



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE March 17, 1998

AGENDA ITEM 5

WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Community and Economic Development
SUBJECT: Security Gates - Policy and Recommended Ordinance

RECOMMENDATION:

The Planning Commission (7:0) and staff recommend approval of the Negative Declaration and introduction of the Security Gate Ordinance.

DISCUSSION:

On February 11, 1997, the City Council approved an application to install a security gate across Durham Road, a private street serving 16 single-family homes. Durham Road residents sought to install a security gate to deter littering, vandalism, crime, and loitering. During the hearing, Council members discussed issues pertaining to security gates potential to restrict the general public from using public amenities such as trails, parks and schools and the potential to impede emergency vehicle access. Accordingly, City Council asked staff to draft a security gate policy for their review.

At its January 22, 1998, meeting, the Planning Commission reviewed a security gate ordinance and recommended approval. The Draft Security Gate Ordinance is attached as Exhibit B and is discussed below. The draft ordinance limits where chain-link fencing might be used in connection with security gates. In response to concerns raised by members of the fencing industry, the Planning Commission directed staff to work with them regarding choices of fencing materials. (See discussion under "Materials" below and within the Planning Commission Minutes, attached as Exhibit C.) Staff has met with fencing industry personnel; and Phil Vermulain, of the California Fence Contractors Association, is supportive of the Security Gate Ordinance and indicates that they intend to use it as a model for other cities.

Although the impetus for the security gate policy arose from the Durham Road application, in fact, the majority of security gates in Hayward are found in multi-family projects. Only a small number of security gates are found in conjunction with single-family dwellings and fewer restrict access to private single-family neighborhoods. The Durham Road residents, the Blue Rock Country Club on Walpert Ridge, and the Duc Development (now Standard Pacific) project off Garin Road are the only single-family developments to request security gates to date. For this reason the Security Gate Ordinance deals primarily with security gates for all apartments and condominiums, although single-family residential neighborhoods are also addressed.

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The major policy issues associated with security gates are:

- traffic and circulation issues
- crime prevention/accessibility to emergency vehicles
- aesthetic issues
- social issues
- enforcement

Traffic and Circulation Issues

Security gates (defined as restricting access to vehicles and pedestrians by locked gates) can form a barrier that results in vehicles hanging out over sidewalks and the street while the drivers attempt to gain entry. This occurs when gates are too close to the roadway, when too many vehicles attempt to gain entry at once, or where there is no parking space outside the gated area where visitors can pull in, exit their vehicles, and call a tenant for access. The proposed Security Gate Ordinance addresses these issues, in part, as indicated below. (Please see Exhibit D diagrams.)

- Turnaround areas or passing lanes must be provided outside the gated area for multi-family developments.
- Passing Lanes and parking areas are required in connection with gating single-family neighborhoods.

Crime Prevention/Accessibility to Emergency Vehicles

“Security” gates are viewed as a means to deter crime. According to the Hayward Police Department, after researching crime statistics of seven apartment complexes that were retrofitted with security gates and fencing, they found that crime is reduced in most cases. However, in isolated examples the number of crimes remained constant or slightly increased. The Police Department does not oppose security gates if there is a mechanism for police and fire personnel to gain entry for emergency responses. They acknowledge that their response time may increase where security gates are installed. The proposed Security Gate Ordinance requires Police and Fire Department approval of security gate mechanisms which provide access to emergency response vehicles.

American Medical Response (AMR) ambulance service which serves Alameda County does not have key access to security gate systems in Hayward and depends on Fire Department personnel to leave security gates open. AMR indicates that ambulance response time is not affected because typically other emergency vehicles have already arrived on the scene. If a resident contacts the ambulance service directly, and notification of an emergency is not received through the 911 dispatch operator, the ambulance service must depend on the resident to open the security gate.

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While the proposed ordinance provides continued opportunities for security gates, other measures may be more effective and are preferable to security gates. The Police Department encourages participation in the City's Neighborhood Alert program; implementation of home safety measures, such as installing dead bolts and securing windows; neighborhood surveillance; automobile protection; and personal protection. Implementation of the City's Building Security Standards Ordinance also serves as a means of crime prevention.

Aesthetic Issues

Security gates and appurtenant fences are perceived by some as a method of assuring privacy and by others as a crime prevention method. However, when viewed in considerable number, or if they become the focal point of a development, they detract from the neighborhood by giving the appearance that the neighborhood is divided and lacks cohesiveness, or that the crime rate is high and gating is needed for protection. Planning Commissioners agreed that security gates should not compromise an inviting and animated streetscape.

Setbacks

In order to maintain an attractive streetscape, the proposed Draft Security Gate Ordinance requires that security gates and fencing be set back behind required front yard areas so that they do not line the streets and are as unobtrusive as possible.

Materials

The proposed Draft Security Gate Ordinance requires the use of attractive gate/fencing materials, such as decorative metal (e.g., tubular steel or wrought iron) in conjunction with all apartments, condominiums, and gated single-family neighborhoods. Decorative security gates/fencing would be required for commercial establishments when visible to the general public from the street. Chain-link fencing is discouraged in light of its more utilitarian appearance.

Because the proposed ordinance discourages the use of chain-link fencing material in conjunction with security gates and fencing, the California Fence Contractors Associations appeared at the Planning Commission hearing to object, indicating that there are chain-link fencing materials that are attractive and that consumers should have their choice of fence materials. They pointed out that chain-link fencing is much less costly than other fencing material. Staff has since met with a representative of this industry, and discussed various chain-link fencing options. Staff agrees that vinyl-coated chain-link fencing is more attractive than the gray galvanized chain-link fence, but also believes that it is less attractive than decorative metal fencing, which can also be color-coated. Other options offered by the Association are chain-link fencing with slats and chain-link fencing which appears to be vine covered.

