



CITY OF  
**HAYWARD**  
HEART OF THE BAY

## **PLANNING COMMISSION**

**JUNE 5, 2014**

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CITY OF HAYWARD  
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LIVE BROADCAST – LOCAL CABLE CHANNEL 15

**AGENDA**  
**SPECIAL HAYWARD PLANNING COMMISSION**  
**THURSDAY, JUNE 05, 2014 , AT 7:00 PM**  
**COUNCIL CHAMBERS**

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**MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION:**

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

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**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT:** (The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action).

**ACTION ITEMS:** (The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item).

**PUBLIC HEARING:** For agenda item No. 1, the Planning Commission may make a recommendation to the City Council.

1. Adoption of the Hayward 2040 General Plan and Certification of the Final Environmental Impact Report

[Agenda Report](#)  
[Attachment III](#)  
[Attachment V](#)  
[Attachment VI](#)  
[Attachment VII](#)  
[Attachment VIII](#)



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Sonja Dal Bianco 48 hours in advance of the meeting at (510) 583-4204, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

## COMMISSION REPORTS:

2. Oral Report on Planning and Zoning Matters
3. Commissioners' Announcements, Referrals

## APPROVAL OF MINUTES

4. [May 8, 2014](#)

## ADJOURNMENT

**PLEASE TAKE NOTICE** that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. **PLEASE TAKE FURTHER NOTICE** that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

**NOTE:** Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.

**DATE:** June 5, 2014

**TO:** Planning Commission

**FROM:** Sara Buizer, AICP, Interim Planning Manager

**SUBJECT:** Adoption of the Hayward 2040 General Plan and Certification of the Final Environmental Impact Report

## **RECOMMENDATION**

It is recommended that the Planning Commission recommend to the City Council:

1. Certification of the [Environmental Impact Report](#) as being prepared in accordance with the California Environmental Quality Act and City implementing guidelines; adoption of the Statement of Overriding Considerations; and approval of the Mitigation Monitoring and Reporting Program, based on the attached findings;
2. Approval of the [Hayward 2040 General Plan](#) with staff's recommended changes; and
3. Adoption of proposed amendments to the General Plan Land Use Map for certain properties within the Planning area

## **SUMMARY**

The Hayward 2040 General Plan contains a vision, guiding principles, policies and implementation programs, as well as a background report, to direct Hayward's future growth through the year 2040. It was developed with significant community input, including through public meetings and workshops, City Council and Planning Commission work sessions and public meetings, online forums, and through the General Plan Update Task Force. Some of the top priorities identified through the outreach process include education and the Hayward public schools, parks and open space, downtown development, and safety.

This public hearing is being held to allow the public and the Planning Commission an opportunity to provide final comments on the Draft Hayward 2040 General Plan and Final Environmental Impact Report (Final EIR) before the Planning Commission provides a formal recommendation to the City Council related to the approval and certification of the General Plan and related environmental documents. Environmental impacts associated with implementation of the proposed Hayward 2040 General Plan have been assessed, and the Final EIR identifies significant and unavoidable environmental impacts associated with air quality and transportation/circulation.

## **BACKGROUND**

The Hayward 2040 General Plan project that entailed a comprehensive update of Hayward's 2002 General Plan was authorized by the City Council and initiated in July of 2012. The preparation of the Hayward 2040 General Plan involved 6 work sessions/meetings before the City Council and/or Planning Commission, 14 meetings with the General Plan Update Task Force, 9 community meetings, and 14 meetings with neighborhood or community organizations. Additionally, input on the General Plan Update project was received through a community survey and the City's online discussion tool at Hayward2040.org. Information on past meetings and the General Plan Update project and process can be found on the General Plan webpage on the City's website.

On January 31, 2014, the Draft Hayward 2040 General Plan was released for public review and comment. The Draft Environmental Impact Report (DEIR) was released on February 4, 2014, initiating the required minimum 45-day public review period. During the public review period, the City conducted the following meetings to give the public and members of the Planning Commission and City Council the opportunity to comment on the Draft Hayward 2040 General Plan and DEIR:

- Community Open House: March 8, 2014
- Planning Commission Work Session: March 13, 2014
- City Council Work Session: March 18, 2014

The public review period for the Draft EIR ended on March 21, 2014. Staff responded to all comments received during the 45-day review period, and prepared the [Final EIR](#). The Final EIR consists of the response to comments, the Draft EIR, and revisions made to the Draft EIR.

In addition, staff has prepared responses to the comments on the Draft Hayward 2040 General Plan. As a result of submitted comments, staff is recommending changes to the Draft Hayward 2040 General Plan (Attachment VI), as discussed later in this report. Staff is asking the Planning Commission to consider these recommended changes when providing their formal recommendation to the City Council.

### **General Plan Content Requirements**

California State law requires each city and county to prepare and adopt a comprehensive and long-range general plan (California Government Code Section 65300). A general plan is a comprehensive planning document that provides a city or county with a policy framework to guide decision-making related to land use, growth and development, safety, and open space conservation. To emphasize its importance, the general plan has been called the "constitution" for land use and development.

Since 1937, California law has required counties and cities to adopt general plans. Over the years, the State has added requirements for specific elements of a general plan. The seven mandated elements include: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety.

State law does not require that a general plan be organized according to the required elements. The required elements may be organized to fit the needs of the local jurisdiction, as was done for the Hayward 2040 General Plan. In addition, State law permits the inclusion of optional elements that address needs, objectives, or requirements particular to that city or county. Hayward's current General Plan includes the following elements/chapters: Land Use, Mobility, Economic Development (an optional element), Housing, Community Services and Safety (includes content required for the safety element), Community Health and Quality of Life (an optional element, but also includes content required for open space), Natural Resources (includes content required for the noise element), Utilities (an optional element), and Natural Resources (includes content for the conservation element). The general plan must be periodically updated to assure its relevance and usefulness.

As described below and shown in the draft document, the Hayward 2040 General Plan includes additional elements/chapters. Specific plans, the zoning and subdivision ordinances, development standards, design guidelines, public capital improvements, and other City development actions and policies must all be consistent with the general plan.

## **History of Hayward's General Plans**

The City of Hayward adopted its first General Plan in 1953 and it was updated in 1965, 1974, 1986, 1998 (Circulation Element only) and 2002. In 1986 and 2002, the General Plan was prepared primarily by staff, though consultants were used for more technical analyses. The EIRs for the 1986 and 2002 updates were completed by consultants. Also, the City hired a consultant to prepare the 1998 Circulation Element and EIR.

## **New General Plan Format**

Each element in the existing 2002 General Plan, with the exception of the 2010 Housing Element, is laid out with policies and strategies. This format has made monitoring and implementation a challenge. To address this, the new General Plan has a layout similar to the 2010 Housing Element and will contain goals, policies and implementation programs. The new format will allow for goals to have a clear focus or end toward which effort will be directed, policies to be clear and feasible, and specific implementation programs that can be measured and monitored. In addition, the final product will be an interactive web-based General Plan that will be easy to navigate and will be searchable allowing decision-makers and other users to quickly locate relevant information.

## **DISCUSSION**

### **Overview of the Draft Hayward 2040 General Plan**

#### Introduction

The Draft Hayward 2040 General Plan is a comprehensive update to the current General Plan, which was adopted in 2002. The Draft Hayward 2040 General Plan reflects many of the principles and ideas that are present in the 2002 General Plan, such as transit-oriented development, shoreline protection and restoration, economic development, and Downtown and neighborhood revitalization. In addition, the Draft Hayward 2040 General Plan addresses new State mandates and new topics

that have become relevant to the City since 2002. These State mandates and topics include community health, public safety, greenhouse gas emissions, climate change (AB 32 and SB 375), flood safety planning (AB 162), complete streets (AB 1358), rising sea levels, sustainability, active transportation, education and life-long learning, and complete neighborhoods. The Draft Hayward 2040 General Plan also places a higher level of emphasis on plan implementation than the 2002 General Plan.

The Hayward 2040 General Plan also functions as a climate action plan and community risk reduction plan. A climate action plan is a comprehensive strategy to reduce greenhouse gas emissions. Hayward prepared and adopted a Climate Action Plan in 2009. As part of the General Plan update process, the City re-evaluated the greenhouse gas reduction estimates assigned to individual actions contained in the adopted Climate Action Plan. The analysis resulted in the development of new and modified actions. The 2040 General Plan integrates the new and modified actions within its overall policy framework. This integrated approach allows the 2040 General Plan to be recognized as a “Plan for the Reduction of Greenhouse Gas Emissions” (as allowed for in section 15183.5 of the California Environmental Quality Act Guidelines) and as a “Qualified Greenhouse Gas Reduction Strategy” by the Bay Area Air Quality Management District. As a result, the elements of what would otherwise be a “stand-alone” climate action plan have been incorporated into the Hayward 2040 General Plan.

A community risk reduction plan is a comprehensive strategy to minimize community health risks associated with toxic air contaminants (TACs) and fine particulate matter (PM<sub>2.5</sub>) in both existing and new development. Similar to the Climate Action Plan integration, the 2040 General Plan integrates the typical elements of a community risk reduction plan into the policy framework of the General Plan. The policy framework includes specific long- term goals, policies, and implementation programs to reduce communitywide exposure to TACs and PM<sub>2.5</sub>. This integrated approach allows the City to incorporate the analysis and components of a “stand-alone” community risk reduction plan into appropriate sections of the General Plan.

The Draft Hayward 2040 General Plan consists of two documents: the Background Report and the Policy Document. These documents are described below.

### Background Report

The Background Report provides a “snapshot” in time of the existing conditions and trends within the Planning Area. The Background Report presents the physical, social, and economic information supporting General Plan goals and policy. The data and information in this report generally reflects current (2012) conditions. The Background Report is divided into nine Chapters:

- Chapter 1: Land Use and Community Character
- Chapter 2: Mobility
- Chapter 3: Economic Conditions
- Chapter 4: Housing
- Chapter 5: Community Services and Safety
- Chapter 6: Community Health and Quality of Life
- Chapter 7: Natural Resources

- Chapter 8: Utilities
- Chapter 9: Hazards

### Policy Document

The Policy Document is the essence of the new General Plan. It contains the Vision and eight Guiding Principles from which the goals and policies were derived that will guide future decisions within Hayward. It also identifies a full set of specific implementation programs that will ensure the goals and policies in the General Plan are carried out.

### Hayward 2040 General Plan Vision

The Vision Statement in the new General Plan will guide the future of Hayward:

“Hayward will be a distinct and desirable community known for its central Bay Area location, vibrant Downtown, sustainable neighborhoods, excellent schools, robust economy, and its growing reputation as a great college town. With a variety of clean, safe, and green neighborhoods, and an accessible network of parks and natural open space, Hayward will be home to one of the most diverse, inclusive, educated, and healthy populations in the Bay Area. It will be a destination for life-long learning, entertainment, arts and culture, recreation, and commerce. It will be a community that values diversity, social equity, transparent and responsive governance, civic engagement, and volunteerism. Hayward will be a thriving and promising community that individuals, families, students, and businesses proudly call home.”

### Hayward2040 General Plan Guiding Principles

The Principles to support the Vision in the General Plan are:

1. Hayward should value, challenge, and support youth by providing excellent public schools and youth enrichment activities and programs.
2. Hayward should have safe and clean neighborhoods with an expanded network of parks and thriving commercial centers that incorporate attractive design, provide easy access to jobs, support a diverse population, encourage long-term residency, and inspire all residents to live active, healthy, and green lifestyles.
3. Hayward should develop and enhance its utility, communications, and technology infrastructure; and provide exceptional police, fire, and emergency services.
4. Hayward should be a business-friendly community that has a robust and diversified economy based in innovation, creativity, and local entrepreneurship.
5. Hayward should have a safe, walkable, vibrant, and prosperous Downtown that serves as an attractive area for business and a destination for shopping and dining, arts and entertainment, and college-town culture.
6. Hayward should have a reputation as a great college town and a community that offers a range of opportunities for life-long learning.
7. Hayward residents, workers, and students should have access to an interconnected network of safe, affordable, dependable, and convenient transportation options.
8. Hayward should preserve, enhance, increase, and connect its baylands, hillsides, greenway trails, and regional parks to protect environmental resources, mitigate the impacts of rising sea levels, and provide opportunities to live an active outdoor lifestyle.

The Hayward 2040 General Plan Policy Document is organized into four parts, each of which are further divided into several subsections:

- Part 1: Introduction
  - What is a General Plan?
  - What is the Hayward 2040 General Plan?
  - How is the General Plan Policy Document Organized?
  - How Can I Use the General Plan?
  - How was the General Plan Prepared?
- Part 2: City Profile and Vision
  - City Profile: What is Hayward Like Today (2012)? (Basic demographic data only)
  - 2040 Vision: What is the Community's Vision for the Future of Hayward? (Includes the 8 Guiding Principles)
- Part 3: General Plan Elements
  - Land Use and Community Character Element
  - Mobility Element
  - Economic Development Element
  - Community Safety Element
  - Natural Resources Element
  - Hazards Element
  - Education and Lifelong Learning Element
  - Community Health and Quality of Life Element
  - Public Facilities and Services Element
  - Housing Element (being reviewed separately and will be integrated into the new General Plan after final adoption in the fall)
- Part 4: General Plan Administration and Implementation
  - Priority Implementation Programs
  - Administering the General Plan
  - General Plan Consistency in Implementation
  - Categories of Implementation Actions/Tools
  - Specific Implementation Programs

#### Land Use Diagram Changes (Attachment V)

The proposed Hayward 2040 General Plan recommends minor changes to the City of Hayward. These recommended changes include:

- Changing the land use designation of several properties near Industrial Parkway SW and Whipple Road from Industrial to Retail and Office Commercial. This change is recommended because the properties are already developed with retail uses. Therefore, the map change is intended to reflect the current conditions and uses of the property and as reflected in the Economic Development Strategic Plan as the 880 Retail Area.
- Changing the land use designation of three properties on City Center Drive from Public/Quasi-Public to Central City – Retail and Office Commercial. This change is recommended to facilitate the redevelopment of these properties, which formally housed City Hall and contained Centennial Hall, with commercial or mixed-use developments. The

properties, which are identified in the City’s adopted Economic Strategic Plan as an opportunity site, are no longer used for public or quasi-public uses, and changing the land use designation will facilitate redevelopment of the properties with private sector developments that are compatible with the greater Downtown.

As the various General Plan programs are implemented, such as comprehensively revising the City’s Zoning Ordinance and developing a new Downtown Plan, there will likely be additional General Plan land use changes.

### **Public Review Period and Public Comments**

On January 31, 2014, the Draft Hayward 2040 General Plan was released for public review and comment. The Draft Environmental Impact Report (DEIR) was released on February 4, 2014, initiating the required minimum 45-day public review period required by the California Environmental Quality Act (CEQA). During the public review period, the City conducted the following meetings to give the public and members of the Planning Commission and City Council the opportunity to comment on the Draft Hayward 2040 General Plan and Draft EIR:

- Community Open House: March 8, 2014: The Open House was structured around a series of “stations” that provided information about the Hayward 2040 General Plan. A station that provided information on the Draft EIR was also provided. Community members were allowed to go from station to station to learn about the main goals, policies, and implementation programs within the Draft General Plan. Participants were also given comment cards that they filled out with specific questions, concerns, or ideas related to the Draft Hayward 2040 General Plan and the Draft EIR.
- Planning Commission Work Session: March 13, 2014: The Planning Commission held a work session to review the Draft EIR and to discuss the Draft Hayward 2040 General Plan.
- City Council Work Session: March 18, 2014: The City Council held a work session to review the Draft EIR and to discuss the Draft Hayward 2040 General Plan.

In addition to the above meetings, community members had the opportunity to post their comments on the Draft Hayward 2040 General Plan and the Draft EIR on [Hayward 2040.org](http://Hayward2040.org). Community members, government agencies, and community organizations also had the opportunity to provide comments on the Draft Hayward 2040 General Plan and the Draft EIR by submitting written comments to the City.

The public review period for the DEIR ended on March 21, 2014. Staff received several comments on the Draft Hayward 2040 General Plan and Draft EIR during the public comment period. The comment letters are provided in the Final EIR.

### **Response to Comments and Recommended Changes to the Draft Hayward 2040 General Plan**

Following the close of the public comment period, staff prepared responses to all comments on the Draft Hayward 2040 General Plan and the Draft EIR. Responses to comments that are related to the Draft EIR are provided in the Final EIR. Responses to comments that are related to the Draft Hayward 2040 General Plan are provided in a separate table entitled “City of Hayward Responses

to Policy-Related Comments” (Attachment VI). This table includes a summary of the comment, staff’s response to the comment, and if applicable, staff’s recommended changes to the Hayward 2040 General Plan. Staff is also recommending changes to the Draft Hayward 2040 General Plan to fix errors or typos and to improve policies or implementation programs. As identified in Section 2 of the Final EIR, these changes would not generate any new environmental impacts.

