# CITY OF HAYWARD

# AGENDA REPORT

AGENDA DATE 04/12/05

AGENDA ITEM 5

WORK SESSION ITEM

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** General Plan Amendment No. PL-2005-0045 – City of Hayward (Applicant) - Request to Amend the General Plan Land Use Map through the Addition of a New Land Use Designation for Mobile Home Parks

## RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution adopting the Negative Declaration and proposed amendments to the General Plan.

## BACKGROUND:

In the fall of 2004, the City Council had several discussions regarding the potential closure and/or conversion of existing mobile home parks in the city. The nine mobile home parks contain almost 2,300 spaces. These mobile home parks are an integral component of the city's housing stock in that they address special housing needs by providing an alternative to traditional affordable housing. If this type of housing is lost, the City would have a difficult time accommodating these residents within its existing stock of affordable housing units due to the present demand by other residents for the limited number of units. During these discussions, the Council expressed a desire to consider possible amendments to the General Plan that, together with the existing zoning, would further assist in the preservation of alternative affordable housing such as that provided by the mobile home parks. On January 11, 2005, the City Council authorized staff to proceed with the drafting of proposed amendments to the General Plan and initiate the appropriate environmental review.

The proposed amendment to the General Plan involves the creation of a distinct land use designation for Mobile Home Parks on the Land Use Map. This designation would be applied to all nine mobile home parks in the city (see Exhibit A). Currently, the mobile home parks are designated as Medium Density Residential, a designation which also allows multi-family residential developments. The proposed amendment includes related text changes in the Detailed Map Legend section of Appendix C: The General Plan Land Use Map (see Exhibit B). In addition, the proposed amendment would revise the General Plan/Zoning Consistency Matrix (see Exhibit C) to indicate that only the MHP (Mobile Home Park) Zoning District is compatible with the Mobile Home Park designation on the General Plan Land Use Map. If the amendment is adopted, any proposals for uses other than mobile home parks would require approval of an amendment to the General Plan as well as a change in zoning.

The proposed amendment is consistent with the policies and strategies contained in the General Plan. Specifically, existing policies in the Housing Element of the General Plan call for maintaining an adequate supply of land designated and zoned for residential use at appropriate

densities in a variety of housing types to meet the diverse housing needs (see Housing Strategy 1.1) and to promote the development of permanent affordable housing units for those households with special needs (Housing Strategy 5.3). The proposed amendment would serve to further implement the above policies and strategies.

**ENVIRONMENTAL REVIEW (CEQA):**

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. There will be no significant environmental impacts, as determined from staff's Environmental Checklist (see Exhibit D). Therefore, a Negative Declaration (Exhibit D) was prepared and has been recommended for adoption by the Planning Commission.

**PUBLIC NOTICES:**

On April 2, 2005, notice of the public hearing and associated Negative Declaration was published in the Daily Review. In addition, a notice of the public hearing, indicating the availability of the Negative Declaration and Environmental Checklist, was mailed to all mobile home park owners, mobile home owner associations, and mobile home park residents, as well as other interested parties.

**PLANNING COMMISSION RECOMMENDATION:**

On March 10, 2005, the Planning Commission held a public hearing on the proposed General Plan amendments. The agenda report is attached as Exhibit E. Three persons, including two representatives of the Mobile Home Owners Association, spoke in support of the proposed amendments; there were no other speakers. The minutes of the meeting are attached as Exhibit F. The Commission voted unanimously (5-0) to recommend adoption of the Negative Declaration and proposed amendments to the General Plan.

**CONCLUSION:**

The proposed amendments to the General Plan would provide greater recognition of the mobile home parks as a distinct land use and a source of housing affordable to those households with special needs. In addition, the amendments would provide for a greater level of scrutiny and opportunity for public review and comment in the event a mobile home park is proposed for a change in land use.