The Planning Commission discussed how a security gate ordinance might be applied to individual single-family parcels in terms of limiting fencing materials or creating nonconforming fences. As currently proposed, the Security Gate Ordinance does not address single-family dwellings.

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Loss of Front Yard Landscaping

With respect to multi-family developments, the proposed Security Gate Ordinance requires a parking stall between the security gate and the street. This parking stall would provide an area for visitors to exit their vehicles and call occupants for access into the complex. The majority of the older multi-family developments in Hayward do not have room for a parking stall between the security gate and the street without removing some of the landscaping in the front yard.

The proposed ordinance allows removal of landscaping within front yard areas of relatively large existing multi-family developments to make room for a parking stall. To provide opportunities for these developments to install security gates without significantly compromising the streetscape through loss of landscaping, enhanced landscaping would be required to buffer the parking stall. In addition, relinquishing landscaping for a parking stall would be limited to lots at least 100 feet wide because the loss of landscaping on narrower lots would have a greater negative visual impact on the streetscape. Therefore, on narrow parcels, if security gates cannot be situated far enough away from the street to allow for a temporary parking stall, security gates would not be permitted.

Visibility of Commercial Properties

Some commercial businesses, particularly those that are involved in vehicle repair or vehicle storage, often use security gates and fences as means to prevent vehicle burglary or theft. These businesses are often in prominent locations, such as along Mission Boulevard. Generally fences are discouraged in conjunction with commercial activity; but where necessary to the operation of the business, decorative fencing material has been encouraged. Many older businesses have neither use permits nor site plan reviews that would provide a vehicle to review the security gate issue. Therefore, the proposed Security Gate Ordinance would address this issue and require, when security gates are necessary, decorative metal fences in conjunction with businesses that are visible to the public.

Social Issues

During the review process of the Blue Rock Country Club project and at the Planning Commission hearing on the Security Gate Ordinance, it was noted that security gates might contribute to isolating communities, primarily single-family enclaves, from the remainder of the City's neighborhoods. The proposed Security Gate Ordinance would provide opportunities to review applications to gate single-family developments, streets, or subdivisions that are not now a part of the fabric of the Hayward community, such as the relatively isolated Blue Rock Country Club development. It would prohibit, however, gating neighborhoods that are a fundamental part of the City. Therefore, security gates would not be permitted which would interfere with the street network or where they would interrupt public access to public amenities and facilities. Also, security gates would not be permitted where they would segregate streets from a larger neighborhood pattern. For example, a single street which is a part of a larger subdivision or small unified neighborhood would not be eligible for a security gate. The requests for security gates within established neighborhoods would be minimal because the California Streets and Highways Code prohibits obstructing public streets. Therefore, only private streets may be gated.

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Enforcement

Currently, all fences in residential and commercial areas are subject to site plan review. However, this requirement can be difficult to enforce because a building permit is not always necessary for fencing lower than 6 feet and those who install fences do not always know, or do not call to find out, what other City regulations apply. Security gates often come to the City's attention when fence contractors apply for electrical permits for motorized gates, at which time fencing requirements are explained. Security gate issues also come to staff's attention via complaints. In addition, they are reviewed as part of the City's rental inspection program, which occurs about every five years for each rental unit.

With the adoption of the Security Gate Ordinance, some existing security gates would become legal nonconforming structures. These would include security gates that were installed legally -- with permits at appropriate setbacks and which meet height restrictions -- but which would no longer meet requirements of the newly adopted Security Gate Ordinance. Chain-link security gates installed in apartments and condominiums and chain-link security gates visible to the general public on commercial properties installed in accordance with the current regulations would become legal nonconforming structures and could remain indefinitely until they are eventually replaced.

Existing security gates which currently do not meet City requirements (because they were constructed without benefit of site plan review or otherwise conflict with City requirements) would continue to not be legal. These would include security gates too close to the front property line, too high, gates without provision for emergency vehicle access, and gates that impede safe traffic circulation. Once these security gates are brought to staff's attention via a complaint or as part of an inspection process, they are required to be removed, relocated, or reconstructed using another material. This process will remain in effect, regardless of the implementation of a new Security Gate Ordinance.

Prepared by:



Dyana Anderly, AICP
Development Review Services Administrator

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

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Approved by:

A handwritten signature in cursive script, reading "Jesús Armas", is written over a horizontal line.

Jesús Armas
City Manager

Exhibits:

- A. Negative Declaration
- B. Draft Security Gate Ordinance
- C. Planning Commission Minutes, dated January 22, 1998
- D. Security Gate Diagrams



CITY OF HAYWARD
NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

TEXT AMENDMENT NO. 97-140-02: AMENDMENTS TO THE OFF-STREET PARKING REGULATIONS -Adoption of amendments to the Chapter 10, Article 2, Off-Street Parking Regulations will supersede the existing Control Access regulations. The text amendment will modify existing regulations and introduce additional regulations for the review of security gates and fencing citywide, in all zoning districts.

The proposed text amendment is consistent with the City General Policies Plan, Neighborhood Plans, and Design Guidelines in that proposed text amendment allows for safe ingress and egress, allows for Police and Fire Departments review to assure adequate emergency access to properties and design review and criteria are contained within the proposed text amendment.

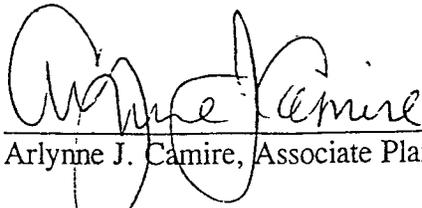
II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed text amendment will have no significant effect on the area's resources, cumulative or otherwise.