Examples of these recommended changes are provided below:

Examples of Recommended Changes to Fix Errors or Typos

Background Report, Page 1-53	The Alameda County General Plan consists of several documents, including the Eden Area General Plan, the Castro Valley General Plan, and the East County Area General Plan. In addition, the General Plan includes five elements that apply policies to all unincorporated areas of the county. These elements are the <del>Regional Element, the Housing Element, the Energy Element, the Safety and Noise Element, and the Natural Resources, Recreation, and Open Space Element.</del> <u>Housing, Conservation, Open Space, Noise, Safety, and Scenic Route Elements.</u>
Background Report, Page 1-101	The Park District boundaries include the cities of Hayward, <del>and Castro Valley,</del> and the unincorporated communities of <u>Castro Valley, San Lorenzo, Ashland, Cherryland, and Fairview.</u>

Examples of Recommended Changes to Improve Policies or Implementation Programs

Policy Document, General Plan Implementation and Administration, Mobility Implementation Table, <b>New Implementation Program</b>	<p><b>23. Transportation Impact Fees.</b> The City shall prepare a Development Impact Fee Feasibility Study and Nexus Report to assess the potential for establishing development impact fees for transportation improvements. Based on the findings of the Feasibility Study and Nexus Report and direction from the City Council, the City may prepare and adopt an Impact Fee Ordinance for transportation improvements. [Source: New Program; City Council] (RDR/FB)</p> <p>Implements Which Policy(ies): M-4.1, M-4.2, M-4.4</p> <p>Responsible Department(s): Public Works-Engineering and Transportation, Development Services,</p> <p>Supporting Department(s)/Partner(s): Finance, City Manager</p> <p>Funding Source(s): General Fund, Grants</p> <p>Timeframe: 2017-2019</p>
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<p>Policy Document, Hazards Element, <b>Revised Policy</b></p>	<p><b>HAZ-7.1 Land Use Safety Compatibility and Airspace Protection Criteria</b> The City shall <u>consult the Hayward Executive Airport’s Airport Land Use Compatibility Plan (ALUCP) unless it is overruled by the Hayward City Council, for specific criteria for</u> <del>consider</del> land use safety and airspace protection when evaluating development applications within the Airport <del>Safety Zones</del> <u>Influence Area</u> of the Hayward Executive Airport. <i>[Source: New Policy, City Staff] (RDR)</i></p>
<p>Policy Document, Health and Quality of Life Element, <b>Revised Policy</b></p>	<p><b>HQL-7.6 Mold and Lead Hazards Prevention</b> The City shall partner with the Alameda County Public Health Department <u>and the Healthy Homes Department of the County Community Development Agency</u> to provide education and technical assistance in reducing mold and lead hazards in homes. <i>[Source: New Policy, City staff] (IGC/PI)</i></p>
<p>Policy Document, Mobility Element, <b>Revised Policy</b></p>	<p><b>M-9.2 Parking Reductions</b> The City shall consider reduced parking requirements for <u>developments that contribute to the construction and/or operation of non-vehicular improvements (i.e. bike lane improvements), projects located near public transit, or new residential developments that fulfill senior, disabled, or other special housing needs.</u> <del>or are located near public transit.</del> <i>[Source: Existing Policy; modified] (RDR/MPSP)</i></p>
<p>Policy Document, Mobility Element, <b>Revised Policy</b></p>	<p><b>M-7.13 Taxi Service</b> The City shall promote the continued operation of taxi service, including the provision of <u>a dedicated Taxi stand at the Downtown Hayward BART Station</u>, on-street loading spaces (where appropriate), incremental improvements in gas mileage, and improved access for passengers with disabilities. <i>[Source: New Policy, City Staff] (MPSP/JP)</i></p>
<p>Policy Document, General Plan Implementation and Administration, Economic Development Implementation Table, <b>New Implementation Program</b></p>	<p><b>15. Cultural Commission.</b> The City shall establish a Cultural Commission to coordinate the efforts of various arts, culture, and historical groups within Hayward and to assist with cultural event planning. The Commission shall also provide recommendations to the City Council related to the establishment of a public art program, which would fund public art projects through a development fee. <i>[Source: New Program; Community Outreach] (MPSP)</i> Implements Which Policy(ies): ED-5.2 Responsible Department(s): City Manager Supporting Department(s)/Partner(s): Development Services Funding Source(s): General Fund, Grants Timeframe: 2020-2040</p>

## ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) is an informational document that informs public agency decision makers and the public of the significant environmental effects of a project, identifies possible ways to minimize the significant effects, and describes reasonable alternatives to the project.

### Summary of the Draft EIR for the General Plan Update

The [Draft EIR](#) has been prepared in accordance with the California Environmental Quality Act (CEQA) and analyzes the potential environmental impacts associated with the proposed Hayward 2040 General Plan. The EIR has been prepared as a program EIR. A program EIR is a type of EIR authorized by section 15168 (Program EIR) of the CEQA Guidelines for use in documenting the environmental impacts of community general plans, redevelopment plans, specific plans, precise plans, and other planning "programs." As explained in the CEQA Guidelines, a program EIR is useful in evaluating the potential environmental impacts of a project that involves a series of interrelated actions that can reasonably be characterized as a single project. Another type of EIR is a project specific EIR authorized by section 15161 (Project EIR) of the CEQA Guidelines, which would examine the environmental impacts of a specific development project. The DEIR analyzes program level impacts in the following topic areas: aesthetics and visual resources, agricultural and forestry resources, air quality, biological resources, geology, soils, and minerals, global climate change and greenhouse gas emissions, hazards and hazardous materials, historic and cultural resources, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation and circulation, and utilities and service systems. The DEIR also included review and analysis of three alternatives to the proposed project:

Alternative 1: No Project--Existing 2002 General Plan. Alternative 1 consists of buildout of the Planning Area in accordance with the existing Hayward 2002 General Plan. Alternative 1 would result in the same number of single family residences, approximately 659 fewer multi-family dwelling units, a reduction in employment potential of 1,734 jobs, and a more auto-oriented development character in the Planning Area. The Planning Area population would be approximately 204,600 under the existing General Plan and 206,580 under the 2040 General Plan, a difference of less than 2,000.

- Alternative 2: Overall Lower Development Density and Intensity. Alternative 2 assumes adoption of a similar 2040 General Plan, but with an overall lower density and intensity of development in the Planning Area. Alternative 2 identifies new potential multi-family residential units and new potential employment would each be reduced by 20 percent compared to the proposed General Plan. Therefore, this alternative would result in 5,920 new multi-family units and 20,620 new jobs, compared to 7,399 new dwelling units and 25,787 new jobs under the 2040 General Plan, a reduction of 1,479 dwelling units and 5,167 jobs. ABAG projects that Hayward will grow to a total of 60,584 dwelling units by 2040; this alternative would result in about 57,308 units. The Planning Area household population would be approximately 202,000 under this alternative.
- Alternative 3: Less Employment in the Industrial Technology and Innovation Corridor. Alternative 3 assumes adoption of a similar 2040 General Plan, but with less employment in

the Industrial Technology and Innovation Corridor. Alternative 3 assumes that the net change in employment across the Planning Area (including secondary employment not in the Industrial Corridor) would be reduced by 15 percent compared to the proposed General Plan. Therefore, this alternative would result in approximately 21,920 new jobs, compared to 25,787 new jobs under the 2040 General Plan, a reduction of 3,867 jobs.

The DEIR also includes a discussion of mandatory CEQA topics, including growth inducement, significant reversible changes, significant and unavoidable impacts, and cumulative impacts. For the majority of the potential impacts, the proposed General Plan policies “self-mitigate” and impacts are reduced to a less than significant level. For example, currently the City of Hayward has a policy regarding traffic impacts that requires intersection levels of service to be maintained at Level of Service (LOS) C or better, or LOS D under certain circumstances. The proposed General Plan policies allow for flexible levels of service at intersections to accommodate multiple modes of travel, not just automobiles. This modified policy results in fewer significant intersection traffic impacts. There are, however, significant and unavoidable impacts identified for air quality and transportation and circulation. Impacts that are identified as Significant and Unavoidable are those impacts where it has been determined that no amount of mitigation would be able to reduce it to a less than significant level. As shown in Attachment VIII, the following are identified as significant and unavoidable impacts in the DEIR:

- Impact 7-1: Conflict With or Obstruct Implementation of Applicable Air Quality Plans
- Impact 7-2: Short-Term Construction Emissions of ROG, NOX, PM10 and PM<sub>2.5</sub>
- Impact 7-3: Long-Term Operational Emissions of ROG, NOX, CO, PM<sub>10</sub> and PM<sub>2.5</sub>
- Impact 7-4: Exposure to Toxic Air Contaminants (TACs) and Fine Particulate Matter (PM<sub>2.5</sub>)
- Impact 15-2: Long-Term Traffic Noise Levels
- Impact 18-1: Project Intersection Impacts
- Impact 18-2: Cumulative Intersection Impacts

For these impacts, the public agency decision makers need to determine whether they are willing to accept such impacts based on other criteria or positive outcomes that outweigh the negative impacts. For such impacts, a Statement of Overriding Considerations (Attachment VIII) is required to be adopted if the General Plan is adopted. The Statement of Overriding Considerations outlines the reasons why adoption of the draft Hayward 2040 General Plan has benefits that outweigh adoption of one of the identified alternatives. In this case the benefits of the draft General Plan include, but are not limited to, focusing future development along transit corridors and near transit stations to reduce automobile dependency, creating more complete neighborhoods that offer a high-quality of life, improving public safety through better partnerships between the City and neighborhood organizations, and partnering with local school districts to upgrade school facilities, improve school safety and security, and enhance school performance.

#### Summary of the [Final EIR](#) for the General Plan Update

The Final Environmental Impact Report (Final EIR) includes responses to all comments received by the City on the DEIR, together with necessary changes or revisions to the text of the DEIR document. Related to the Draft EIR, the City received and responded to all comment cards

received during the Community Open House on March 8, 2014, the minutes of the March 13, 2014 Planning Commission meeting and public hearing on the Draft EIR, the minutes of the March 18, 2014 City Council/Housing Authority meeting and public hearing on the Draft EIR, verbatim versions of all written communications (letters and email) received during the Draft EIR review period; the responses of the EIR authors to all environmental points raised during the public meetings and hearings and in the written communications; and associated revisions to the Draft EIR. In addition to the comments received at the General Plan Open House, the Planning Commission meeting and the City Council meeting, staff received comment letters from the following agencies and individuals: Bay Conservation and Development Commission, Alameda County Community Development Agency, Airport Land Use Commission, Caltrans, Alameda County Transportation Commission, East Bay Municipal Utility District, and the Hayward Area Planning Association.

## **PUBLIC CONTACT**

Development of the Hayward 2040 General Plan and Final EIR included extensive public outreach and input. Since the project was initiated in October of 2012, the following publicly noticed meetings have been held:

### **Public Workshops/Community Meetings**

- November 29, 2012: City Hall
- December 1, 2012: City Hall
- December 3, 2012: Martin Luther King Middle School
- December 6, 2012: Fairway Park Baptist Church
- December 10, 2012: Southland Mall
- December 12, 2012: Hayward High School
- March 6, 2013: City Hall
- March 11, 2013: Matt Jimenez Community Center
- March 8, 2014: City Hall

### **General Plan Update Task Force Meetings:**

- [October 25, 2012: City Hall](#)
- [November 8, 2012: City Hall](#)
- [December 13, 2012: City Hall](#)
- [January 10, 2013: City Hall](#)
- [February 7, 2013: City Hall](#)
- [March 7, 2013: City Hall](#)
- [April 4, 2013: City Hall](#)
- [May 2, 2013: City Hall](#)
- [May 30, 2013: City Hall](#)
- [September 12, 2013: City Hall](#)
- [September 26, 2013: City Hall](#)
- [October 10, 2013: City Hall](#)
- [January 23, 2014: City Hall](#)

- [March 6, 2014: City Hall](#)

**City Committee Meetings:**

- [October 2, 2013: Council Sustainability Committee: City Hall](#)
- [November 4, 2013: Council Economic Development Committee: City Hall](#)

**Planning Commission and City Council Work Sessions:**

- [February 19, 2013: City Council and Planning Commission Joint Work Session: City Hall](#)
- [June 18, 2013: Joint Work Session with Planning Commission and City Council: City Hall](#)
- [July 9, 2013: Joint Work Session with Planning Commission and City Council: City Hall](#)
- [July 30, 2013: Joint Work Session with Planning Commission and City Council: City Hall](#)
- [October 22, 2013: City Council Work Session: City Hall](#)
- [October 24, 2013: Planning Commission Work Session: City Hall](#)

In addition to the noticed public meetings listed above, staff and members of the General Plan Update Task Force conducted the following meetings to get additional input on the General Plan:

- [January 16, 2013: Community Services Commission](#)
- January 19, 2013: Prospect Hill Neighborhood Association
- January 22, 2013: Woodland Estates Community Association
- January 24, 2013: Photo Central (HARD)
- [January 24, 2013: Keep Hayward Clean and Green Task Force](#)
- January 26, 2013: Cotter Way Neighborhood
- January 30, 2013: Eden Shores Homeowners Association
- January 30, 2013: Hayward Senior Center
- January 31, 2013: Hayward Senior Center
- February 5, 2013: Chabot College
- March 22, 2013: Hayward Senior Center: Neighborhood Meeting
- March 23, 2013: Cotter Way Neighborhood Meeting
- March 29, 2013: Hayward Senior Center Neighborhood Meeting
- April 18, 2013: Highland Boulevard Neighborhood Meeting
- September 18, 2013: Hayward Democratic Society
- September 19, 2013: Hayward Nonprofit Alliance
- November 15, 2013: Latino Business Roundtable
- January 15, 2014: Leadership Hayward

Official Notice of this hearing was published in *The Daily Review* newspaper on May 24, 2014.

**NEXT STEPS**

Staff will forward the recommendations of the Planning Commission on the Hayward 2040 General Plan and Final EIR to the City Council, to be heard at a noticed Public Hearing scheduled for July 1, 2014. Following adoption of the Hayward 2040 General Plan, city staff and the consultant team

will work on converting the General Plan into html format so it can be easily accessible on the City's web page, and City staff will begin implementing the various programs in the General Plan.

Recommended by:



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Sara Buizer, AICP  
Interim Planning Manager

Approved by:



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David Rizk, AICP  
Development Services Director

Attachments:

- Attachment I: [Hayward 2040 General Plan Draft Program Environmental Impact Report](#)
- Attachment II: [Hayward 2040 General Plan Final Program Environmental Impact Report](#)
- Attachment III: Mitigation Monitoring and Reporting Program
- Attachment IV: [Hayward 2040 General Plan](#)
- Attachment V: Proposed New General Plan Land Use Designations
- Attachment VI: City of Hayward Responses to Policy-Related Comments
- Attachment VII: Findings for Certification of the Program Environmental Impact Report
- Attachment VIII: Statement of Overriding Considerations
- Attachment IX: Findings for Adoption of General Plan

## MITIGATION MONITORING CHECKLIST--HAYWARD 2040 GENERAL PLAN

The environmental mitigation measures listed in column two below have been incorporated into the conditions of approval for Hayward 2040 General Plan in order to mitigate identified environmental impacts. A completed and signed chart will indicate that each mitigation requirement has been complied with, and that City and state monitoring requirements have been fulfilled with respect to Public Resources Code section 21081.6.