Prepared by:

Gary Calame, Senior Planner

Recommended by:

Sylvia Ehrenthal
Director of Community and Economic Development

Approved by:

Jesús Armas, City Manager

Attachments:

Exhibit A. Proposed Amendment to General Plan Land Use Map
Exhibit B. Proposed Text Amendment to Appendix C: The General Plan Land Use Map
Exhibit C. Proposed Amendment to Appendix D: General Plan/Zoning Consistency Matrix
Exhibit D. Negative Declaration and Environmental Checklist
Exhibit E. Planning Commission Agenda Report for March 10, 2005
Exhibit F. Planning Commission Minutes for March 10, 2005

Draft Resolution

**DUE TO THE LENGTH OR COLOR OF THE REFERENCED EXHIBIT, IT HAS BEEN ATTACHED AS A SEPARATE LINK.**

**Public Works Projects**

The Land Use Map contains only general circulation proposals, primarily limited to the existing and proposed. major street network. Improvements to the roadway facilities are not indicated on the map, but are described in the chapter on Circulation and are listed in the Capital Improvements Program. Where required, the Capital Improvements Program, which also includes other types of public works projects, and any other proposed public works projects are reviewed for consistency with the General Plan.

**Area and Neighborhood Plans**

As noted in the Preface, the specific area plans serve to refine and implement the General Plan for particular geographical areas. Consistency of plan recommendations with the General Plan is reviewed at the time of adoption of the area or neighborhood plan. Due to the detailed nature of these plans, land use maps may have different or more specialized land use categories than the General Plan Map. For example, neighborhood plans may indicate elementary schools, neighborhood parks, convenience commercial centers, and collector streets.

**Detailed Map Legend**

Residential

Residential densities are expressed in terms of net land area, which excludes land required for public and private streets. Densities of residential projects may be lower than the stated range (see Appendix D).

**Rural Estate Density**. Typical density is between 0.2- 1.0 dwelling unit per net acre. Typical lot sizes are one acre or more. Typical development is single-family detached housing, although second units may be permitted. Planned Developments may include a variety of housing types within the overall density range.

**Suburban Density**. Typical density is between 1.0- 4.3 dwelling units per net acre. Typical lot sizes are 10,000 square feet or more. Typical development is single-family detached housing, although second units may be permitted. Planned Developments may include a variety of housing types within the overall density range.

**Low Density**. Typical density is between 4.3-8.7 dwelling units per net acre. Typical lot sizes range from 5,000 to 10,000 square feet. Typical development is single-family detached housing, although second units may be permitted. ~~Some mobile home parks are developed at this density~~. Planned Developments may include a variety of housing types within the overall density range.

**Medium Density**. Typical density is between 8.7-17.4 dwelling units per net acre. Minimum lot area per dwelling unit is 2,500 square feet. Typical development may be ~~mobile home parks;~~ single-family detached, mixed with duplexes, triplexes, and fourplexes; or townhouses and 2-3 story garden apartments. Planned Developments may include a variety of housing types within the overall density range. Selected areas have been designated as **Limited Medium Density** with a density range of 8.7- 12.0 dwelling units per net acre.

**Mobile Home Park.** Typical density is between 8.7-12.0 dwelling units per net acre. This designation covers all mobile home parks and development is limited to mobile home parks.