III. FINDINGS SUPPORTING DECLARATION:

CEQA Evaluation: The proposed text amendment has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the proposed Ordinance will not have a significant impact on the environment.

IV. PERSON WHO PREPARED INITIAL STUDY:



Arlynne J. Camire, Associate Planner

Dated: December 17, 1997

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Development Review Services Division, 25151 Clawiter Road, Hayward, CA 94545, or telephone (510) 293-5416. After December 24, 1997—777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4206.

DISTRIBUTION/POSTING

Provide copies to all organizations and individuals requesting it in writing.

Provide notice of availability to all Security Gate Mailing List recipients.

Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.

Project file.

Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Development Review Services

INITIAL STUDY CHECKLIST FORM

Project title Text Amendment No. 97-140-02 - Amendments to Chapter 10, Article 2, Off-Street Parking Regulations.

Lead agency name and address: City of Hayward, 25151 Clawiter Rd., Hayward, CA 94545 [777 B St. Hayward, CA 94541-5007 After December 24, 1997].

Contact persons and phone numbers: Arlyne J. Camire (510) 293-5416 [(510) 583-4206 After December 24, 1997] and Tim R. Koonze (510) 293-5277 [(510) 583-4207 After December 24, 1997].

Project location: Citywide

Project sponsor's name and address:

City of Hayward (see above)

General plan designation Citywide

Zoning: Citywide

Description of project: Amendments to the Off-Street Parking Regulations Section 10-2.626 Controlled Access and the addition of code sections that would modify security gate and fence regulations in residential and non-residential zoning districts citywide.

Surrounding land uses and setting:

Citywide

Other public agencies whose approval is required N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input checked="" type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings
Of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.



Signature

Arlyne J. Camire

Printed name

December 17, 1997

Date

City of Hayward

For

ENVIRONMENTAL IMPACTS:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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I. LAND USE AND PLANNING. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with general plan designation or zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be incompatible with existing land use in the vicinity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Erecting security gates and fencing around individual properties or developments could deteriorate the "cohesive community." Enclosing a development that is an integral part of the larger community creates a separation that could be detrimental to both communities. However, the City may consider approving a security gate when the development is relatively isolated, for there is a minimal impact when separating it from the larger community.

II. POPULATION AND HOUSING. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- | | | | | |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. WATER. <i>Would the proposal result in:</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. AIR QUALITY. *Would the proposal:*

a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:*

(a) Increased vehicle trips or traffic congestion?

(a). Proposed regulations are designed to not create situations that would produce traffic congestion.

(Security gates for single family homes) – When the property fronts on a street without parking lanes, the gates are required to be radio operated. This would allow the vehicle entering the site to exit the street faster. The radio control unit must meet the approval of the Fire Marshall.

When the property fronts on a street that has a parking lane, a manual gate is permitted because a vehicle can stop in front of the gate without interrupting the flow of traffic.

(Security gates for multi-family development) – All gates must be automatically controlled and back 20 feet from the street right-of-way. A turnaround must be provided to prevent the blocking of the driveway by the vehicles of visitors to the site. This will also aid in the prevention of vehicles from backing out into the street

b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? *For a security gate to be approved, the design is required to meet design criteria that were written with safety in mind.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Inadequate emergency access or access to nearby uses? *Emergency vehicles will have adequate site access with the use of the required Knox box that contains the code or key to open the gate.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Insufficient parking capacity onsite or offsite? *Adequate visitor parking is required and basic-parking requirements must be met in order for a request for the installation of a security gate to be approved.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Hazards or barriers for pedestrians or bicyclists? <i>Each security gate in non-single family situations is required to have a pedestrian access gate that is handicap accessible. Bicyclists will not be affected.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>The standards that are proposed would not impact adopted policies that support alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts? <i>The proposed standard would not impact adopted policies that support alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES. *Would the proposal result in impacts to:*

a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*

a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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IX. HAZARDS. *Would the proposal involve:*

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) The creation of any health hazard or potential health hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Exposure of people to existing sources of potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. NOISE. *Would the proposal result in:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels?
<i>The required call box that allows a visitor to communicate with a tenant will create noise that would not have been present prior to the installation of a security gate system. In addition, vehicles will idle prior to access to the property in a secured area. These noises would add background noise; however, the impact would be less than significant.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XI. PUBLIC SERVICES. *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection? <i>Security gate systems would be required to allow for emergency vehicle access. Response times may be affected due to the added time it would take to access a property or gated community. All security gate requests shall be required to be approved by the Fire Department.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection? <i>Security gate systems would be required to allow for emergency vehicle access. Response time will be affected due to the added time to access the properties. All security gate requests shall be required to be approved by the Police Department.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools? <i>Security gates would not be allowed to block access to schools.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services? <i>Mail carriers will have access to the sites</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. *Would the proposal?*

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect? <i>All security gates and fencing would be required to be compatible with gates and fencing on adjacent properties. Staff will review gates for cumulative impacts in neighborhoods where a number of gate applications have been made.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | <i>Potentially
Significant
Impact</i> | <i>Potentially
Significant
Unless
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No Impact</i> |
|--|---|---|---|-------------------------------------|
| c) Create light or glare?
<i>Any lighting required for the security gate will be designed not allow glare onto adjacent properties.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. CULTURAL RESOURCES. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have the potential to cause a physical change which would affect unique cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION. *Would the proposal:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Affect existing recreational opportunities?
<i>Proposed regulations would prohibit blocked access to established parks, trails and public facilities.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have impacts that individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

XVII. EARLIER ANALYSES.

- a) **Earlier analyses used..** None.
- b) **Impacts adequately addressed..** The existing Off Street Parking Regulations contained within the Hayward Municipal Code contains standards that address issues discussed in this initial study.
- c) **Mitigation measures. .** The existing Off Street Parking Regulations contained within the Hayward Municipal Code contain standards that have mitigated the affects on traffic and emergency access.