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
<i>AIR QUALITY</i>						
<p><b>Impact 7-1: Conflict With or Obstruct Implementation of Applicable Air Quality Plans.</b> The proposed General Plan would be substantially consistent with all applicable control measures in the Bay Area 2010 Clean Air Plan. However, the proposed General Plan would still have significant and unavoidable impacts associated with short-term construction and long-term operational emissions, as well as health risk exposure associated with toxic air contaminants and PM<sub>2.5</sub>, as noted under Impacts 7-2, 7-3, and 7-4. Because the proposed General Plan exceeds the District's air quality thresholds of significance, the proposed General Plan would not be considered to be fully consistent with the Clean Air Plan goals. This would be a <b>significant impact</b>.</p>	<p><b>Mitigation 7-1.</b> There are no additional measures that would reduce this impact. As discussed under Impacts 7-2, 7-3 and 7-4, the identified impacts from short-term construction emissions, long-term operational emissions, and health risk exposure to TAC and PM<sub>2.5</sub> impacts would remain significant and unavoidable after application of all feasible mitigation. Therefore, in accordance with guidance from BAAQMD, the proposed General Plan would not be fully consistent with the primary goals of the Bay Area Clean Air Plan. This impact would be <b>significant and unavoidable</b>.</p>	City (General Plan policies and Bay Area 2010 Clean Air Plan Control Measures in EIR Table 7.1)	City	Ongoing; prior to individual project approval		
<p><b>Impact 7-2: Short-Term Construction Emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>.</b> Implementation of the proposed General Plan would involve construction of development projects that would result in the temporary generation of ROG and NO<sub>x</sub> (ozone precursors), and PM<sub>10</sub> and PM<sub>2.5</sub> (criteria pollutant) emissions from site preparation (e.g., excavation, grading, and clearing), off-road equipment, material import/export, worker commute exhaust emissions, paving, and other miscellaneous</p>	<p><b>Mitigation 7-2.</b> There are no additional measures available that would reduce impacts from short-term construction emissions. All feasible construction emission reduction measures have been incorporated into the proposed General Plan. Therefore, this impact would remain <b>significant and unavoidable</b>.</p>	City (General Plan policies in EIR Table 7.3)	City	Ongoing; prior to individual project approval		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
activities. Emissions from individual construction projects could exceed BAAQMD's project-level significance thresholds. This would be a <b>significant impact</b> .						
<b>Impact 7-3: Long-Term Operational Emissions of ROG, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>.</b> Project-related operational emissions of the ozone precursors ROG and NO <sub>x</sub> would be reduced on an annual basis over the General Plan implementation period, as compared with existing conditions. However, operational PM <sub>10</sub> and PM <sub>2.5</sub> emissions would increase compared to baseline conditions. While the proposed General Plan would be consistent with all applicable control measures in the 2010 Bay Area Clean Air Plan, the rate of increase in VMT and vehicle trips under the proposed General Plan would be higher than the rate of population increase by 2035. Therefore, impacts associated with long-term operational emissions under the proposed General Plan would be a <b>significant impact</b> .	<b>Mitigation 7-3.</b> There are no additional measures that would substantially reduce impacts from long-term operational emissions. All feasible long-term operational emission reduction measures have been incorporated into the goals, policies and programs in the proposed General Plan. This impact would therefore be <b>significant and unavoidable</b> .	City (General Plan policies in EIR Table 7.7)	City	Ongoing; prior to individual project approval		
<b>Impact 7-4: Exposure to Toxic Air Contaminants (TACs) and Fine Particulate Matter (PM<sub>2.5</sub>).</b> Implementation of development projects consistent with the proposed General Plan could involve siting of sensitive receptors near major roadways or near major stationary sources of TAC and PM <sub>2.5</sub> emissions, as well as the siting of potential new sources of these emissions. Such actions could increase community health risk exposure associated with these emissions. While the proposed General Plan contains a Community Risk Reduction Strategy	<b>Mitigation 7-4.</b> Incorporation of specific source-reduction and receptor-oriented risk reduction measures and best management (BMPs) into the proposed General Plan (see EIR Tables 7.9 and 7.10), would further reduce impacts associated with health risk exposure to TACs and PM <sub>2.5</sub> , as part of the Community Risk Reduction Strategy. While the above-referenced source-reduction and receptor-oriented measures and BMPs would reduce health risk exposure, the overall effectiveness of these measures and	City (General Plan policies, source reduction measures, and best management practices in EIR Tables 7.8, 7.9, and 7.10)	City	Ongoing; prior to individual project approval		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
<p>consisting of goals, policies, implementation programs, and specific BMPs to reduce these risks, the effectiveness of the Strategy in reducing health risk exposure cannot be quantified at this time. Therefore, impacts associated with health risk exposure to TACs and PM<sub>2.5</sub> would be a <b>significant impact</b>.</p>	<p>BMPs in reducing communitywide health risk exposure cannot be quantified at this time, due to lack of quantification methodology and/or limited research on their effectiveness. There are no additional mitigation measures that would substantially reduce community health risk exposure to TACs and PM<sub>2.5</sub>. All feasible risk reduction measures and BMPs have been incorporated into the Community Risk Reduction Strategy contained within the proposed General Plan. Therefore, this impact would remain <b>significant and unavoidable</b>.</p>					
<i>NOISE</i>						
<p><b>Impact 15-1: Short-Term Construction Noise Levels.</b> Implementation of projects under the proposed General Plan would involve construction that would result in temporary noise generation primarily from the use of heavy-duty construction equipment. Based on modeling for typical construction activities, short-term construction-generated noise could exceed applicable standards. This would represent a <b>significant impact</b>.</p>	<p><b>Mitigation 15-1.</b> The proposed General Plan includes Goal HAZ-8; Policies HAZ-8.17, HAZ-8.20, HAZ-8.21, and HAZ-8.24; and Implementation Program HAZ 7, which establish the overall goal and intentions of the City with regards to construction-related noise. Policy HAZ-8.17 refers to a community noise control ordinance for the purposes of regulating community noise levels. The City has adopted Section 4-1.03.4 of the Municipal Code (Construction and Alteration of Structures; Landscaping Activities), which states that individual devices/pieces of construction equipment are not to exceed 83 dB at a distance of 25 feet from the source and 86 dB at any point of the property plane Monday through Saturday from 7:00 AM to 7:00 PM and Sundays from 10:00 AM to 6:00 PM, “unless otherwise provided pursuant to a duly-issued</p>	City	City	Prior to individual project approval		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>permit or a condition of approval.” Thus, while the code establishes specific standards to reduce construction noise from typical construction activities, it may not apply to all development projects requiring discretionary approval. However, Policy HAZ-8.24 establishes the City’s intent to develop specific construction noise standards, and Implementation Program HAZ-7 would result in the preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects.</p> <p>Policy HAZ-8.20 establishes that a site-specific noise study may be required by the City for discretionary projects requiring land use entitlements. In addition, Policy HAZ-8.21 establishes limits on construction noise-generating activities to the less sensitive times of the day, when people are less likely to be disturbed.</p> <p>Adoption of these proposed General Plan policies and implementation program would ensure that exposure of sensitive receptors located near construction activities to excessive noise levels would be avoided or reduced to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 15-2: Long-Term Traffic Noise Levels.</b> Implementation of the proposed General Plan would increase noise levels along transportation routes with nearby sensitive receptors. Proposed policies would establish noise</p>	<p><b>Mitigation 15-2.</b> The implementation of the proposed policies and standards included in EIR Tables 15.5 and 15.6 would require all new development to comply with the City’s noise standards, noise mitigation</p>	City	City	Ongoing; prior to individual project approval		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
standards for new development and require that site-specific noise studies be conducted to reduce noise exposure. However, in some instances, traffic-related noise increases could be more than 3 dB, the level typically audible to the human ear and; therefore, considered a substantial increase in noise. This would represent a <b>significant impact</b> .	<p>procedures, and sensitive land use siting policies. The proposed policies would require new projects to evaluate noise exposure and provide mitigation measures, if applicable, to reduce noise exposure at sensitive land uses and meet noise standards for the specific project type. Therefore, conducting project-level noise studies to comply with adopted noise standards would ensure that individuals are not exposed to excessive noise levels.</p> <p>Although adoption of the proposed policies would ensure that new development would comply with adopted noise standards and, therefore, would not expose new receptors to excessive noise levels, the proposed General Plan would still result in increases in traffic-related noise (i.e., increases of 3 or more dB and up to 15 dB in some areas of the City). As a result, project-generated increases in noise would result in a substantial permanent increase in community noise levels that could adversely affect existing receptors.</p> <p>Much of the City is already built out, and anticipated growth under the proposed General Plan is expected to occur as infill, primarily in PDAs located near transit stations, in the City's downtown, and along major corridors. The ability of the City to reduce adverse effects of increased traffic noise on existing receptors by either constructing sound barriers or walls, or requiring new development to construct these sound walls, is</p>					

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
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	<p>constrained by a number of factors. First, many existing homes and other sensitive uses front on major traffic corridors from which the increased traffic noise is generated, and construction of new sound walls would be infeasible or incompatible with these developed uses. Second, the proposed General Plan contains Policy LU-4.10 (New Sound Walls and Fences), which discourages the construction of new sound walls and fences along corridors, and encourages new developments to front corridors whenever feasible. There are no additional, feasible measures or policies that would reduce this impact. Therefore, this impact would remain <b>significant and unavoidable</b>.</p>					
<i>TRANSPORTATION AND CIRCULATION</i>						
<p><b>Impact 18-1: Project Intersection Impacts.</b> Under the 2035 Project condition, implementation of the proposed General Plan would result in traffic volumes that exceed the City standard for intersection performance. According to City guidelines, this change due to the proposed General Plan would potentially constitute a <b>'considerable' project contribution to the significant cumulative impact.</b></p>	<p><b>Mitigation 18-1.</b> Make the following intersection improvements:</p> <p><b>(a) Intersection 13: NB I-880 Ramps / Whipple Road-Industrial Parkway SW.</b> Widen to convert northbound shared through-right lane to separate northbound right turn lane and a northbound through lane. This may require additional right of way of approximately 12 feet.</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 64.5 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p>	City; Caltrans	City; Caltrans	Monitoring over time as individual projects are implemented		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</p> <p>These improvements to the ramp intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation would require coordination with these jurisdictions for implementation. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after a determination is made for fair share contribution and coordination with Caltrans and other jurisdictions as applicable. The impact is considered to be <i>less-than-significant</i>.</p>					
	<p><b>(b) Intersection 18: Industrial Boulevard / WB SR 92 ramps – Cryer St.</b></p> <p>(1) Widen to add second northbound left turn lane (which could be done with striping if 10 foot lanes allowed);</p> <p>(2) Add second receiving lane on</p>	City; Caltrans	City; Caltrans	Monitoring over time as individual projects are implemented		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>on-ramp (ramp would need reconfiguring).</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 57.2 seconds of delay during the AM peak hour and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection, and mitigation would require coordination with AC Transit to ensure there are no impacts to bus stop locations and bus service.</p> <p>These improvements to the ramp intersection, would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, the mitigation would require coordination with other jurisdictions. The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after a</p>					

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	determination is made for fair share contribution and coordination with Caltrans, AC Transit, and other jurisdictions as applicable. The impact is considered to be <i>less-than-significant</i> .					
	<p><b>(c) Intersection 21: Hesperian Boulevard / Industrial Parkway.</b></p> <p>(1) Widen to convert the northbound through-right lane to a third northbound through (NBT) lane and one northbound right (NBR) lane; this will require approximately 12 feet of additional right of way.</p> <p>(2) Widen to convert eastbound through-right lane (EBTR) to second eastbound thru (EBT) lane and one eastbound right (EBR) lane; this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to convert southbound through-right (SBTR) to one southbound through (SBT) lane and one southbound right (SBR) lane; this will require approximately 12 feet of additional right of way.</p> <p>(4) Add overlap phasing at NBR, EBR, SBR, and WBR movements.</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 75.7 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p>	City	City	Monitoring over time as individual projects are implemented		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</p> <p>In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.</p> <p>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be <b>less-than-significant</b>.</p>					
	<p><b>(d) Intersection 22: Santa Clara Street / Jackson Street.</b>                      (1) Widen to add a 4<sup>th</sup> westbound through lane (WBT); this will require approximately 12 feet of additional right of way.</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>(2) Widen to add a 2<sup>nd</sup> eastbound left turn lane (EBLT); this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to add a 2<sup>nd</sup> northbound through lane (NBT); this will require approximately 12 feet of additional right of way.</p> <p>(4) Widen to add a 2<sup>nd</sup> southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</p> <p>Implementation of these improvements would mitigate both Project level and Cumulative level impacts, and improve conditions to LOS E with 66.9 seconds of delay during the AM peak hour, and LOS E with 91.0 seconds of delay during the PM peak hour. The mitigations would reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions or return the operations to the No Project condition. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. These improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward. At this time, these</p>					

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b> .					
	<p><b>(e) Intersection 23: Santa Clara Street / Winton Avenue.</b></p> <p>(1) Widen to reconfigure northbound approach to 2 northbound left (NBL), 1 northbound through (NBT), and 1 northbound shared through-right (NBTR); this will require approximately 12 feet of additional right of way.</p> <p>(2) Widen to reconfigure southbound approach to 1 southbound left (SBL), 2 southbound through (SBT), and 1 southbound right (SBR); this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to reconfigure westbound approach to 1 westbound left (WBL), 2 westbound through (WBT), 1 westbound shared through-right (WBTR); this will require approximately 12 feet of additional right of way.</p> <p>(4) Add overlap on all signal phases except for the northbound-right (NBR) phase.</p> <p>Implementation of this mitigation would reduce conditions to LOS E with 75.2 seconds of delay during the PM peak hour and reduce the impact to <i>less-than-significant</i> with the new General Plan Policy of allowing LOS E.</p>	City	City	Monitoring over time as individual projects are implemented		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</p> <p>In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection. Mitigation would require coordination with Alameda County and AC Transit to ensure there are no impacts on the bicycle network, pedestrian amenities, bus stop locations, and bus service.</p> <p>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County and AC Transit. The impact is considered to be <b>less-than-significant</b>.</p>					
	<p><b>(f) Intersection 25: Santa Clara St / West A St.</b>                      (1) Widen to add exclusive northbound right (NBR) at least as far back as Amador Way and widen to have dual left, convert</p>	City	City	Monitoring over time as individual projects are implemented		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>northbound shared through-right (NBTR) to northbound through (NBT) resulting in 2 northbound left (NBL) lanes, 2 northbound through (NBT) lanes, and one northbound right (NBR); this will require approximately 12 feet of additional right of way.</p> <p>(2) Add second eastbound left (EBL) lane; this will require approximately 12 feet of additional right of way.</p> <p>(3) Add another southbound through (SBT) lane; this will require approximately 12 feet of additional right of way.</p> <p>(4) Add overlap for right turns on all signal phases.</p> <p>Implementation of this mitigation would reduce conditions to LOS D with 50.4 seconds of delay during the PM peak hour and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection is located on the Alameda Countywide Bicycle network; mitigation would require coordination with Alameda County to ensure there are no impacts to the bicycle network.</p>					

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>The buildout of the General Plan would take place over many years; the City will monitor conditions as individual projects are implemented to determine when these mitigations need to be implemented. The proposed mitigations are considered to be feasible after coordination with Alameda County. The impact is considered to be <i>less-than-significant</i>.</p>					
	<p><b>(g) Intersection 31: Foothill Blvd / Mattox Rd.</b></p> <p>(1) Reconfigure the southbound (SB) off-ramp lanes to 2 southbound left (SBL) lanes, 3 southbound through (SBT) lanes, and 1 southbound right (SBR);</p> <p>(2) Add overlaps for SBR and northbound right (NBR).</p> <p>Implementation of this mitigation would reduce conditions to LOS F with 90.7 seconds of delay during the AM peak hour and to LOS E with 76.9 seconds of delay during the PM peak hour, which returns the operations to better than the No Project condition. However, significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes.</p> <p>This intersection is under the</p>	City; Alameda County	City; Alameda County	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>jurisdiction of Alameda County. In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
<p><b>Impact 18-2: Cumulative Intersection Impacts.</b> Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. According to the significance thresholds, these changes constitute a <b>significant cumulative impact</b>.</p>	<p><b>Mitigation 18-2.</b> Make the following intersection improvements:</p> <p><b>(a) Intersection 2: Mission Boulevard / A Street.</b></p> <ul style="list-style-type: none"> <li>(1) Widen to add a 4th westbound left turn lane (WBL);</li> <li>(2) Widen to add a 2nd westbound through lane (WBT);</li> <li>(3) Widen to add 2 exclusive westbound right turn lanes (WBR)</li> <li>(4) Widen to add a 2nd southbound through lane (SBT)</li> <li>(5) Widen to add a 3rd eastbound left turn lane (EBL)</li> <li>(6) Optimize signal cycle length to 115 seconds.</li> </ul> <p>Implementation of this mitigation would improve conditions to LOS E with 65.1 seconds of delay during the AM peak hour, and LOS E with 61.6 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E</p>	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection is located on the Alameda Countywide Bicycle network and resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan. Also, major AC Transit routes traverse this intersection.</p> <p>The City has implemented Intelligent Transportation Systems (ITS) strategies at this location, including signal coordination and adaptive traffic control systems using the Sydney Coordinated Adaptive Traffic Systems (SCATS) system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and</p> <p>the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(b) Intersection 6: SB I-880 Ramps / A Street.</b> Reconfigure eastbound approach to 1 eastbound through (EBT) lane, 1 eastbound through-right (EBTR) lane, and 1 right (EBR) lane and optimize signal timings. Implementation of this mitigation would reduce conditions to LOS E with 79.7 seconds of delay during the AM peak hour and LOS E</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	with 77.8 seconds of delay during the PM peak hour, and would reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E. These improvements to A Street would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward; therefore, until Caltrans (and other jurisdictions as applicable) approve the mitigation, the mitigation is considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b> .					
	<b>(c) Intersection 8: Mission Boulevard / Carlos Bee Boulevard.</b> Optimize signal cycle length to 115 seconds. Implementation of this mitigation would reduce conditions to LOS E with 73.8 seconds of delay during the PM peak hour and reduce the impact to a <b>less-than-significant level</b> with the new General Plan Policy of allowing LOS E.	City	City	Monitoring over time as individual projects are implemented		
	<b>(d) Intersection 11: Mission Boulevard / Industrial Parkway.</b> (1) Widen to add a 3 <sup>th</sup> southbound through lane (SBT); this will require approximately 12 feet of additional right of way. (2) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR). (3) Optimize signal cycle length to 115 seconds.  Implementation of this mitigation would improve conditions to LOS E with 79.3 seconds of delay during the	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>AM peak hour, and LOS E with 57.5 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions during the AM peak hour. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(e) Intersection 12: Industrial Parkway SW / Industrial Parkway.</b></p> <p>(1) Restripe the westbound shared through-right lane as a westbound right turn lane (WBR).</p> <p>(2) Widen to add 2<sup>nd</sup> and 3<sup>rd</sup> westbound through lanes (WBT); this will require approximately 24 feet of additional right of way.</p>	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>(3) Restripe the eastbound shared through-right lane as an eastbound right turn lane (EBR).                      (4) Widen to add 2<sup>nd</sup> and 3<sup>rd</sup> eastbound through lanes (EBT); this will require approximately 24 feet of additional right of way.                      (5) Widen to add a 2<sup>nd</sup> southbound through lane (SBT); this will require approximately 12 feet of additional right of way.                      (6) Restripe the southbound shared through-right lane as a southbound right turn lane (SBR).                      (7) Widen to add a 2<sup>nd</sup> northbound through lane (NBT); this will require approximately 12 feet of additional right of way.                      (8) Optimize signal cycle length to 95 seconds.</p> <p>Implementation of this mitigation would improve conditions to LOS D with 45.8 seconds of delay during the AM peak hour, and LOS E with 74.2 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of</p>					