# GENERAL PLAN AND ZONING CONSISTENCY MATRIX

| ZONING DISTRICT | | | GENERAL PLAN MAP DESIGNATION | Rural Estate Density | Suburban Density | Low Density | Mobile Home Park | Limited Medium Density | Medium Density | High Density | Retail and Office Commercial | General Commercial | Commercial/High Density | Low Density Residential | Retail and Office Commercial | Industrial Corridor | Mixed Industrial | Parks And Recreation | Baylands | Limited Open Space | Public and Quasi-Public |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| RESIDENTIAL | | (Lot Area/Unit) | | | | | | | | | | | | | | | | | | | |
| RSB40 | Single-Family | (40,000) | ● | ● | | | | | | | | | | | | | | ⊗ | | | ⊗ |
| RSB20 | | (20,000) | | ● | | | | | | | | | | | | | | ⊗ | | | ⊗ |
| RSB10 | | (10,000) | | ● | ● | | ⊗ | ⊗ | | | | | | | | | | ⊗ | | | ⊗ |
| RSB8 | | (8,000) | | | ● | | ⊗ | ⊗ | | | | | | | | | | ⊗ | | | ⊗ |
| RSB6 | | (6,000) | | | ● | | ⊗ | ⊗ | | | | | | | | | | ⊗ | | | ⊗ |
| RS | | (5,000) | | | ● | | ⊗ | ⊗ | | | | | | | | | | ⊗ | | | ⊗ |
| RSB4 | | (4,000) | | | | | ● | ● | ⊗ | | | | | | | | | ⊗ | | | ⊗ |
| RMB4 | Medium Density | (4,000) | | | | | ● | ● | ⊗ | | | | ⊗ | | | | | ⊗ | | | ⊗ |
| RMB3.5 | | (3,500) | | | | | ● | ● | ⊗ | | | | ⊗ | | | | | ⊗ | | | ⊗ |
| RM | | (2,500) | | | | | | ● | ⊗ | | | | ⊗ | | | | | ⊗ | | | ⊗ |
| RH | High Density | (1,250) | | | | | | | ● | | | | ● | | ⊗ | | | ⊗ | | | ⊗ |
| RHB7 | | (750) | | | | | | | ● | | | | ● | | ⊗ | | | ⊗ | | | ⊗ |
| MHP | Mobile Home Park | | | | | ● | | | | | | | | | | | | | | | |
| RO | Residential Office | | | | | | | ⊗ | ⊗ | | ⊗ | | ⊗ | | ⊗ | ⊗ | | | | | |
| COMMERCIAL | | | | | | | | | | | | | | | | | | | | | |
| CN | Neighborhood Commercial | | | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | | ● | ● | ● | | | | | ⊗ | | | ⊗ |
| CN-R | Neighborhood Commercial/Residential | | | | | | | ⊗ | ⊗ | | ⊗ | | ⊗ | | | | | ⊗ | | | ⊗ |
| CO | Commercial Office | | | | | | | ⊗ | ⊗ | | ● | ● | ● | | | | | ⊗ | | | ⊗ |
| CB | Central Business | | | | | | | | | | ● | ● | ● | | | | | ⊗ | | | ⊗ |
| CG | General Commercial | | | | | | | | | | | ● | ● | | | | ⊗ | ⊗ | | | ⊗ |
| CL | Limited Access Commercial | | | | | | | | | | ● | ● | ● | | | | | ⊗ | | | |
| CR | Commercial Retail | | | | | | | | | | ● | ● | ● | | | | ⊗ | | | | |
| CENTRAL CITY | | | | | | | | | | | | | | | | | | | | | |
| CC-C | Central City Commercial | | | | | | | | | | | | | | ⊗ | ● | | ⊗ | | | ⊗ |
| CC-P | Central City Plaza | | | | | | | | | | | | | | ⊗ | ● | | ⊗ | | | ⊗ |
| CC-R | Central City Residential | | | | | | | | | | | | | | ● | ⊗ | | ⊗ | | | ⊗ |
| INDUSTRIAL | | | | | | | | | | | | | | | | | | | | | |
| I | Industrial | | | | | | | | | | | | | | | | ● | ⊗ | | | |
| LM | Light Manufacturing | | | | | | | | | | | | | | | | ● | ⊗ | | | |
| BP | Business Park | | | | | | | | | | | | | | | | ● | ⊗ | | | |
| AIRPORT | | | | | | | | | | | | | | | | | | | | | |
| AT-IP | Industrial Park | | | | | | | | | | | | | | | | ● | | | | |
| AT-C | Commercial | | | | | | | | | | ● | ● | ● | | | | | | | | |
| AT-RM | Medium Density Residential | | | | | | | ● | | | | | | | | | | | | | |
| AT-AC | Aviation Commercial | | | | | | | | | | | | | | | | | | | | ● |
| AT-O | Operations | | | | | | | | | | | | | | | | | | | | ● |
| AT-R | Recreational | | | | | | | | | | | | | | | | | ● | | | |
| OPEN SPACE | | (Parcel Size) | | | | | | | | | | | | | | | | | | | |
| A | Agricultural | 1 Acre | | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | | | | ⊗ | ⊗ | | ● | ● | | ● |
| AB5A | | 5 Acres | | | | | | | | | | | | | | | | | | ● | ● | ● | ● |
| AB10A | | 10 Acres | | | | | | | | | | | | | | | | | | ● | ● | ● | ● |
| AB100A | | 100 Acres | | | | | | | | | | | | | | | | | | ● | ● | ● | ● |
| AB160A | | 160 Acres | | | | | | | | | | | | | | | | | | ● | ● | ● | |
| FP | Flood Plain | | | | | | | | | | | | | | | | | | | ● | ● | | |
| OS | Open Space | | | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | | ● | ⊗ | ⊗ | ⊗ |
| OTHER | | | | | | | | | | | | | | | | | | | | | | | |
| RNP | Residential Natural Preservation | | | ⊗ | ⊗ | ⊗ | | | | | | | | | | | | | | | | | |
| SD | Special Design | | | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ |
| PD | Planned Development | | | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ | | ⊗ | ⊗ | ⊗ | ⊗ |
| PF | Public Facilities | | | | | | | | | | | | | | | | | | | ⊗ | ⊗ | ⊗ | ● |