SECURITY GATE REGULATIONS

ARTICLE 14

I. DEFINITIONS

SEC. 10-14.000 DEFINITIONS For the purpose of this Article, certain words are defined. Where it appears from the context of such words that a different meaning is intended, the definition shall be approved by the Planning Director.

- (a) "Security Gate" -- The words "security gate" shall mean a gate used to control vehicular access over driveways or private streets. The gate may be operated manually or by an electronically controlled device.
- (b) "Turnaround Stall" -- The words "turnaround stall" shall mean a parking stall that is located between the street right of way and gate/fencing, which is used to turn around and/or used as a temporary parking area where a visitor can contact an occupant within the complex to request entry.
- (c) "Visitor Parking" -- The words "visitor parking" shall mean residential off-street visitor parking that is required per Section 10-2.310 of the Off-Street Parking Regulations.

II. GENERAL PROVISIONS

SEC. 10-14.100 GENERAL SECURITY GATE STANDARDS -- COMMERCIAL AND MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS

- (a) The height and location of the gate shall conform to Section 10-1.504, Yard Requirements, e.g. Yard Exceptions-Fences, Hedges, and Walls. The gate, control devices, and approach lanes shall be adequately lighted, striped, marked, and protected to provide for the safe and orderly movement of pedestrians and traffic.
- (b) All anti-directional devices, such as metal spikes that can cause tire damage, are prohibited to be used as part of a security gate system.
- (c) Fencing, gates, and gate opening devices shall not encroach into the public right-of-way, including the sidewalk.

- (d) Turnaround areas are to be designed to prevent vehicles from backing onto public streets.
- (e) Parking stall and turn around dimensions shall conform to the Section 10-2.602, Parking Space Dimensions, and Section 10-2.624, Circulation to Parking and Loading Spaces.
- (f) Security gate systems shall not block access to public resources and amenities such as public parks, schools, and trails, or interfere with existing or proposed transportation and circulation plans including established pedestrian and bicycle routes.
- (g) All properties shall be well maintained and kept free of graffiti.
- (h) Site plan review is required prior to the construction of a security gate unless the Planning Director determines that the gate design meets all requirements, City policies, standards, and guidelines.

III. SPECIFIC SECURITY GATE STANDARDS

SEC. 10-14.200 – EXISTING MULTI-FAMILY RESIDENTIAL

- (a) Security gates conforming to applicable standards shall be permitted within existing multi-family developments unless the City Engineer determines that an unsafe traffic situation would result.
- (b) Access shall be provided at all times for police, fire, City inspection, utility and other health and safety related vehicles. A gate opening system to provide for emergency vehicle access shall be installed to the satisfaction of the Police Chief and Fire Marshal.
- (c) Only decorative metal is permitted for security gates and fencing unless an alternative material is approved by the Planning Director. The use of razor wire, barbed wire, or similar deterrents is prohibited in residential projects.
- (d) Provisions shall be made to provide access to required visitor parking stalls. A call box shall be installed to allow visitors to contact residents to gain access into the complex.
- (e) All security gate and fence systems shall provide a pedestrian access gate, which shall meet Americans with Disabilities Act regulations. The pedestrian gate shall be self-closing and locking.

- (f) A turnaround is required and may be permitted within the front yard setback on a property with a minimum street frontage of 100 feet and upon approval by the Planning Director. A minimum 5-foot back-up notch with a 2-foot overhang beyond the paved circulation area is permitted upon approval. The back-up distance for the turnaround stall shall conform to Off-Street Parking Regulations.
- (g) A minimum 20-foot irrigated landscape setback shall be provided across the property frontage except where the security gate and turn-around are located. A minimum 10-foot irrigated landscape setback that includes a 3-foot-high hedge and/or shrubs shall screen any turnaround and visitor parking spaces adjacent to the security gate.
- (h) A landscape plan prepared by a licensed landscape architect is required unless the plan is waived by the Planning Director because quality, well maintained landscaping already exist or the proposed design does not require additional landscaping. All landscape areas shall be irrigated.
- (i) The required turnaround stall may be used as a temporary parking area in order to utilize a call box to contact an occupant within the complex. The turnaround stall and 5-minute parking limitation shall be designated through striping and signage.
- (j) Reflectors shall be attached to the interior and exterior sides of the gate at the height between 1 and 3 feet.
- (k) The driveway width through the gate opening shall be a minimum of 12 feet wide when serving 1-7 parking spaces and a minimum of 20 feet wide when serving 8 or more parking spaces.
- (l) Where access to a parking, loading, and/or driving aisle is controlled by gates, there shall be sufficient width for either two side-by-side entry vehicles or sufficient depth for two queued-entry vehicles, or greater if required by the Planning Director, between the gates and the street right-of-way or sidewalk, whichever is closer. There also shall be sufficient paved turn-around area between the gates and the street right-of-way or sidewalk, whichever is closer, to allow a vehicle to turn around and exit the property in a forward direction without opening the gate.
- (m) All security gates must have manual back-up systems and alternative energy back-up systems, such as a generator or battery, which would allow operation of the security gate(s) during an electrical power outage.

- (n) All security gate systems shall provide security lighting for vehicle and pedestrian entrances, the visitor parking space(s), and the vehicle turn-around area. The Planning Director shall approve the lighting design.