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Countywide Significance as identified in the Countywide Pedestrian Plan.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(f) Intersection 14: SB I-880 / Industrial Parkway.</b></p> <p>(1) Provide an additional receiving lane on the west side of the intersection to allow overlap phase for southbound right turn lane; this will require approximately 12 feet of additional right of way.</p> <p>(2) Widen to add 3<sup>rd</sup> westbound through lane (WBT); this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to add 3<sup>rd</sup> eastbound through lane (EBT); this will require approximately 12 feet of additional right of way.</p> <p>Implementation of this mitigation would improve conditions to LOS D with 54.6 seconds of delay during the AM peak hour, and LOS D with 54.9 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(g) Intersection 15: Hesperian Boulevard / EB SR 92 Ramps.</b>                      (1) Widen to add 3<sup>rd</sup> northbound through lane (NBT); this will require approximately 12 feet of additional right of way.                      (2) Widen to add 2<sup>nd</sup> eastbound left turn lane (EBL) ; this will require approximately 12 feet of additional right of way.</p> <p>Implementation of this mitigation would improve conditions to LOS B with 19.0 seconds of delay during the AM peak hour, and LOS D with 50.1 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
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	<p>acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(h) Intersection 16: Hesperian Boulevard / WB SR 92 Ramps.</b></p> <p>(1) Widen to add 3<sup>rd</sup> southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</p> <p>(2) Widen to add 2<sup>nd</sup> eastbound left turn lane (EBL); this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to add separate eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.</p> <p>(4) Provide overlap phase for eastbound right turn lane.</p> <p>Implementation of this mitigation would improve conditions to LOS E with 60.4 seconds of delay during the AM peak hour, and LOS B with 13.6 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection. Also, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(i) Intersection 17: Industrial Parkway / EB SR 92 Ramps &amp; Sleepy Hollow Avenue.</b></p> <p>(1) Widen to add 2<sup>nd</sup> southbound through lane (SBT); this will require approximately 12 feet of additional right of way.</p> <p>(2) Widen to add separate southbound right turn lane (SBR); this will require approximately 12 feet of additional right of way.</p> <p>(3) Widen to add 2<sup>nd</sup> eastbound right turn lane (EBR); this will require approximately 12 feet of additional right of way.</p>	City; Caltrans	City; Caltrans	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

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	<p>Implementation of this mitigation would improve conditions to LOS C with 24.3 seconds of delay during the AM peak hour, and LOS E with 61.0 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, these improvements to the intersection would be subject to the review and approval of other jurisdictions, including Caltrans, and not solely under the jurisdiction of the City of Hayward.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(j) Intersection 24: Hesperian Boulevard / West Winton Avenue.</b></p> <p>(1) Widen to add 2<sup>nd</sup> westbound left turn lane (WBL); this will require approximately 12 feet of additional right of way.</p> <p>(2) Optimize signal with a 105 second cycle length.</p>	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

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		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Implementation of this mitigation would improve conditions to LOS E with 63.3 seconds of delay during the AM peak hour, and LOS E with 69.6 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, major AC Transit routes traverse this intersection.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(k) Intersection 26: Mission Boulevard / Sunset Boulevard.</b></p> <p>(1) Widen to add a separate southbound left turn lane (SBL); this may require approximately 12 feet of additional right of way.</p> <p>(2) Widen to add a separate northbound left turn lane (NBL); this may require approximately 12 feet of additional right of way.</p> <p>(3) Widen to add a separate eastbound left turn lane (EBL); this may require approximately 12 feet of additional right of way.</p>	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>(4) Widen to add a separate westbound left turn lane (WSBL); this may require approximately 12 feet of additional right of way.</p> <p>(5) Optimize signal with a 105 second cycle length.</p> <p>Implementation of this mitigation would improve conditions to LOS D with 35.2 seconds of delay during the AM peak hour, and LOS E with 73.7 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</p> <p>At this time, these measures are considered to be infeasible, and the impact is considered to be <b>significant and unavoidable</b>.</p>					
	<p><b>(I) Intersection 29: Mission Boulevard / D Street.</b></p> <p>(1) Widen to add 4<sup>th</sup> southbound through lane (SBT); this may</p>	City	City	Monitor as part of General Plan annual progress report, to consider		

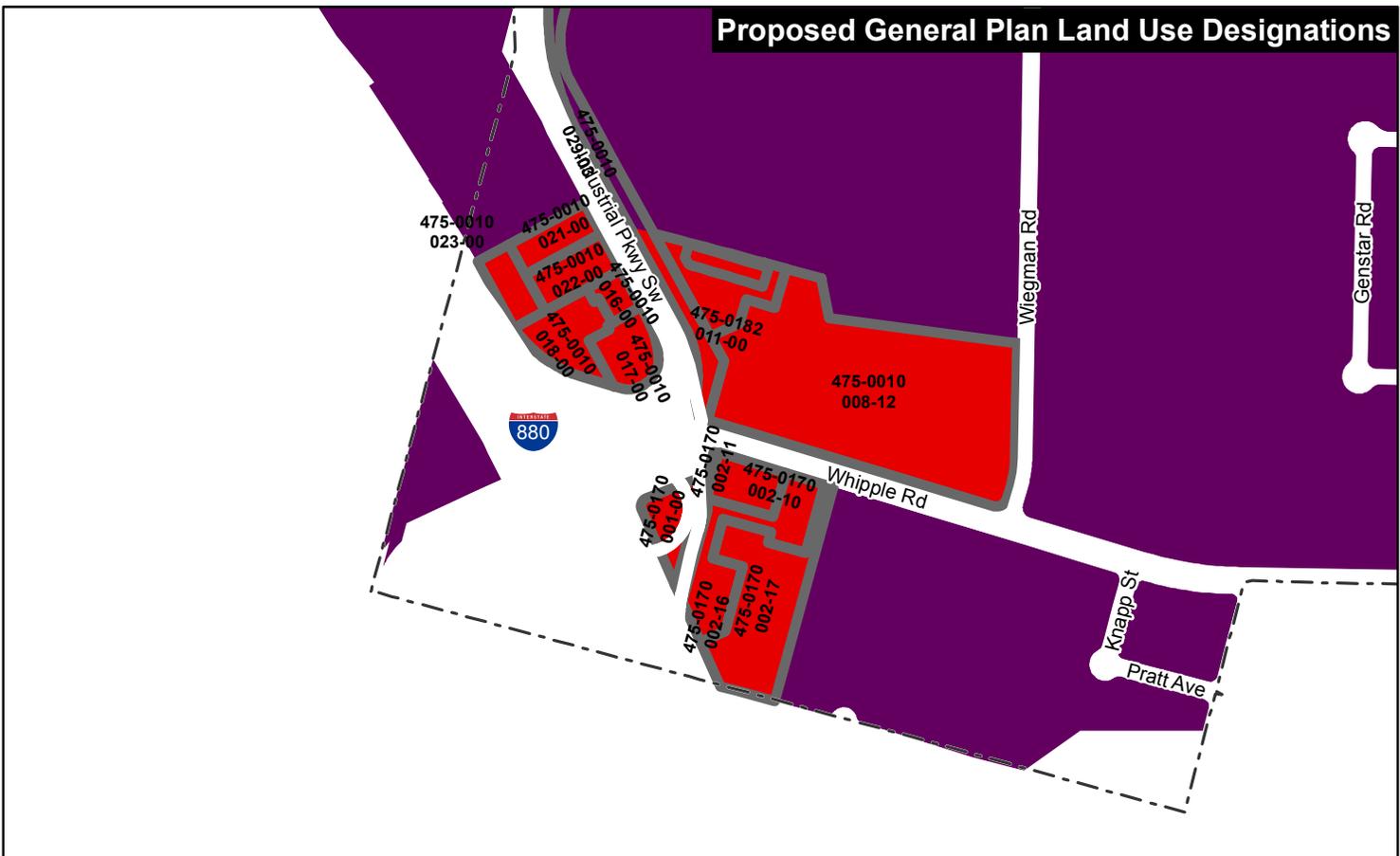
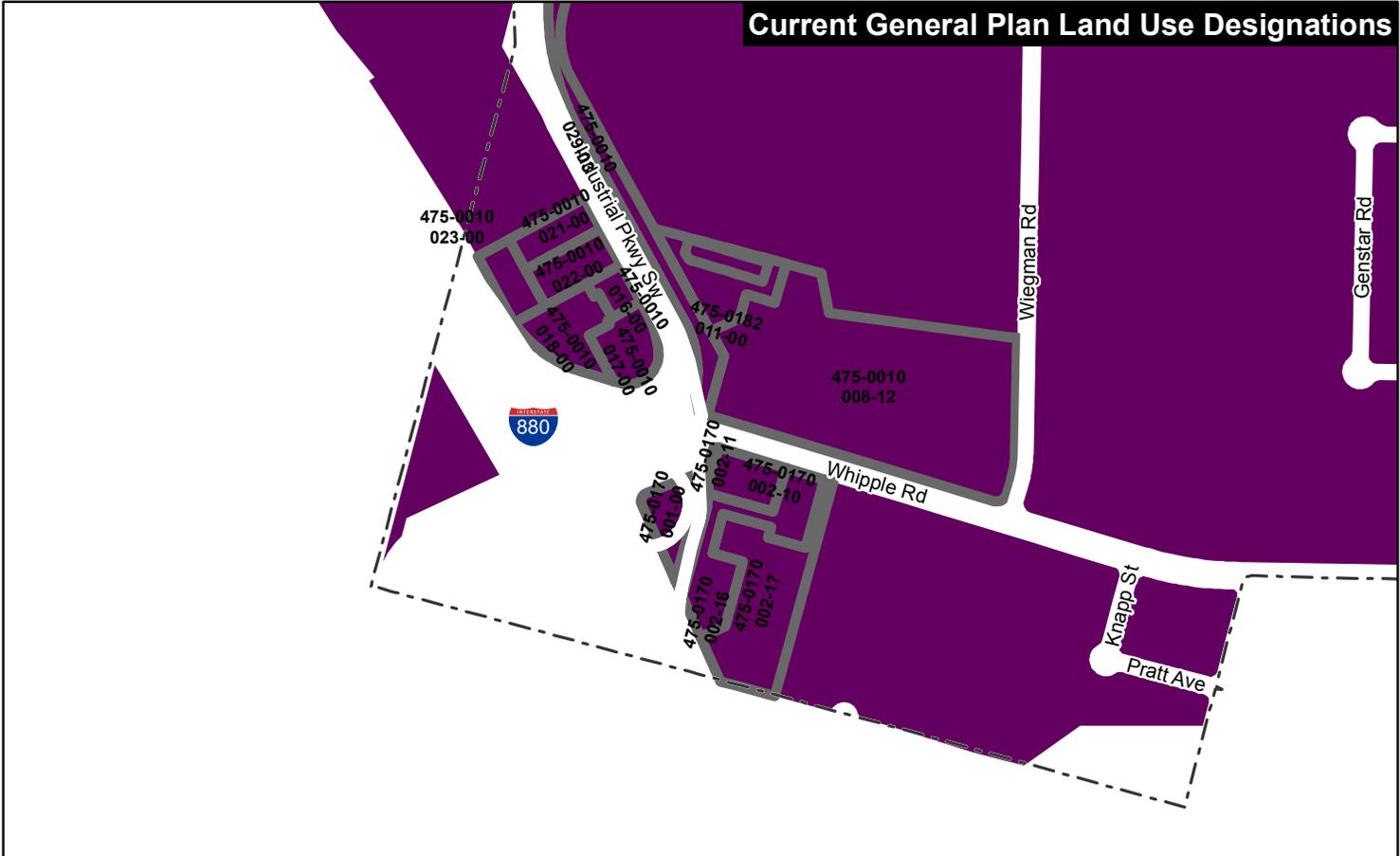
IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>require approximately 12 feet of additional right of way. (2) Optimize signal with a 120 second cycle length.</p> <p>Implementation of this mitigation would improve conditions to LOS E with 60.1 seconds of delay during the AM peak hour, and LOS E with 79.5 seconds of delay during the PM peak hour, and reduce the impact to a <i>less-than-significant level</i> with the new General Plan Policy of allowing LOS E.</p> <p>Significant improvements would be required to maintain LOS E conditions. Widening and increasing capacity could require right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection.</p> <p>The City has implemented ITS strategies at this location, including signal coordination and adaptive traffic control systems using the SCATS system. These strategies could help to improve conditions and reduce impacts. However, at this time, the additional required measures are considered to be infeasible, and the impact is considered to be <b><i>significant and unavoidable</i></b>.</p>			whether mitigation is feasible		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE (Performance Criteria)	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p><b>(m) Intersection 40: Hesperian Boulevard / Tennyson Road.</b> Widen to reconfigure to 1 northbound left (NBL) lane, 3 northbound through (NBT) lanes, and 1 northbound right (NBR) lane. Implementation of this mitigation would reduce conditions to LOS E with 78.0 seconds of delay during the PM peak hour. In addition, this intersection resides in an area of Countywide Significance as identified in the Countywide Pedestrian Plan, and major AC Transit routes traverse this intersection. At this time, this mitigation is considered to be infeasible because widening and increasing capacity could require significant right-of-way acquisition and could impact the pedestrian and bicycle access and circulation at this location, which does not support the proposed General Plan policies and programs supporting alternative modes. As a result this impact is considered to be <b>significant and unavoidable</b>.</p>	City	City	Monitor as part of General Plan annual progress report, to consider whether mitigation is feasible		



# General Plan Land Use Comparisons

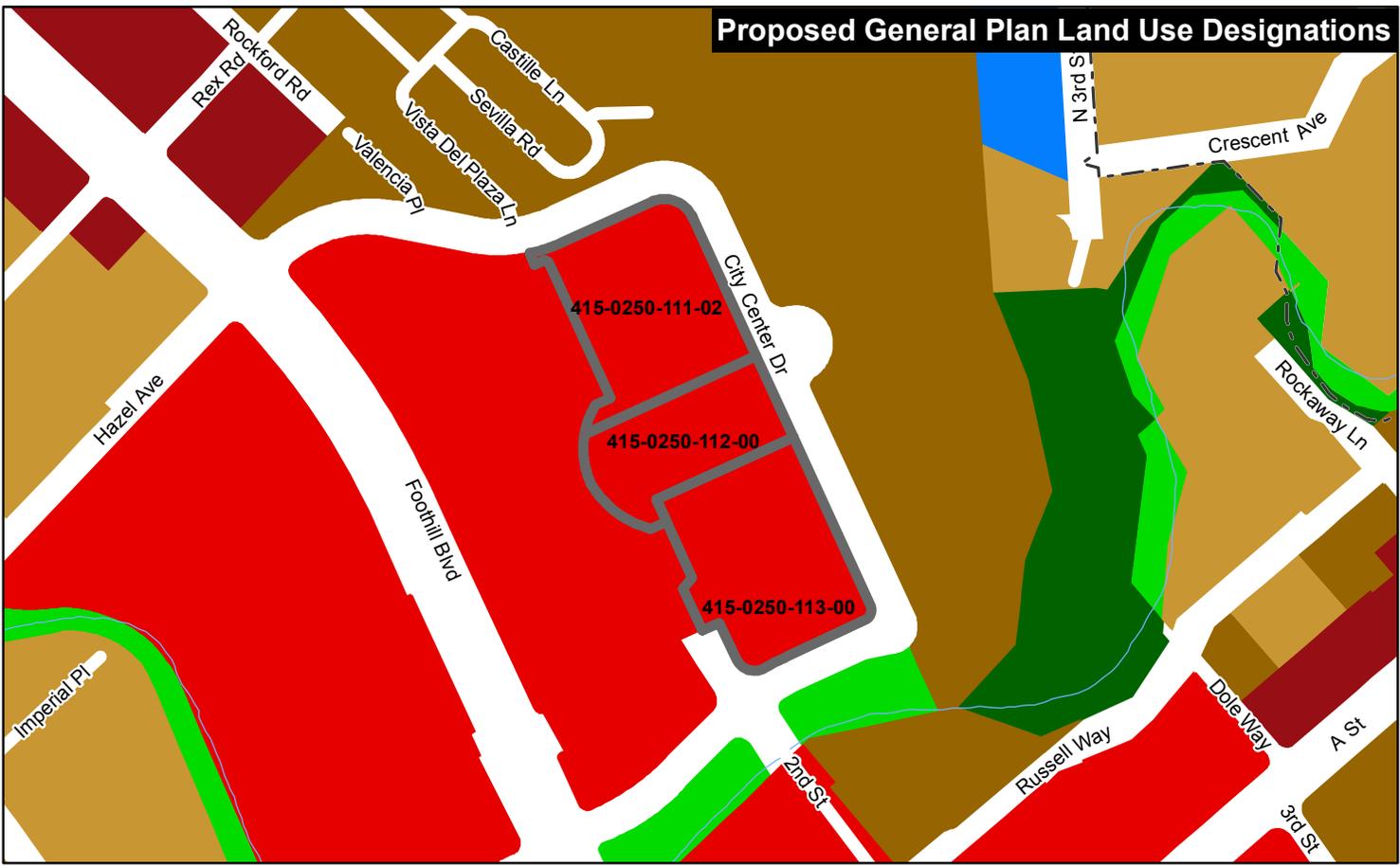
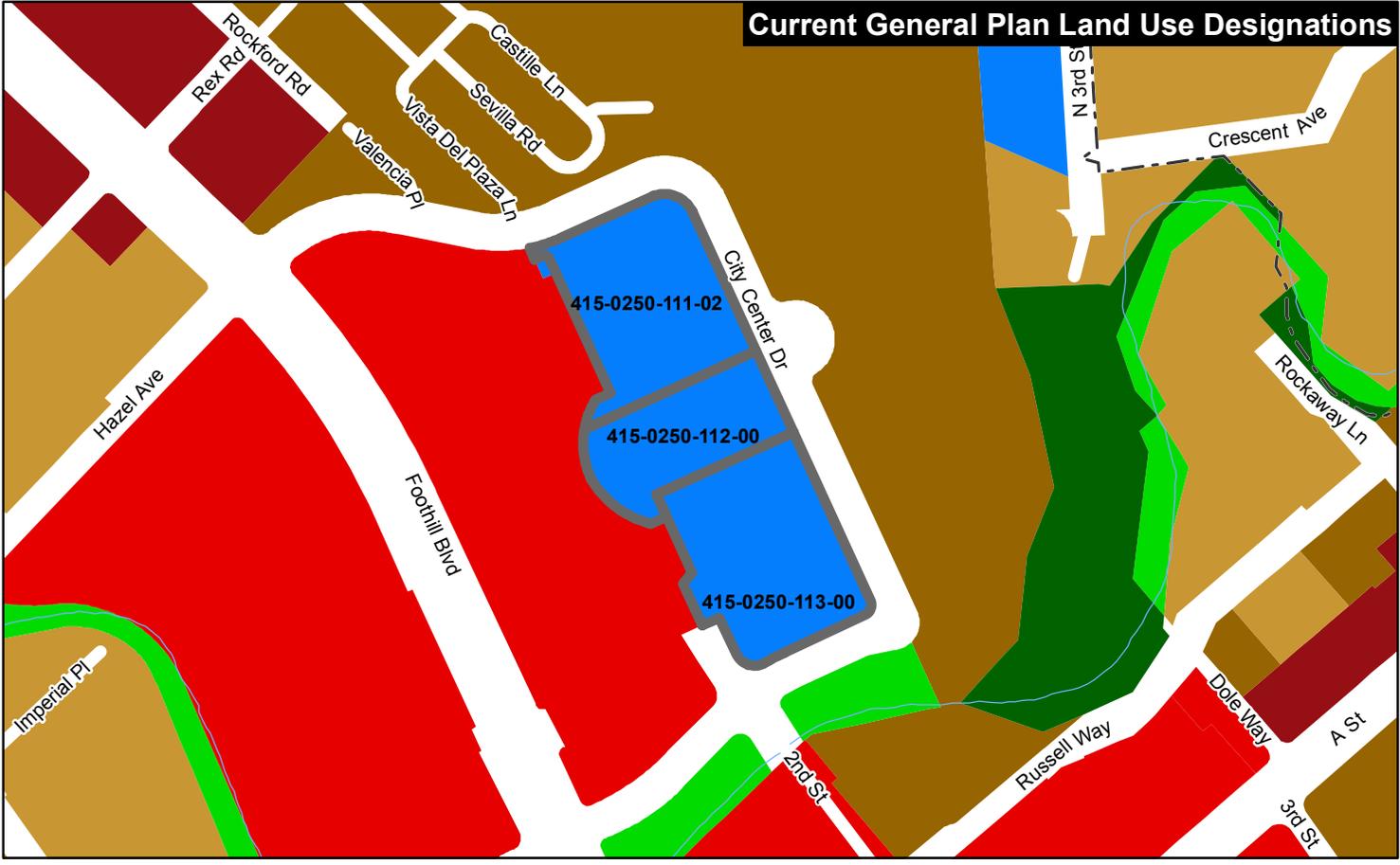
0 200 400 Feet



