacturing of final products. May also include storage space for raw materials and/or finished goods that actively supports the primary use.	"Research and Development (R and D) Uses" means industrial or scientific research for the design, development, engineering and testing of high technology, clean technology, industrial, or scientific products. Research and development uses may include limited manufacturing as necessary for the production of prototypes, but exclude the full-scale manufacturing of final products. Research and development uses may also include storage space for raw materials and/or finished goods that actively supports the primary use.	
Soils and materials testing laboratories		Not in Definitions (current Ordinance)	
Salvage and Wrecking	NEW - The dismantling of wrecked or decommissioned vehicles where usable parts are sold for use in operating vehicles and the unusable metal parts are sold to metal-recycling companies.	NEW -- need definition	
Auto junk yard		Not in Definitions (current Ordinance)	
Warehousing and Distribution	PHASE1 - REV - A facility, primarily within an enclosed building, for the storage of commercial or industrial goods, products and materials and the associated on-site sorting, packing, staging, shipping, receiving, and distributing of goods to wholesale and retail outlets, including ancillary truck parking and dispatching. Also includes long-term, passive storage of furniture, household goods, or other commercial goods; and of industrial equipment, products, and materials. Warehousing and distribution facilities may include, but are not limited to, wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, and logistics centers. Excludes storage of raw materials and/or finished products as part of an active primary use (e.g., see Advanced Manufacturing; Industry, General; Industry, Light; Research and Development).	"Warehousing and Distribution" means a facility, primarily within an enclosed building, for the storage of commercial or industrial goods, products and materials and the associated on-site sorting, packing, staging, shipping, receiving, and distributing of goods to wholesale and retail outlets, including ancillary truck parking and dispatching. Also includes long-term, passive storage of furniture, household goods, or other commercial goods; and of industrial equipment, products, and materials. Warehousing and distribution facilities may include, but are not limited to, wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, and logistics centers. Excludes storage of raw materials and/or finished products as part of an active primary use such as General Manufacturing, Advanced Manufacturing, or Research and Development. Excludes Parcel Hubs.	
Distribution facility		"Distribution Facility" means a facility primarily used for the sorting, packing, staging, shipping, receiving, distributing, or holding of goods and merchandise of any kind, typically which are not manufactured, processed or otherwise produced in the same facility, for any length of time. Distribution facilities include but are not limited to wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, or logistics centers. A Distribution Facility is separate from a Parcel Hub.	
Warehousing, general		"Warehousing, General" means the commercial receipt, storage, and distribution of goods generally handled in containers, such as boxes, barrels, and/or drums, with the use of equipment such as forklifts, pallets, and racks. General warehouse facilities typically have 80 percent or more of the gross floor area dedicated to passive storage activities, with the remaining floor area dedicated to office and other auxiliary uses. Does not include storage of raw materials and/or finished products as part of an active primary use such as General Manufacturing, Advanced Manufacturing, or Research and Development. Excludes Parcel Hubs.	
Wholesale Sales	PHASE1 - The selling and/or distributing of merchandise to retailers; industrial, commercial, or institutional buyers; or other wholesalers; or acting as agents or brokers in the buying and selling of merchandise to or for such entities.	"Wholesale Sales" means the selling and/or distributing of merchandise to retailers; industrial, commercial, or institutional buyers; or other wholesalers; or acting as agents or brokers in the buying and selling of merchandise to or for such entities.	
Warehousing and wholesale		Not in Definitions (current Ordinance)	
Cemetery	EXIST - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.	"Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.	
Child Care	See subclassifications below.	See subclassifications below.	
Child Care Center	EXIST/ADD - Establishments providing non-medical care for children on a less than 24-hour basis other than Family Day Care Homes. This classification includes licensed nursery schools, preschools, and day care facilities for children, and any other day care facility licensed by the State of California.	Not in Definitions (current Ordinance)	

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Child care center		"Child Care Center" means any child care facility other than a family child care home, in which less than twenty-four (24) hour per day non-medical care and supervision are provided to children in a group setting. It includes infant centers, preschools, and extended child day care facilities, but does not include after-school programs.
Child care center		"Child Care Center" means any child care facility other than a family child care home, in which less than twenty-four (24) hour per day non-medical care and supervision are provided to children in a group setting. It includes infant centers, preschools, and extended child day care facilities, but does not include after-school programs.
Day care center/school		Not in Definitions (current Ordinance)
Day care school		Not in Definitions (current Ordinance)
Day care center		Not in Definitions (current Ordinance)
Large Family Child Care Home	REV - As defined by Health and Safety Code §1596.78, a home in which the provider regularly provides care, protection, and supervision for up to 14 children for less than 24 hours per day.	"Large family child care home" means a home in which family child care is provided to nine (9) to fourteen (14) children, including children under the age of ten (10) who reside at the home.
Small Family Child Care Home	REV - As defined by Health and Safety Code §1596.78, a home in which the provider regularly provides care, protection, and supervision for eight or fewer children for less than 24 hours per day.	"Small family child care home" means a home in which family day care is provided to eight (8) or fewer children, including children under the age of ten (10) who reside at the home.
Civic/Government	NEW - Governmental facilities not otherwise included in other land use types, such as court facilities and post offices, together with storage and maintenance of vehicles.	NEW -- need definition
Public service uses		From current Ordinance: "Public Service Use" means facilities owned and operated by governmental agencies that provide services to the general public, including but not limited to federal, state and municipal administration buildings, courthouses, and post offices.
Public and Quasi Public use		"Public Use" means a use intended to serve the whole city and/or region and operated by a public institution or entity. Such uses have the purpose primarily of serving the general public and include public schools, recreational facilities, government housing, government clinics, and the like. "Quasi Public Use" means a use intended to serve the whole city and/or region and are operated by a private, nonprofit, educational, religious, recreational, or charitable, and having the purpose primarily of serving the general public. Such uses include religious facilities, private schools, community theaters, community and club organizations, private hospitals, places of assembly and the like.
Community Assembly	NEW - A facility for public or private meetings including clubs and lodges, community centers, senior centers, religious assembly facilities, convention centers, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities (see Indoor Sports and Recreation) or facilities such as day care centers and schools, which are separately defined.	See subclassifications below.
Major	NEW - Community assembly use that is over 2,000 gross square feet and has capacity for more than 200 seats.	NEW -- need definition
Auditorium		Not in Definitions (current Ordinance)
Conference center		"Conference Center" means a facility used for holding conventions, seminars, workshops or similar activities, including dining facilities and lounges for use by participants, as well as compatible accessory facilities such as offices and business centers.
Minor	NEW - Community assembly use that is 2,000 gross square feet or less and has capacity for no more than 200 seats.	NEW -- need definition
Auction hall		Not in Definitions (current Ordinance)
Club or social organization		Not in Definitions (current Ordinance)
Places of assembly		"Places of Assembly" means an institution of facility that offers or hosts activities for assembled groups of participants, including but not limited to private and nonprofit clubs; social or fraternal organizations; and churches, temples, synagogues, and other places of worship. This use is distinct from and unrelated to the industrial use "Assembly from pre-processed materials."
Religious assembly		Not in Definitions (current Ordinance)
Community Garden	PHASE1-REV - Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity.	"Community Garden" means an area where neighbors and residents have the opportunity to contribute to and manage the cultivation of plants, herbs, vegetables, and fruits, generally on property under public or non-profit ownership. May consist of individually tended plots on a shared parcel or many be communal on a single plot.
Correctional Facility	EXIST/ADD - A facility where people are held, generally as punishment for various crimes.	Not in Definitions (current Ordinance)
Educational Institutions	See subclassifications below.	See subclassifications below.
College/University	NEW - A public or private college or university, excluding trade or vocational schools.	NEW -- need definition
Public colleges or universities		Not in Definitions (current Ordinance)
Private colleges or universities [also "College and university, private"]		"College and University, Private" means a private owned and operated college, community college, or university giving general academic instruction equivalent to the standards prescribed by the State Board of Education.

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Public, Institutional, and	School, Private	NEW - A private institution of learning for young students offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This use includes kindergarten, elementary school, middle or junior high school, or high school.	NEW -- need definition
	School, Public	NEW - A public institution of learning for young students offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This use includes kindergarten, elementary school, middle or junior high school, or high school.	NEW -- need definition
	Elementary (K-8), public or private		Not in Definitions (current Ordinance)
	Secondary (9-12), public or private		Not in Definitions (current Ordinance)
	School elementary (K-8 public or private)		"School: Elementary, Middle, or High" means an institution which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California--
	School secondary (9-12 Public or Private)		"School: Elementary, Middle, or High" means an institution which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California--
	Schools, private (elementary, middle, high)		"School: Elementary, Middle, or High" means an institution which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California--
	School (not trade or vocational)		Not in Definitions (current Ordinance)
	Private elementary and secondary		Not in Definitions (current Ordinance)
	Public schools		Not in Definitions (current Ordinance)
	Trade and Vocational School	REV - An establishment where education or training is received in a trade or craft, business, commerce, language, or other similar activity or occupational pursuit that is not otherwise described as a home occupation, college/university, school, or instruction services.	"School, trade and vocational" means an establishment where training is received to learn a particular trade or craft that involves skilled labor. Trades and crafts include but are not limited to the various construction trades, auto mechanics, machining, HVAC installation/repair/maintenance and similar trades and crafts.
	Vocational school		Not in Definitions (current Ordinance)
	Farmers' Market	PHASE1 - An event offering for sale produce, food items, and related goods and merchandise by certified growers authorized to sell, directly to consumers, products that are produced on land the producer controls or taken in consignment from other producers. Excludes flea markets.	"Farmers' Market" means an event offering for sale produce, food items, and related goods and merchandise by certified growers authorized to sell, directly to consumers, products that are produced on land the producer controls or taken in consignment from other producers. Excludes flea markets.
	Instruction Services	REV - An establishment that offers specialized programs in personal growth and development such as photography, fine arts, crafts, music, vocal, yoga, martial arts, dance, driving schools, health and wellness, and academic tutoring. Attendance is typically limited to hourly classes rather than full-day instruction. These establishments do not grant diplomas or degrees, though instruction could provide credits for diplomas or degrees granted by other institutions. Retail sales are permitted as an accessory use.	"Instruction, group and private" means the provision of instructional services, including but not limited to photography, fine arts, crafts, dance or music studios, driving schools, diet centers, yoga, martial arts studios, after school programs or similar uses. This definition does not include instruction received through trade or vocational schools nor a post-secondary school or child care centers. Private instruction includes fewer than six (6) students or clients at any one time and group instruction includes six (6) or more students or clients at any one time.
	Group	EXIST - Group instruction includes six (6) or more students or clients at any one time.	
	Private	EXIST - Private instruction includes fewer than six (6) students or clients at any one time.	
	Library/Museum	NEW - Public or quasi-public facilities primarily engaged in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Includes, but is not limited to aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, and museums. May also include accessory retail uses such as gift/book shops, restaurant, etc.	NEW -- need definition
	Cultural center		Not in Definitions (current Ordinance)
	Library (Public)		Not in Definitions (current Ordinance)
	Museum		Not in Definitions (current Ordinance)
	Park/Playground	NEW - Public parks, playgrounds, trails, wildlife preserves, and related open spaces. This includes playing fields, sports courts, picnic facilities, and related food concessions or community buildings and structures.	NEW -- need definition
	Parks		Not in Definitions (current Ordinance)
	Park, playground or community center		Not in Definitions (current Ordinance)
Park, playground or community center (non-profit)		Not in Definitions (current Ordinance)	
Public parks and areas		Not in Definitions (current Ordinance)	
Parking	See subclassifications below.	See subclassifications below.	
Parking Facility, Storage Garage	EXIST/ADD - A building or structure containing parking spaces that is the primary use on the lot. May be located above or below grade, and use of the parking structure may be subject to a fee. May include park and ride structures.	Not in Definitions (current Ordinance)	
Parking Lot	EXIST/ADD - Open parking area(s) provided on property other than a public street, alley, or right-of-way that is the primary use on the lot. May include park and ride lots. Use of the parking lot may be subject to a fee.	Not in Definitions (current Ordinance)	
Public Safety Use	REV - Facilities providing public-safety and emergency services, including police and fire protection, with incidental storage, training, and maintenance facilities.	"Public Safety Use" means facilities for public safety or emergency services, including police and fire protection.	