● Consistent ⊗ Potentially Consistent ☐ Not Consistent

FOOTNOTES: Decisions on the appropriateness of any "CONSISTENT" zoning district will need to consider the specific situation. Determinations on the consistency of districts listed as "POTENTIALLY CONSISTENT DISTRICTS" must consider compatibility with other uses and overall densities in the area, as well as the particular need to be served.

**EXHIBIT D**

# DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
## Planning Division

# 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*:

General Plan Amendment (PL-2005-0045) – Request to Amend the General Plan Land Use Map, related text in Appendix C: The General Plan Land Use Map, and Appendix D: General Plan and Zoning Consistency Matrix, through the addition of a new land use designation for Mobile Home Parks.

## II. *FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT*:

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

## III. *FINDINGS SUPPORTING DECLARATION*:

1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Checklist Form has been completed for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.

2. The proposed project will have no significant effect on the environment because it simply assigns a special land use designation for the nine existing mobile home parks and does not apply to any other property or involve any new development.

3. The proposed amendment is consistent with the General Plan in that it will assist in maintaining an adequate supply of land designated and zoned for residential use at appropriate densities in a variety of housing types to meet the diverse housing needs, including permanent affordable housing units for those households with special needs, such as the elderly.

## IV. *PERSON WHO PREPARED INITIAL STUDY*: **Gary Calame, AICP, Senior Planner, City of Hayward**

Dated: February 4, 2005

## V. *COPY OF INITIAL STUDY IS ATTACHED*

For additional information, please contact Gary Calame at the City of Hayward Planning Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4226

**DISTRIBUTION/POSTING**

- Provide copies to project applicants and all organizations and individuals requesting it in writing.
  Provide copy to Alameda County Clerk.
- 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.