Parcels in question
  Industrial Corridor
  47 Retail and Office Commercial



# General Plan Land Use Comparisons



Comment Identifier	Summary of Comment	Staff's Response to Comment	Staff's Recommended Changes to the Draft Hayward 2040 General Plan	Planning Commission Recommendation	City Council Decision
<b>March 8, 2014 Open House Comments</b>					
OH 1.01	Conversation and noise level in the rotunda during the Open House made it difficult to hear the presentation. Benches selected for City Hall and Downtown accumulate water and do not drain well. Business signs on street poles are causing blight. Downtown sidewalks are cracking due to poor construction and maintenance.	Comments noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 2.01	Support community health and reduce health disparities by ensuring that Hayward's housing stock is well maintained, safe, and healthy.	The goals and policies of the Community Health and Quality of Life Element address the comment. Specifically, Policy HQL-1.6 states: <i>The City shall address health inequities in Hayward by striving to remove barriers to healthy living, avoiding disproportionate exposure to unhealthy living environments, and providing a high quality of life for all residents, regardless of income, age, or ethnicity.</i> In addition, the policies associated with Goal 1 of the Housing Element address the preservation of the existing housing stock in Hayward including Program H-3 related to the Residential Rental Inspection Program which aims to safeguard the stock of safe, sanitary rental units within the City.	Staff does not recommend any changes.		
OH 3.01	Goal PFS-5 is outdated and reflects a poor understanding of current regulatory requirements and practices to develop and redevelop land to mimic natural hydrologic cycles.	When considering the policies associated with Goal PFS-5, staff believes that the Policy Document does reflect best practices related to stormwater drainage, including green stormwater infrastructure (see Policy PFS-5.4), practices to enhance recreation and habitat along storm drainage facilities (see Policy PFS 5.8), and rainwater harvesting (see Policy PFS-5.9).	Staff does not recommend any changes.		
OH 4.01	The commenter is pleased with the topics and priorities of the plan. The redevelopment of the Mission Boulevard corridor is vitally needed. The protection of the hillsides is important. Economic retention and growth is vital to achieving the vision. Improvements to traffic flow would be appreciated to reduce fuel consumption.	Policy LU-2.12 and LU-2.13 address the Mission Boulevard Corridor. The policies under Goal LU-7 address hillside development. Goal ED-3 addresses business retention and expansion. The policies under Goal M-4 and Program M-9 address improving traffic flow.	Staff does not recommend any changes.		

Comment Identifier	Summary of Comment	Staff's Response to Comment	Staff's Recommended Changes to the Draft Hayward 2040 General Plan	Planning Commission Recommendation	City Council Decision
OH 5.01	Eldridge Elementary School needs to get rebuilt and needs new computers.	The policies under Goal EDL-3 address coordination with the school district, which is responsible for the maintenance and rehabilitation of schools, to improve school facilities and amenities.	Staff does not recommend any changes.		
OH 6.01	Question: Where are you addressing the need to bring jobs to the area so fewer people have to commute?	The Economic Development element provides goals and policies to expand job opportunities through local entrepreneurship (Goal ED-2) and business expansion and retention (Goal ED-3). In addition, Policy LU-1.1 in the Land Use Element addresses the need to improve the jobs-housing balance of the City.	Staff does not recommend any changes.		
OH 6.02	Outside of the Downtown, the City has limited transit opportunities and transit service is infrequent.	Policy M-7.3 in the Mobility Element addresses collaboration with both BART and AC Transit to expand both short-term and long-term transit opportunities.	Staff does not recommend any changes.		
OH 6.03	The Downtown Loop conflicts with pedestrian and walking goals of the plan. The Loop makes walking frightening and dangerous due to narrow sidewalks, high-speed corners, and long crossings.	The loop was planned, designed and constructed under the policy direction of the 2002 General Plan. The policies under Goal M-3, Complete Streets, will require the City to consider all modes of transportation when making future changes to the roadway network.	Staff does not recommend any changes.		
OH 6.04	Question: Where are you addressing the need for parks near housing without back-yards?	The policies under Goal LU-3, Complete Neighborhoods, promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities including parks and community centers.	Staff does not recommend any changes.		
OH 6.05	Priority #1: Bring jobs to Downtown.	Policies LU-2.1 through LU-2.7 and Programs LU-4 and LU-5 address improvement to Downtown Hayward, including job growth. In addition, policies in the Economic Development element address job growth. (See response to comment OH 6.01)	Staff does not recommend any changes.		
OH 6.06	Build bulb-outs and signals that favor pedestrians over cars.	Policies under Goals M-3 and M-5 will require the City to consider all modes of transportation including pedestrian circulation when making future changes to intersections or the roadway network.	Staff does not recommend any changes.		

Comment Identifier	Summary of Comment	Staff's Response to Comment	Staff's Recommended Changes to the Draft Hayward 2040 General Plan	Planning Commission Recommendation	City Council Decision
OH 6.07	Create an entertainment zone in Downtown, move liquor licenses away from neighborhoods, and hire security to patrol Downtown.	Policy LU-2.1 specifically addresses the creation of a downtown arts and entertainment district. The future preparation of a Downtown Specific Plan (Program LU-4) will also address this. In regards to liquor licenses, those are regulated by the Department of Alcohol and Beverage Control and are subject to concentration requirements. Also, the City revised its alcohol establishment regulations in late 2013, establishing basic operating standards for alcohol establishments and funding for additional oversight of alcohol establishments by Hayward's Police Department. In regards to downtown safety, Goal CS-1 addresses issues of safety generally. Safety issues related to Downtown will be considered as part of the future Downtown Specific Plan.	Staff does not recommend any changes.		
OH 7.01	Open House was well planned and had attractive and informative displays and presentation. Staff and volunteers were friendly and helpful. Job well done.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 8.01	The commenter would like to see Guiding Principle 6 happen, but it seems extremely difficult.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 8.02	Guiding Principles 7 and 8 are the favorite principles of the commenter.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 8.03	The commenter is interested in the Draft EIR.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 9.01	Affordable housing for low-income households, disabled persons, and the elderly needs to be improved.	Policies under Goals H-2, H-5 and H-6 of the Housing Element address equal housing opportunities for all persons, including affordable housing and housing for persons with special needs.	Staff does not recommend any changes.		
OH 9.02	Seeing boarded-up homes on B Street is very sad.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document. However, the future preparation of a Downtown Specific Plan (Program LU-4) may consider ways to reduce this.	Staff does not recommend any changes.		

Comment Identifier	Summary of Comment	Staff's Response to Comment	Staff's Recommended Changes to the Draft Hayward 2040 General Plan	Planning Commission Recommendation	City Council Decision
OH 9.03	Comment about trash and property maintenance issues related to a specific property in the City.	Specific comment has been forwarded to Code Enforcement for follow-up. Policy ED-5.4 directs the City to maintain community appearance programs addressing such issues as graffiti, abandoned vehicles, illegal dumping, weed abatement, property maintenance, illegal signs, etc.	Staff does not recommend any changes.		
OH 10.01	Extend the Retail/Office Commercial designation along Industrial Parkway (north of Whipple and Industrial SW) to take advantage of potential land use changes on large properties.	The policies under Goal LU-6 were written to preserve the Industrial Corridor. The proposed land use changes in this area were intended to be reflective of current development patterns. Program LU-11 would prepare a Specific or Master Plan for the Industrial Technology and Innovation Corridor. This plan could consider potential land use changes. Additional land use changes would be considered as part of any future development proposals.	Staff does not recommend any changes.		
OH 11.01	Comments support changing Hayward into a series of self-reliant village-towns that are similar to European communities.	Comments noted. These comments reflect ideas that are substantially different from the vision that was developed for the Hayward General Plan via extensive community outreach. Nonetheless, policies under Goal LU-3, Complete Neighborhoods, promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities including parks, community centers, religious institutions, day care centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.	Staff does not recommend any changes.		
OH 12.01	Comments are related to preserving and improving Downtown properties (Post Office, Old City Hall, Mervyns site, and Safeway property), reversing the Loop, improving the Chamber of Commerce, providing more elderly housing, and not wasting tax payer money.	Policies under Goal LU-8 address the preservation of historic resources. Policies under Goal H-6 of the Housing Element address housing for persons with special needs including seniors. Policies LU-2.1 through LU-2.7 and Programs LU-4 and LU-5 address improvements to Downtown Hayward, including the preparation of a new Downtown Specific Plan, of which the City Center and former Mervyn's headquarters sites are a part.	Staff does not recommend any changes.		

Comment Identifier	Summary of Comment	Staff's Response to Comment	Staff's Recommended Changes to the Draft Hayward 2040 General Plan	Planning Commission Recommendation	City Council Decision
OH 13.01	Commenter likes Goals EDL-4, EDL-5 and EDL-6.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 13.02	Commenter noted various problems with their rental housing, including mold, old carpet, poor insulation, and code issues with stairs. More affordable housing for disabled individuals is needed in Hayward.	Policy H-1.1 of the Housing Element directs Code Enforcement to enforce adopted code requirements that set forth acceptable health and safety standards for housing units. Program H-3 in the Housing Element addresses to the Residential Rental Inspection Program which aims to safeguard the stock of safe, sanitary rental units within the City. In addition, Policy HQL-7.6 addresses coordination with Alameda County related to mold and lead issues in housing units. Policies under H-6 of the Housing Element address housing for persons with special needs.	Staff does not recommend any changes.		
OH 14.01	Commenter is impressed with the area and the work of planners.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
OH 15.01	The key problems are crime (Cherryland and Kelly Hill area) and poor reputation of schools.	Policies in the Community Safety Element address crime and public safety issues and policies Under Goal EDL-2 in the Education and Lifelong Learning Element address reputation of public schools.	Staff does not recommend any changes.		
OH 16.01	Commenter requested that the City send them a copy of Figure 5-6 and Table 5-6.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document. Documents provided as requested.	Staff does not recommend any changes.		
OH 17.01	The bus route timing to Downtown BART is off and causes rider to miss trains to San Francisco.	Policies M-7.1 through M-7.5 direct the City to coordinate with BART, AC Transit and other transit providers to meet the transit needs of the Hayward community.	Staff does not recommend any changes.		
OH 18.01	City needs map showing all of the street names.	In general, the maps in the General Plan depict citywide issues and conditions and only major streets are labeled. Adding more street names would make the maps difficult to read at their printed scale. The final General Plan will be in html format on the City's webpage and will be easier to incorporate all street names on these versions.	Staff does not recommend any changes.		

March 13, 2014 Planning Commission Work Session Comments					
PC 8	Concern raised about misleading chart on page 2-1 of the Policy Document and inappropriate use of a photograph from San Francisco on page 2-18.	Comment noted.	Staff will modify the chart and replace the photo in the final version of the document.		
PC 11	The language of some of the policies such as ED-2.5 in the policy document needs to be written so that it will transcend over time.	Comment noted. Policy ED-2.5 will be modified.	<p><b>ED-2.5–Community-Operated Workspaces Hacklabs, Hackerspaces, and Makerspaces</b></p> <p>The City shall encourage the development of community-operated workspaces where people with common interests can meet, collaborate, and develop their business ideas and products (e.g. hacklabs, hackerspaces, or makerspaces).                      [Source: New Policy; GPUTF] (PI/JP)</p>		
March 18, 2014 City Council Work Session Comments					
CC 1	The General Plan needs to address the obligation that the Air Quality Management District has in monitoring air quality in the local area.	Policies under Goal NR-2 address air quality issues. Specific policies that address coordination with the Air Resources Board and the Bay Area Air Quality Management District include Policy NR-2.1, NR-2.3, NR-2.7, NR-2.13, and NR-2.17.	Staff does not recommend any changes.		
CC 2	Protecting commercial property will lead to local job creation.	The proposed General Plan does not re-designate commercial properties to non-commercial uses. In addition, the Economic Development element provides goals and policies to expand job opportunities.	Staff does not recommend any changes.		

<p>CC 3</p>	<p>Consider developing an impact fee structure that would recognize that developments have an impact on traffic and air quality.</p>	<p>Comment noted. Staff recommends adding an Implementation Program to Table M in part 4 of the Policy Document to address transportation impacts of future development.</p>	<p><b>23. Transportation Impact Fees.</b> The City shall prepare a Development Impact Fee Feasibility Study and Nexus Report to assess the potential for establishing development impact fees for local transportation improvements, and if deemed appropriate by City Council, regional transportation improvements. Based on the findings of the Feasibility Study and Nexus Report and direction from the City Council, the City may prepare and adopt an Impact Fee Ordinance for transportation improvements. <i>[Source: New Program; City Council] (RDR/FB)</i>  <b>Implements Which Policy(ies):</b> M-4.1, M-4.2, M-4.4  <b>Responsible Department(s):</b> Public Works-Engineering and Transportation, Development Services,  <b>Supporting Department(s)/Partner(s):</b> Finance, City Manager  <b>Funding Source(s):</b> General Fund, Grants  <b>Timeframe:</b> 2017-2019</p>		
<p>CC 4</p>	<p>Consider adding bicycle lanes on Hesperian Boulevard.</p>	<p>Bicycle lanes are planned along some portions of Hesperian Boulevard. Unfortunately there is insufficient right-of-way width to accommodate a bicycle lane along the entirety of Hesperian Boulevard. The Public Works – Engineering and Transportation Division is exploring the possibility of making remaining portions of Hesperian a bike route, which would be appropriately addressed in the City’s Capital Improvement Program. Policy LU-4.12 directs the preparation of a Hesperian Boulevard College Corridor Plan that may explore this further.</p>	<p>Staff does not recommend any changes.</p>		
<p>CC 5</p>	<p>Provide Council with a list of proposed zone changes in the General Plan.</p>	<p>Maps showing proposed General Plan land use changes were provided to City Council as requested. Zone changes will be done with the Comprehensive Zoning Ordinance Update in FY15-16.</p>	<p>Staff does not recommend any changes.</p>		
<p>CC 6</p>	<p>Consider having neighborhood-serving commercial retail with residential.</p>	<p>Policies under Goal LU-3, Complete Neighborhoods, promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities including parks, community centers, religious institutions, day care centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.</p>	<p>Staff does not recommend any changes.</p>		

CC 7	Consider noise and pollution issues.	Policies under Goal HAZ-8 address noise and ground vibration issues. Policies under Goal NR-2 address air quality issues.	Staff does not recommend any changes.		
<b>March 18, 2014 Letter from Alameda County Airport Land Use Commission</b>					
L 2.1	Recommended changes to policy language to better reflect the City's responsibility when considering development proposals.	Comment noted. Staff recommends modifying Policy HAZ-7.1 to include language as recommended by the commenter.	<p><b>HAZ-7.1 Land Use Safety Compatibility and Airspace Protection Criteria</b>                      The City shall <u>consult the Hayward Executive Airport's Airport Land Use Compatibility Plan (ALUCP) unless it is overruled by the Hayward City Council, for specific criteria for</u> <del>consider</del> land use safety and airspace protection when evaluating development applications within the <u>Airport Safety Zones Influence Area</u> of the Hayward Executive Airport. <i>[Source: New Policy, City Staff] (RDR)</i></p>		

L2.2	Include a specific mechanism in General Plan Policy M-10.2, such as a Zoning Ordinance Overlay Zone with compatibility criteria for parcels within the Airport Influence Area, so that the City can consistently apply Policy M-10.2.	Comment noted. Staff recommends modifying Policy M-10.2 to be consistent with language included in Policy HAZ-7.2 and to reference Policy 10.2 in Implementation Program LU-1 and address as part of the Comprehensive Zoning Ordinance Update.	<p><b>M-10.2 Airport Land Use Compatibility</b></p> <p>The City shall ensure uses surrounding the airport are compatible with existing and planned airport operations and are consistent with the Airport Land Use Compatibility Plan for the Hayward Executive Airport <u>unless overruled by the Hayward City Council.</u> <i>[Source: New Policy] (RDR/MPSP)</i></p> <p><b>1. Comprehensive Zoning Ordinance Update.</b> The City shall prepare a comprehensive update to the Hayward Zoning Ordinance to ensure that the City’s zoning regulations align with the guiding principles, goals, and policies of the General Plan. <i>[Source: New Program; City Staff] (RDR)</i></p> <p><b>Implements Which Policy(ies):</b> LU-1.4, LU-1.6, LU-1.9, LU-3.1, LU-3.3, LU-3.4, LU-3.5, LU-3.6, LU-4.1, LU-4.2, LU-4.3, LU-5.1, LU-5.2, LU-5.4, LU-5.7, LU-6.1, LU-6.2, LU-6.4, LU-6.5, <u>M-10.2</u>, ED-1.3, ED-1.12, ED-1.15, ED-6.2, NR-1.7, NR-3.3, NR-6.6, EDL-1.4, HAZ-6.3, HQL-3.1, HQL-3.2, HQL-3.4, HQL-3.5, HQL-3.6, HQL-3.8, HQL-4.3, HQL-6.5, HQL-8.3</p> <p><b>Responsible Department(s):</b> Development Services</p> <p><b>Supporting Department(s)/Partner(s):</b> Public Works – Engineering and Transportation, Public Works – Utilities and Environmental Services, City Manager, Fire</p> <p><b>Funding Source(s):</b>General Fund, Grants</p> <p><b>Timeframe:</b> 2014-2016</p>		
<b>March 19, 2014 Letter from Alameda County Community Development Agency – Planning Department</b>					
L 3.01	County likely to oppose City annexation of unincorporated areas in City's sphere of influence that generate high tax revenues.	Comment noted.	Staff does not recommend any changes.		

L 3.02	County recommends that the City seek assistance from the County's Healthy Homes Department for mold and lead reduction efforts.	Comment noted. Staff recommends modifying Policy HQL-7.6 to include coordination with the Alameda County Healthy Homes Department of the Community Development Agency.	<b>HQL-7.6 Mold and Lead Hazards Prevention</b> The City shall partner with the Alameda County Public Health Department <u>and the Healthy Homes Department of the County Community Development Agency</u> to provide education and technical assistance in reducing mold and lead hazards in homes. <i>[Source: New Policy, City staff] (IGC/PI)</i>		
L 3.03	In the Background Report, the County General Plan elements that pertain to unincorporated areas within the Hayward Sphere of Influence are incorrect.	Comment noted. Background Report will be updated accordingly.	<b>Alameda County General Plan</b> The Alameda County General Plan consists of several documents, including the Eden Area General Plan, the Castro Valley General Plan, and the East County Area General Plan. In addition, the County General Plan includes five elements that apply policies to all unincorporated areas of the county. These elements are the <del>Regional Element, the Housing Element, the Energy Element, the Safety and Noise Element, and the Natural Resources, Recreation, and Open Space Element.</del> <u>Housing, Conservation, Open Space, Noise, Safety, and Scenic Route Elements.</u>		
L 3.04	In the Background Report, Castro Valley is mistakenly identified as a city and should be corrected to "unincorporated community."	Comment noted. Background Report will be updated accordingly.	The Park District boundaries include the cities of Hayward, <del>and Castro Valley</del> , and the unincorporated communities of <u>Castro Valley</u> , San Lorenzo, Ashland, Cherryland, and Fairview.		
L 3.05	Statement about Measure D should be revised to clarify that Alameda County Board of Supervisors did not adopt Measure D but that the measure was passed by countywide vote in 2000.	Comment noted. No change is recommended to the Background Report as the details of how Measure D was passed is not relevant to the discussion.	Staff does not recommend any changes.		
L 3.06	County land use designations for the unincorporated area of Fairview, as described in the Fairview Area Specific Plan, should be used in the Background Report and Policy Document graphics, instead of City of Hayward land use designations.	Comment noted. The City has requested GIS data layers from the County for the Fairview area. To date, those layers have not been provided to the City. In their place, the City is applying a land use designation most closely aligned with the land use designations under the Fairview Specific Plan. This is the same approach used during the 2002 General Plan Update process. The City will continue to work with the County to correct the mapped land use designations for the Fairview area.	Staff will continue to work with the County to correct the mapped land use designations for the Fairview area.		

L 3.07	As shown in the County's Castro Valley General Plan, some parcels for the Five Canyons development should be open space, and graphics in the Background Report and the Policy Document should be revised to reflect this	The City has requested GIS data layers from the County for the Five Canyons area. To date, those layers have not been provided to the City. In their place, the City is using the Rural Estate Density land use designation, which allows open space as a supporting use. The City will continue to work with the County to correct the mapped land use designations for the Five Canyons area.	Staff will continue to work with the County to correct the mapped land use designations for the Five Canyons area.		
L 3.08	Land use designations for the unincorporated area along Center Street north of the intersection of B, Center, and Kelly Streets, and to the City of Hayward boundary, should reflect their appropriate Castro Valley General Plan land use designations.	The City has requested GIS data layers from the County for this area. To date, those layers have not been provided to the City. The City will continue to work with the County to correct the mapped land use designations for this unincorporated area.	Staff will continue to work with the County to correct the mapped land use designations for this unincorporated area.		
<b>March 20, 2014 Letter from California Department of Transportation</b>					
L 7.04	The City needs to include Caltrans under agencies for regional transportation coordination in the Policy Document (see Goal M-2). Also, the City should encourage establishment of a Regional Transportation Impact Fee program for regionally significant roadway improvements.	Comment noted. Staff recommends modifying Policy M-2.1 to include coordination with Caltrans, and the addition of an Implementation Program to Table M in part 4 of the Policy Document to address transportation impacts of future development.	<p><b>M-2.1 Regional Coordination</b>                      The City shall continue to coordinate its transportation planning with regional agencies (<u>Caltrans</u>, Metropolitan Transportation Commission and Alameda County Transportation Commission) and adjoining jurisdictions. [Source: Existing Policy; modified] (IGC)</p> <p><b>23. Transportation Impact Fees.</b> The City shall prepare a Development Impact Fee Feasibility Study and Nexus Report to assess the potential for establishing development impact fees for local transportation improvements, and if deemed appropriate by City Council, regional transportation improvements. Based on the findings of the Feasibility Study and Nexus Report and direction from the City Council, the City may prepare and adopt an Impact Fee Ordinance for transportation improvements. [Source: New Program; City Council] (RDR/FB)</p> <p><b>Implements Which Policy(ies):</b> M-4.1, M-4.2, M-4.4, M-9.2</p> <p><b>Responsible Department(s):</b> Finance</p> <p><b>Supporting Department(s)/Partner(s):</b> Public Works-Engineering and Transportation, Development Services, City Manager</p> <p><b>Funding Source(s):</b> General Fund, Grants</p> <p><b>Timeframe:</b> 2014-2016</p>		

L 7.05	The City should coordinate with Caltrans in developing multi-modal programs for regional transportation system enhancements (see Policy M-2.3 in the Policy Document).	Comment noted. Staff recommends modifying Policy M-2.3 to include coordination with Caltrans.	<p><b>M-2.3 Multi-Jurisdictional Transportation Corridors</b>                  The City shall work with the Metropolitan Transportation Commission, <u>Caltrans</u>, AC Transit, and adjacent communities to improve city roadways, pedestrian ways, bicycle facilities, and transit corridors to connect with neighboring and regional transportation networks and contribute to a regional multimodal transportation system. Source: New Policy, City Staff] (MPSP/IGC)</p>		
L 7.06	The City should consider other methods for managing existing local and state roadway operations, including, without limitation, system management strategies such as ramp metering, high occupancy toll lanes, and other Intelligent Transportation System tools.	Comment noted. City staff can look at alternative methods for managing existing local roadway operations and enhance coordination efforts with regional and state entities for other roadway operations. These changes can be captured in Policy M-2.3, as described above.	See change described above in Policy M-2.3.		
L 7.07	The City should develop an alternative funding program that allows contributions from projects instead of typical contributions to the City's Transportation Demand Management Plan (TDM). This alternative funding program would be used for transportation improvements beneficial to a range of transportation modes.	Comment noted. The City Council has directed staff to look into alternative funding programs for transportation improvements. Staff has added an Implementation Program, Program 23, related to Transportation Impact Fees.	See changes described above related to adding Implementation Program 23 related to Transportation Impact fees.		
L 7.08	Who will monitor TDM effectiveness and how? What measures will the City take if vehicle reduction targets are not met?	Comment noted. Project specific TDM requirements would be evaluated at the time of project review and the details would be incorporated into project conditions of approval.	Staff does not recommend any changes.		

<p>L 7.09</p>	<p>The City should reduce parking requirements for developments that contribute to the construction or operation of non-vehicular improvements such as bicycle lanes.</p>	<p>Comment noted. Staff recommends modifying Policy M-9.2 and adding a reference to Policy M-9.2 to Implementation program M-1.</p>	<p><b>M-9.2 Parking Reductions</b>                  The City shall consider reduced parking requirements for <u>developments that contribute to the construction and/or operation of non-vehicular improvements (i.e. bike lane improvements), projects located near public transit, or new residential developments that fulfill senior, disabled, or other special housing needs.</u> <del>or are located near public transit.</del>  <i>[Source: Existing Policy; modified] (RDR/MPSP)</i></p> <p><b>1 Multimodal LOS and Design Standards.</b> The City shall adopt multi-modal Level of Service (LOS) and design standards and a methodology that defines the process for determining which non-vehicular transportation and transit improvements will be implemented. The multimodal LOS program, design standards, and methodology should be consistent with those adopted by the Alameda County Transportation Commission. <i>[Source: New Program, City Staff] (RDR/MPSP)</i></p> <p><b>Implements Which Policy(ies):</b> M-1.2, M-1.3, M-1.4, M-1.5, <u>M-9.2</u>  <b>Responsible Department(s):</b> Public Works-Engineering and Transportation  <b>Supporting Department(s)/Partner(s):</b> Development Services, Public Works-Utilities and Environmental Services, Fire, Police  <b>Funding Source(s):</b> General Fund  <b>Timeframe:</b> 2017-2019</p>		
<p>L 7.10</p>	<p>Goal M-9 in the Policy Document should be revised to encourage Shared Parking use as a means of reducing the number of underutilized parking spaces.</p>	<p>Comment noted. Staff recommends modifying Policy M-9.6.</p>	<p><b>M-9.6 Reduction of Parking Areas</b>                  The City shall strive to reduce the amount of land devoted to parking through such measures as development of parking structures, the application of shared parking <del>for mixed-use developments</del>, and the implementation of Transportation Demand Management strategies to reduce parking needs. <i>[Source: New Policy, City Staff] (RDR/MPSP)</i></p>		

March 21, 2014 Letter from Hayward Area Planning Association (HAPA)					
L 8.01	The 2040 General Plan does not include ideas submitted by HAPA related to better access to CSUEB from Pioneer Way.	The City of Hayward does not have jurisdictional control over the California State University, East Bay (CSUEB) campus, and therefore, cannot require specific improvements to the campus. Nonetheless, Policy LU-9.5 of the Hayward 2040 General Plan directs the City to coordinate with CSUEB to encourage campus development that improves access routes to the campus. CSUEB’s Hayward Campus Master Plan identifies a variety of access and circulation improvements to the campus, including improvements at Pioneer Way.	Staff does not recommend any changes.		
L 8.02	The 2040 General Plan does not include ideas submitted by HAPA related to the Beeline Bus (shuttle service to CSUEB).	While the term “Beeline Bus” is not specifically used in the Policy Document, several policies under Goal M-7 address improved transit to CSUEB, including M-7.2, M-7.4, and M-7.11.	Staff does not recommend any changes.		
L 8.03	The 2040 General Plan does not include ideas submitted by HAPA related to Bayview Quarry Village (a development concept developed by HAPA).	The General Plan does not specifically discuss the Bayview Quarry Village or any other specific development concepts for private properties within Hayward. A project proposal for the Bayview Quarry Village could be considered by the City with the submittal of a planned development application or specific plan for the property.	Staff does not recommend any changes.		
L 8.04	The 2040 General Plan does not include ideas submitted by HAPA related to green redevelopment along Mission Boulevard.	Policies LU-2.8, LU-2.9, LU-2.12 and LU-2.13 address the Mission Boulevard Corridor. The redevelopment of properties along Mission Boulevard are regulated by the South Hayward BART Form Based Code and the Mission Boulevard Specific Plan, both of which allow a mix of uses at relatively high densities and intensities, establish maximum (versus minimum) parking requirements, and promote transit, walking, and bicycling as an alternative to the automobile.	Staff does not recommend any changes.		

L 8.05	The 2040 General Plan does not include ideas submitted by HAPA related to pedestrian access to the CSUEB Hayward campus.	The City of Hayward does not have jurisdictional control over the California State University, East Bay (CSUEB) campus, and therefore, cannot require specific improvements to the campus. Nonetheless, Policy LU-9.5 of the Hayward 2040 General Plan directs the City to coordinate with CSUEB to encourage campus development that improves access routes to the campus. CSUEB’s Hayward Campus Master Plan identifies a variety of access and circulation improvements to the campus, including pedestrian enhancements.	Staff does not recommend any changes.		
L 8.06	The 2040 General Plan does not include ideas submitted by HAPA related to code enforcement and Fairway Park.	Staff does not feel that it is appropriate to identify specific properties that are challenged by blight and crime within the General Plan Policy Document. Issues of blight and crime are addressed in several policies, including LU-1.14, CS-1.1, CS-1.2, CS-1.3, CS-1.5, CS-1.6, CS-1.15, CS-3.7, and ED-5.4. Specific programs related to the reduction of blight and crime are listed in CS-1.2, CS-1.3, CS-1.5, CS-1.6, and ED-5.4	Staff does not recommend any changes.		
L 8.07	The 2040 General Plan does not include ideas submitted by HAPA related to the South Hayward BART Area.	The City of Hayward and BART formed the South Hayward BART Station Access Authority in September 2011 to manage parking and access around the South Hayward BART station. The Authority prepared the South Hayward BART Parking and Access Study in 2012, and has implemented several parking improvements, including a paid parking program and a residential permit parking program. The Authority will continue to address parking and access issues in the future as parking demand changes. The policies under Goal M-9 address parking throughout the City. Overall, the policies “support the provision and management of parking, recognizing that parking provision should be balanced with other city objectives such as encouraging transit uses, bicycling, and walking, as well as reduction in emissions.” However, the General Plan contains several policies that are supported by HAPA, including parking management, parking reductions, and the reduction of parking area.	Staff does not recommend any changes.		

L 8.08	The 2040 General Plan does not include ideas submitted by HAPA related to social issues related to the Green Shutter Hotel and B Street.	Staff does not feel that it is appropriate to identify specific properties that are challenged by social problems within the General Plan Policy Document. Several goals and policies are included to improve Downtown Hayward. Program LU-4 requires the preparation of a Downtown Specific Plan. This will allow the City to address specific Downtown challenges at a higher level of detail.	Staff does not recommend any changes.		
L 8.09	The 2040 General Plan does not include ideas submitted by HAPA related to access to Downtown and the problems with the Loop.	The policies under Goal M-3, Complete Streets, will require the City to consider all modes of transportation when making future changes to the roadway network. Program LU-4 requires the preparation of a Downtown Specific Plan. This will allow the City to address specific Downtown challenges at a higher level of detail.	Staff does not recommend any changes.		
L 8.10	The 2040 General Plan does not include detailed ideas submitted by HAPA related to Parking Fee Pilot Projects.	Comment noted. Staff believes that an appropriate level of detail and direction are provided in the policies under Goal M-9 and Program M-21. Specific details will be provided when the Downtown Parking Management Plan is developed.	Staff does not recommend any changes.		
L 8.11	The 2040 General Plan does not include ideas submitted by HAPA related to Downtown redevelopment, the Boulevard, and the convention center.	Policies LU-2.1 through LU-2.7 and LU-2.14 through LU-2.17 address improvements to Downtown Hayward. These policies address Downtown housing, Downtown activities and functions, shopping and entertainment, office and employment uses, and connections to the Downtown BART Station ED-1.4 encourages the development of hospitality and entertainment businesses within the Downtown, including shopping, dining, arts and entertainments, lodging, business conventions, and cultural events. Program LU-4 requires the preparation of a Downtown Specific Plan. This will allow the City to address specific Downtown challenges and opportunities at a higher level of detail.	Staff does not recommend any changes.		
L 8.12	The 2040 General Plan does not include ideas submitted by HAPA related to a BART taxi stand.	Comment noted. Staff recommends changes to Policy M-7.13. In addition, Program LU-4, which requires the preparation of a Downtown Specific Plan, will allow the City to address specific improvements to the Downtown BART Station.	<p><b>M-7.13 Taxi Service</b>                  The City shall promote the continued operation of taxi service, including the provision of a dedicated <u>Taxi stand at the Downtown Hayward BART Station</u>, on-street loading spaces (where appropriate), incremental improvements in gas mileage, and improved access for passengers with disabilities. [Source: New Policy, City Staff] (MPSP/JP)</p>		

L 8.13	The 2040 General Plan does not include ideas submitted by HAPA related to the Fourth Street Extension.	The Fourth Street Extension was analyzed during the Route 238 Bypass Land Use Study. The Study requires the construction of the Fourth Street Extension. The specific alignment of the extension would be determined when the property is proposed for development.	Staff does not recommend any changes.		
L 8.14	The 2040 General Plan does not include ideas submitted by HAPA related to home energy audits and energy upgrades.	The policies under Goals NR-2 and NR-4, as well as Programs NR-5, NR-6, NR-7, NR-8, NR-9, NR-10, NR-11, and NR-13 address energy efficiency audits, financing programs for energy efficiency retrofits, and financing programs for renewable energy systems.	Staff does not recommend any changes.		
L 8.15	The 2040 General Plan does not include ideas submitted by HAPA related to apartment energy and waste	<p>Policy NR-4.14, Program NR-9, Policy PFS-7.16 and Policy PFS 7.21 address the City’s approach related to apartment energy and waste. In addition to the above policies and program, the Public Works - Utilities and Environmental Services Department is currently developing a pilot program called Green Hayward PAYS (Pay As You Save), which will initially target multi-family properties. The PAYS program is a financing program that will allow installation of water-efficient fixtures and energy efficiency improvements in existing multi-family homes. Owners have no up-front cost and they pay for the improvements with a surcharge on their Hayward water bill.</p> <p>Regarding waste, all multi-family properties currently subscribe to recycling collection service. The mandatory recycling ordinance, authored by the Alameda County Waste Management Authority would require all multi-family properties to subscribe to organics collection by July 1, 2014. The City Council voted to opt out of the ordinance. Once negotiations for a new waste and recycling services franchise agreement are completed (anticipated for spring of 2015), staff may ask Council to reconsider participation in the ordinance.</p>	Staff does not recommend any changes.		