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Public Utility	PHASE1-REV - Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.	"Public Utilities" means facilities for the production, storage, treatment, transmission and/or distribution of electricity, natural gas, water, wastewater, and telecommunications and other similar essential services. Also includes service facilities, electric transmission and distribution substations and public utility service centers.
Transportation Passenger Terminal/Facility	NEW - Facilities for passenger transportation operations, including rail stations, bus terminals, and associated service facilities, but does not include terminals serving airports or heliports.	NEW -- need definition
Transportation facilities		Not in Definitions (current Ordinance)
Wireless Telecommunications Facility	See Specific to Uses.	NEW -- need definition
Radio or television station		Not in Definitions (current Ordinance)
Accessory Dwelling Unit	EXIST - As defined by Government Code Section 65852.2, an ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU also includes an efficiency unit as defined in Section 17958.1 of the Health and Safety Code and a manufactured home as defined by Section 18007 of the Health and Safety Code.	Accessory Dwelling Unit or ADU: As defined by Government Code Section 65852.2, an ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU also includes an efficiency unit as defined in Section 17958.1 of the Health and Safety Code and a manufactured home as defined by Section 18007 of the Health and Safety Code.
Boarding House	REV - An establishment where housing is provided for compensation, generally for stays of more than 30 days, for up to eight persons. Boarding houses typically have individual rooms for guests, shared bathroom facilities, and a single common kitchen. Meals may be served for guests and included as part of the cost of lodging.	"Boarding House" means an establishment where lodging is provided for compensation, generally for stays of more than 30 days, for up to 8 persons. Boarding houses typically have individual rooms for guests, shared bathroom facilities and a single common kitchen. Meals may be served for guests and included as part of the cost of lodging.
Boarding House (Three or More Persons)		"Boarding House" means an establishment where lodging is provided for compensation, generally for stays of more than 30 days, for up to 8 persons. Boarding houses typically have individual rooms for guests, shared bathroom facilities and a single common kitchen. Meals may be served for guests and included as part of the cost of lodging.
Caretaker's Residence	EXIST/ADD - A dwelling unit occupied by employees or caretakers of the primary use on the site.	Not in Definitions (current Ordinance)
Caretaker (in conjunction with contractor's yard or mini storage complex)		Not in Definitions (current Ordinance)
Court Dwelling	PHASE1 - A residential development in which there are several freestanding single-family or two-family dwellings with separate walls clustered on a single lot. Units are typically arranged to face around a common open space or drive aisle. If subdivided, a maintenance agreement or homeowners association may govern common areas like driveways or open space.	"Court Dwellings" means a residential development in which there are several freestanding single-family or two-family dwellings with separate walls clustered on a single lot. Units are typically arranged to face around a common open space or drive aisle. If subdivided, a maintenance agreement or homeowners association may govern common areas like driveways or open space.
Duplex (Two Dwellings)	EXIST/ADD - A residential building containing two dwelling units, both of which are located on a single parcel. The dwelling units are attached and may be located on separate floors or side-by-side. Excludes accessory dwelling units (see Accessory Dwelling Unit).	Not in Definitions (current Ordinance)
Elderly and Long-term Care	NEW - Establishment that provides 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed by the California Department of Public Health. Includes, but is not limited to skilled nursing facilities, rest homes, and convalescent hospitals. Does not include a residential care facility (see Residential Care Facility) or hospital (see Hospital).	NEW -- need definition
Nursing home		Not in Definitions (current Ordinance)
Emergency Shelter	EXIST - Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay as set forth in the California Health and Safety Code §50801(e), as may be amended.	"Emergency Shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay as set forth in the California Health and Safety Code Section 50801(e), as may be amended.
Group Dwelling		Dwelling, Group. "Group dwelling" means one (1) or more dwellings, other than a tourist court, arranged around two (2) or three (3) sides of a court, which opens onto a street, or a place approved by the commission, including single family, two-family or multiple family dwellings and court apartments. Group dwelling include homeless shelters and transitional housing.
Employee Housing	NEW - Housing as described in California Health and Safety Code §17021.6, and employee housing as defined in California Health and Safety Code §17008.	NEW -- need definition
Quarters, accommodations or areas for transient labor, such as labor camps		Not in Definitions (current Ordinance)
Group Living Accommodation	PHASE1 - A building or portion of a building designed for or accommodating a residential use by persons not living together as a household. This use includes dormitories, convents and monasteries, and other types of organizational housing. This use does not include residential care facilities, nursing homes, hotels, single room occupancy residences, or boarding houses, which are defined separately. Group living accommodations typically provide shared living quarters without separate kitchen or bathroom facilities for each room or unit.	"Group Living Accommodations" means a building or portion of a building designed for or accommodating a residential use by persons not living together as a household. This use includes dormitories, convents and monasteries, and other types of organizational housing. This use does not include residential care facilities, nursing homes, hotels, single room occupancy residences, or boarding houses. Group living accommodations typically provide shared living quarters without separate kitchen or bathroom facilities for each room or unit.
Guest house		Not in Definitions (current Ordinance)

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)		
Residential Uses	Live-work Unit	REV - An integrated housing unit and working space that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. Living space includes, but is not limited to, a sleeping area, a food preparation area, and a full bathroom. The working space is reserved for and regularly used by one or more occupants of the unit.	From current Ordinance: "Live-Work Unit" means a dwelling unit with a separate living space attached to a work space within the same unit. The work space and the living space must be occupied by the same tenant. Live-work uses allow one non-residential employee, more customers, and a broader range of uses than permitted in Home Occupations. See XI-10-13.12 within Special Uses for Live-Work Unit purpose, intent, and regulations. Uses permitted or conditionally permitted within the underlining zoning district apply unless otherwise prohibited in Section 10-13.12(E). Additional uses covered by this designation include, but are not limited to: Art and craft work; Offices, Business and Professional; Artists and artisans; Fashion.	
	Art and Artisan Studio		Not in Definitions (current Ordinance)	
	Artisan Studios & Live-work units, woodworking or glassworking, plumbing or metalworking and sign shops		"Live-Work Unit" means a dwelling unit with a separate living space attached to a work space within the same unit. The work space and the living space must be occupied by the same tenant. Live-work uses allow one non-residential employee, more customers, and a broader range of uses than permitted in Home Occupations. See XI-10-13.12 within Special Uses for Live-Work Unit purpose, intent, and regulations. Uses permitted or conditionally permitted within the underlining zoning district apply unless otherwise prohibited in Section 10-13.12(E). Additional uses covered by this designation include, but are not limited to: — Art and craft work; — Offices, Business and Professional; — Artists and artisans; — Fashion.	
	Low Barrier Navigation Center	NEW - Consistent with Government Code §65660, a service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.	NEW -- need definition	
	Multi-family Dwelling	REV - A building containing three or more dwelling units.	Dwelling, Multiple-Family. "Multiple-family dwelling" means a building or portion thereof, designed for occupancy by three (3) or more families living independently of each other.	
	Condominiums and condo conversions		"Condominium" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial, or commercial building on such real property, such as an apartment, office, or store. A condominium may include in addition a separate interest in other portions of such real property. Such estate may, with respect to the duration of its enjoyment, be either of the following: 1— An estate of inheritance or perpetual estate. 2— An estate of life. 3— An estate for years, such as leasehold or sub-leasehold. "Condominium Conversion" means a change in the type of ownership of a parcel or parcels of land, together with the existing attached structures, to that defined for a condominium project or a community apartment project regardless of the present or prior use of such land and structures and whether substantial improvements have been made or are to be made to such structures.	
	Lobby and entrance for upper floor use		Not in Definitions (current Ordinance)	
	Mixed use development		From current Ordinance: "Mixed-Use Development" means a development that consists of vertical or horizontal combination of residential and commercial uses within a single building or site.	
	Multi-family housing		Not in Definitions (current Ordinance)	
	Planned unit development		Not in Definitions (current Ordinance)	
	Residential Care Facility	PHASE1-REV - Consistent with Health and Safety Code §1502, a facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.	"Residential Care Facility" means a facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living for more than six individuals. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.	
	Single-family Dwelling	REV - A dwelling unit designed for occupancy by one household, where all rooms are internally connected and internally accessible via habitable space and located on a separate lot from any other unit (except accessory dwelling units, where permitted). This includes individual manufactured housing units installed on a foundation system pursuant to California Health and Safety Code §18551, and the use of a single-family residential structure as employee housing for six or fewer employees consistent with California Health and Safety Code §17021.5.	Dwelling, Single-Family. "Single-family dwelling" means a detached building designed exclusively for occupancy by one (1) family for living purposes and having only one (1) kitchen.	
	Manufactured home		Not in Definitions (current Ordinance)	
Ranch and farm dwellings		Not in Definitions (current Ordinance)		

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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Single-room Occupancy Residences	EXIST - A multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities. These units are small (generally less than 350 square feet), and provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for formerly homeless people.	"Single Room Occupancy (SRO) Residence" means a multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities. These units are small (generally less than 350 square feet), and provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for formerly homeless people.
Supportive Housing	REV - Consistent with California Health and Safety Code §50675.14, housing with no limit on length of stay, that is occupied by the target population (as defined in Section 11302 of Title 42 of the United States Code), and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.	"Supportive Housing" means housing with no limit on length of stay, that is occupied by the target population as defined in Section 11302 of Title 42 of the United States Code, as may be amended, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community as defined in the California Health and Safety Code Section 50801(e), as may be amended.
Transitional Housing	REV - Consistent with California Government Code §65582, buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.	"Transitional Housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months as defined in the California Health and Safety Code Section 50801(e), as may be amended.
Transitional and supportive housing		"Transitional Housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months as defined in the California Health and Safety Code Section 50801(e), as may be amended. "Supportive Housing" means housing with no limit on length of stay, that is occupied by the target population as defined in Section 11302 of Title 42 of the United States Code, as may be amended, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community as defined in the California Health and Safety Code Section 50801(e), as may be amended.

Unclassified Uses/Other	Temporary Use	NEW - Short-term activities that are not allowed on a permanent basis but because of their temporary, intermittent, or seasonal nature are acceptable.	See subclassifications below.
	Model home complex		Not in Definitions (current Ordinance)
	Newsstand, outdoor		Not in Definitions (current Ordinance)
	Temporary public safety uses		Not in Definitions (current Ordinance)
	Temporary seasonal sales		Not in Definitions (current Ordinance)
	Temporary tract signs		"Temporary Tract Advertising Sign" means a uniformly designed sign which advertises a residential development.

PROPOSED USES TO DELETE		
Card room	n/a	Not in Definitions (current Ordinance)
Internet access studio		Not in Definitions (current Ordinance)
Airports and landing strips, private	n/a	Not in Definitions (current Ordinance)
Accessory structures		"Accessory Structure" means a structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building. An accessory structure is that which an accessory building is not, by definition. Examples include, but are not limited to fences, trellises, covered patios, and porte cocheres.

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Agriculture Uses	Animal Husbandry	NEW - The use of land for the care and raising of livestock, equine, poultry, and dairy animals. This also includes any animal-related production uses incidental to the foregoing, including processing, drying, storage, and sales, excluding animal slaughter, meat cutting and packing, stockyards or the commercial feeding of garbage or offal to swine or other animals.	NEW -- need definition
	Agricultural Supply Sales	NEW - An establishment or place of business primarily engaged in the retail or wholesale sale from the premises of farm supply, feed, grain, fertilizers, pesticides, and similar goods as well as the provision of agriculturally related services with incidental storage on a lot other than where the service is rendered.	NEW -- need definition
	Animal Keeping	NEW - The raising or keeping of domestic animals as provided in V-210 (Animal Regulation) of the Milpitas Municipal Code.	NEW -- need definition
	Cultivated Agriculture	NEW - The planting, growing, and harvesting of crops or plants, or the preparation of land for this purpose, of more than one-half acre of land for viticulture, horticulture, pasturage, floriculture, or similar farming where a crop or final product is produced (but not necessarily offered for sale) for consumption.	NEW -- need definition
	Commercial Agricultural Processing Plant	EXIST/ADD - Facility that transforms, processes, and packages livestock or livestock products, agricultural commodities, or plants or plant products, into goods that are used for intermediate or final consumption including goods for nonfood use. Includes animal slaughter.	Not in Definitions (current Ordinance)
	Guest Ranch	EXIST/ADD - Short-term lodging provided to visitors on property where agricultural activities take place (e.g., animal husbandry, cultivated agriculture, etc.) and that is not considered to be another lodging uses (e.g., See Bed and Breakfast, Hotel, Motel, etc.).	Not in Definitions (current Ordinance)
	Riding Academy and Public Stables	EXIST/ADD - Stables leased to the public for the keeping of horses with areas for horse riding and horse riding lessons.	Not in Definitions (current Ordinance)
Adult Business	Adult Business	EXIST - Keep existing definition(s).	See XI-10-13-04(B).
	Animal Care and Services	NEW - Retail sales and/or services related to the boarding, grooming, and care of household pets.	See subclassifications below.
	Kennel	REV - Facilities for keeping, boarding, training, breeding, or maintaining for commercial purposes, four or more dogs, cats, or other household pets more than four months of age and not owned by the kennel owner or operator.	"Kennel" means any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept.
	Pet Day Care and Sales	NEW - Facilities for providing non-medical care for four or more dogs, cats, or other household pets not owned by the pet day care owner or operator on a less than 24-hour basis. This include retail sales of household pets but excludes pet supply stores that do not sell animals or provide on-site animal services.	NEW -- need definition
	Veterinary Clinic	EXIST/ADD - Medical care for small animals on a commercial basis with no overnight (24-hour) accommodation of animals.	Not in Definitions (current Ordinance)
	Veterinary Hospital or Services	EXIST/ADD - Medical care for small animals on a commercial basis with 24-hour accommodation of animals but does not include kennels. Also includes overnight (24-hour) accommodation of small animals for grooming services.	Not in Definitions (current Ordinance)
	Business Support Services	PHASE1-REV - Establishments primarily within structures that provide other businesses with ancillary services that further or facilitate the other businesses' primary activity, including but not limited to commercial art and design (production); copying and quick-printing services; equipment rental businesses within structures; janitorial services; mailbox rentals; mail advertising services (reproduction and shipping); other "heavy service" business services; outdoor advertising services; protective services (other than office related); rental, repairs and distribution of office or business equipment; and window cleaning.	"Business Support Services" means establishments primarily within structures that provide other businesses with ancillary services that further or facilitate the other businesses' primary activity. This term does not include activities or uses that are specifically listed as a conditionally permitted or prohibited use in the applicable zone. Examples of business support services include but are not limited to: 1 - Business equipment repair services (except vehicle repair); 2 - Commercial art and design (production); 3 - Computer-related services (rental, repair); 4 - Copying and quick-printing services; 5 - Equipment rental businesses within structures; 6 - Heavy equipment repair services where repair occurs; 7 - Janitorial services; 8 - Mailbox rentals; 9 - Mail advertising services (reproduction and shipping); 10 - Other "heavy service" business services; 11 - Outdoor advertising services; 12 - Protective services (other than office related); 13 - Rental, repairs and distribution of office or business equipment; 14 - Window cleaning.
	Drive-Through Facility	NEW - A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed or used to provide goods or services to the occupants of motor vehicles. It includes, but is not limited to, banks and other financial institutions and fast food establishments, but shall not include drive-in movies, service stations, or car-wash operations.	NEW - need definition
Eating and Drinking Establishment	NEW - Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.	See subclassifications below.	