# Environmental Checklist Form

1. Project title:
   **General Plan Amendment (PL-2005-0045) – Request to Amend the General Plan Land Use Map, related text in Appendix C: The General Plan Land Use Map, and Appendix D: General Plan and Zoning Consistency Matrix, through the addition of a new land use designation for Mobile Home Parks.**

2. Lead agency name and address:
   **City of Hayward**
   **777 B Street**
   **Hayward, CA 94541**

3. Contact person and phone number and e-mail address:
   **Gary Calame, AICP, (510) 583-4226, gary.calame@hayward-ca.gov**

4. Project location:
   All nine mobile home parks within the City of Hayward

5. Project sponsor's name and address:
   City of Hayward Planning Director
   777 B Street
   Hayward, CA 94541

6. General Plan:
   General Plan Land Use Map designation is Medium Density Residential

7. Zoning:
   Mobile Home Park (MHP) District

8. Description of project:
   General Plan Amendment (PL-2005-0045) – Request to Amend the General Plan Land Use Map, related text in Appendix C: The General Plan Land Use Map, and Appendix D: General Plan and Zoning Consistency Matrix, through the addition of a new land use designation for Mobile Home Parks.

9. Surrounding land uses and setting:
   Residential, commercial, and industrial uses (depending on the individual mobile home park )

10. Other public agencies whose approval is required:
    None

**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.

| | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology /Soils |
| ☐ Hazards & Hazardous Materials | ☐ Hydrology / Water Quality | ☐ Land Use / Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population / Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☐ Utilities / Service Systems | ☐ Mandatory Findings of Significance | |

**DETERMINATION:**

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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED 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 "potentially significant impact" or "potentially significant unless mitigated" impact 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. 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, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

| | |
|---|---|
| _____ | February 4, 2005 |
| Signature | Date |
| Gary Calame, AICP | City of Hayward |
| Printed Name | Agency |

## ENVIRONMENTAL ISSUES:

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| I. **AESTHETICS** -- Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☐ | ☒ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☐ | ☒ |
| II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| III. **AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☒ |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☐ | ☒ |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☐ | ☒ |
| e) Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☐ | ☒ |
| **IV. BIOLOGICAL RESOURCES** -- Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☐ | ☒ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |
| **V. CULTURAL RESOURCES** -- Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | ☐ | ☐ | ☐ | ☒ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☐ | ☒ |
| VI. **GEOLOGY AND SOILS** -- Would the project: | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | ☐ | ☐ | ☐ | ☒ |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☐ | ☒ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☐ | ☒ |
| iv) Landslides? | ☐ | ☐ | ☐ | ☒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☐ | ☒ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | ☐ | ☐ | ☐ | ☒ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☐ | ☒ |
| VII. **HAZARDS AND HAZARDOUS MATERIALS** - Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☐ | ☒ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☒ |
| VIII. **HYDROLOGY AND WATER QUALITY** -- Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☐ | ☒ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☐ | ☒ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☐ | ☒ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☐ | ☒ |
| f) Otherwise substantially degrade water quality? | ☐ | ☐ | ☐ | ☒ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |
| **IX. LAND USE AND PLANNING** - Would the project: | | | | |
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☒ |
| *The proposed amendment is consistent with the General Plan in that it will assist in maintaining an adequate supply of land designated and zoned for residential use at appropriate densities in a variety of housing types to meet the diverse housing needs, including permanent affordable housing units for those households with special needs, such as the elderly.* | | | | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |
| **X. MINERAL RESOURCES** -- Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |
| **XI. NOISE** - Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☐ | ☒ |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☐ | ☒ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| XII. **POPULATION AND HOUSING** -- Would the project: | | | | |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| XIII. **PUBLIC SERVICES** | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | ☐ | ☐ | ☐ | ☒ |
| Police protection? | ☐ | ☐ | ☐ | ☒ |
| Schools? | ☐ | ☐ | ☐ | ☒ |
| Parks? | ☐ | ☐ | ☐ | ☒ |
| Other public facilities? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| XIV. **RECREATION --** | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☒ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |
| XV. **TRANSPORTATION/TRAFFIC** -- Would the project: | | | | |
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | ☐ | ☐ | ☐ | ☒ |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☐ | ☒ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ☒ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☒ |
| f) Result in inadequate parking capacity? | ☐ | ☐ | ☐ | ☒ |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ☐ | ☐ | ☐ | ☒ |
| XVI. **UTILITIES AND SERVICE SYSTEMS** - Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☐ | ☒ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |

| | *Potentially Significant Impact* | *Potentially Significant Unless Mitigation Incorporation* | *Less Than Significant Impact* | *No Impact* |
|---|---|---|---|---|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☐ | ☒ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☐ | ☒ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☐ | ☒ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ |

## XVII. 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? | ☐ | ☐ | ☐ | ☒ |
| b) Does the project have impacts that are 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)? | ☐ | ☐ | ☐ | ☒ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☐ | ☒ |

**EXHIBIT E**

# CITY OF HAYWARD
# AGENDA REPORT

AGENDA DATE 3/10/05
AGENDA ITEM 1
WORK SESSION ITEM _____

**TO:** **Planning Commission**

**FROM:** **Gary Calame, AICP, Senior Planner**

**SUBJECT:** **General Plan Amendment No. PL-2005-0045 – City of Hayward (Applicant) -** Request to Amend the General Plan Land Use Map, related text in Appendix C: The General Plan Land Use Map, and Appendix D: General Plan and Zoning Consistency Matrix, through the addition of a new land use designation for Mobile Home Parks

## RECOMMENDATION:

That the Planning Commission recommend that the City Council adopt the Negative Declaration and proposed amendments to the General Plan, subject to the findings in this report.

## BACKGROUND:

In the fall of 2004, the City Council had several discussions regarding the potential closure and/or conversion of existing mobile home parks in the city. The nine mobile home parks contain almost 2,300 spaces. These mobile home parks are an integral component of the city's housing stock in that they address special housing needs by providing an alternative to traditional affordable housing. If this type of housing is lost, the City would have a difficult time accommodating these residents within its existing stock of affordable housing units due to the present demand by other residents for the limited number of units. During these discussions, the Council expressed a desire to consider possible amendments to the General Plan that, together with the existing zoning, would further assist in the preservation of alternative affordable housing such as that provided by the mobile home parks. On January 11, 2005, the City Council authorized staff to proceed with the drafting of proposed amendments to the General Plan and initiate the appropriate environmental review.

The proposed amendment to the General Plan involves the creation of a distinct land use designation for Mobile Home Parks on the Land Use Map. This designation would be applied to all nine mobile home parks in the city (see Attachment A). Currently, the mobile home parks are designated as Medium Density Residential, a designation which also allows multi-family residential developments. The proposed amendment includes related text changes in the Detailed Map Legend section of Appendix C: The General Plan Land Use Map (see Attachment B). In addition, the proposed amendment would revise the General Plan/Zoning Consistency Matrix to indicate that only the MHP (Mobile Home Park) Zoning District is compatible with the

Mobile Home Park designation on the General Plan Land Use Map. If the amendment is adopted, any proposals for uses other than mobile home parks would require approval of an amendment to the General Plan as well as a change in zoning.

The proposed amendment is consistent with the policies and strategies contained in the General Plan. Specifically, existing policies in the Housing Element of the General Plan call for maintaining an adequate supply of land designated and zoned for residential use at appropriate densities in a variety of housing types to meet the diverse housing needs (see Housing Strategy 1.1) and to promote the development of permanent affordable housing units for those households with special needs (Housing Strategy 5.3). The proposed amendment would serve to further implement the above policies and strategies.

**ENVIRONMENTAL REVIEW (CEQA):**

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. There will be no significant environmental impacts, as determined from staff's Environmental Checklist (Attachment D). Therefore, a Negative Declaration, Attachment D, has been prepared in the event that the Planning Commission recommends adoption of the amendments to the General Plan.