L 8.16	The 2040 General Plan does not include ideas submitted by HAPA related to parking for sustainability.	Program M-20 requires a comprehensive update to the city’s off-street parking regulations, which would include modifications to implement the policies related to unbundled parking, shared parking, and the application of transportation demand management strategies. The 2040 General Plan does not have goals or policies that support subsidized parking structures. The goals and policies support the use of parking structures to efficiently utilize land resources and to accommodate higher densities of development near transit.	Staff does not recommend any changes.		
L 8.17	The 2040 General Plan does not include ideas submitted by HAPA related to “short corridor” development along Mission Boulevard.	While the term “Short Corridor” is not used in the Policy Document, Program M-12 directs the City to conduct a study to evaluate the feasibility of establishing shuttle service to address any unmet transit needs, to fill in gaps in service that are not being met by other transit providers, and to improve transit connections between major transit stations and employment center.	Staff does not recommend any changes.		
L 8.18	The 2040 General Plan does not include ideas submitted by HAPA related to green smart growth and net zero energy.	Policy NR-4.11 addresses green building standards and net zero energy goals. Also, as noted in the April 3, 2013 report to the Sustainability Committee, the California Energy Commission intends to require zero net energy construction in new residential buildings by 2020 and in new commercial buildings by 2030. It is anticipated that the CalGreen building code will accomplish these goals.	Staff does not recommend any changes.		
L 8.19	The update does take first steps toward community choice aggregation.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
L 8.20	The 2040 General Plan does not include ideas submitted by HAPA related to toilets and grey water systems.	Program PFS-6 requires the City to study the feasibility of amending the building and development codes to encourage rainwater harvesting and grey water systems.	Staff does not recommend any changes.		

L 8.21	The 2040 General Plan does not include ideas submitted by HAPA related to arts, music, and history.	Staff recommends the addition of an Implementation Program to Table ED in part 4 of the Policy Document to establish a Cultural Commission.	<p><b>15. Cultural Commission.</b> The City shall establish a Cultural Commission to coordinate the efforts of various arts, culture, and historical groups within Hayward and to assist with cultural event planning. The Commission shall also provide recommendations to the City Council related to the establishment of a public art program, which would fund public art projects through a development fee. <i>[Source: New Program; Community Outreach] (MPSP)</i></p> <p><b>Implements Which Policy(ies):</b> ED-5.2  <b>Responsible Department(s):</b> City Manager  <b>Supporting Department(s)/Partner(s):</b> Development Services  <b>Funding Source(s):</b> General Fund, Grants  <b>Timeframe:</b> 2020-2040</p>		
L 8.22	The 2040 General Plan does not include ideas submitted by HAPA related to libraries.	<p>The policies under Goal 6 address library facilities. The policies support the construction of a new library in Downtown Hayward when funding is available. The policies also establish design principles for new library facilities, which includes sustainable design practices to reduce energy and water consumption.</p> <p>The 2040 General Plan does not establish policies for the reuse of Library Park (the current Downtown library site). Staff recommends an additional policy under Goal 6 of the Education and Lifelong Learning Element.</p>	<p><b>EDL-6.9 Library Park</b>                  The City shall maintain Library Park (the home of the current Downtown Library) as a public space if and when the library is relocated to a new facility. Future improvements to Library Park should strive to preserve mature trees, promote the history and heritage of Hayward, and create attractive spaces for outdoor festivals, musical performances, cultural events, and farmer’s markets. <i>[Source: New Program; Community Outreach] (MPSP)</i></p>		
L 8.23	The 2040 General Plan does not include ideas submitted by HAPA related to trails. Trail policies are nice, but vague.	The policies under Goal HQL-11 address coordination with HARD and the EBRPD to develop new trails within Hayward.	Staff does not recommend any changes.		
<b>February 5, 2014 Hayward2040.org post by Ruddel O.</b>					
L 9.1	Commenter was generally pleased with the sections of the document that they reviewed, but disappointed in the level of innovative or new approaches to some of Hayward's challenges. The commenter hopes future updates will be more visionary and take advantage of "leading edge" technology, urban models and governance.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		

February 7, 2014 Hayward2040.org post by JoAnn C.					
L 10.1	The Mobility Element does not place enough emphasis on encouraging more walking and bicycling. The map doesn't depict many new bike lanes to be created by 2040 within the areas primarily designated residential. They are sorely needed.	Comment noted. Goals 5 and 6 in the Mobility Element cover Pedestrian Facilities and Bikeways with specific policies encouraging integrated networks for pedestrians and bicycles. Program GPA-3 requires the City to review on a biennial basis its existing plans, including the Bicycle Master Plan, and update as necessary. In addition, Program M-11 requires the City to develop, adopt and implement a Pedestrian Master Plan to improve pedestrian connections to parks, transit and neighborhood commercial and service uses.	Staff does not recommend any changes.		
L 10.2	The one obstacle to walking that is not mentioned is safety. Many people don't walk much because they're afraid for their personal safety. How will that issue be addressed?	The issue of safety is addressed in the Community Safety Element, specifically policies under Goals CS-1 and CS-2.	Staff does not recommend any changes.		
L 10.3	Commenter supports the car-sharing and hopes to see more demand for it in Hayward.	Policy M-8.6 supports the development of car and bike share programs. Mobility Implementation Program 17 also requires the city to prepare a study that explores the development of car-sharing and/or bike sharing programs for City employees.	Staff does not recommend any changes.		
L 10.4	The airport is a great asset for the City.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
February 7, 2014 Hayward2040.org post by JoAnn C.					
L 11.1	Commenter is generally pleased with the document and hopes the City will implement it in the spirit of those concepts and ideas that have been submitted by the residents.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		
March 25, 2014 Hayward2040.org post by Mathias V.					
L 12.1	The General Plan must consider the effect of low income Housing... Or the effect of High Density Housing on Hayward safety and culture.	Comment noted. Submitted comments did not recommend specific changes to the Policy Document.	Staff does not recommend any changes.		

**FINDINGS**  
**Hayward 2040 General Plan**  
**Environmental Impact Report**

1. The Hayward 2040 General Plan Environmental Impact Report (“EIR”) reflects the independent judgment of the Planning Commission and its staff and is a thorough and extensive assessment of the environmental impacts of the Hayward 2040 General Plan Project.

**CONSIDERATION OF PROJECT ALTERNATIVES.**

2. The EIR evaluates the potential impacts of the proposed Project, including four alternatives, one of which is the No Project Alternative. The principal elements of the alternatives are summarized below.

**Alternative 1: No Project--Existing 2002 General Plan.** Alternative 1 consists of buildout of the Planning Area in accordance with the existing Hayward 2002 General Plan. Alternative 1 would result in the same number of single family residences, approximately 659 fewer multi-family dwelling units, a reduction in employment potential of 1,734 jobs, and a more auto-oriented development character in the Planning Area. The Planning Area population would be approximately 204,600 under the existing General Plan and 206,580 under the 2040 General Plan, a difference of less than 2,000.

**Alternative 2: Overall Lower Development Density and Intensity.** Alternative 2 assumes adoption of a similar 2040 General Plan, but with an overall lower density and intensity of development in the Planning Area--for example, less new (net) residential development in the Priority Development Areas (PDAs) and less new (net) potential employment in the Planning Area. For the sake of comparison, new potential multi-family residential units and new potential employment would each be reduced by 20 percent compared to the proposed General Plan. Therefore, this alternative would result in 5,920 new multi-family units and 20,620 new jobs, compared to 7,399 new dwelling units and 25,787 new jobs under the 2040 General Plan, a reduction of 1,479 dwelling units and 5,167 jobs. ABAG projects that Hayward will grow to a total of 60,584 dwelling units by 2040; this alternative would result in about 57,308 units. The Planning Area household population would be approximately 202,000 under the alternative and 206,580 under the 2040 General Plan, a difference of 4,580.

**Alternative 3: Less Employment in the Industrial Technology and Innovation Corridor.** Alternative 3 assumes adoption of a similar 2040 General Plan, but with less employment in the Industrial Technology and Innovation Corridor--for example, a combination of less new (net) development and less employee-intensive uses (e.g., manufacturing and warehousing at 1 employee per 750 square feet vs. research & development at 1 employee per 450 square feet). For the sake of comparison, this alternative assumes that the net change in employment across the Planning Area (including secondary employment not in the Industrial Corridor) would be reduced by 15 percent compared to the proposed General Plan. Therefore, this alternative would result in approximately 21,920 new jobs, compared to 25,787 new jobs under the 2040

General Plan, a reduction of 3,867 jobs. Further details of this alternative would be based on the fiscal analysis prepared for the 2040 General Plan.

**Alternative 4: Alternative Plan Location.** Section 15126.6(a) of the CEQA Guidelines states, “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project[.]” Further, section 15126.6(c) explains, “Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental effects.” Because an alternative project location would be infeasible, would not achieve the project objectives, and would not necessarily avoid or lessen the significant impacts of the project and might result in new significant impacts, an alternative that would involve a different project location was eliminated from further detailed consideration.

### MITIGATION MEASURES.

3. The proposed mitigations set forth in the EIR and the associated Mitigation Monitoring and Reporting Program will reduce the environmental impacts related to the implementation of the Project to an insignificant level, except for certain impacts related to air quality, noise, and traffic.

The following findings identify those impacts that, with mitigation measures, can be reduced to a less-than-significant level.

#### Noise

**Potentially Significant Impact: Impact 15-1: Short-Term Construction Noise Levels.** Implementation of projects under the proposed General Plan would involve construction that would result in temporary noise generation primarily from the use of heavy-duty construction equipment. Based on modeling for typical construction activities, short-term construction-generated noise could exceed applicable standards. This would represent a *significant impact*.

Finding: Changes or alterations have been required in, or incorporated into, the project that will avoid or substantially lessen the significant environmental effect identified in the Program EIR to a less-than-significant level.

Facts in Support of Finding: This impact will be avoided or reduced based on the following:

The proposed General Plan includes Goal HAZ-8; Policies HAZ-8.17, HAZ-8.20, HAZ-8.21, and HAZ-8.24; and Implementation Program HAZ 7, which establish the overall goal and intentions of the City with regards to construction-related noise. Policy HAZ-8.17 refers to a community noise control ordinance for the purposes of regulating community noise levels. The City has adopted Section 4-1.03.4 of the Municipal Code (Construction and Alteration of Structures; Landscaping Activities), which states that individual devices/pieces of construction equipment are not to exceed 83 dB at a distance of 25 feet from the source and 86 dB at any point of the property plane Monday through Saturday from 7:00 AM to 7:00 PM and Sundays

from 10:00 AM to 6:00 PM, “unless otherwise provided pursuant to a duly-issued permit or a condition of approval.” Thus, while the code establishes specific standards to reduce construction noise from typical construction activities, it may not apply to all development projects requiring discretionary approval. However, Policy HAZ-8.24 establishes the City’s intent to develop specific construction noise standards, and Implementation Program HAZ-7 would result in the preparation and adoption of a Construction Noise Control Ordinance that would apply to all construction projects, including discretionary projects.

Policy HAZ-8.20 establishes that a site-specific noise study may be required by the City for discretionary projects requiring land use entitlements. In addition, Policy HAZ-8.21 establishes limits on construction noise-generating activities to the less sensitive times of the day, when people are less likely to be disturbed.

Adoption of these proposed General Plan policies and implementation program would ensure that exposure of sensitive receptors located near construction activities to excessive noise levels would be avoided or reduced to a *less-than-significant level*.

### **Traffic**

**Potentially Significant Impact: Impact 18-1: Project Intersection Impacts.** Under the 2035 Project condition, implementation of the proposed General Plan would result in traffic volumes that exceed the City standard for intersection performance. According to City guidelines, this change due to the proposed General Plan would potentially constitute a *‘considerable’ project contribution to the significant cumulative impact*.

**Finding:** Changes or alterations have been required in, or incorporated into, the project that will avoid or substantially lessen the significant environmental effect identified in the Program EIR to a less-than-significant level at the following intersections:

- NB I-880 Ramps / Whipple Road-Industrial Parkway SW.
- Industrial Boulevard / WB SR 92 ramps – Cryer St.
- Hesperian Boulevard / Industrial Parkway.
- Santa Clara Street / Winton Avenue.
- Santa Clara St / West A St.

**Facts in Support of Finding:** This impact will be avoided or reduced with the implementation of the following mitigation measures, all of which are considered feasible:

- NB I-880 Ramps / Whipple Road-Industrial Parkway SW: Widen to convert northbound shared through-right lane to separate northbound right turn lane and a northbound through lane. This may require additional right of way of approximately 12 feet.
- Industrial Boulevard / WB SR 92 ramps – Cryer St: (1) Widen to add second northbound left turn lane (which could be done with striping if 10 foot lanes allowed). (2) Add second receiving lane on on-ramp (ramp would need reconfiguring).
- Hesperian Boulevard / Industrial Parkway: (1) Widen to convert the northbound through-right lane to a third northbound through (NBT) lane and one northbound right (NBR) lane; this will require approximately 12 feet of additional right of way. (2)

Widen to convert eastbound through-right lane (EBTR) to second eastbound thru (EBT) lane and one eastbound right (EBR) lane; this will require approximately 12 feet of additional right of way. (3) Widen to convert southbound through-right (SBTR) to one southbound through (SBT) lane and one southbound right (SBR) lane; this will require approximately 12 feet of additional right of way. (4) Add overlap phasing at NBR, EBR, SBR, and WBR movements.

- Santa Clara Street / Winton Avenue: (1) Widen to reconfigure northbound approach to 2 northbound left (NBL), 1 northbound through (NBT), and 1 northbound shared through-right (NBTR); this will require approximately 12 feet of additional right of way. (2) Widen to reconfigure southbound approach to 1 southbound left (SBL), 2 southbound through (SBT), and 1 southbound right (SBR); this will require approximately 12 feet of additional right of way. (3) Widen to reconfigure westbound approach to 1 westbound left (WBL), 2 westbound through (WBT), 1 westbound shared through-right (WBTR); this will require approximately 12 feet of additional right of way. (4) Add overlap on all signal phases except for the northbound-right (NBR) phase.
- Santa Clara St / West A St: (1) Widen to add exclusive northbound right (NBR) at least as far back as Amador Way and widen to have dual left, convert northbound shared through-right (NBTR) to northbound through (NBT) resulting in 2 northbound left (NBL) lanes, 2 northbound through (NBT) lanes, and one northbound right (NBR); this will require approximately 12 feet of additional right of way. (2) Add second eastbound left (EBL) lane; this will require approximately 12 feet of additional right of way. (3) Add another southbound through (SBT) lane; this will require approximately 12 feet of additional right of way. (4) Add overlap for right turns on all signal phases).

**Potentially Significant Impact: Impact 18-2: Cumulative Intersection Impacts.** Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. According to the significance thresholds, these changes constitute a *significant cumulative impact*.

Finding: Changes or alterations have been required in, or incorporated into, the project that will avoid or substantially lessen the significant environmental effect identified in the Program EIR to a less-than-significant level at Mission Boulevard / Carlos Bee Boulevard.

Facts in Support of Finding: This impact will be avoided or reduced with the implementation of the following mitigation measure, which is considered feasible:

- Intersection 8: Mission Boulevard / Carlos Bee Boulevard: Optimize signal cycle length to 115 seconds.

Implementation of this mitigation would reduce conditions to LOS E with 73.8 seconds of delay during the PM peak hour and reduce the impact to a less-than-significant level with the new General Plan Policy of allowing LOS E.

## POTENTIALLY SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS.

4. The EIR indicates that implementation of the Hayward 2040 General Plan Project may have potentially unavoidable significant environmental impacts related to:
- Inconsistency with the regional Clean Air Plan (Impact 7-1);
  - Short-term construction emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> (Impact 7-2);
  - Long-term operational emissions of ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> (Impact 7-3);
  - Exposure of toxic air contaminants and fine particulate matter (Impacts 7-4);
  - Long-term traffic noise levels (Impact 15-2);
  - Project intersection impacts at the following intersections (Impact 18-1):
    - Santa Clara Street / Jackson Street; and
    - Foothill Blvd / Mattox Rd;
  - Cumulative intersection impacts at the following intersections (Impact 18-2):
    - Mission Boulevard / A Street;
    - SB I-880 Ramps / A Street;
    - Mission Boulevard / Industrial Parkway;
    - Industrial Parkway SW / Industrial Parkway;
    - SB I-880 / Industrial Parkway;
    - Hesperian Boulevard / EB SR 92 Ramps;
    - Hesperian Boulevard / WB SR 92 Ramps;
    - Industrial Parkway / EB SR 92 Ramps & Sleepy Hollow Avenue;
    - Hesperian Boulevard / West Winton Avenue;
    - Mission Boulevard / Sunset Boulevard;
    - Mission Boulevard / D Street; and
    - Hesperian Boulevard / Tennyson Road.

The proposed Hayward 2040 General Plan contains all the required elements, including elements determined important to the Hayward community, meets the requirements of state law, and is in the best interest of the City to adopt the draft General Plan as opposed to the alternatives as it better meets the objectives outlined through the community outreach process and as detailed in the Vision and Guiding Principles. In addition, the benefits of adopting the Hayward 2040 General Plan outweigh the significant and unavoidable environmental impacts as described in the Statement of Overriding Considerations.

**STATEMENT OF OVERRIDING CONSIDERATIONS**  
**Addressing the Significant and Unavoidable Impacts identified in the**  
**Hayward 2040 General Plan Project Final Environmental Impact Report**

The City of Hayward adopts and makes this statement of overriding considerations related to adoption of the Hayward 2040 General Plan, and the resulting unavoidable and significant impacts related to air quality, noise, and transportation and circulation, in order to explain why the benefits of implementing the project override and outweigh such impacts.

**Significant and Unavoidable Impacts**

**Impact 7-1: Conflict With or Obstruct Implementation of Applicable Air Quality Plans.** The proposed General Plan would be substantially consistent with all applicable control measures in the Bay Area 2010 Clean Air Plan. However, the proposed General Plan would still have significant and unavoidable impacts associated with short-term construction and long-term operational emissions, as well as health risk exposure associated with toxic air contaminants and PM<sub>2.5</sub>, as noted under Impacts 7-2, 7-3, and 7-4. Because the proposed General Plan exceeds the District's air quality thresholds of significance, the proposed General Plan would not be considered to be fully consistent with the Clean Air Plan goals. This would be a significant impact.

**Impact 7-2: Short-Term Construction Emissions of ROG, NOX, PM10 and PM<sub>2.5</sub>.** Implementation of the proposed General Plan would involve construction of development projects that would result in the temporary generation of ROG and NOX (ozone precursors), and PM<sub>10</sub> and PM<sub>2.5</sub> (criteria pollutant) emissions from site preparation (e.g., excavation, grading, and clearing), off-road equipment, material import/export, worker commute exhaust emissions, paving, and other miscellaneous activities. Emissions from individual construction projects could exceed BAAQMD's project-level significance thresholds. This would be a significant impact.

**Impact 7-3: Long-Term Operational Emissions of ROG, NOX, CO, PM<sub>10</sub> and PM<sub>2.5</sub>.** Project-related operational emissions of the ozone precursors ROG and NOX would be reduced on an annual basis over the General Plan implementation period, as compared with existing conditions. However, operational PM<sub>10</sub> and PM<sub>2.5</sub> emissions would increase compared to baseline conditions. While the proposed General Plan would be consistent with all applicable control measures in the 2010 Bay Area Clean Air Plan, the rate of increase in VMT and vehicle trips under the proposed General Plan would be higher than the rate of population increase by 2035. Therefore, impacts associated with long-term operational emissions under the proposed General Plan would be a significant impact.

**Impact 7-4: Exposure to Toxic Air Contaminants (TACs) and Fine Particulate Matter (PM<sub>2.5</sub>).** Implementation of development projects consistent with the proposed General Plan could involve siting of sensitive receptors near major roadways or near

major stationary sources of TAC and PM<sub>2.5</sub> emissions, as well as the siting of potential new sources of these emissions. Such actions could increase community health risk exposure associated with these emissions. While the proposed General Plan contains a Community Risk Reduction Strategy consisting of goals, policies, implementation programs, and specific BMPs to reduce these risks, the effectiveness of the Strategy in reducing health risk exposure cannot be quantified at this time. Therefore, impacts associated with health risk exposure to TACs and PM<sub>2.5</sub> would be a significant impact.

**Impact 15-2: Long-Term Traffic Noise Levels.** Implementation of the proposed General Plan would increase noise levels along transportation routes with nearby sensitive receptors. Proposed policies would establish noise standards for new development and require that site-specific noise studies be conducted to reduce noise exposure. However, in some instances, traffic-related noise increases could be more than 3 dB, the level typically audible to the human ear and, therefore, considered a substantial increase in noise. This would represent a significant impact.

**Impact 18-1: Project Intersection Impacts.** Under the 2035 Project condition, implementation of the proposed General Plan would result in traffic volumes that exceed the City standard for intersection performance. According to City guidelines, this change due to the proposed General Plan would potentially constitute a ‘considerable’ project contribution to the significant cumulative impact.

**Impact 18-2: Cumulative Intersection Impacts.** Future growth in Hayward and the region would result in substandard intersection LOS under 2035 conditions with or without the project. According to the significance thresholds, these changes constitute a significant cumulative impact.

### **Benefits of Project**

Adoption and implementation of the Hayward 2040 General Plan (the “Project”) will provide substantial benefits to the City of Hayward by:

1. Supporting compact and higher-density residential and commercial development near BART and Amtrak stations, and along commercial corridors that are served by bus transit.
2. Encouraging people to live with less dependence on the automobile for everyday life, resulting in lower rates of automobile use and lower greenhouse gas emissions.
3. Expanding and improving youth enrichment services and programs and partnering with local school districts to upgrade school facilities, provide access to cutting-edge technology, improve school safety and security, and enhance school performance.
4. Creating more complete neighborhoods that offer a high-quality of life and provide a mix of amenities, including parks, community centers, community gardens, affordable housing, farmers’ markets, and neighborhood shopping and dining.
5. Improving public safety through better partnerships with neighborhood and non-profit organizations, residents, businesses, and the Police and Fire Departments.

6. Ensuring that the community is prepared and equipped to survive impending disasters, such as wildland fires, coastal and stream flooding, and earthquakes.
7. Maintaining and enhancing existing infrastructure, including roads, sidewalks, power lines, and water, sewer, and storm drain facilities.
8. Investing in sustainable infrastructure improvements that reduce the long-term use of water, energy, and financial resources.
9. Improving and diversifying Hayward's economy by making regulations and permit procedures more business-friendly, supporting local entrepreneurship, developing a college-town economy, enhancing the image of the City, and improving business attraction, retention, and expansion efforts.
10. Supporting the revitalization of underutilized commercial centers and corridors.
11. Encouraging private-sector investment that transforms Downtown Hayward into a safe, vibrant, and prosperous arts and entertainment district that offers enhanced shopping, dining, and cultural experiences for residents, families, college students, and visitors.
12. Transforming Hayward into more of a college town by supporting more student and faculty housing, encouraging businesses that cater to college students, developing better "town-gown" relationships, creating research and development partnerships, and promoting events and festivals that foster college culture and a sense of college and community pride.
13. Creating a more balanced and multi-modal transportation system that provides more convenient and safe options and choices for commuting and everyday trips.
- 14.
15. Preserving and enhancing Hayward's baylands, hillsides, local parks, trails, and regional parks to protect environmental resources, enhance quality of life, and provide opportunities to live an active outdoor lifestyle.
16. Supporting sustainable lifestyles and developments to reduce resource consumption and greenhouse gas emissions.

Therefore, the City of Hayward finds that the significant and unavoidable impacts associated with adoption of the Hayward 2040 General Plan Project are acceptable in light of the above benefits.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, May 8, 2014, 7:00 p.m.  
777 B Street, Hayward, CA94541**

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**MEETING**

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Lamnin.

**ROLL CALL**

Present: COMMISSIONERS: Loché, Trivedi, Faria, Márquez, Lavelle  
CHAIRPERSON: Lamnin  
Absent: COMMISSIONERS: None  
CHAIRPERSON: McDermott

Commissioner Trivedi led in the Pledge of Allegiance.

Staff Members Present: Buizer, Conneely, Fakhrai, Madhukansh-Singh, Strojny, Owusu

General Public Present: 14

**PUBLIC COMMENTS**

Tom Duckworth, Hayward resident, spoke about the Hidden Hills Racquet Club that was being proposed to be closed. He stated that in 1972, the City's Board of Adjustments approved the development of the apartment complex with the inclusion of thirteen conditions. One of the conditions was that the tennis courts and swimming pool had to be constructed prior to occupancy of the residential units. Mr. Duckworth noted that to overcome the opposition to the development of the apartment complex by neighboring residents, the developer decided to make the tennis and fitness clubs available to non-residents in the area. He shared that the current owner of the apartment complex notified members of the tennis club that their membership licenses would be terminated May 31, 2014. Mr. Duckworth stressed that the tennis club has been in operation for 40 years and that it serves the community well. He urged the Planning Commission to look at the original intent of the conditions of approval of the development.

Ann Sakai Farias, Hayward resident, implored the Planning Commission to maintain the quality of life for the citizens of the community by preserving the operation of the tennis courts. She indicated that community members of all ages utilize the tennis courts and that this was a valuable recreational asset to the City. Ms. Farias requested that the Planning Commission look at the intent of the original land use permit and persuade the current owner of the development to maintain the tennis courts.

Nick Halatsis, Hayward resident, commented that the City View Apartment complex was already a crowded neighborhood. He pointed out that the members of the Hidden Hills Racquet Club keep a watchful eye and help deter crime in the surrounding neighborhood. He requested that other alternatives be explored rather than closing the club. Mr. Halatsis shared that the club had 164

members; there were more than 60 kids in the juniors program; that Moreau High School utilized the club facilities; and that tennis clubs from all over the Bay Area host events at the Hidden Hills Racquet Club. He concluded that many people would be affected by the closure of the tennis courts.

Al Antonini, Hayward property owner, stated that it was necessary to maintain a racquet club in Hayward for the community. He expressed that during the previous closure of the tennis courts fifteen years ago, the members were able to keep the club open however the litigation costs were too expensive. Mr. Antonini requested that the Planning Commission send a message to the property owner that even though they are a successive owner, closing the tennis courts would be a violation of the development's prior commitments.

Interim Planning Manager Buizer indicated that this matter was still being researched by staff.

## **PUBLIC HEARING**

### **1. Recommended FY 2015-FY 2024 Capital Improvement Program**

Assistant City Engineer Owusu provided a synopsis of the staff report. He noted that if Measures B and C pass in the upcoming election, then this will reduce the unfunded needs from \$510 million to \$240 million. He said that Measure B will allow the funding of \$119 million for freeway interchange projects. He added that Measure C will provide funding for the new library, fire station improvements, and additional police and maintenance service needs. Mr. Owusu stated that Council is expected to adopt the FY 2015- FY 2024 Capital Improvement Program (CIP) at the June 24, 2014 City Council Meeting.

In response to Commissioner Trivedi's question, Assistant City Engineer Owusu stated that the projects were prioritized based on the City Council's direction and also a needs assessment which was conducted by a consultant.

Commissioner Trivedi asked staff if the pavement rehabilitation plan was driven by the pavement conditions in the City or if citizens were able to provide their input through means such as Access Hayward. Assistant City Engineer Owusu noted that staff keeps logs of complaints received from the public, adding that the City's pavement management program is primarily administered with a software program which the city is required to use in order to qualify to receive federal, state and transportation agency grants. He explained that the software program helps to identify the most cost-effective use of the limited funds, and places emphasis on preventative maintenance work on City streets.

In response to Commissioner Lavelle's question about the US Postal Service parking lot, Director of Public Works Engineering and Transportation Fakhrai reported that the post office recently informed the City that they are considering downsizing their facility. He shared that the post office presently operates a retail function and that they are no longer in need of the entire parcel. Director Fakhrai stated that staff will work with USPS in potentially acquiring the entire parcel; however, he stressed that staff wants to preserve the services offered to the downtown community by the post office. Assistant City Engineer Owusu confirmed for Commissioner Lavelle that most of the reservoirs in the City are aboveground. He indicated that the reservoir tanks are proposed to be sealed which will increase the life of the tanks and will also help prevent leakage and the effects of



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ultraviolet light. Commissioner Lavelle expressed that she was not in favor of the \$200,000 expenditure for the security camera pilot project as there were higher priority unfunded needs in the City and she noted that there were other creative ways to improve safety which the police department could explore.

Director Fakhrai confirmed for Commissioner Faria that in the event that Measures B and C do not pass, there were alternative funding sources for the proposed new library such as funding from non-profit organizations, charities, and federal or state grants that may become available in the future. He commented that staff is working on establishing a better design plan for the new library facility which will make the project more competitive in acquiring funding sources.

In response to Commissioner Faria's question, Assistant City Engineer Owusu stated that Measure B and C funds will mostly be utilized for the City's unfunded needs. He indicated that the projects for FY 2015 have been identified and even if Measures B and C do not pass, these projects will still be completed.

Commissioner Loché commented that he was glad that priority was being given to repair four Municipal parking lots and also the construction of Fire Station No. 7 and an ancillary Firehouse Clinic. He said that the fire station and the clinic were unique projects in the City and that this would be of great benefit to the community, especially with departure of Kaiser Permanente hospital and the onset of the provisions of the Affordable Care Act.

In response to Commissioner Loché's question, Assistant City Engineer Owusu stated that in the event of a major disaster, the Police Administration Building can be used as an Emergency Operation Center (EOC) for the City. He added that if improvements are made to Fire Station No. 1, then this facility will be designed to have the capability to withstand major earthquake events and could also operate as an EOC. Mr. Owusu shared that staff recently underwent Federal Emergency Management Agency (FEMA) disaster preparedness training and received training in how to deal with emergency situations and how to coordinate with other agencies for mutual aid.

In response to Commissioner Márquez' question, Administrative Analyst II Strojny stated that in the event of a major natural disaster, there was flexibility in the program to transfer funds and to add or modify a project. He indicated that of the unfunded identified capital needs, it is anticipated that with the passage of Measures B and C, \$190 million of the Measure B funding will be allocated towards the interchange projects and \$50 million of the Measure C funding will be allocated towards the fire station improvements and the construction of the new library.

Chair Lamnin shared that there are community resources available throughout Hayward that can be called up during a natural disaster to potentially help first responders; however, the community is unclear in how they can help. Chair Lamnin requested that staff consider this opportunity for partnering with community.

Director Fakhrai indicated for Chair Lamnin that there have been increases in PG&E's rates for lighting connections for the City's streetlights stating that the previous rate was \$400 and that this has increased to \$1000. He said that he is working with PG&E and hopes to resolve this matter within the next month. Chair Lamnin suggested that staff provide additional explanation in the staff report on the necessity of the Asset Management Plan to clarify the cost of the project which was \$100,000. Director Fakhrai stated that although some funding for the CIP projects come from the General Fund, he pointed out that 95% of the funding comes from alternative sources. He added that staff was directed by the Council's Budget and Finance Committee to establish a list of capital needs for the City and he stated that the City Council also has the opportunity to identify which projects will not be executed. Director Fakhrai noted for Chair Lamnin that the new library design plan with a proposed cost of \$3.2 million would contain details that were not included in the preliminary conceptual design plan for the library. He shared that a community meeting was held at the Main Library on May 1, 2014 and a second community meeting was to be held on May 31, 2014 that will focus on the design of the park.

Chair Lamnin opened and closed the public hearing at 8:16 p.m.

Commissioner Trivedi made a motion to approve the staff recommendation noting that the CIP was consistent with the City's General Plan. Commissioner Lavelle seconded the motion.

AYES:	Commissioners Loché, Trivedi, Faria, Márquez, Lavelle Chair Lamnin
NOES:	None
ABSENT:	McDermott
ABSTAIN:	None

## **COMMISSION REPORTS**

### **2. Oral Report on Planning and Zoning Matters**

Interim Planning Manager Buizer reported that the Code Enforcement division has an existing case open for a scrap metal business that was operating illegally. She noted that eviction proceedings have been entered into by the property owner and the tenant. Ms. Buizer stated that Code Enforcement will continue to apply assessed failed inspection fees on the property owner to incentivize the property owner to bring the property into compliance.

### **3. Commissioners' Announcements, Referrals**

Commissioner Trivedi reported that at the Special Meeting for the Council Sustainability Committee which was held on May 7, 2014, presentations were made by Carbonomics, Marin Clean Energy, and PG&E regarding community choice aggregation. He stated that the Committee's recommendation was that staff should make a presentation to the City Council recommending that the City collaborate with Alameda County and implement legislation on community choice aggregation. He shared that Marin Clean Energy has various tiers of renewable energy that residents could subscribe to that were competitive with the rates offered by PG&E.



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Chair Lamnin stated that it was brought up at a community meeting that the Parkside area is in need of paving and she added that the public was pleased that improvements to the Hesperian area were included in FY 2015 CIP. Chair Lamnin said the public relayed to her that there were problems with the downtown Wi-Fi service.

**APPROVAL OF MINUTES**

4. April 24, 2014, approved with Commissioner McDermott absent and Commissioners Márquez and Lavelle abstaining.

**ADJOURNMENT**

Chair Lamnin adjourned the meeting at 8:25 p.m.

**APPROVED:**

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Vishal Trivedi, Secretary  
Planning Commission

**ATTEST:**

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Avinta Madhukansh-Singh, Senior Secretary  
Office of the City Clerk