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Bar or Nightclub	REV - Businesses serving beverages for consumption on the premises as a primary use, including serving alcohol such as beer, wine, and mixed drinks. This use includes tasting rooms and micro-breweries where alcoholic beverages are sold and consumed on site and any beverage production or distilling, and food service is subordinate to the sale of alcoholic beverages. See Food Preparation for tasting rooms that are accessory and subordinate to a brewery, winery, or distillery.	"Bar or nightclub" means a commercial establishment serving alcoholic beverages for consumption on the premises where the service of food is only incidental to the consumption of such beverages. Dancing and live entertainment may also be conducted within the establishment.
Mobile Food Park	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Mobile Food Vending (Individual Vehicle)	EXIST - Refer to existing definition in XI-10.13.18 (Mobile Food Vending)	Not in ZONING Definitions (current Ordinance)
Restaurant	See subclassifications below.	See subclassifications below.
Coffee Shop/Café	<i>NEW - Establishments that primarily serve beverages, such as coffee, juices, or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn.</i>	<i>NEW -- need definition</i>
Restaurant, Full Service	<i>NEW - Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.</i>	<i>NEW -- need definition</i>
Restaurant, Limited Service	<i>NEW - Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where no table service is provided. This includes, but is not limited to cafeterias, fast-food restaurants, carryout sandwich shops, limited-service pizza parlors and delivery shops, self-service restaurants, snack bars, and takeout restaurants. This also includes catering businesses or bakeries that have a storefront retail component.</i>	<i>NEW -- need definition</i>
With Alcohol Sales	<i>NEW - Any restaurant that includes the sale of alcoholic beverages.</i>	<i>NEW - need definition</i>
Entertainment and Recreation, Commercial	NEW - This use type refers to establishments or places of business primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators.	NEW - need definition
Indoor Entertainment	NEW - Predominantly spectator uses conducted within an enclosed building. Typical uses include movie theaters, enclosed sports arenas, video game activities and competitions such as e-sports, and dance halls.	NEW - need definition
Indoor Sports and Recreation	NEW - Predominantly participant sports conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, arcades, ice and roller skating rinks, indoor racquetball courts, athletic clubs, and physical fitness centers. Excludes operations where activities are primarily class- or appointment-based such as yoga studios and personal trainers.	NEW - need definition
Outdoor Entertainment	NEW - Predominantly spectator uses conducted open or partially enclosed or screened facilities. Typical uses include outdoor theaters, partially enclosed sports arenas, racing facilities, outdoor concerts, drive-in movie theaters, aquatic parks, and amusement parks.	NEW - need definition
Outdoor Sports and Recreation	NEW - Predominantly participant sports conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, and tennis courts.	NEW - need definition
Financial Institution	See subclassifications below.	NEW -- need definition
Alternative Loan Business	NEW - Establishments that conduct a check cashing business, and/or engage in the business of cashing checks, warrants, drafts, money orders, or other commercial enterprise defined herein. The term "check cashing business" as used herein includes a retail business owned or operated by a "check casher" as that term is defined in California Civil Code §1789.31, as amended from time to time. This classification also includes the business of deferred deposits, or "payday lending," which is defined as an establishment owned or operated by a "licensee," as that term is defined in California Financial Code §23001(d), as amended from time to time. Similar lending services that provide vehicle title loans or microfinance loans shall also be included in this classification. Microfinance institutions are characterized by their use of interest rates that are higher than traditional banks and credit unions and typically targeted towards low-income borrowers or borrowers with limited or no credit history. Alternative loan businesses do not include state or federally chartered banks, savings associations, credit unions, or industrial loan companies (see Bank and Credit Union). They also do not include retail sellers engaged primarily in the business of selling consumer goods, such as consumables to retail buyers, that cash checks or issue money orders incidental to their main purpose or business.	NEW -- need definition
Bank and Credit Union	NEW - Financial institutions, including federally-chartered banks, savings associations, industrial loan companies, and credit unions that provide retail banking services to individuals and businesses. Includes only those institutions engaged in the on-site circulation of money, and whose deposits are insured by the state or federal government and/or a state or federal sponsored entity, including credit unions.	NEW -- need definition
Pawnbroker	NEW - Place of business where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money.	NEW - need definition
Food and Beverage Retail Sales	NEW - Retail sales of food and beverages for off-site preparation and consumption.	NEW -- See subclassifications below.
Alcoholic Beverage Sales	NEW - Any food and beverage sales use that includes the sale of alcoholic beverages.	Not in Definitions (current Ordinance)

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Commercial Uses	Grocery Store	REV - Retail establishments that primarily sell food, but also may sell other convenience and household goods, and could include a delicatessen or specialty food shop, baked goods, frozen foods, fruits, vegetables, meats, cheeses, dairy, and prepared food, and which occupy at least 5,000 square feet dedicated to sales, but not more than 25,000 square feet of gross floor area.	"Grocery Store" means any premises wherein any of the following are exposed, offered for sale, or sold by retail: fresh fruits; fresh vegetables; bakery; meat; poultry, or fish products; frozen foods; and processed and prepackaged food.
	Supermarket	NEW - Retail establishments that primarily sell food, but also may sell other convenience and household goods, and could include a delicatessen or specialty food shop, baked goods, frozen foods, fruits, vegetables, meats, cheeses, dairy, and prepared food, and which occupy more than 25,000 square feet of gross floor area, but not more than 80,000 square feet of gross floor area.	NEW - need definition
	Funeral Parlor and Mortuary	EXIST/ADD - An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.	Not in Definitions (current Ordinance)
	Home Occupation	REV - A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.	"Home Occupation" means a business enterprise conducted within a dwelling by the residents of the dwelling and which is incidental and secondary to the use the dwelling for residential purposes.
	Hospital	REV - A State-licensed facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.	"Hospital" means an institution that maintains and operates facilities for primarily inpatient medical care, including x-ray, laboratory and surgical, for the diagnosis, care and treatment of human illness, injury and disease (physical or mental).
	Lodging	NEW - An establishment providing overnight accommodations to transient patrons for payment for periods of 30 consecutive calendar days or fewer.	See subclassifications below.
	Bed and Breakfast	EXIST/ADD - A residential structure that is occupied by a resident as his or her primary residence with one or more bedrooms dedicated for rental for overnight lodging for periods of 30 consecutive days or fewer and where meals may be provided. Excludes Short-Term Rental uses (see Short-Term Rental).	Not in Definitions (current Ordinance)
	Hotel	REV - A commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or fewer, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens.	"Hotel" means a commercial establishment providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to rooms or units primarily from interior lobbies, courts or halls. A hotel may include limited facilities for storage and preparation of food and beverages within individual rooms, such as coffee makers, mini refrigerators and microwave ovens.
	Motel	REV - A building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or fewer, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.	"Motel" means a building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, generally for stays of 30 days or less, with access to each room or unit through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, guest rooms and do not provide 24-hour guest services.
	Short-Term Rental	REV - The use of a dwelling unit, including, without limitation, a single-family, two-family, or multiple-family dwelling unit, mobile home, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of 30 or fewer calendar days, counting portions of days as full calendar days. Also, a short-term rental unit or STR.	"Short-Term Rental Unit" or "Short-Term Rental" or "STR" means the use of a dwelling unit, including, without limitation, a single-family, two-family, or multiple-family dwelling unit, mobile home, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of 30 or fewer calendar days, counting portions of days as full calendar days.
	Maintenance and Repair Services	NEW - Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Vehicle Repair and Maintenance) and personal apparel (see General Services).	NEW -- need definition
	Medical Support Laboratory	EXIST - A facility for scientific laboratory analysis of medical resources. The analysis is generally performed for an outside customer, to support the work of that customer.	"Medical Support Laboratory" means a facility for scientific laboratory analysis of medical resources. The analysis is generally performed for an outside customer, to support the work of that customer.
	Offices	See subclassifications below.	See subclassifications below.
	Business and Professional Office	PHASE1-REV - Offices of firms or organizations providing professional, executive, business, management, or administrative services, including but not limited to accounting, architectural, computer software design, engineering, graphic design, insurance, interior design, real estate, legal, and tax preparations offices. Also includes co-working spaces designed to accommodate organizations that provide such services.	"Offices, Business and Professional" means offices of firms or organizations providing professional, management, or administrative services, including but not limited to accounting, architectural, business and management consulting, computer and technology, engineering, insurance, interior design, graphic design, real estate, title companies, and legal services. This classification includes co-working spaces designed to accommodate different organizations that provide such services. Does not include medical and dental offices or financial institutions such as retail and commercial banks.
	Medical Office/Clinic	NEW - Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, chiropractors, optometrists, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental laboratories and research within the office that supports the on-site patient services is considered part of the office use. Excludes independent research laboratory facilities and hospitals (see Medical Support Laboratory and see Hospital).	NEW -- need definition
Retail	See subclassifications below.	See subclassifications below.	

DRAFT MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX Updated 4/4/24		
LEGEND		INFORMATION
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Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Convenience Store	PHASE1 - A retail establishment selling food, beverages, and small convenience items such as personal hygiene products, cigarettes, magazines, etc. Food and beverage products sold primarily consist of packaged and canned goods, prepared foods and hot drinks for immediate consumption, fountain sodas, etc., with less than 10 percent of net retail floor area allocated for the sale of fresh fruits, fresh vegetables, fresh meat and dairy products, and other similar perishable items. Convenience stores are smaller in floor area than supermarkets/grocery stores (typically 4,000 square feet or less) and have long or late hours of operation (open before 7:00 am or after 10:00 pm).	"Convenience Store" means a retail establishment selling food, beverages, and small convenience items such as personal hygiene products, cigarettes, magazines, etc. Food and beverage products sold primarily consist of packaged and canned goods, prepared foods and hot drinks for immediate consumption, fountain sodas, etc., with less than 10 percent of net retail floor area allocated for the sale of fresh fruits, fresh vegetables, fresh meat and dairy products, and other similar perishable items. Convenience stores are smaller in floor area than supermarkets/grocery stores (typically 4,000 square feet or less) and have long or late hours of operation (open before 7:00 am or after 10:00 pm).
Firearms Dealer	NEW - An establishment engaged in the selling, dealing in, trading, or transferring firearms.	NEW - need definition
Large Format Retail	NEW - Retail establishments over 80,000 square feet in size that sell merchandise and/or bulk goods primarily for individual consumption, including, but not limited to, department stores, home improvement stores, membership warehouses which emphasize bulk sales to the general public as well as to other businesses, and other big box format stores. Large format retail uses may include a limited (5,000 square feet or less) grocery store sales component. Excludes supermarkets (see Supermarket) and home improvement stores with outdoor nursery or garden centers (see Nursery and Garden Center).	NEW - need definition
Nursery and Garden Center	NEW - An establishment primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. This classification includes commercial and wholesale greenhouses and nurseries offering plants for sale.	NEW - need definition
Retail, Limited	PHASE1 - An establishment that offers the sale of a limited line of merchandise that is generally necessary or desirable for everyday living or everyday business activities. Examples include small grocery stores offering primarily prepared or pre-packaged food and beverage items, small drugstores and variety stores, small stationery, office supply stores, shops selling other small household goods, and walk-out retail stores. This excludes convenience stores (see Convenience Store).	"Retail, Limited" means an establishment which offers the sale of a limited line of merchandise that is generally necessary or desirable for everyday living or everyday business activities. Examples include small grocery stores offering primarily prepared or pre-packaged food and beverage items, small drugstores and variety stores, small stationery, office supply stores, shops selling other small household goods, and walk-out retail stores. This classification excludes convenience stores.
Retail Store, General Merchandise	PHASE1-REV - The retail sale or rental of merchandise not specifically listed under another use definition. This includes, but is not limited to, retail establishments with 80,000 square feet or less of sales area, including department stores, clothing stores, furniture stores, pharmacies, pet supply stores, flower shops (florist), art supply stores, music stores, book stores, and other businesses retailing (or renting) toys, hobby materials, handcrafted items, formalwear, music equipment and instruments, jewelry, cameras, candy, gifts and novelties, electronic equipment, sporting goods, hardware, appliances, antiques, art, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation, see Vehicle Repair and Maintenance).	"Retail Stores, General Merchandise" means retail trade establishments selling lines of merchandise. This classification excludes convenience stores. Examples of general retail stores and lines of merchandise include but are not limited to: 1 - Art supply; 2 - Antiques; 3 - Bakeries (retail only); 4 - Bicycles; 5 - Books; 6 - Candy stores; 7 - Clothing and accessories; 8 - Collectables; 9 - Fabrics and sewing supplies; 10 - Floral; 11 - Gifts (novelties and souvenirs); 12 - Hobby materials; 13 - Jewelry; 14 - Luggage and leather goods; 15 - Music stores; 16 - Office supplies and stationery; 17 - Sporting goods and equipment; 18 - Toys and games; 19 - Tuxedo and formalwear rental; 20 - Variety stores.
Smoke/Tobacco Shop	REV - A retail establishment primarily engaged in the selling of smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substances. Tobacco products may include but are not limited to cigarettes, cigars, loose leaf tobacco, tobacco pipes, Electronic Smoking Devices and accessories, vaporizers and accessories and any other product, device or component used in the inhalation of tobacco, nicotine or other substance. For the purposes of this definition only, "primarily engaged" means when 30 percent or more of products sold at the retail establishment are smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substance.	"Head/Smoke/Tobacco Shop" means a retail establishment primarily engaged in the selling of smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substances. Tobacco products may include but are not limited to cigarettes, cigars, loose leaf tobacco, tobacco pipes, Electronic Smoking Devices and accessories, vaporizers and accessories and any other product, device or component used in the inhalation of tobacco, nicotine or other substance. For the purposes of this definition only, "primarily engaged" means when thirty percent (30%) or more of products sold at the retail establishment are smoking and tobacco products and accessories, and other products, devices and components reasonably assumed to be used for smoking and/or the inhalation or ingestion of any substance.
Services	See subclassifications below.	See subclassifications below.
General Services	NEW - Facilities primarily engaged in providing general services and miscellaneous repair services, including but not limited to dry cleaning pick-up stores without equipment that uses chemical solvents, self-service laundries, photocopying and photo finishing services, tailor shops, watch repair, shoe repair, home electronics repair, and locksmiths. Does not include repair of vehicles or boats (see Vehicle Repair and Maintenance) or personal services (see Personal Services).	NEW -- need definition

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Message Establishment	REV - Any establishment having a fixed place of business where any person, firm, association, partnership, corporation, or other entity engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any massage for compensation. Also includes, but is not limited to, any business providing off-premises massage services.	"Massage Establishment" means any establishment having a fixed place of business where any person, firm, association, partnership, corporation or other entity engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any massage for compensation. For the purpose of this Chapter, the term "massage establishment" shall also include, but not be limited to, any business providing off-premises massage services.	
Masage Establishment, Accessory	EXIST - An establishment that provides massage which is incidental to the primary business, where the owner of the primary business is responsible for the massage services and conduct of the massage technician(s) employed at the location.	"Massage Establishment, Accessory" means an establishment that provides massage which is incidental to the primary business, where the owner of the primary business is responsible for the massage services and conduct of the massage technician(s) employed at the location.	
Personal Services	REV - A commercial establishment which provides services of a personal or aesthetic nature directly to consumers, including but not limited to barber and beauty shops, nail salons, tanning salons, hair removal salons, tattoo and body piercing studios, spa/wellness center (excluding massage establishments (see Massage Establishment)), and personal trainers.	"Personal Services" means a commercial establishment which provides services of a personal or aesthetic nature directly to consumers, including but not limited to: 1 - Beauty salons and barber shops; 2 - Nail salons; 3 - Tanning salons; 4 - Hair removal salons; 5 - Tattoo studios; 6 - Body piercing studios.	
Vehicle-Related Uses	Automobile/Vehicle Washing	EXIST/ADD - Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.	Not in Definitions (current Ordinance)
	Commercial Fueling Facility	REV - a fueling facility designed for commercial customers which dispenses gasoline, diesel, or similar vehicle fuels, and which is not open to the general public, has no cash sales and provides no personal services on-site. <i>[Note - development standards for separation will be addressed in Specific to Uses].</i>	"Commercial Fueling Facility" means a fueling facility designed for commercial customers which dispenses gasoline, diesel, or similar vehicle fuels, and which is not open to the general public, has no cash sales and provides no personal services on-site, provided that said facility is located not closer than five hundred (500) feet from any residentially zoned district or any area designated on the General Plan as being "residential" or any mobile home park.
	Fleet-based Service	NEW - Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles. This includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, home cleaning services, pedicab services, and similar businesses. This does not include towing operations (see Vehicle Storage), taxi or delivery services with two or fewer fleet vehicles on-site (see Business Support Services), facilities that handle third party goods for local or worldwide delivery (see Freight and Trucking Yard) or last mile parcel processing/redistribution facilities (see Parcel Hub).	NEW - need definition
	Fuel Transport Station	CITY - LET'S DISCUSS. ADDED IN RESPONSE TO EMAIL RE INTERSTATE OIL COMPANY.	NEW - need definition
	Mobile Fueling	PHASE1 - A commercial service that offers on-demand fueling of motor vehicles at a specified location instead of at a service station. Mobile fueling may be provided to individual customers via the use of a mobile app, with fuel delivered to a home, office, or other location requested by the customer. Mobile fueling may also be provided for operators of fleet vehicles at a fixed, semi-permanent or permanent location.	"Mobile Fueling" means a commercial service that offers on-demand fueling of motor vehicles at a specified location instead of at a service station. Mobile fueling may be provided to individual customers via the use of a mobile app, with fuel delivered to a home, office, or other location requested by the customer. Mobile fueling may also be provided for operators of fleet vehicles at a fixed, semi-permanent or permanent location.
	Service Station	PHASE1-REV - Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.	"Service Station" means any premises used for supplying gasoline and oil at retail, direct to the customer, including minor accessories and services for automobiles, but not including automobile repairs.
	Vehicle Rental	NEW - Establishment providing for the rental of automobiles. Includes, but is not limited to car rental agencies.	NEW - need definition
	Vehicle Sales and Leasing	NEW - Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Includes, but is not limited to automobile dealers and recreational vehicle sales agencies.	NEW - need definition
	Vehicle Repair and Maintenance	See subclassifications below.	NEW - See subclassifications below.
	Major	NEW - Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes the servicing and repair of engines, body and fender, transmission, axels, wheels and brake, auto glass services, tire sales and installation, and vehicle painting. Excludes vehicle dismantling or salvaging (see Salvage and Wrecking) and tire retreading or recapping.	NEW - need definition
	Minor	NEW - The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to an automotive accessories and supply store, and quick-service oil, tune-up and brake and muffler shops, auto glass sales and replacement, stereo and alarm sales, and tire sales where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials, and repair of heavy trucks, limousines, or construction vehicles (see Vehicle Repair and Maintenance, Major). It also excludes towing services (see Vehicle Storage) and fueling stations (see Service Station).	NEW - need definition

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Vehicle Storage	NEW - The use of a site for the short-or long-term storage of automobiles, trucks, motorcycles, and/or other vehicles. Includes towing and impound lots.	NEW - need definition	
Industrial & Research and Development Uses	Advanced Manufacturing	PHASE1 - The use of innovative technologies to create existing and new products or to improve products and processes. Advanced manufacturing focuses on the rapid transfer of science and technology into production activities and may incorporate high technology elements such as information, automation, computation, software, sensing, and networking. Advanced manufacturing may include storage space for raw materials and/or finished goods that actively supports the primary use.	"Advanced Manufacturing" means the use of innovative technologies to create existing and new products or to improve products and processes. Advanced manufacturing focuses on the rapid transfer of science and technology into production activities and may incorporate high technology elements such as information, automation, computation, software, sensing, and networking. Advanced manufacturing may include storage space for raw materials and/or finished goods that actively supports the primary use.
	Commercial Mine	NEW - An operation that extracts gravel, sand, other construction aggregates, or minerals from the ground. Includes quarries and gravel pits.	NEW - need definition
	Construction Yard and Equipment Rental	NEW - Storage of construction materials or equipment on a site other than a construction site. Includes rental of large equipment.	NEW - need definition
	Custom and Artisan Manufacturing	PHASE1-REV - An establishment primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on site. Includes, but is not limited to metalworking, pottery and ceramic studios, film processing, photo finishing, printmaking, lithography, glass furnace, or woodworking.	"Custom and Artisan Manufacturing" means an establishment primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on site. Typical uses include metalworking, pottery and ceramic studios, film processing, photo finishing, printmaking, lithography, glass furnace, or woodworking.
	Data Center	PHASE1 - A facility for the storage of computer systems and associated components.	"Data Center" means a facility for the storage of computer systems and associated components.
	Food Preparation	NEW - Cooking, processing, packaging, and shipping of food products for off-site sales. Includes, but is not limited to wholesale bakeries, catering services, and commissary kitchens. This includes breweries, wineries, distilleries, and micro-breweries. Tasting rooms that are accessory and subordinate to a brewery, winery, or distillery may be included.	NEW -- need definition
	Freight and Trucking Yard	EXIST/ADD - Facilities that handle third party goods for local or worldwide freight, courier, local messenger, and postal services by truck or rail. This includes fulfillment centers and parcel sorting centers, which provide storage and distribution of e-commerce products to consumers or end-users, either directly or through a parcel hub (see Parcel Hub).	Not in Definitions (current Ordinance)
	Industry, General	NEW - Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials, where operations are conducted primarily within an enclosed building. Includes, but is not limited to operations such as biomass energy conversion; food and beverage processing; textile mills; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; recycling materials processing facilities in which post-consumer materials are sorted, condensed, baled, or transformed; and automotive, ship, aircraft, and heavy equipment manufacturing.	NEW -- need definition
	Industry, Light	NEW - Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. Includes, but is not limited to operations such as manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.	NEW -- need definition
	Mini-storage or Self Storage	PHASE1-REV - Facilities offering enclosed storage with individual access for personal effects and household goods. Typical provided in small individual units (e.g., 400 square feet or less) that are available for rental by the general public.	"Self-Storage or Mini-Storage" means the storage, generally of furniture and/or other household items, in small individual units (typically 400 square feet or less) that are available for rental by the general public.
	Parcel Hub	PHASE1 - A "last mile" facility warehouse or similar establishment for the processing and/or redistribution of parcels or products to end-user customers. A parcel hub's primary function is moving a shipment from one mode of transport to vehicles with rated capacities less than 10,000 pounds, for delivery directly to consumers or end-users primarily within a 10-mile radius.	"Parcel Hub" means a "last mile" facility warehouse or similar establishment for the processing and/or redistribution of parcels or products to end-user customers. A Parcel hub's primary function is moving a shipment from one mode of transport to vehicles with rated capacities less than 10,000 pounds, for delivery directly to consumers or end-users primarily within a ten-mile radius.
	Recycling Facility	NEW - A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. A certified recycling facility or certified processor means a recycling facility certified by the California Beverage Container Recycling and Litter Reduction Act. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business, or manufacturer.	NEW - need definition
	Intermediate Processing Facility	NEW - A facility that receives, sorts, compresses or bales, and stores recyclable materials for efficient transfer to other processing facilities or to an end user.	NEW - need definition
Collection Facility	NEW - A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public where limited processing and storing of such items is conducted on-site.	NEW - need definition	