SEC. 10-14.201 - NEW MULTI-FAMILY RESIDENTIAL

- (a) At the entry point, security gates conforming to applicable standards shall be permitted within new multi-family developments unless the City Engineer determines that an unsafe traffic situation would result.
- (b) Access shall be provided at all times for police, fire, City inspection, utility and other health and safety related vehicles. A gate opening system to provide for emergency vehicle access shall be installed to the satisfaction of the Police Chief and Fire Marshal.
- (c) Only decorative metal is permitted for security gates and fencing unless an alternative material is approved by the Planning Director. The use of razor wire, barbed wire, or similar deterrents is prohibited in residential projects.
- (d) Provisions shall be made to provide access to required visitor parking stalls. A call box shall be installed to allow visitors to contact residents to gain access into the complex.
- (e) All security gate and fence systems shall provide a pedestrian access gate, which shall meet Americans with Disabilities Act regulations. The pedestrian gate shall be self-closing and locking.
- (f) A turnaround shall be provided beyond the front yard set back providing a minimum 20-foot irrigated landscaped front yard. The turn-around shall include a minimum 5-foot deep back-up area.
- (g) The required turnaround stall may be used as a temporary parking area in order to utilize a call box to contact an occupant within the complex. The turnaround stall and 5-minute parking limitation shall be designated through striping and signage.
- (h) Reflectors shall be attached to the interior and exterior sides of the gate at the height between 1 and 3 feet.
- (i) A minimum 20-foot irrigated landscape setback shall be provided across the property frontage except where the security gate and turnaround are located. A minimum 10-foot irrigated landscape setback that includes a 3-foot-high hedge and/or shrubs shall screen any turnaround and visitor parking spaces adjacent to the security gate.

- (j) The driveway width through the gate opening shall be a minimum of 12 feet wide when serving 1-7 parking spaces and a minimum of 20 feet wide when serving 8 or more parking spaces.
- (k) Where access to a parking, loading, and/or driving aisle is controlled by gates, there shall be sufficient width for either two side-by-side entry vehicles or sufficient depth for two queued-entry vehicles, or greater if required by the City Engineer, between the gates and the street right-of-way or sidewalk, whichever is closer. There also shall be sufficient paved turnaround area between the gates and the street right-of-way or sidewalk, whichever is closer, to allow a vehicle to turn around and exit the property in a forward direction without opening the gate.
- (l) All security gates must have manual back-up systems and alternative energy back-up systems, such as a generator or battery, which would allow operation of the security gate(s) during an electrical power outage.
- (m) All security gate systems shall provide security lighting for vehicle and pedestrian entrances, the visitor parking space(s), and the vehicle turnaround area. The Planning Director shall approve the lighting design.
- (n) A landscape plan prepared by a licensed landscape architect is required unless waived by the Planning Director. All landscape areas shall be irrigated.

SEC. 10-14.202 -- SINGLE-FAMILY COMMUNITIES

- (a) Security gates that conform to applicable standards shall be permitted across private streets unless the Planning Director, in consultation with the City Engineer, determines that an unsafe traffic situation would be created, that the gate would result in interruption of the street network, that public access to public amenities or facilities would be obstructed or hindered.
- (b) Access shall be provided at all times for police, fire, City inspection, utility and other health and safety related vehicles. A gate opening system to provide for emergency vehicle access shall be installed to the satisfaction of the Police Chief and Fire Marshal
- (c) Only decorative metal is permitted for security gates and fencing unless an alternative material is approved by the Planning Director. The use of razor wire, barbed wire, or similar deterrents is prohibited in residential projects.

- (d) Entrances to gated private streets shall be designed to allow vehicles to turn around on-site without backing onto public streets.
- (e) A bypass lane and a call box are required.
- (f) Median islands, located in private street entrances, shall be set back a minimum of 20 feet from the intersection of the public right-of-way. All median islands shall be landscaped to the satisfaction of the City of Hayward Landscape Architect.
- (g) When a request is made to gate an existing community, all property owners within the area to be gated, or their homeowners' association, shall agree in writing to the request and agree to be responsible for the maintenance of the gate equipment, fences, walls, traffic control devices, roadway and landscaping. The Covenants, Conditions and Restrictions (CC&R's) shall reflect all conditions of approval for the security gate.
- (h) All security gate systems shall provide security lighting for vehicle and pedestrian entrances, the visitor parking space(s), and the vehicle turnaround area. The Planning Director shall approve the lighting design.
- (i) Reflectors shall be attached to the interior and exterior sides of the gate at the height between 1 and 3 feet.
- (j) A landscape plan prepared by a licensed landscape architect is required unless a plan is waived by the Planning Director because quality well maintained landscaping already exists or the proposed design does not require additional landscaping. All landscape areas shall be irrigated.

SEC. 10-14.203 – COMMERCIAL

- (a) Security gates conforming to applicable standards shall be permitted within existing commercial developments unless the City Engineer determines that an unsafe traffic situation would result.
- (b) Access shall be provided at all times for police, fire, City inspection, utility and other health and safety related vehicles. A gate opening system to provide for emergency vehicle access shall be installed to the satisfaction of the Police Chief and Fire Marshal.
- (c) Only decorative metal is permitted for security gates and fencing visible from the street right-of-way unless otherwise approved by the Planning Director.