**PUBLIC NOTICES:**

On February 18, 2005, notice of the public hearing and associated Negative Declaration was published in the Daily Review. In addition, a notice of the public hearing, indicating the availability of the Negative Declaration and Environmental Checklist, was mailed to all mobile home park owners, mobile home owner associations, and mobile home park residents, as well as other interested parties. The notice indicated interested persons could submit comments on the Negative Declaration through March 10, 2005. No comments have been received to date in response to the notice.

**CONCLUSION:**

The proposed amendments to the General Plan would provide greater recognition of the mobile home parks as a distinct land use and a source of housing affordable to those households with special needs. In addition, the amendments would provide for a greater level of scrutiny and opportunity for public review and comment in the event a mobile home park is proposed for conversion to another type of land use.

Prepared by:

Gary Calame, AICP
Senior Planner

Approved by:

Dyana Anderly, AICP
Planning Manager

Attachments:

A. Proposed Amendment to General Plan Land Use Map
B. Proposed Text Amendment to Appendix C: The General Plan Land Use Map
C. Proposed Amendment to Appendix D: General Plan/Zoning Consistency Matrix
D. Negative Declaration and Environmental Checklist
E. Findings for Approval

EXHIBIT F

# MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION

**Council Chambers**
**Thursday, March 10, 2005, 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 Chair Sacks followed by the Pledge of Allegiance.

## ROLL CALL

| | | |
|---|---|---|
| Present: | COMMISSIONERS: | Lavelle, McKillop, Bogue, Thnay, Peixoto, and |
| | CHAIRPERSON: | Sacks |
| Absent: | COMMISSIONER: | Zermeño |

Staff Members Present: Anderly, Calame, Conneely, Macias

General Public Present: Approximately 30

## PUBLIC COMMENTS

There were no public comments.

## PUBLIC HEARINGS

1. General Plan Amendment No. PL-2005-0045 – City of Hayward (Applicant) – Request to Amend the General Plan Land Use Map, Related Text in Appendix C: The General Plan Land Use Map, and Appendix D: General Plan and Zoning Consistency Matrix, through the Addition of a New Land Use Designation for Mobile Home Parks

   Staff report submitted by Senior Planner Calame, dated March 10, 2005, was filed.

Chair Sacks recused herself from the meeting. Commissioner Thnay assumed the Chair.

Senior Planner Calame presented the staff report. He responded to questions from Commissioners. He stated he was not aware of whether other municipalities had similar designations.

Acting Chair Thnay opened the public hearing at 7:39 p.m.

Kathy Morris, President of the Hayward Mobilehome Owner's Association, read a statement about the concerns of members of the mobilehome community and the issues that threaten them when the mobilehome parks could be sold for other land uses. Mobilehomes are affordable dwelling units that provide housing to many elderly on a fixed or limited income, as well as others. These individuals would be displaced and not be able to find similar housing at an affordable amount. She urged the Commission's support of recommendation to add the designation to the General Plan in order to eliminate the threat of loss of this housing. She stated that they have been working with

the City Attorney's Office to provide a comprehensive Mobilehome conversion ordinance and this represents only a part of this effort. She thanked the City Council, especially Council Member Ward, for this solution.

Bob Billmire, Hayward resident and Chairman of amendments committee for the 9 mobilehome parks, urged the Commission to support the recommendation.

Lee Mosher, resident of Eden Gardens, asked if this action would guarantee that the land would not be used for anything other than a mobilehome park.

Senior Planner Calame stated that this action elevates the level of discussion and concern over any future amendment proposal, and that it would not be considered lightly. It is an effort to recognize the need for mobilehome parks and to preserve affordable housing to the extent possible, he added.

Acting Chair Thnay closed the public hearing at 7:46 p.m.

Commissioner Peixoto asked for further clarification regarding the current medium density designation and if in making this decision were they infringing on the rights of the owners to sell their property and make profit.

Assistant City Attorney Conneely stated that there is no guarantee that a land use designation would remain the same, but the process would have to be the same as any other zone change. She noted that the City's General Plan can only be amended four times a year, which indicates the importance of such undertakings.