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Research and Development	PHASE1 - REV - Industrial or scientific research for the design, development, engineering and testing of high technology, clean technology, industrial, or scientific products. May include limited manufacturing as necessary for the production of prototypes, but excludes the full-scale manufacturing of final products. May also include storage space for raw materials and/or finished goods that actively supports the primary use.	"Research and Development (R and D) Uses" means industrial or scientific research for the design, development, engineering and testing of high technology, clean technology, industrial, or scientific products. Research and development uses may include limited manufacturing as necessary for the production of prototypes, but exclude the full-scale manufacturing of final products. Research and development uses may also include storage space for raw materials and/or finished goods that actively supports the primary use.	
Salvage and Wrecking	NEW - The dismantling of wrecked or decommissioned vehicles where usable parts are sold for use in operating vehicles and the unusable metal parts are sold to metal-recycling companies.	NEW -- need definition	
Warehousing and Distribution	PHASE1 - REV - A facility, primarily within an enclosed building, for the storage of commercial or industrial goods, products and materials and the associated on-site sorting, packing, staging, shipping, receiving, and distributing of goods to wholesale and retail outlets, including ancillary truck parking and dispatching. Also includes long-term, passive storage of furniture, household goods, or other commercial goods; and of industrial equipment, products, and materials. Warehousing and distribution facilities may include, but are not limited to, wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, and logistics centers. Excludes storage of raw materials and/or finished products as part of an active primary use (e.g., see Advanced Manufacturing; Industry, General; Industry, Light; Research and Development).	"Warehousing and Distribution" means a facility, primarily within an enclosed building, for the storage of commercial or industrial goods, products and materials and the associated on-site sorting, packing, staging, shipping, receiving, and distributing of goods to wholesale and retail outlets, including ancillary truck parking and dispatching. Also includes long-term, passive storage of furniture, household goods, or other commercial goods; and of industrial equipment, products, and materials. Warehousing and distribution facilities may include, but are not limited to, wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, and logistics centers. Excludes storage of raw materials and/or finished products as part of an active primary use such as General Manufacturing, Advanced Manufacturing, or Research and Development. Excludes Parcel Hubs.	
Wholesale Sales	PHASE1 - The selling and/or distributing of merchandise to retailers; industrial, commercial, or institutional buyers; or other wholesalers; or acting as agents or brokers in the buying and selling of merchandise to or for such entities.	"Wholesale Sales" means the selling and/or distributing of merchandise to retailers; industrial, commercial, or institutional buyers; or other wholesalers; or acting as agents or brokers in the buying and selling of merchandise to or for such entities.	
and Recreational Uses	Cemetery	EXIST - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.	"Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
	Child Care	See subclassifications below.	See subclassifications below.
	Child Care Center	EXIST/ADD - Establishments providing non-medical care for children on a less than 24-hour basis other than Family Day Care Homes. This classification includes licensed nursery schools, preschools, and day care facilities for children, and any other day care facility licensed by the State of California.	Not in Definitions (current Ordinance)
	Large Family Child Care Home	REV - As defined by Health and Safety Code §1596.78, a home in which the provider regularly provides care, protection, and supervision for up to 14 children for less than 24 hours per day.	"Large family child care home" means a home in which family child care is provided to nine (9) to fourteen (14) children, including children under the age of ten (10) who reside at the home.
	Small Family Child Care Home	REV - As defined by Health and Safety Code §1596.78, a home in which the provider regularly provides care, protection, and supervision for eight or fewer children for less than 24 hours per day.	"Small family child care home" means a home in which family day care is provided to eight (8) or fewer children, including children under the age of ten (10) who reside at the home.
	Civic/Government	NEW - Governmental facilities not otherwise included in other land use types, such as court facilities and post offices, together with storage and maintenance of vehicles.	NEW -- need definition
	Community Assembly	NEW - A facility for public or private meetings including clubs and lodges, community centers, senior centers, religious assembly facilities, convention centers, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities (see Indoor Sports and Recreation) or facilities such as day care centers and schools, which are separately defined.	See subclassifications below.
	Major	NEW - Community assembly use that is over 2,000 gross square feet and has capacity for more than 200 seats.	NEW -- need definition
	Minor	NEW - Community assembly use that is 2,000 gross square feet or less and has capacity for no more than 200 seats.	NEW -- need definition
	Community Garden	PHASE1-REV - Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity.	"Community Garden" means an area where neighbors and residents have the opportunity to contribute to and manage the cultivation of plants, herbs, vegetables, and fruits, generally on property under public or non-profit ownership. May consist of individually tended plots on a shared parcel or many be communal on a single plot.
	Correctional Facility	EXIST/ADD - A facility where people are held, generally as punishment for various crimes.	Not in Definitions (current Ordinance)
	Educational Institutions	See subclassifications below.	See subclassifications below.
	College/University	NEW - A public or private college or university, excluding trade or vocational schools.	NEW -- need definition
	School, Private	NEW - A private institution of learning for young students offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This use includes kindergarten, elementary school, middle or junior high school, or high school.	NEW -- need definition
School, Public	NEW - A public institution of learning for young students offering instruction in those courses of study required by the California Education Code and maintained in compliance with the standards set by the State Board of Education. This use includes kindergarten, elementary school, middle or junior high school, or high school.	NEW -- need definition	

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PHASE1 - for kept uses from Phase 1 that we're proposing to keep the Phase 1 definition for	EXIST/ADD - for kept uses that lack a definition in the existing Ordinance		
	Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Public, Institutional, and	Trade and Vocational School	REV - An establishment where education or training is received in a trade or craft, business, commerce, language, or other similar activity or occupational pursuit that is not otherwise described as a home occupation, college/university, school, or instruction services.	"School, trade and vocational" means an establishment where training is received to learn a particular trade or craft that involves skilled labor. Trades and crafts include but are not limited to the various construction trades, auto mechanics, machining, HVAC installation/repair/maintenance and similar trades and crafts.
	Farmers' Market	PHASE1 - An event offering for sale produce, food items, and related goods and merchandise by certified growers authorized to sell, directly to consumers, products that are produced on land the producer controls or taken in consignment from other producers. Excludes flea markets.	"Farmers' Market" means an event offering for sale produce, food items, and related goods and merchandise by certified growers authorized to sell, directly to consumers, products that are produced on land the producer controls or taken in consignment from other producers. Excludes flea markets.
	Instruction Services	REV - An establishment that offers specialized programs in personal growth and development such as photography, fine arts, crafts, music, vocal, yoga, martial arts, dance, driving schools, health and wellness, and academic tutoring. Attendance is typically limited to hourly classes rather than full-day instruction. These establishments do not grant diplomas or degrees, though instruction could provide credits for diplomas or degrees granted by other institutions. Retail sales are permitted as an accessory use.	"Instruction, group and private" means the provision of instructional services, including but not limited to photography, fine arts, crafts, dance or music studios, driving schools, diet centers, yoga, martial arts studios, after school programs or similar uses. This definition does not include instruction received through trade or vocational schools nor a post-secondary school or child care centers. Private instruction includes fewer than six (6) students or clients at any one time and group instruction includes six (6) or more students or clients at any one time.
	Group	EXIST - Group instruction includes six (6) or more students or clients at any one time.	
	Private	EXIST - Private instruction includes fewer than six (6) students or clients at any one time.	
	Library/Museum	NEW - Public or quasi-public facilities primarily engaged in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Includes, but is not limited to aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, and museums. May also include accessory retail uses such as gift/book shops, restaurant, etc.	NEW -- need definition
	Park/Playground	NEW - Public parks, playgrounds, trails, wildlife preserves, and related open spaces. This includes playing fields, sports courts, picnic facilities, and related food concessions or community buildings and structures.	NEW -- need definition
	Parking	See subclassifications below.	See subclassifications below.
	Parking Facility, Storage Garage	EXIST/ADD - A building or structure containing parking spaces that is the primary use on the lot. May be located above or below grade, and use of the parking structure may be subject to a fee. May include park and ride structures.	Not in Definitions (current Ordinance)
	Parking Lot	EXIST/ADD - Open parking area(s) provided on property other than a public street, alley, or right-of-way that is the primary use on the lot. May include park and ride lots. Use of the parking lot may be subject to a fee.	Not in Definitions (current Ordinance)
	Public Safety Use	REV - Facilities providing public-safety and emergency services, including police and fire protection, with incidental storage, training, and maintenance facilities.	"Public Safety Use" means facilities for public safety or emergency services, including police and fire protection.
	Public Utility	PHASE1-REV - Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.	"Public Utilities" means facilities for the production, storage, treatment, transmission and/or distribution of electricity, natural gas, water, wastewater, and telecommunications and other similar essential services. Also includes service facilities, electric transmission and distribution substations and public utility service centers.
	Transportation Passenger Terminal/Facility	NEW - Facilities for passenger transportation operations, including rail stations, bus terminals, and associated service facilities, but does not include terminals serving airports or heliports.	NEW -- need definition
	Wireless Telecommunications Facility	See Specific to Uses.	NEW -- need definition
	Accessory Dwelling Unit	EXIST - As defined by Government Code Section 65852.2, an ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU also includes an efficiency unit as defined in Section 17958.1 of the Health and Safety Code and a manufactured home as defined by Section 18007 of the Health and Safety Code.	Accessory Dwelling Unit or ADU: As defined by Government Code Section 65852.2, an ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU also includes an efficiency unit as defined in Section 17958.1 of the Health and Safety Code and a manufactured home as defined by Section 18007 of the Health and Safety Code.
	Boarding House	REV - An establishment where housing is provided for compensation, generally for stays of more than 30 days, for up to eight persons. Boarding houses typically have individual rooms for guests, shared bathroom facilities, and a single common kitchen. Meals may be served for guests and included as part of the cost of lodging.	"Boarding House" means an establishment where lodging is provided for compensation, generally for stays of more than 30 days, for up to 8 persons. Boarding houses typically have individual rooms for guests, shared bathroom facilities and a single common kitchen. Meals may be served for guests and included as part of the cost of lodging.
	Caretaker's Residence	EXIST/ADD - A dwelling unit occupied by employees or caretakers of the primary use on the site.	Not in Definitions (current Ordinance)
	Court Dwelling	PHASE1 - A residential development in which there are several freestanding single-family or two-family dwellings with separate walls clustered on a single lot. Units are typically arranged to face around a common open space or drive aisle. If subdivided, a maintenance agreement or homeowners association may govern common areas like driveways or open space.	"Court Dwellings" means a residential development in which there are several freestanding single-family or two-family dwellings with separate walls clustered on a single lot. Units are typically arranged to face around a common open space or drive aisle. If subdivided, a maintenance agreement or homeowners association may govern common areas like driveways or open space.
	Duplex (Two Dwellings)	EXIST/ADD - A residential building containing two dwelling units, both of which are located on a single parcel. The dwelling units are attached and may be located on separate floors or side-by-side. Excludes accessory dwelling units (see Accessory Dwelling Unit).	Not in Definitions (current Ordinance)

DRAFT MILPITAS COMPREHENSIVE ZONING ORDINANCE UPDATE - USES MATRIX Updated 4/4/24			
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	Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Residential Uses	Elderly and Long-term Care	NEW - Establishment that provides 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed by the California Department of Public Health. Includes, but is not limited to skilled nursing facilities, rest homes, and convalescent hospitals. Does not include a residential care facility (see Residential Care Facility) or hospital (see Hospital).	NEW -- need definition
	Emergency Shelter	EXIST - Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay as set forth in the California Health and Safety Code §50801(e), as may be amended.	"Emergency Shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay as set forth in the California Health and Safety Code Section 50801(e), as may be amended.
	Employee Housing	NEW - Housing as described in California Health and Safety Code §17021.6, and employee housing as defined in California Health and Safety Code §17008.	NEW -- need definition
	Group Living Accommodation	PHASE1 - A building or portion of a building designed for or accommodating a residential use by persons not living together as a household. This use includes dormitories, convents and monasteries, and other types of organizational housing. This use does not include residential care facilities, nursing homes, hotels, single room occupancy residences, or boarding houses, which are defined separately. Group living accommodations typically provide shared living quarters without separate kitchen or bathroom facilities for each room or unit.	"Group Living Accommodations" means a building or portion of a building designed for or accommodating a residential use by persons not living together as a household. This use includes dormitories, convents and monasteries, and other types of organizational housing. This use does not include residential care facilities, nursing homes, hotels, single room occupancy residences, or boarding houses. Group living accommodations typically provide shared living quarters without separate kitchen or bathroom facilities for each room or unit.
	Live-work Unit	REV - An integrated housing unit and working space that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. Living space includes, but is not limited to, a sleeping area, a food preparation area, and a full bathroom. The working space is reserved for and regularly used by one or more occupants of the unit.	From current Ordinance: "Live-Work Unit" means a dwelling unit with a separate living space attached to a work space within the same unit. The work space and the living space must be occupied by the same tenant. Live-work uses allow one non-residential employee, more customers, and a broader range of uses than permitted in Home Occupations. See XI-10-13.12 within Special Uses for Live-Work Unit purpose, intent, and regulations. Uses permitted or conditionally permitted within the underlining zoning district apply unless otherwise prohibited in Section 10-13.12(E). Additional uses covered by this designation include, but are not limited to: Art and craft work; Offices, Business and Professional; Artists and artisans; Fashion.
	Low Barrier Navigation Center	NEW - Consistent with Government Code §65660, a service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.	NEW -- need definition
	Multi-family Dwelling	REV - A building containing three or more dwelling units.	Dwelling, Multiple-Family. "Multiple-family dwelling" means a building or portion thereof, designed for occupancy by three (3) or more families living independently of each other.
	Residential Care Facility	PHASE1-REV - Consistent with Health and Safety Code §1502, a facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.	"Residential Care Facility" means a facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living for more than six individuals. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.
	Single-family Dwelling	REV - A dwelling unit designed for occupancy by one household, where all rooms are internally connected and internally accessible via habitable space and located on a separate lot from any other unit (except accessory dwelling units, where permitted). This includes individual manufactured housing units installed on a foundation system pursuant to California Health and Safety Code §18551, and the use of a single-family residential structure as employee housing for six or fewer employees consistent with California Health and Safety Code §17021.5.	Dwelling, Single-Family. "Single-family dwelling" means a detached building designed exclusively for occupancy by one (1) family for living purposes and having only one (1) kitchen.
	Single-room Occupancy Residences	EXIST - A multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities. These units are small (generally less than 350 square feet), and provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for formerly homeless people.	"Single Room Occupancy (SRO) Residence" means a multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities. These units are small (generally less than 350 square feet), and provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for formerly homeless people.
	Supportive Housing	REV - Consistent with California Health and Safety Code §50675.14, housing with no limit on length of stay, that is occupied by the target population (as defined in Section 11302 of Title 42 of the United States Code), and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.	"Supportive Housing" means housing with no limit on length of stay, that is occupied by the target population as defined in Section 11302 of Title 42 of the United States Code, as may be amended, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community as defined in the California Health and Safety Code Section 50801(e), as may be amended.
Transitional Housing	REV - Consistent with California Government Code §65582, buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.	"Transitional Housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months as defined in the California Health and Safety Code Section 50801(e), as may be amended.	

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	Uses	Proposed Definitions	Existing Definitions (from Existing Ordinance or Phase 1 Public Hearing Draft January 2024 where applicable)
Uncl assifi	Temporary Use	NEW - Short-term activities that are not allowed on a permanent basis but because of their temporary, intermittent, or seasonal nature are acceptable.	See subclassifications below.

PROPOSED USES TO DELETE		
Card room	n/a	Not in Definitions (current Ordinance)
Internet access studio		Not in Definitions (current Ordinance)
Airports and landing strips, private	n/a	Not in Definitions (current Ordinance)
Accessory structures		"Accessory Structure" means a structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building. An accessory structure is that which an accessory building is not, by definition. Examples include, but are not limited to fences, trellises, covered patios, and porte cocheres.

ALTERNATIVE PARKING STRATEGIES – EXAMPLE 1

- A. **Applicability.** The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.
- B. **Off-Site Parking.** Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:
 - 1. Required parking must be located within the City limits.
 - 2. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).
 - 3. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.
- C. **Additional Alternative Strategies.** After any reduction in the required number of Off-Street Parking Spaces under Section XXX(C) is applied, the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).
 - 1. **Designated Car Sharing Parking.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).
 - 2. **Electric Vehicle (EV) Charging Parking Spaces.** Electric Vehicle (EV) Parking Spaces (i.e., spaces with approved charging infrastructure for Electric Vehicles consistent with Section XXX) that are in addition to the EV Parking Spaces required to be provided pursuant to Section XXX shall count as two Parking Spaces, for up to a maximum of five (5) additional EV Parking Spaces.
 - 3. **Underground Parking.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.
- D. **Proximity to Transit.** A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.

- E. **Cumulative Parking Reduction.** No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than fifteen percent (15%) for residential Uses as provided in Sections XXX(C), (D), and (E).

ALTERNATIVE PARKING STRATEGIES – EXAMPLE 2

- A. **Alternative Parking Plan.** An alternative parking plan serving one or more uses located on a site may be approved with a Conditional Use Permit.
1. **Off-Site Parking Facilities.** The alternative parking plan may allow off-site parking serving one or more uses subject to the following standards:
 - a. *Location.* Any off-site parking facility must be located within reasonable walking distance, along a paved handicap accessible walk, of the principal entrance containing the use(s) for which the parking is required.
 - b. *Parking Agreement.* A parking agreement subject to review and approval by the City Attorney shall be submitted. The parking agreement shall be in one of the two following forms:
 - (i) A covenant running with the land or an easement, subject to the approval of the City Attorney, recorded in the County Recorder’s Office. The owner of record of the proposed off-site parking facility shall submit a title report for the parcel and a covenant running with the land, or an easement, which describes the parcel and obligates it for parking purposes free and clear of exceptions which would interfere with the use, describes the obligation of the party to maintain the parking facility, and describes the parking facility by a parking diagram; or
 - (ii) A parking lease agreement for the proposed off-site parking facility signed by both the permittee and property owner or agent of the property owner authorized to bind the owner and shall be subject to the approval of the City Attorney and recorded in the County Recorder’s Office. The parking lease agreement shall run with the use and state the number of spaces subject to the lease and the days and hours of operation when the parking will be leased, term/duration of the lease, and include a description of the facility, including a parking diagram.
 2. **Valet Parking.** The alternative parking plan may allow valet parking as a means of satisfying all or a portion of the off-street parking proposal. Valet parking may be used to accommodate more parking spaces on the site of the principal use served by the parking than could be accommodated in conformance with the applicable parking area design and development standards of Section 20.330.010. Any valet parking shall not use on-street parking or imperil public safety.
- B. **Higher TDM Tier.** For projects that commit to a higher TDM tier than is otherwise required (for example, a Tier 2 project commits to Tier 3 monitoring), the number of required parking spaces may be reduced by 25 percent of the normally required number of spaces stated in Table 20.330.004 with Conditional Use Permit approval. See Chapter 20.400 (“Transportation Demand Management”).
- C. **In-Lieu Fees in the Downtown.** In the Downtown Parking District, the City may establish a parking mitigation fund and allow payment of a fee in lieu of providing required parking on-site or off-site.

1. ***In-Lieu Fee Amount.*** The amount of the in-lieu fee shall be calculated and paid as set forth in a resolution of the City Council.
 2. ***Use of Funds.*** In-lieu fees shall be used for programs to reduce parking impacts including, but not limited to, any of the following:
 - a. Off-street parking facilities, including acquisition, development, and maintenance of parking facilities located in the Downtown Parking District;
 - b. Mass transit equipment, including stock and attendant facilities serving the area in which the buildings for which the payments are made are located;
 - c. Transit or paratransit passes, coupons, and tickets to be made available at a discount to employees and customers and to promote and support incentives for employee ride-sharing and transit use; or
 - d. Transportation system management projects, all costs including, but not limited to, personnel, equipment, and physical facilities.
- D. **Other Parking Reductions.** Required parking for any use may be reduced through approval of a Conditional Use Permit.
1. ***Criteria for Approval.*** The Planning Commission may only grant a Conditional Use Permit for reduced parking if it finds that:
 - a. Special conditions—including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program—exist that will reduce parking demand at the site;
 - b. The use will adequately be served by the proposed on-site parking; and
 - c. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

SHARED PARKING – EXAMPLE 1

A. **Parking Adjustments.**

1. **Shared Parking Calculation.** For buildings with two use types that want to share parking, shared parking can be calculated as the sum of the required parking for the two use types divided by the factor listed in Table A (Shared Parking Factor for Two Uses). The required number of parking spaces can be rounded up to the closest whole number. If the use is not listed in Table A, the shared parking is subject to the requirements in Subsection E.2.

Table 1: Shared Parking Factor for Two Uses

First Use	Second Use			
	Residential	Lodging	Office, Administrative / Professional	Retail, General
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office, Administrative / Professional	1.4	1.7	1.0	1.2
Retail, General	1.2	1.3	1.2	1.0

2. **Shared Parking Study.** When three or more use types share parking or a use type is not listed in Table A, the amount of required parking may be reduced if:
 - a. The Director determines one of the following circumstances has been established, the Director may grant a reduction in the parking standards set forth in this Subsection in the following cases:
 - (i) Where uses seek to share parking with different peak hour demands and are in the same or adjoining development, the applicant shall submit to the Director an analysis and substantiated projections of peak parking demand for the entire development to justify the shared use of parking spaces for separate uses;
 - (ii) Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Subsection D of the zone standards; or
 - (iii) Where fewer parking spaces are needed due to access to transit, special designs and traffic mitigation measures incorporated in the parking lot design and circulation plan.
 - b. The Director or the review authority, as appropriate, shall consider the following in determining whether a reduction is warranted:
 - (i) The likelihood that the reduced number of parking spaces can satisfy demand;

- (ii) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
- (iii) The impact of periodic overflows upon the public thoroughfares and other parking facilities;
- (iv) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;
- (v) The amount of on-street parking available within one-quarter of a mile of the development;
- (vi) Any reduction in on-site parking demand by implementing Transportation Demand Management strategies proposed by the applicant; and/or
- (vii) In all cases, the burden to demonstrate that a reduction in parking standards is warranted rests with the applicant.

SHARED PARKING – EXAMPLE 2

- A. **Parking Reductions for Sites with Multiple Uses.** For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking reduction for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

Table 1: Parking Reductions For Sites with Multiple Uses

First Use	Second Use				
	Multi-Unit Residential ¹	Public, Institutional, or Civic	Food, Beverage, Lodging, Recreation, or Entertainment ²	Retail ²	Other Commercial
Multi-Unit Residential ¹	N/A				
Public, Institutional, or Civic	10%	N/A			
Food, Beverage, Lodging, Recreation, or Entertainment ²	10%	20%	N/A		
Retail ²	15%	25%	25%	N/A	
Other Commercial	20%	25%	25%	20%	N/A

¹ The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

² For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of “Retail & Service Commercial, Minor, Personal Service” and/or “Restaurants, Standard and Bar” Uses.

SHARED PARKING – EXAMPLE 3

- A. **Shared Parking.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced up to 50 percent with a Conditional Use Permit, if the Planning Commission finds that all of the following are true:
1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
 2. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;
 3. If the Chief Planner requires a parking demand study, the study shall be prepared by an independent traffic engineering professional approved by the City supports the proposed reduction; and
 4. In the case of a shared parking facility that serves more than one property, a parking agreement has been prepared consistent with the provisions of Off-Site Parking Facilities.

TRANSPORTATION DEMAND MANAGEMENT – EXAMPLE 1

A.4.010 Transportation Demand Management

- A. **Applicability.** A Transportation Demand Management (TDM) Plan is required for all development projects as provided in Section 15-3-12(B). Two (2) TDM Plan levels shall apply as described below.
1. **Level 1 TDM Plan.** A Level 1 TDM Plan is required for all development described below:
 - a. Single Family Dwellings: 10 - 24 Dwelling Units.
 - b. Single Family Attached Dwellings or Multi-Unit Dwellings: 10 - 44 Dwelling Units.
 - c. Hotel or lodging project 10 - 39 rooms.
 2. **Level 2 TDM Plan.** A Level 2 TDM Plan is required for all projects that require a Traffic Impact Study (TIS) (i.e., development adds twenty-five (25) or more peak hour vehicle trips) as described below:
 - d. Single Family Detached Dwellings: 25 Dwelling Units and greater.
 - e. Single Family Attached Dwellings or Multi-Unit Dwellings: 45 Dwelling Units and greater.
 - f. Hotel: 40 rooms or more.
 - g. Retail: 3,000 square feet or greater.
 - h. Office: 3,000 square feet or greater.
 - i. Sit-Down Restaurant: 2,500 square feet or greater.
 - j. Fast Food/Fast Casual Restaurant: 800 square feet or greater.
- B. **Exempt Projects.** Projects exempt from TDM Plan requirements are:
1. Developments of Single-Family or Duplex Dwelling Units with fewer than ten (10) Dwelling Units;
 2. Remodels or expansions of existing residential units that do not increase the total number of residential units;
 3. Remodels or expansions of Commercial, Retail, Office, Hotel or lodging projects, or mixed-use projects involving no more than five hundred square feet (500 square feet) of commercial net leasable space or two (2) lodging rooms or units;
 4. Any Hotel or lodging project with fewer than ten (10) rooms;
 5. Retail less than 3,000 square feet;
 6. Office less than 3,000 square feet;
 7. Sit-Down Restaurant less than 2,500 square feet; and
 8. Fast Food/Fast Casual Restaurant less than 800 square feet.
- C. **TDM Plan.** The Applicant shall submit a TDM Plan for review and approval by the Planning Commission. The TDM Plan shall document and demonstrate consistency with the requirements in this Section. The TDM Plan shall include, but is not limited to, the following:

1. Identification of the applicable TDM strategies to be implemented based on the size of the project and estimated number of trips generated.
 2. Implementation plan for each TDM strategy, including timelines, responsibilities, and budget allocations.
 3. Monitoring and evaluation plan, submitted annually to the Planning Department, to track the effectiveness of TDM strategies and adjust them as needed. At their discretion, the Planning Director may require additional Planning Commission review and modifications as needed.
- D. **Level 1 TDM Plan Required Components.** The following TDM trip reduction strategies are required for Level 1 TDM Plans:
1. Participation in an annual travel survey of residents and employees for the first four (4) years of building occupancy. Employers on Sites subject to an approved TDM Plan shall submit the survey results to the City.
 2. Provide the following information to employees and/or residents on an annual basis:
 - a. Carpooling/vanpooling information;
 - b. Transit schedules and route information;
 - c. Information on air pollution and alternatives to single-occupancy vehicle trips;
 - d. Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, and bicycle safety information; and
 - e. Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes and traction devices for shoes and bicycle tires in winter/ice conditions.
 3. One strategy from the Supplemental TDM Menu (see Section 15-3-12(F)).
- E. **Level 2 TDM Plan Required Components.** The following TDM trip reduction strategies are required for Level 2 TDM Plans:
1. All Level 1 required components.
 2. Establishment of a TDM Coordinator to directly support commute programs, implement mobility programs, and develop transportation policies and initiatives.
 3. Employee parking cash-out program.
 4. Unbundle parking for residential Dwelling Units at minimum.
 5. Two strategies from the Supplemental TDM Menu (see Section 15-3-12(F)).
- F. **Supplemental TDM Menu.** Supplemental TDM strategies over and above the applicable Level 1 or Level 2 TDM Plan requirements may be implemented to reduce the amount of required Parking for non-residential Uses. When three (3) or more of the following strategies are provided in addition to the applicable Level 1 or Level 2 TDM Plan requirements, the Planning Commission may approve up to a fifteen percent (15%) reduction in the required parking for non-residential Uses.
1. Alternative work schedules/flex-time.

2. Preferential Parking for carpool or vanpool vehicles.
 3. Employee shower facilities.
 4. Provision of on-Site or Off-Site multimodal transportation improvements at the discretion of the Planning Commission, such as:
 - a. Pedestrian network improvements (e.g., providing sidewalks that are wider than the required minimum width),
 - b. Construct or improve a bike facility (e.g., providing improved safety of bicycle facilities serving key transit nodes), or
 - c. Construct transit-supportive treatments (e.g., traffic calming near transit stop, transit stop enhancements and amenities, etc.).
 5. On-site child care facilities.
 6. Facilities and equipment to encourage telecommuting (e.g., video-conferencing facilities and equipment).
 7. Contributions to funds for local and regional facilities such as park-and-ride lots, multimodal transportation centers, satellite work centers, etc. as approved by the City Council.
 8. On-Site amenities such as cafeterias, restaurants, automated teller machines, and other services that would eliminate the need for additional trips.
 9. Transit incentives for employees such as additional pay for carpoolers, etc.
 10. Plans for delivery of goods at off-peak times and/or plans and facilities for centralized deliveries of goods for multi-tenant facilities.
- G. **TDM Plan Agreement.** A TDM Plan agreement shall be provided in a form acceptable to the City Attorney and shall include the TDM Plan. The parties to the agreement shall include the Owners and lessees of the project Site. A copy of the agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in enforcement action by the City unless a new TDM Plan is approved by the City within a reasonable timeframe, as determined by the Planning Director.

TRANSPORTATION DEMAND MANAGEMENT – EXAMPLE 2

Chapter A.4 Transportation Demand Management

A.4.020 Purpose

The specific purposes of this chapter are intended to:

- B. Reduce the number of vehicle miles traveled generated by new development, in accordance with the City's police power necessary to protect the public health, safety, welfare, and environment.
- C. Manage traffic congestion, especially congestion associated with drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities.
- D. Promote more efficient utilization of existing transportation facilities and ensure that new developments maximize transit, active transportation, carpooling, and vanpooling usage.
- E. Establish an ongoing monitoring and enforcement program to ensure that the desired performance targets are achieved.
- F. Achieve compliance with the City/County Association of Governments of San Mateo County's (C/CAG) Congestion Management Program.

A.4.030 Applicability

- A. The following new development types shall be subject to this Ordinance and grouped into the following four tiers of compliance based on their anticipated effects on the City's transportation network.
 1. **Tier 1.** Tier 1 includes residential land uses with 20 or more units (excluding senior housing developments and affordable housing developments with greater than 50 percent of units below market rate).
 2. **Tier 2.** Tier 2 includes all hotels, retail, warehouse/distribution, and industrial uses anticipated to generate greater than 100 daily trips; and small office and R&D uses greater than 10,000 square feet but less than 50,000 square feet.
 3. **Tier 3.** Tier 3 includes office and research and development uses between 50,000 and 400,000 square feet of gross floor area, and any Tier 2 land uses found to have a significant impact to vehicle miles traveled during environmental review.
 4. **Tier 4.** Tier 4 includes office and research and development uses with at least 400,000 square feet of gross floor area.
- B. Project tiers shall be calculated cumulatively for adjoining parcels with the same property owner or employer. For example, a phased project with three 150,000 square foot (Tier 3) office and research and development buildings shall cumulatively constitute a Tier 4 land use upon completion of all phases. Modifications to existing nonresidential developments shall be required to comply with this ordinance if the modification adds at least 100 daily trips.

A.4.040 Requirements by Tier

All projects subject to the requirements of this chapter, as indicated in Section 20.400.002 (“Applicability”), shall incorporate measures that have a demonstrable effect on reducing the number of vehicle trips generated. Measures shall be selected from the list described in Section 20.400.004 (“Trip Reduction Measures”) and shall achieve the total number of points required. Certain measures are required, but required measures vary by land use. Required points are intended to align with the approximate level of auto travel reductions to achieve consistency with city, regional, and state environmental goals based on applicable industry research. Requirements for each tier are as follows:

- A. **Tier 1 Requirements.**
 - 1. A total of 20 points; and
 - 2. An annual self-certification form is required for the first five years after occupancy.
- B. **Tier 2 Requirements.**
 - 1. A total of 30 points; and
 - 2. An annual self-certification form is required for the first 20 years after occupancy.
- C. **Tier 3 Requirements.**
 - 1. A total of 40 points; and
 - 2. Annual monitoring to achieve a maximum of 60 percent of employees commuting via driving alone.
- D. **Tier 4 Requirements.**
 - 1. A total of 50 points;
 - 2. Annual monitoring to achieve a maximum of 50 percent of employees commuting via driving alone; and
 - 3. Annual monitoring of a site-specific trip cap.

A complete table of the points associated with each measure, detailed descriptions of each measure, and applicability of measures are available from the Planning Department. Previously approved projects would continue to be measured according to the performance standards specified in their respective conditions of approval.

A.4.050 Trip Reduction Measures

The following measures may be incorporated into a project’s Transportation Demand Management (TDM) program to meet its Tier requirements (see Section 20.400.003, (“Requirements by Tier”). This section represents the menu of options, but not all items are required.

- A. **Participation in Commute.org or Transportation Management Association.**
 - 1. Sites that participate in Commute.org programs shall partner with Commute.org or join a Transportation Management Association (TMA) or other qualified shared transportation consortium with comparable TDM services, whose role is to coordinate transportation-related programs and services in specific geographic areas.

2. Office and employment-based projects must satisfy the following components of an applicant to satisfactorily implement this measure:
 - a. Obtain certification of participation with Commute.org, or equivalent program.
 - b. Provide commute assistance and ride-matching program.
 - c. Participate in or provide a dedicated shuttle program/consortium or equivalent transit service unless located within ½ mile of a Caltrain or BART station.
 - d. Provide Guaranteed Ride Home.
 - e. Supply orientation, education, and promotional programs and/or materials for tenants.

B. Transit Pass Subsidies and Pre-Tax Transit Benefits.

1. Employers shall offer public transit passes or subsidies equivalent to at least 50 percent of the cost of a monthly two-zone Caltrain pass, which shall be implemented through either a direct voucher program provided by the property manager, or through lease terms obligating employers at the site to provide said subsidies.
2. Passes/subsidies provided must be valid for public transportation options, including but not limited to BART, Caltrain, SamTrans, ferry, and vanpool subscription (or costs).
3. Subsidies shall be administered through a pre-tax transit benefit program allowing employees to fully fund their transit use with pre-tax dollars if they opt into the program.
4. Employers shall adhere to goals and policies by the Bay Area Air Quality Management District (BAAQMD), which requires employers with 50 or more employees within the air district region to provide commuter benefits and annual employer registration.
5. Funding contributions towards or participation in Commute.org shuttle program shall not count for this measure.

- C. Carpool/Vanpool Programs and Parking.** Employers or property managers shall provide carpooling and/or vanpooling options to facilitate shared work trips. Carpooling generally uses participants' own automobiles, and vanpooling generally uses leased vans, often supplied by employers, non-profit organizations, car rental businesses, or government agencies. Carpool and vanpool programs shall include subsidies or other monetary incentives from employers (e.g., gas card after carpooling for a given amount of time, or parking subsidies for carpools), as well as ride-matching services to help facilitate these shared trips.

D. Bicycle Storage, Showers, and Lockers.

1. Employers and offices shall offer showers, changing rooms, and lockers to accommodate employees arriving by bicycle or other active transportation forms and employees who exercise during breaks.
2. Safe and convenient bicycle parking must be provided in accordance with Chapter 20.330.008 ("Bicycle Parking") which provides for two categories of bicycle parking:
 - a. Long-term (Class I) bicycle parking shall offer protection from weather and convenient access to and from the street, without the need to use stairs and with doorways and corridors that are sufficiently wide to navigate with a bicycle.

leased from the property that they provide as either an employee benefit or courtesy parking for guests.

3. One hundred percent of spaces shall be unbundled to qualify for this measure.
- J. **Shared Parking Approach.** Mixed-use developments, particularly multi-tenant retail developments, shall establish a shared parking approach based on the most recent guidance from the Urban Land Institute’s Shared Parking Model to prevent an oversupply of parking. This measure may also be used in combination with Unbundled Parking for multi-building office and research and development uses with approval from the Planning Department.
- K. **Enhanced Shuttle Commitment.** In addition to regular participation in a Commute.org shuttle consortium or transportation management association, the applicant shall contribute additional funding or a supplemental shuttle service (open to the public) that consists of at least twice the standard contribution total (as determined by Commute.org or a transportation management association). Increased shuttle funding helps run service more frequently for a longer service span.
- L. **Active Transportation Gap Closure.**
1. Pedestrian, bicycle, and micromobility connections shall be established from a project site to existing trails, bikeways, or adjacent streets beyond what is required in Chapter 20.310 (“Site and Buildings Design Standards”).
 2. Contribution to off-site gap closures in the bicycle or pedestrian network that improve access to the Project is also eligible. This improves overall access not only for on-site employees or residents but also for other users in the area.
 3. The point value of contributions will be calculated in conjunction with City Staff based on the usage and mode shift potential of the gap closure to the City’s overall bicycle and pedestrian network.
- M. **Fully Subsidized Transit Passes.** The transit pass subsidy shall be expanded to cover 100 percent of typical transit costs for employees (up to the maximum IRS benefit for pre-tax commuter benefits).
- N. **Transit Capital Improvements.**
1. Space shall be contributed on or adjacent to the project site for transit improvements *or* off-site transit improvements shall be funded.
 2. Scoring for this measure will be tiered based on how many improvements are implemented from the following list:
 - a. Bus/Shuttle Stop (if warranted, including sidewalk connection and ADA accessibility).
 - b. Bus/Shuttle Shelter (including a covered waiting area seating and lighting).
 - c. Wayfinding signage.
 - d. Off-site improvements (such as bus-only lanes, transit signal priority, or queue jumps).
- O. **On-Site Pedestrian-Oriented Amenities.**

1. Active, pedestrian-oriented commercial uses shall be provided on the ground floor designed to create more walkable and inviting areas.
 2. Selected commercial uses shall promote a high level of customer use, promote pedestrian interest, and make the street visually appealing and engaging to pedestrians.
 3. Developments shall have entrances to both the main location and commercial uses oriented along primary street frontages, and shall not be separated from sidewalks, bikeways, or walkways by parking lots.
- P. **Cash Reward Incentives.** Employers shall incentivize employee commuting via walking, biking, and transit with cash rewards, such as a stipend for every non-auto trip made to promote and encourage the use of these modes.
- Q. **On-Site Car-share.** Employers shall provide an on-site car-share program or vehicle fleet at employer sites.
- R. **Bicycle-share or Micromobility Program Participation.** Employers shall provide an on-site bike share or micromobility fleet (i.e., bicycles, e-bikes, and scooters) to be rented at one location and returned to another.
- S. **Active Transportation Subsidies.** Employers must either:
1. Provide an allowance for commuting via bicycling and walking at a comparable rate to transit subsidies; or
 2. Provide bike share and micromobility services for first/last mile access to transit.
- T. **Bicycle Repair Station.**
1. Employers shall offer a bicycle repair station including a toolkit and air pump within a designated secure area of a building to encourage bicycling and support employees and residents. Tools and supplies shall include those necessary for fixing a flat tire, adjusting a chain, and performing other basic bicycle maintenance.
 2. Maintenance services may also be offered to each resident or employee at least once annually, covering basic services such as a tune-up and inspection at a local bicycle shop.
- U. **Affordable Housing.** Employment projects must provide affordable housing onsite or residential projects that exceed inclusionary housing requirements to qualify as a mixed-use project.

A.4.060 Submittal Requirements and Approvals

- A. **Preliminary TDM Plan.** A project shall submit its TDM documentation with its development application. Submittal requirements vary by project tier: Tier 1 and Tier 2 projects shall submit a TDM Checklist, while Tier 3 and Tier 4 projects shall submit a TDM Checklist and a TDM plan. Both TDM Checklists and TDM plans shall constitute an applicant's minimum commitment toward a project's TDM program and shall include the following.
1. **TDM Checklist (Tier 1 and Tier 2 Projects).** A completed TDM checklist of the trip reduction measures chosen by the applicant to achieve the applicable point total and performance requirement in accordance with Section 20.400.003 ("Performance Requirements") and Section 20.400.004 ("Trip Reduction Measures").

2. **TDM Plan (Tier 3 and Tier 4 Projects).** Provide a completed TDM Checklist of trip reduction measures chosen by the applicant to achieve the applicable point total and performance requirement pursuant to Section 20.400.003 (“Performance Requirements”) and Section 20.400.004 (“Trip Reduction Measures”). Describe how the applicable performance requirements will be achieved and maintained over the life of the project.
 3. Provide a site plan that designates trip reduction design elements consistent with measures identified in Section 20.400.004 (“Trip Reduction Measures”).
 4. Provide a map identifying site access to nearby transit, bicycle, and pedestrian facilities including identification of any proposed improvement measures (includes new shuttle stops or pedestrian/bicycle improvements) consistent with measures identified in Section 20.400.004 (“Trip Reduction Measures”). Summarize the proposed monitoring practices as described in Section 20.400.006 (“Monitoring & Enforcement”).
- B. **Required Findings.** Before approval of a permit for a project subject to the requirements of this chapter, the City shall make the following findings:
1. The proposed TDM program is feasible and appropriate for the project, considering the proposed use or mix of uses and the project’s location, size, and hours of operation.
 2. The proposed TDM program meets the points requirements indicated for the tier and land use of the project.
 3. The TDM program is adequate to achieve the required performance measures (Tiers 3 and 4 only).
- C. **Final TDM Plan.** The applicant shall submit the final TDM Checklist or TDM Plan including any conditions imposed by the City as part of the building permit or business license processes. The Planning Department shall review and approve the documentation to ensure all conditions imposed by the City have been addressed.
- D. **Tenant Concurrence Letter.** Prior to approval of a permit for tenant improvements or a business license, tenants shall submit a letter demonstrating concurrence with the Final TDM Plan. The letter shall acknowledge how applicable TDM requirements are identified in their lease and summarize how the tenant is implementing applicable TDM measures. The City shall receive and review this letter to confirm the implementation of the proposed TDM program.
- E. **Modifications.** The Planning Department may approve modifications to the final TDM Checklist or TDM Plan that are consistent with the original findings and conditions and would result in achieving the performance targets.
- F. **Changed Plans.** A change in an approved project that would add at least 100 daily trips shall be treated as a new application.

A.4.070 Monitoring and Enforcement

All projects are subject to the following performance monitoring process.

- A. **Initial Compliance Form.** When applying for a certificate of occupancy, all projects must submit a compliance form to the Planning Department documenting that the TDM program will be implemented before the site reaches 50 percent occupancy.

1. For Tier 3 and Tier 4 projects, the compliance form shall be accompanied by attachments that include, at minimum, a cover letter summarizing how individual measures will be implemented before the site reaches 50 percent occupancy, evidence of all capital and infrastructure measures through photographs, evidence of participation with Commute.org or an appropriate transportation management association, and identification of a TDM Coordinator.
- B. **Annual Compliance Form.** All projects are required to prepare a compliance form documenting the continued implementation of TDM measures.
1. Tier 1 projects must submit a compliance form annually for the first five years after occupancy.
 2. Tier 2 projects must submit a compliance form annually for the first 20 years after occupancy.
 3. Tier 3 and 4 projects are required to submit a compliance form annually for the project's lifespan.
- C. **Annual Mode Share Compliance Survey.** In addition to the annual compliance form, all Tier 3 and Tier 4 projects are required to prepare an annual compliance survey.
1. **Purpose.** The purpose of the annual survey is to measure a project's mode share compliance relative to the performance targets approved in the TDM Plan.
 2. **Survey Preparation and Administration.** The City shall identify standard survey requirements for participants in the program. The survey shall be administered by the participant's designated TDM coordinator.
 3. **Response Rate.** The annual survey shall achieve a minimum response rate of 75 percent of the employee population, or shall use statistical sampling techniques to achieve a 90 percent confidence level with a three percent margin of error in survey findings. If the response rate is less than 75 percent or if the 90 percent confidence level with a three percent margin of error is not achieved, missing responses shall be counted as drive-alone trips.
 4. **Required Performance Target.** Survey findings shall identify whether the development has or has not achieved its required performance target. If the development has not achieved the required alternative mode use, the participant shall provide an addendum explanation of how and why the goal has not been reached and a detailed description of corrective measures that will be adopted in the coming year to attain the required performance target.
 5. **Submittal of Results.** Survey findings shall be submitted to the City in a format as specified by the Planning Department, accompanied by backup documentation and methodology of the original survey results.
 6. **City Review.** The Chief Planner shall review all annual surveys and confirm compliance with required performance targets.
- D. **Annual Trip Cap Compliance.** Annual trip counts are required for all Tier 4 projects.
1. **Purpose.** The purpose of the trip counts is to measure a project's compliance relative to the trip cap approved in the TDM Plan.

2. **Count Preparation and Administration.** Vehicle counts shall be conducted over a period of one week during which school is in session. Counts shall be administered by an independent vendor paid for by the participant.
 3. **Submittal.** Annual counts shall be included with the annual survey results in a format specified by the Planning Department, and shall include total average weekday trips, as well as average AM and PM peak period, peak direction trips (6:00-10:00 AM trips in and 3:00-7:00 PM trips out, respectively).
- E. **Midday Parking Occupancy Survey.** All Tier 3 and Tier 4 projects shall prepare a midday parking occupancy survey every three years. The parking occupancy survey shall only be for informational purposes and not be associated with a performance target.
- F. **Penalty for Noncompliance.** If the required performance targets are not being achieved, or if the participant fails to submit required monitoring documentation, the following penalties shall apply:
1. **First Violation.** The City will direct the participant to modify its TDM program to achieve compliance. Modifications are likely to include adding or modifying TDM measures to increase mode shift.
 2. **Second Violation.** The City will direct the participant to coordinate with Commute.org or retain an independent consultant to identify additional program modifications to achieve compliance. Modifications are likely to include adding or modifying TDM measures to increase mode shift.
 3. **Third Violation.** The City may assess a penalty per the approved fee schedule. Penalties shall be assessed for each additional violation in subsequent years. The City Council shall, in a resolution adopted after a duly noticed public hearing, set forth the amount of the fine, describe the need for the fine, describe the reasonable relationship between the fine and the effect of noncompliance, and set forth time for calculation and payment of the fine.
- G. **Appeal of Penalty.** The participant may appeal the decision to assess a penalty to the Planning Department. In determining whether a financial penalty is appropriate, the City may consider whether the participant has made a good faith effort to achieve the required alternative mode use.
- H. **Program Costs.** Participants shall be required, as a condition of approval, to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.

LOT CONSOLIDATION INCENTIVES

EXAMPLE 1

Table 1 incentives are intended to encourage the consolidation of smaller R-3 zoned lots into larger development sites to achieve the scale and quality of development envisioned for the area.

Table 1: Lot Consolidation Incentives	
Number of Lots Consolidated	Incentives
4 to 6 lots	15% increase in number of allowable units
	10% reduction in guest parking
7 or more lots	20% increase in number of allowable units
	10% reduction in guest parking

Through the development agreement process, the city may consider other lot consolidation incentive bonuses such as increased building height, vacation of alleys, reductions in processing fees, in-lieu fees, or utility connection fees. The extent of such bonuses may vary on a case by case basis subject to agreement between a project applicant and the city.

EXAMPLE 2

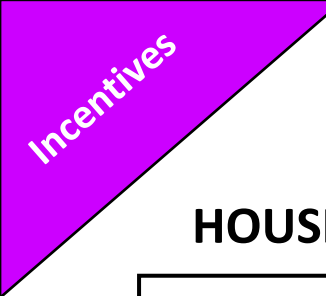
The following incentives and standards shall apply to sites listed in the 2015-2023 Housing Element’s Housing Inventory Sites list and identified as “small lot, consolidation opportunity”; that are merged to form a larger parcel for development of a 100% affordable rental or ownership housing project. For purposes of this section only, a “100% affordable rental or ownership housing project” includes mixed use projects containing ground floor retail and retail like use provided the residential square footage is at least 85% of the project’s gross floor area.

- A. All projects shall comply with the respective development standards and allowable uses as specified in the underlying zone district, except as modified below;
- B. For HIS properties not located in the RT 35 or RT 50 zones, the RT 35 development standards shall apply and development of a mixed use development is not required;
- C. In the case of a conflict between the provisions of this section and the RT development standards (Chapter V, SOFA 2), this section shall control;
- D. Any HIS property in excess of 10,000 square feet prior to consolidation shall not be entitled to any of the incentives in this section;
- E. The applicable Housing Inventory Site (HIS) can be merged with both HIS and non-HIS sites;
- F. The housing units shall be deed restricted as 100% affordable housing units for no fewer than 55 years;

- G. Rental units shall be made affordable to households earning no more than 80% of the County’s Area Median Income (AMI) and ownership units shall be made affordable to households earning no more than 120% of AMI;
- H. Application processing shall be prioritized throughout the planning entitlement phase to the maximum extent feasible;
- I. All such projects shall be subject to Architectural Review. Site and design review required in the Code for mixed use projects shall be waived for such projects;
- J. All subdivisions, regardless of the number of parcels created, shall be subject to the administrative Parcel Map subdivision process; however, maps requiring exceptions as specified in PAMC 21.32 shall follow the standard review process;
- K. Parking requirements for residential units less than 500 sq. ft. shall be reduced by 50%, regardless of bedroom count;
- L. Guest parking for the residential use, as required by PAMC 18.52.040, shall be reduced by 30%; fractional amounts shall be rounded down; and
- M. Waiver of planning entitlement fees: Waive all planning application fees except for direct costs for consultant fees associated with project review. This waiver shall not include applicable parking in lieu or development impact fees.

EXAMPLE 3

- A. Allowable Incentives for Lot Consolidation. In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - 1. Reduction in required parking for a mixed-use project when approved in compliance with Section 9.11.070 (Adjustments to off-street parking requirements).
 - 2. Increase in maximum floor area ratio (FAR), up to a maximum of 10%.
 - 3. Reduction in common and/or private open space requirements, up to a maximum of 10%.
- B. Eligibility for Incentives.
 - 1. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
 - 2. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for any four of the allowable incentives identified above.



HOUSING INCENTIVES

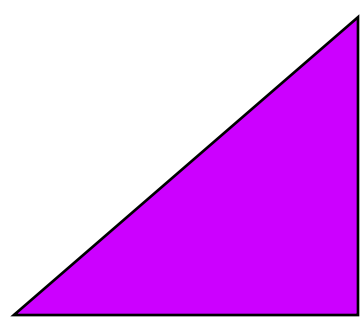
EXAMPLE 1

- Waiver of the private exterior open space requirement in Section 131.0455 for all dwelling units in the development if at least 10 percent of the total dwelling units in the development are at least three bedroom dwelling units, and each dwelling unit in the development is under only one lease agreement per dwelling unit.

- An additional floor area ratio bonus of 1.5 shall be added to the maximum floor area ratio identified in Section 143.1010(a)(2)-(4) if:
 - At least 10 percent of the total dwelling units in the development are at least two bedroom dwelling units;
 - An additional 10 percent or more of the total dwelling units in the development are at least three bedroom dwelling units; and
 - Each dwelling unit is under only one lease agreement per dwelling unit.

- Four incentives for a development in which at least 40 percent of the covenant-restricted dwelling units are at least three bedrooms.
 - An incentive means a deviation to a development regulation, with the exception of any regulations or requirements of this Division.

- For development utilizing the Complete Communities: Housing Solutions Regulations in Chapter 14, Article 3, Division 10, all covenant-restricted affordable dwelling units and dwelling units that do not exceed 500 square feet or that contain at least three bedrooms, as specified in Section 143.1010(f) [deed restricted to 150% AMI] are exempt from DIFs.



SUSTAINABILITY INCENTIVES

EXAMPLE 1

- Streamlined development review for residential and non-residential development projects that incorporate the Voluntary Tier 2 Measures of Title 24, Part 11 California Green Building Standards Code in effect at the time the building permit application is deemed complete.