- (d) All security gate and fence systems shall provide a pedestrian access gate, which shall meet Americans with Disabilities Act regulations. The pedestrian gate shall be self-closing and locking.
- (e) All security gates must have manual back-up systems and alternative energy back-up systems, such as a generator or battery, which would allow operation of the security gate(s) during an electrical power outage.
- (f) All security gate systems shall provide security lighting for vehicle and pedestrian entrances, the visitor parking space(s), and the vehicle turn-around area. The Planning Director shall approve the lighting design.
- (g) Reflectors shall be attached to the interior and exterior sides of the gate at the height between 1 and 3 feet.
- (h) A landscape plan prepared by a licensed landscape architect is required unless a plan is waived by the Planning Director because quality well maintained landscaping already exists or the proposed design does not require additional landscaping. All landscape areas shall be irrigated
- (i) Security gate design shall include measures for safe access. Design to be approved by the Planning Director.

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MINUTES

REGULAR MEETING ~~OF~~ THE PLANNING
COMMISSION, CITY OF HAYWARD, Council
Chambers, Thursday, January 22, 1998, 7:30 p.m.
777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Bennett, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Caveglia, Dowling, Fish, Halliday, Kirby, Williams
CHAIRPERSON Bennett
Absent: COMMISSIONER None

Staff Members Present: Anderly, Camire, Carash, Ehrental, Koonze, Looney,
Nakatsu, Penick

General Public Present: Approximately 40

PUBLIC COMMENT - None

AGENDA**PUBLIC HEARINGS**

1. TEXT AMENDMENT NO. 97-140-02 - AMENDMENTS TO CHAPTER 10. ARTICLE 2. OFF-STREET PARKING REGULATIONS - Amendments to Section 10-2.100, Definitions, and Section 10-2.626, Controlled Access, to adopt additional security gate regulations.

Associate Planner Camire said the City Council recognized that the number of security gate applications was increasing and asked staff to draft a security gate policy for their review. The Police Department prepared a survey to determine whether security gates are a deterrent to crime. In a study of crime statistics for seven apartment complexes that were fitted with security gates, they found that crime is reduced in most cases. They did express concern that access be available for emergency services and noted that there may be a slower response time in an emergency. She emphasized that staff preferred alternative methods of safety prevention including working with the Hayward Police Department on community education, implementation of home safety measures, the neighborhood watch program and graffiti removal. Staff recommends general provisions for design and operation. The use of chain link is prohibited in conjunction with security gates.

Commissioner Halliday expressed concern that the Ordinance would require approval of the Fire Department and asked someone to address the City's liability with slower response time in an emergency. Development Services Specialist Koonze said security gates must provide an adequate access for police and fire, usually a lock box for which they have a key. The Ordinance also requires battery back-up for all systems. He said the Police Department didn't express an aversion to security gates but wanted it recognized that response time would be slower.

Public Hearing Opened 7:53 p.m.

Phil Vermulon, Fence Contractors Association of California, 1335 Ridgedale Court, Roseville, 95661, asked for a delay in the portion of the Ordinance that would prohibit chain link fences. He proposed further discussion with the Planning Department and the possibility of developing a compromise.

In response to questions from the Commission, Development Review Services Administrator Anderly said the limitation on chain link was primarily for aesthetic reasons. The proposal is an attempt to compromise what people want with what is pleasing for the City.

Public Hearing Closed 8:00 p.m.

Commissioner Dowling moved, seconded by Commissioner Fish, to recommend that the City Council adopt an ordinance amending the Off-Street Parking Regulations to provide for additional definitions, and security gate policies and standards. He added that he appreciated the Fence Association members coming to the hearing and hoped they would have a chance to meet with staff and the Council to air their views. He indicated that using material other than chain link is a matter of aesthetics and quality.

Commissioner Kirby said he believed the text amendments to be consistent with other actions taken by the Commission and commended staff for their work.

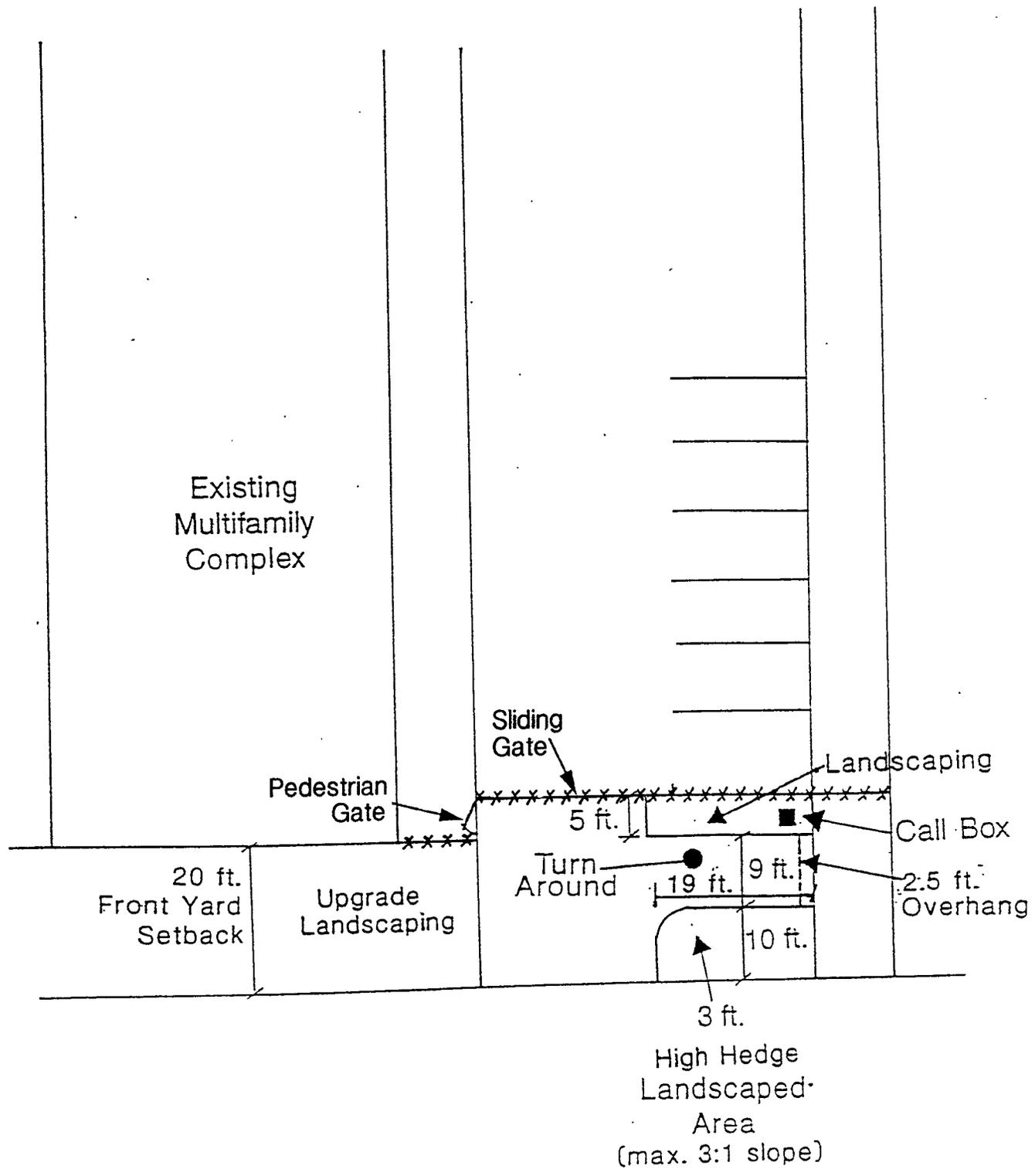
Commissioner Caveglia said the issue of security gates is disruptive and increases social and physical barriers. They should be limited as much as possible.

Commissioner Halliday said she could support staff's attempt to address the aesthetic issues and hoped the Fence Association would be able to work with them on their issues. She said they shouldn't limit people's options but set standards to enhance the community.

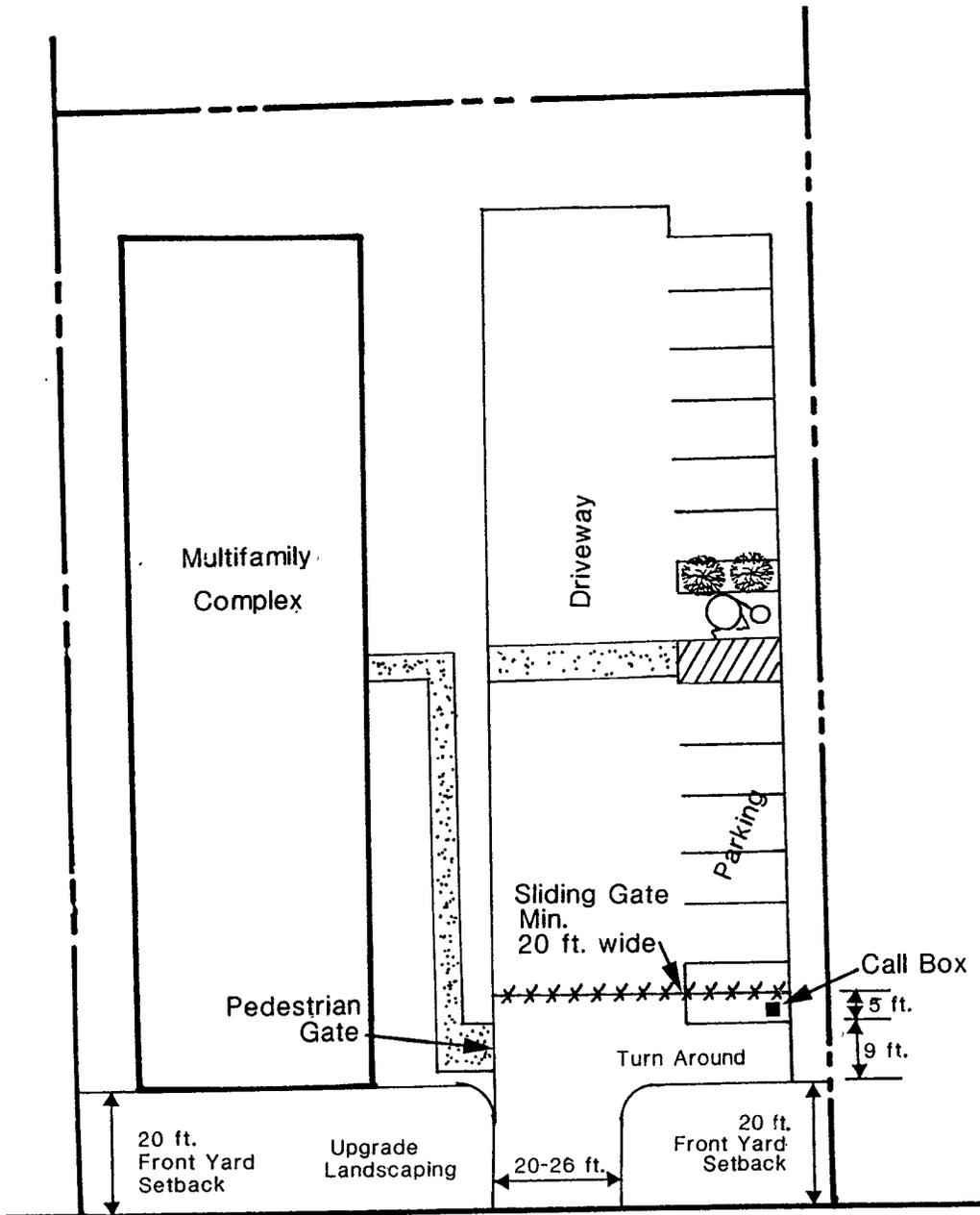
The motion passed unanimously.

2. ADMINISTRATIVE REFERRAL - PLANNING DIRECTOR'S INTERPRETATION OF LEGAL NON-CONFORMING USE PROVISIONS OF THE ZONING ORDINANCE - Appeal of the Planning Director's interpretation that the property at 26944 Parkside Drive has legal non-conforming status that recognizes property rights for four horses.

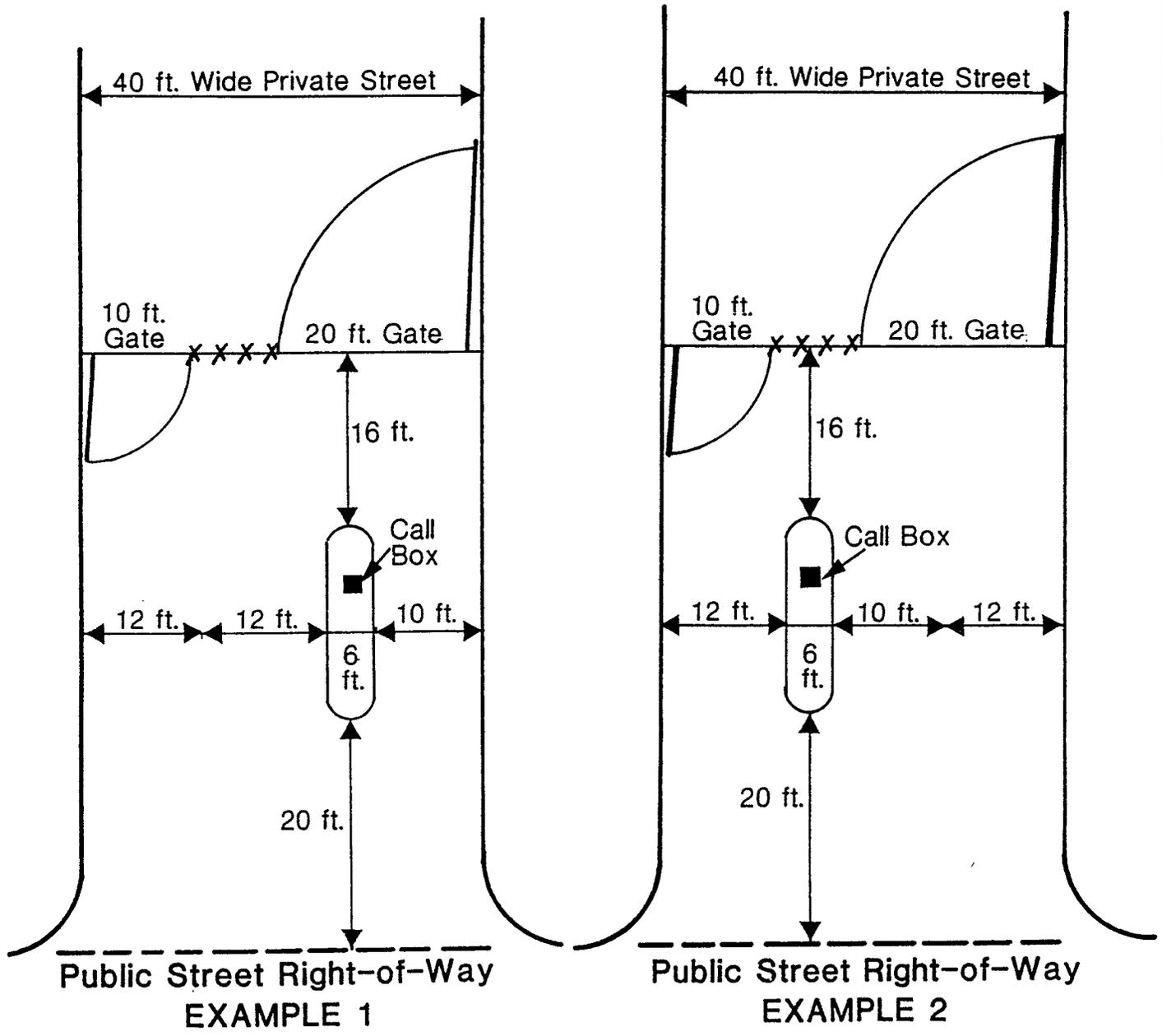
Community and Economic Development Director Ehrental described the process by which she determined the legal non-conforming use status of the property at Parkside Drive for horses. She said the purpose of the non-conforming use regulations of the Zoning Ordinance is to allow continuation of existing uses which do not conform to the regulations of the district while guarding against such uses becoming a threat to more appropriate development. The provisions are designed to both protect or "grandfather" such older uses without allowing them to become further entrenched and encourage conversion to conforming uses. Some changes may be allowed but only if equivalent to or lesser than current existing use. When this property was annexed to the City, it was zoned Agricultural, which did allow livestock as a primary use. In 1967, the zoning was changed to Residential Natural Preservation, which was amended in 1975 to allow the keeping of livestock with an Administrative Use Permit. Based on the documentation and



EXISTING MULTIFAMILY RESIDENTIAL
(For lots 100 ft. or wider)



NEW MULTIFAMILY RESIDENTIAL



**EXAMPLES OF SECURITY GATE ENTRY POINT DESIGN
FOR NEW MULTIFAMILY DEVELOPMENT
AND SINGLE-FAMILY COMMUNITIES**