Commissioner Peixoto moved the item, seconded by Commissioner Bogue, per staff's recommendation.

Commissioner Bogue said he supported the motion as he agreed with the findings.

Commissioner McKillop said that ordinarily she agreed that an individual had the right to do what he wishes with his/her property, but because so many individuals might be displaced, she also would support the motion.

Commissioner Lavelle stated that she, too, supported the motion as there is a need for a wide mix of housing in Hayward. This action shows that the Commission cares for the mobilehomeowners and wishes to maintain them.

Commissioner Thnay also indicated the importance of the action and said he supported the motion.

Commissioner Peixoto moved, and Commissioner Bogue seconded, and approved by the following vote, noting that Chair Sacks did not participate in the deliberation of the motion, to recommend that the City Council adopt the Negative Declaration and proposed amendments to the General Plan, subject to the findings in the report.

**MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION**
**Council Chambers**
**Thursday, March 10, 2005, 7:30 p.m.**
**777 B Street, Hayward, CA 94541**

| | |
|---|---|
| AYES: | COMMISSIONERS Lavelle, McKillop, Bogue, Peixoto<br>ACTING CHAIR Thnay |
| NOES: | COMMISSIONER |
| ABSENT: | COMMISSIONER Zermeño<br>CHAIR Sacks |
| ABSTAIN: | COMMISSIONER None |

**ADDITIONAL MATTERS**

2. Oral Reports on Planning and Zoning Matters

Planning Manager Anderly announced that there was a Special Joint City Council/Planning Commission Work Session scheduled for Tuesday, March 15. The next regular Planning Commission meeting is scheduled for March 24.

3. Commissioners' Announcements, Referrals

None

**APPROVAL OF MINUTES**

Minutes of February 24, 2005.

The minutes were unanimously approved.

**ADJOURNMENT**

The meeting was adjourned by Acting Chair Thnay at 7:55 p.m.

**APPROVED:**

Julie McKillop, Secretary
Planning Commission

**ATTEST:**

Connie Macias
Deputy City Clerk

***DRAFT***

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 05-____

Introduced by Council Member_____

mhl 3/21/05

RESOLUTION ADOPTING NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT APPLICATION NO. PL 2005-0045

WHEREAS, General Plan Amendment Application No. PL 2005-0045 concerns a request to create a distinct land use designation for Mobile Home Parks on the Land Use Map to be applied to all nine mobile home parks in the City; and

WHEREAS, the proposed amendment would revise the General Plan/Zoning Consistency Matrix to indicate that only the MHP (Mobile Home Park) Zoning District is compatible with the Mobile Home Park designation on the General Plan Land Use Map; any proposals for uses other than mobile home parks would require approval of an amendment to the General Plan as well as a change in zoning; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed applications on March 10, 2005, and recommended that the City Council adopt the negative declaration and approve the General Plan Amendment; and

WHEREAS, Tuesday, April 5, 2005, at the hour of 8:00 p.m., in the Council Chambers, 777 'B' Street, Hayward, California, is fixed as the date, time, and place for holding a public hearing on the proposed amendment; and

WHEREAS, notice of the hearing was published in the in the Daily Review on March 26, 2005 in the manner required by law and the hearing was duly held.

WHEREAS, the City Council of the City of Hayward hereby finds and determines as follows:

1. The amendment application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and a Negative Declaration has been prepared for the proposed project.

2. The proposed amendment is consistent with the General Plan in that it will assist in maintaining an adequate supply of land designated and zoned for residential use at appropriate densities in a variety of housing types to meet the diverse housing needs, including permanent affordable housing units for those households with special needs.

3. The proposed amendment will promote the public health, safety, convenience, and general welfare of the residents of Hayward.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward, based on the foregoing findings, that the proposed General Plan Amendment is hereby approved, subject to the attached conditions of approval.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:_____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward