

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 06/27/06

AGENDA ITEM 8

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Consideration of the South Hayward BART/Mission Boulevard Concept Design Plan and Related Final Environmental Impact Report and Associated Proposed Amendments to the General Plan and Zoning Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached resolution certifying the Program Environmental Impact Report as being prepared in accordance with the California Environmental Quality Act and City implementing guidelines; adopting the Statement of Overriding Considerations; approving the Mitigation Monitoring and Reporting Program; adopting amendments to the General Plan Land Use Map for certain properties within the Concept Design Plan area, as well as amendments to the text of General Plan Appendices C and D;
2. Introduce the attached ordinance approving the South Hayward BART/Mission Boulevard Concept Design Plan;
3. Introduce the attached ordinances related to text change amendments to the Zoning Ordinance and Off-Street Parking Regulations, including creation of the South Hayward BART/Mission Boulevard Special Design District (SD-6); and
4. Introduce the attached ordinance amending the Zoning Map for certain properties within the Concept Design Plan area.

DISCUSSION:

Background

In October of 2004, the City Council authorized the preparation of a conceptual design plan for the South Hayward BART/Mission Boulevard area, as is encouraged in the General Plan. The proposed Concept Design Plan, which was released in January of this year, comprises approximately 240 acres extending both north and south along Mission Boulevard, generally between Harder Road and Industrial Parkway, and focuses primarily on the immediate area surrounding the South Hayward BART station. A summary of the contents and objectives of the Plan is included later in this report.

At this time, staff is recommending that the City Council approve the Concept Design Plan itself, as well as associated amendments to the General Plan Land Use Map and text and the Zoning Ordinance Map and text. Proposed zoning text amendments would primarily entail creation of

two new zoning districts, Station Area Residential and Mission Boulevard Residential, as well as a new special design district, and related changes to the City's off-street parking regulations.

Framework for Recommendations

A primary function of public policy with respect to land use is to determine appropriate, desired locations, densities and types of land use development. Inherent in such a determination is the need to balance competing interests. For this project, staff's recommendations reflect the desire to establish a concentrated, dense area of development around the South Hayward BART Station and along the Mission Boulevard transit corridor, while seeking to integrate such development with, and minimize impacts to, existing development in the area. While development may be technically feasible to pursue, it may not always be desirable from a public policy perspective. The City's General Plan provides direction for such public policy. The proposed Concept Design Plan and related amendments to the General Plan and Zoning Ordinance are consistent with the goals and strategies of the General Plan, as stated in the findings in the attached resolution and ordinances.

Also, provisions in the proposed Special Design District, along with other adopted City policies and guidelines, will help mitigate potential visual impacts associated with specific development projects, including higher density projects around the BART Station.

With regard to park and recreation facilities, the proposed Plan provides opportunity for development of a new community center and related park in close proximity to the BART station and Mission Boulevard, as well as an expanded school site that could be used as a joint school/park use. Also, a new 30-acre park that will be constructed at the La Vista Quarry site just to the east of the Plan area, which will provide additional recreational opportunities for future residents in the area. Also, new neighborhood parks or enhancement of nearby existing facilities could occur through the payment of park dedication in-lieu fees.

It should be noted that the Concept Design Plan and associated recommendations for General Plan and Zoning Ordinance amendments will only provide a framework to achieve desired development. Ultimately, the success of implementation of the Plan over a number of years will depend on many variables. Market conditions will influence the desire of local property owners, including BART, to sell/lease businesses and property to new developers. Discretionary review of projects by the City's decision-makers, where specific uses and building design are reviewed, will also dictate implementation and the character of the area. Finally, the ability of the City's Redevelopment Agency to assist in facilitating such developments is another variable. As new developments are proposed and constructed, development policies for the Plan area may need to be reevaluated or new standards developed, in response to concerns that may arise.

Concept Design Plan

The main purpose of the Plan is to develop a conceptual framework that will help create a vibrant, livable, transit-oriented neighborhood with high-quality, safe, well-used public spaces in proximity to the South Hayward BART Station and along the major transit corridor, Mission Boulevard. In addition, the Plan articulates an overall circulation pattern and transportation linkages for the South Hayward BART Station. Goals that would be achieved through implementation of the Plan include:

1. Conversion of older commercial uses that are no longer economically feasible, to a state-of-the-art, urban-scale residential neighborhood;
2. Provision for intensified land uses to encourage the development of a transit-friendly, smart-growth area near an existing BART station, consistent with regional planning objectives;
3. Provision of opportunities to help Hayward meet its quantified housing objectives contained in the Housing Element of the General Plan;
4. Provision of economic incentives to provide missing public infrastructure improvements or upgrade of older such facilities;
5. Creation of opportunities for new public facilities, including a community center and the expansion of Bowman School; and
6. Increase of local jobs and economic return to the City of Hayward and Hayward Redevelopment Agency.

The Plan describes various land use categories, along with three preliminary development scenarios and the recommended land use scenario. Below is a summary of the key recommendations by staff for land uses in the Plan area:

1. Transit village of highest densities and structured parking with supporting retail uses and enhanced pedestrian/bike circulation around the BART station area, and including a reconfigured bus transit station area;
2. New grocery store/retail complex at the northwest corner of Mission Boulevard and Valle Vista, recognizing desires of the local community for a new grocery store in the area and utilizing opportunities due to an enhanced intersection, the proximity of the BART station and undeveloped state-owned lands;
3. New community center at the southwest corner of Mission Boulevard and Valle Vista Avenue, taking advantage of the contiguous publicly-owned parcels and Valle Vista Park;
4. New residential development in the Dixon Street area, recognizing the large amount of state-owned, undeveloped property in the area, as well as the proximity to the BART station, and enhanced pedestrian and bike trails;
5. Commercial/retail use at the Holiday Bowl site, with the suggestion in the long-term for a hotel/conference facility, recognizing the high visibility of that location, as well as the visual amenities associated with the adjacent Mission Hills of Hayward Golf Course;
6. New commercial retail opportunities in the Plan area, provided via a substantial node along the east side of Mission Boulevard at Tennyson Avenue, recognizing the potential for future developments to be served by the eastward extension of Tennyson Avenue, and provided by mixed use at key intersections, to encourage convenience-oriented retail uses that would serve the neighborhoods;
7. Commercial redevelopment at the Kmart site, with a recommendation for new auto dealerships, to extend Auto Row to approximately 700 feet south of Harder Road; and
8. Extension of the Bowman Elementary School site to Mission Boulevard, to allow for more convenient access and enhanced school facilities.

Proposed Changes to Concept Plan

Reflective of comments received from Council members, Planning Commissioners and the public, staff is recommending the following revisions to the January, 2006 Recommended Land Use Plan:

1. In response to concerns with potential visual impacts along Mission Boulevard and at the rear of single-family homes on 12th Street, the area on the west side of Mission Boulevard between Calhoun Street and Hancock Street has been changed from "Mission Boulevard Residential" to a lesser density of "High Density Residential."
2. In response to concerns regarding massing of buildings and potential visual impacts along sections of Mission Boulevard, the upper end of the density range for "Mission Boulevard Residential" has been reduced from 75.0 to 55.0 units per net acre, resulting in a density range of 34.8 to 55.0 units per net acre.
3. In response to similar concerns indicated in item 2, the upper end of the density range for "Mixed Use" has been reduced from 75.0 to 55.0 units per net acre, resulting in a density range of 34.8 to 55.0 units per net acre.
4. The frontage lane has been removed from the "Mixed Use" site between Hancock and Webster Streets and from the "Commercial" sites north of Tennyson Road on the east side of Mission Boulevard, resulting in no frontage lanes on the east side of Mission Boulevard, where topography limits areas available for development.
5. To ensure adequate separation would exist between student drop-off areas and Mission Boulevard if Bowman School site is expanded, a frontage lane is now shown along Mission Boulevard at that site, consistent with the text of the Concept Design Plan.

Attachment A to the attached Planning Commission report is a map that incorporates these revisions. Approximately 2,000 to 3,300 new additional dwelling units would be anticipated, along with new commercial development of between 267,000 to 468,000 square feet. The net amount of anticipated commercial development would likely be less though more active than existing, given the higher densities proposed in the area.

The Concept Design Plan also contains design guidelines that will help shape the character of the Plan area (Chapter 4). Under street frontage character, where the most significant guidelines are located, direction is provided for future developments along Mission Boulevard, Dixon Street and along the BART transit plaza. Along Mission Boulevard, two basic concepts are described: developments that front directly onto Mission Boulevard, where a minimum 10-foot setback (plus 6 feet for residential development) is recommended, and those that would front onto an access lane, where a similar setback is recommended from diagonal parking areas that would front such developments. Such setbacks are recommended to provide for an enhanced pedestrian environment through greater sidewalk width and landscaping opportunities. The guidelines also recommend a minimum 25-foot wide sidewalk on either side of the BART station transit plaza, which would allow opportunities for activities to "spill" onto the plaza, thereby enhancing the character of the area. Finally, the guidelines also recommend that taller buildings step down to visually transition to adjacent existing developments.

Chapter 5 of the Plan summarizes circulation and transit opportunities, emphasizing those for enhanced north-south and east-west pedestrian/bike circulation. Staff is recommending that the feasibility of establishing a regional trail along the existing railroad right-of-way adjacent to the

BART right-of-way in the Plan area be analyzed in order to provide the potential for a continuous north-south link through the corridor. Establishment of trails along the BART tracks along the western perimeter of the Bowman School site and the storage facility site to the west of Mission Plaza would generate issues with security and safety and are not recommended at this time by staff.

General Plan Land Use Designations and Text Changes

As reflected in the attached resolution, staff is recommending changes to the General Plan Land Use Map, reflective of the Concept Design Plan. Specifically, staff is proposing two new land use categories: *Station Area Residential* (75.0 to 100.0 units per net acre) immediately adjacent to the BART station eastward to Mission Boulevard, and *Mission Boulevard Residential* (34.8 to 55.0 units per net acre) in two locations along Mission Boulevard. Also, a *Public/Quasi-Public* designation is recommended for the reconfigured bus transfer area, expanded Bowman School site along Mission Boulevard and community center site at Valle Vista Avenue and Mission Boulevard. *High Density Residential*, allowing up to 34.8 units per net acre is recommended along Mission Boulevard and Dixon Street, while *Retail-Office Commercial* is recommended at the grocery store site and at the commercial area envisioned on the east side of Mission Boulevard at Tennyson Road. *Commercial-High Density Residential*, which exists at locations along Mission Boulevard in this area, is shown at the recommended Concept Plan "Mixed Use" site at the northwest corner of Mission Boulevard and Industrial Parkway. All of the resulting residential designations in the area around the station and along Mission Boulevard between Tennyson Road and Industrial Parkway would have minimum densities equal to the highest density that currently exists throughout the City, furthering the transit village concept.

The recommended changes to Appendices C and D of the General Plan incorporate the two new land use designations and allow the *Retail-Office Commercial* General Plan Land Use designation to be potentially consistent with the *General Commercial* (CG) Zoning designation, in recognition of the variety of uses allowed in the CG zone.

Zoning District Changes

The attached ordinance reflects recommended changes to the Zoning Map, which are consistent with General Plan Map changes and include the recommended two new zoning districts of *Station Area Residential* (SAR) and *Mission Boulevard Residential* (MBR). (Note that Attachment E to the Planning Commission report incorrectly shows that the zoning for the properties along the east side of Mission Boulevard at Tennyson Road would change. Those properties currently are zoned *General Commercial* (CG) and are not proposed to change.) As indicated later in this report, portions of SAR district developments would be required to include commercial (non-residential) uses on the ground floor. Many of the recommendations involve changing the zoning designation from a commercial to a residential zoning district along Mission Boulevard (*Mission Boulevard Residential* and *High Density Residential*). Also, for the major commercial areas at the ends of the Plan area (Kmart and the Holiday Bowl sites) and for the major commercial area envisioned to be developed at Tennyson Road along the east side of Mission Boulevard, a *General Commercial* (CG) zoning district designation is shown or exists, which would allow a variety of commercial opportunities at these locations that would cater to more than the local neighborhoods. Other commercial areas, including the northwest corner of Valle Vista and Mission Boulevard and the sites across Mission Boulevard from the Holiday Bowl site, are

indicated as *Neighborhood Commercial (CN)*, envisioned to serve the local community. Sites that are shown in the Concept Design Plan as “Mixed Use” are indicated with a *Neighborhood Commercial – Residential (CN-R)* designation, which as described later, will require ground-floor commercial uses.

The resulting zoning designations in the Plan area along Mission Boulevard will provide opportunities for high density housing, as well as a variety of commercial uses at key locations.

Zoning Text Amendments

Station Area Residential Zoning District (SAR)

The attached ordinance indicates the recommended text for this new zoning district. Residential units, envisioned to be condominiums with the potential for some apartments, are required at a density range of 75.0 to 100.0 units per net acre above the ground floor and allowed within certain portions of the ground floor. Specifically, no more than half of the gross floor area of the ground floor (excludes parking areas) and no more than half of the ground floor building frontage along Mission Boulevard, Dixon Street and the bus transfer area can be comprised of residential units. Non-residential uses indicated as allowed on the ground floor are those that would be geared toward local residents, including retail uses. All new developments proposed in the SAR District would be required to be reviewed by the Planning Commission and approved by the City Council.

Setback standards reflect those indicated in Chapter 4 of the Concept Design Plan. Also, a maximum 60 foot height limit is recommended, which could accommodate up to a five-story building. However, to provide greater opportunity for densities to support future retail uses and in response to concerns expressed at the June 8 joint City Council/Planning Commission work session, staff is also recommending that an 80 foot height limit (seven stories) be allowed by the City Council in situations where certain findings are made. Such findings require that the additional height would make a positive contribution to the overall character of the area and would be compatible with the surrounding area in terms of site planning, scale, building design, color, exterior materials, roof styles, lighting, landscaping and signage, that the additional height would not result in unreasonable restrictions of light and air to adjacent properties or the public right-of-way, or otherwise be detrimental to the public health, safety and welfare and that the additional height would support other policies and standards of the South Hayward BART/Mission Boulevard Concept Design Plan and would result in a better overall project. In summary, staff is suggesting provisions that would allow flexibility in design for developers to achieve higher densities, while allowing the elected officials of the City to have ultimate control over projects that would approach seven stories, with the expectation that such projects would need to be exceptional and result in substantial benefit to Hayward.

Residential parking ratios would allow a maximum of 1.0 space for each studio or one-bedroom unit and 1.3 spaces for each unit with two or more bedrooms. These parking ratios, where typically 1.5 to 2.1 spaces per unit would be required, further the concept of non-reliance on the automobile.

Also in response to concerns expressed at the June 8 work session related to the visual impacts of balconies and the desire to provide flexibility in future design of developments, staff is recommending that only 40% of units be required to provide private open space at 100 square feet

minimum per unit. Common or group open space would also required equal to at least 20% of the lot area plus the area that is not provided as private open space for units. Also, to help facilitate a “sense of place,” a requirement is recommended for developments to provide amenities in common open spaces for use by residents. Such amenities could include tot lots with play equipment, picnic shelters with barbeque areas, fitness centers, etc.

Mission Boulevard Residential Zoning District (MBR)

As required in the SAR District, all new developments proposed in the MBR District would be required to be reviewed by the Planning Commission and approved by the City Council. Unlike the SAR District, the MBR District is strictly a residential zoning district, with a required density range of 34.8 to 55.0 units per net acre. Setback standards are consistent with those indicated in Chapter 4 of the Concept Design Plan, which reflect provision of a local access lane along Mission Boulevard that would result in a minimum setback of 44 feet from the Mission Boulevard right-of-way. A maximum 55 foot height limit is recommended, which could accommodate up to a five-story building.

Residential parking ratios would allow a maximum of 1.3 spaces for each studio or one-bedroom unit and 1.5 spaces for each unit with two or more bedrooms.

Similar to the SAR District provisions, open space requirements for the MBR District require that 100 square feet minimum of private open space per unit be provided for at least 40% of the units in developments, and that group or common open space be provided totaling at least 15% of the lot area plus the area that is not provided as private open space for units. The decrease in percentage of required common open space compared to the SAR District is reflective of the reduced unit density. Also, consistent with recommendations for the SAR district, staff is recommending that the common open spaces in the MBR district include amenities.

Revisions to Neighborhood Commercial – Residential Zoning District (CN-R)

The CN-R District provisions were utilized for the zoning designation for those areas indicated as “Mixed Use” in the Concept Design Plan. Such provisions encourage “a mixture of neighborhood serving businesses and residences along portions of certain arterials in order to provide housing with ready access to shops and transit.” Revisions to those provisions reflect the policies in the Concept Design Plan, including requiring ground-floor non-residential uses and a density range of 34.8 to 55.0 units per net acre. Such revisions, related primarily to “Mixed Use” development standards and criteria, are reflected in the attached ordinances.

The minimum lot area is shown at 20,000 square feet for the “Mixed Use” properties in the Concept Design Plan area (compared to 10,000 square feet for other CN-R properties), to facilitate larger projects at key intersections and locations along Mission Boulevard. Also, given the density range is higher than is typical for other CN-R properties, a maximum height limit of 60 feet is recommended, allowing for 12 feet of ground-floor non-residential space and 10 feet per floor for residential uses (five stories maximum), along with allowances for roofs. Along with the 55 foot height limit recommended for the MBR District, the 60-foot height limit will help create a more unified look along Mission Boulevard in this area. Setback standards are consistent with those for other CN-R properties and those indicated in the Concept Design Plan (Chapter 4),

which require a minimum 10 foot setback for ground-floor non-residential uses along Mission Boulevard.

Residential parking ratios would allow a maximum of 1.5 spaces for each studio or one-bedroom unit and 2.0 spaces for each unit with two or more bedrooms. A reduction in required parking spaces for non-residential uses is recommended (one space per 315 square feet versus one space for every 200 square feet), consistent with that provided in the Central Parking District.

Consistent with the *MBR* and *SAR* Districts, open space requirements for *CN-R* District properties in the Concept Plan Area require that 100 square feet minimum of private open space per unit be provided for at least 40% of the units, and a minimum 15% of the lot area plus the area that is not provided as private open space for units be required as common open space, with amenities required in such spaces.

Revisions to General Commercial (CG) and Open Space/Parks and Recreation (OS) Zoning Districts

Minor changes are recommended for the CG and OS Districts provisions. In the CG District, the Kmart site is indicated as allowing for new automobile dealerships as a primary use, consistent with the rest of Hayward Auto Row north of Harder Road. Also, "Commercial Amusement Facility" has been added as an administrative use, reflective of the "Recreational/Entertainment Facility" label indicated in the Concept Design Plan for properties at the southeast corner of Tennyson Road and Mission Boulevard.

In the OS District, additional uses are listed as examples for "Special Use Facilities" as conditional uses, to provide greater flexibility to City decision-makers for future uses at the community center site at the southwest corner of Valle Vista Avenue and Mission Boulevard. The revisions would allow opportunity for development of entertainment/recreational facilities envisioned at the southeast corner of Tennyson Road and Mission Boulevard to be developed at the community center site.

Revisions to Off-Street Parking Regulations

Revisions are recommended to the City's parking regulations that incorporate the previously identified recommendations for parking ratios in the various applicable districts (*SAR*, *MBR* and *CN-R*) in the Concept Design Plan area. In summary, the recommendations would allow/require the following:

1. Retail uses in all commercial zones in the Concept Design Plan area, excluding the *CN-R* Zoning District, could be approved for up to a 15% reduction in spaces, provided a public bus stop and shelter are immediately adjacent to the site and maintained by the retail establishment, per Section 10-2.404(b).
2. Residential uses in the *RH* zone in the Concept Plan area could be approved for up to a 15% reduction in spaces, provided they would be located within 1,000 feet of the BART station.
3. Proposed changes to tandem parking Standards would allow unlimited tandem parking in the *SAR*, *MBR* and *CN-R* Zoning Districts in the Concept Design Plan Area, and would

allow up to 35% (or more with certain findings) tandem parking in the *RH* District in the Concept Design Plan area.

4. As indicated in Section 10-2.419, non-residential uses, including retail uses, in the *SAR* and *CN-R* zones in the Concept Design Plan area would be required to provide parking at one space per 315 square feet of gross floor area, similar to the Central Parking District. Neighborhood-serving retail uses are typically required to provide one parking space for every 200 square feet of gross floor area.

Environmental Review

The Draft Environmental Impact Report (DEIR) for the South Hayward BART/Mission Boulevard Concept Design Plan was reviewed with the City Council during a May 9 work session and with the Planning Commission at a public hearing on May 11, 2006. The 45-day public review period on the DEIR ran from April 17 to June 1, 2006. In addition to comments made by the City Council members at the work session and comments from Planning Commissioners and the public during the May 11 hearing, the City received comments on the DEIR from nine entities: two State agencies (California Regional Water Quality Control Board, California Department of Transportation and California Public Utilities Commission–Rail Crossings Engineering Section), one regional agency (AC Transit), one County agency (Alameda County Congestion Management Agency) and four individuals/private organizations.

The Final Environmental Impact Report (FEIR), Attachment P to the Planning Commission report, contains responses to all comments received on the DEIR, as well as minor modification and clarifications to the DEIR. Staff has received one letter in response to the FEIR, from the Alameda County Congestion Management Agency (CMA). That letter (Exhibit C) indicates that if the City adopts a project that is more intense than the Recommended Project Alternative, the City should conduct additional congestion management program (CMP) land uses analysis. The land use plan as recommended by staff would actually be slightly less intensive than the Recommended Project Alternative contained in the DEIR.

The EIR indicates that all potentially significant impacts can be eliminated or mitigated to less-than-significant levels, with the exception of impacts associated with temporary air quality impacts related to inconsistency of population growth with the regional Clean Air Plan, cumulative air quality impacts related to generation of significant quantities of ozone precursors, which are a constituent of regional air pollution, and cumulative traffic impacts related to regional traffic growth and roadway congestion. However, for those significant and unavoidable impacts, a statement of overriding considerations is proposed, as reflected in the attached resolution, which indicates the benefits of the project would outweigh its negative impacts. A statement of overriding considerations is required to be adopted if the project is approved.

The proposed Mitigation Monitoring and Reporting Program, which identifies implementation and monitoring responsibilities, as well as timing of implementation of mitigation measures, is included as Attachment Q to the Planning Commission report.

Planning Commission Hearing

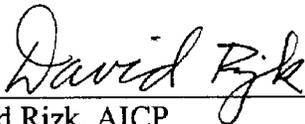
As noted in the June 15, 2006 draft minutes from the Planning Commission hearing (Exhibit B), the Planning Commission recommended 4 to 2 that the Council approve the Plan and related

amendments to City regulations. Comments received during the hearing generally related to economic viability, density and visual massing associated with transit-oriented developments, traffic associated with the Haymont Village Center development project and Sorenson Road, public safety and the desire to restore Zeile Creek. Some of those issues have been discussed previously with Council members during work sessions and as indicated at the June 8 work session, staff has amended its final recommendations to address the concerns with visual massing. As indicated previously by staff and as reflected in the EIR, issues related to parking, traffic, public safety will be addressed at the project-specific stage. Staff is not recommending that Zeile Creek in the plan area be restored, given it is a short segment that runs between/under Mission Boulevard and the BART tracks and would generate security issues for property owners in the area, as well as require taking of property. An e-mail received by staff subsequent to the Planning Commission hearing expresses concerns with massing and bulk (Exhibit D).

Public Notices

Notice of this public hearing was published in the Daily Review on June 5, 2006. Notices were also mailed to all property owners in the Plan area and within 300 feet of the Plan area, as well as to interested parties, on June 5, 2006. Additionally, an informational newsletter was mailed in May to over 4,600 addresses, involving all owners and residents in the general area, including those in and within 300 feet of the boundary of the Plan area, summarizing key issues associated with the Plan and providing notice of this hearing.

Prepared by:



David Rizk, AICP
Senior Planner

Recommended by:


Sylvia Ehrental, Director
Community and Economic Development

Approved by:


Jesús Armas, City Manager

List of Exhibits:

Exhibit A. June 15, 2006 Planning Commission Hearing Agenda Report, with following attachments:

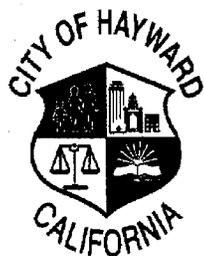
- Attachment A. Staff Recommended Land Use Plan
- Attachment B. Proposed Amendments to General Plan Land Use Map
- Attachment C. Proposed Amendments to General Plan Appendices C and D
- Attachment E. Proposed Amendments to Zoning Map (Zone Changes to Certain Properties)
- Attachment O. Draft Environmental Impact Report (distributed previously to Council members)
- Attachment P. Final Environmental Impact Report (distributed previously to Council members)
- Attachment Q. Mitigation Monitoring and Reporting Program (June, 2006)
- Attachment T. South Hayward BART/Mission Boulevard Concept Plan (January 12, 2006) (distributed previously to Council members)

Exhibit B. Draft Minutes from the June 15, 2006 Planning Commission public hearing

Exhibit C. July 15, 2006 letter from Alameda County Congestion Management Agency

Exhibit D. Written comments received subsequent to June 15 Planning Commission meeting

Resolution and Ordinances



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/15/06

AGENDA ITEM 1

WORK SESSION ITEM _____

TO: Planning Commission

FROM: David Rizk, Senior Planner

SUBJECT: Consideration of the South Hayward BART/Mission Boulevard Concept Design Plan and Related Final Environmental Impact Report and Associated Proposed Amendments to the General Plan and Zoning Ordinance

RECOMMENDATION:

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

1. Certification of the Environmental Impact Report as being prepared in accordance with the California Environmental Quality Act and City implementing guidelines; adoption of the Statement of Overriding Considerations; and approval of the Mitigation Monitoring and Reporting Program, based on the attached findings;
2. Adoption of the South Hayward BART/Mission Boulevard Concept Design Plan
3. Adoption of proposed amendments to the General Plan Land Use Map for certain properties within the Concept Design Plan area, as well as amendments to the text of General Plan Appendices C and D (PL-2006-0280GPA), based on the attached findings;
4. Adoption of proposed amendments to the Zoning Map for certain properties within the Concept Design Plan area (PL-2006-0281ZC), based on the attached findings; and
5. Adoption of proposed text change amendments to the Zoning Ordinance and Off-Street Parking Regulations, including creation of the South Hayward BART/Mission Boulevard Special Design District (SD-6) (PL-2006-0282TA), based on the attached findings.

DISCUSSION:

Background

In October of 2004, the City Council authorized the preparation of a conceptual design plan for the South Hayward BART/Mission Boulevard area, as is encouraged in the General Plan. The proposed Concept Design Plan, which was released in January of this year, comprises approximately 240 acres extending both north and south along Mission Boulevard, generally between Harder Road and Industrial Parkway, and focuses primarily on the immediate area surrounding the South Hayward BART station. A summary of the contents and objectives of the Plan is included later in this report.

At this time, staff is requesting that the Planning Commission consider the Concept Design Plan itself, as well as associated amendments to the General Plan Land Use Map and text and the Zoning Ordinance Map and text. Proposed text amendments would entail creation of two new

zoning districts, Station Area Residential and Mission Boulevard Residential, as well as a new special design district, and related changes to the City's off-street parking regulations. The Planning Commission recommendations will be forwarded to the City Council for a public hearing, scheduled for June 27, 2006.

Concept Design Plan

The main purpose of the Plan is to develop a conceptual framework that will help create a vibrant, livable, transit-oriented neighborhood with high-quality, safe, well-used public spaces in proximity to the South Hayward BART Station and along the major transit corridor, Mission Boulevard. In addition, the Plan articulates an overall circulation pattern and transportation linkages for the South Hayward BART Station. Goals that would be achieved through implementation of the Plan include:

1. Conversion of older commercial uses that are no longer economically feasible, to a state-of-the-art, urban-scale residential neighborhood;
2. Provision for intensified land uses to encourage the development of a transit-friendly, smart-growth area near an existing BART station, consistent with regional planning objectives;
3. Provision of opportunities to help Hayward meet its quantified housing objectives contained in the Housing Element of the General Plan;
4. Provision of economic incentives to provide missing public infrastructure improvements or upgrade of older such facilities;
5. Creation of opportunities for new public facilities, including a community center and the expansion of Bowman School; and
6. Increase of local jobs and economic return to the City of Hayward and Hayward Redevelopment Agency.

The Plan describes various land use categories, along with three preliminary development scenarios and the recommended land use scenario. Below is a summary of the key recommendations by staff for land uses in the Plan area:

1. Transit village of highest densities and structured parking with supporting retail uses and enhanced pedestrian/bike circulation around the BART station area, and including a reconfigured bus transit station area;
2. New grocery store/retail complex at the northwest corner of Mission Boulevard and Valle Vista, recognizing desires of the local community for a new grocery store in the area and utilizing opportunities due to an enhanced intersection, the proximity of the BART station and undeveloped state-owned lands;
3. New community center at the southwest corner of Mission Boulevard and Valle Vista Avenue, taking advantage of the contiguous publicly-owned parcels and Valle Vista Park;
4. New residential development in the Dixon Street area, recognizing the large amount of state-owned, undeveloped property in the area, as well as the proximity to the BART station, and enhanced pedestrian and bike trails;
5. Commercial/retail use at the Holiday Bowl site, with the suggestion in the long-term for a hotel/conference facility, recognizing the high visibility of that location, as well as the visual amenities associated with the adjacent Mission Hills of Hayward Golf Course;

6. New commercial retail opportunities in the Plan area, provided via a substantial node along the east side of Mission Boulevard at Tennyson Avenue, recognizing the potential for future developments to be served by the eastward extension of Tennyson Avenue, and provided by mixed use at key intersections, to encourage convenience-oriented retail uses that would serve the neighborhoods;
7. Commercial redevelopment at the Kmart site, with a recommendation for new auto dealerships, to extend Auto Row to approximately 700 feet south of Harder Road; and
8. Extension of the Bowman Elementary School site to Mission Boulevard, to allow for more convenient access and enhanced school facilities.

Proposed Changes to Concept Plan

Reflective of comments received from Council members, Planning Commissioners and the public, staff is recommending the following revisions to the January, 2006 Recommended Land Use Plan:

1. In response to concerns with potential visual impacts along Mission Boulevard and at the rear of single-family homes on 12th Street, the area on the west side of Mission Boulevard between Calhoun Street and Hancock Street has been changed from "Mission Boulevard Residential" to a lesser density of "High Density Residential."
2. In response to concerns regarding massing of buildings and potential visual impacts along sections of Mission Boulevard, the upper end of the density range for "Mission Boulevard Residential" has been reduced from 75.0 to 55.0 units per net acre, resulting in a density range of 34.8 to 55.0 units per net acre.
3. In response to similar concerns indicated in item 2, the upper end of the density range for "Mixed Use" has been reduced from 75.0 to 55.0 units per net acre, resulting in a density range of 34.8 to 55.0 units per net acre.
4. The frontage lane has been removed from the "Mixed Use" site between Hancock and Webster Streets and from the "Commercial" sites north of Tennyson Road on the east side of Mission Boulevard, resulting in no frontage lanes on the east side of Mission Boulevard, where topography limits areas available for development.
5. To ensure adequate separation would exist between student drop-off areas and Mission Boulevard if Bowman School site is expanded, a frontage lane is now shown along Mission Boulevard at that site, consistent with the text of the Concept Design Plan.

Attachment A is a map that incorporates these revisions. Approximately 2,000 to 3,300 new additional dwelling units would be anticipated, along with new commercial development of between 267,000 to 468,000 square feet. The net amount of anticipated commercial development would likely be less than existing, though more active, given the higher densities proposed in the area.

The Concept Design Plan also contains design guidelines that will help shape the character of the Plan area (Chapter 4). Under street frontage character, where the most significant guidelines are located, direction is provided for future developments along Mission Boulevard, Dixon Street and along the BART transit plaza. Along Mission Boulevard, two basic concepts are described: developments that front directly onto Mission Boulevard, where a minimum 10-foot setback (plus 6 feet for residential development) is recommended, and those that would front onto an access lane, where a similar setback is recommended from diagonal parking areas that would front such

developments. Such setbacks are recommended to provide for an enhanced pedestrian environment through greater sidewalk width and landscaping opportunities. The guidelines also recommend a minimum 25-foot wide sidewalk on either side of the BART station transit plaza, which would allow opportunities for activities to “spill” onto the plaza, thereby enhancing the character of the area. Finally, the guidelines also recommend that taller buildings step down to visually transition to adjacent existing developments.

Chapter 5 of the Plan summarizes circulation and transit opportunities, emphasizing those for enhanced north-south and east-west pedestrian/bike circulation.

General Plan Land Use Designations and Text Changes

As reflected in Attachment B, staff is recommending changes to the General Plan Land Use Map, reflective of the Concept Design Plan. Specifically, staff is proposing two new land use categories: *Station Area Residential* (75.0 to 100.0 units per net acre) immediately adjacent to the BART station eastward to Mission Boulevard, and *Mission Boulevard Residential* (34.8 to 55.0 units per net acre) in two locations along Mission Boulevard. Also, a *Public/Quasi-Public* designation is recommended for the reconfigured bus transfer area, expanded Bowman School site along Mission Boulevard and community center site at Valle Vista Avenue and Mission Boulevard. *High Density Residential*, allowing up to 34.8 units per net acre is recommended along Mission Boulevard and Dixon Street, while *Retail-Office Commercial* is recommended at the grocery store site and at the commercial area envisioned on the east side of Mission Boulevard at Tennyson Road. *Commercial-High Density Residential*, which exists at locations along Mission Boulevard in this area, is shown at the recommended Concept Plan “Mixed Use” site at the northwest corner of Mission Boulevard and Industrial Parkway. All of the resulting residential designations in the area around the station and along Mission Boulevard between Tennyson Road and Industrial Parkway would have minimum densities equal to the highest density that currently exists throughout the City, furthering the transit village concept.

The recommended changes to Appendices C and D of the General Plan incorporate the two new land use designations (see Attachment C), and allows the *Retail-Office Commercial* General Plan Land Use designation to be potentially consistent with the *General Commercial* (CG) Zoning designation, in recognition of the variety of uses allowed in the CG zone.

Zoning District Changes

Attachment E shows recommended changes to the Zoning Map, which are consistent with General Plan Map changes and include two new zoning districts: *Station Area Residential* (SAR) and *Mission Boulevard Residential* (MBR). As indicated later in this report, portions of SAR district developments would be required to include commercial (non-residential) uses on the ground floor. Many of the recommendations involve changing the zoning designation from a commercial to a residential zoning district along Mission Boulevard (*Mission Boulevard Residential* and *High Density Residential*). Also, for the major commercial areas at the ends of the Plan area (Kmart and the Holiday Bowl sites) and for the major commercial area envisioned to be developed at Tennyson Road along the east side of Mission Boulevard, a *General Commercial* (CG) zoning district designation is shown, to allow a variety of commercial opportunities that would cater to more than the local neighborhoods. Other commercial areas, including the northwest corner of Valle Vista and Mission Boulevard and the sites across Mission

Boulevard from the Holiday Bowl site, are indicated as *Neighborhood Commercial* (CN), envisioned to serve the local community. Sites that are shown in the Concept Design Plan as "Mixed Use" are indicated with a *Neighborhood Commercial – Residential* (CN-R) designation, which as described later, will require ground-floor commercial uses.

The resulting zoning designations in the Plan area along Mission Boulevard will provide opportunities for high density housing, as well as a variety of commercial uses at key locations.

Zoning Text Amendments

Station Area Residential Zoning District (SAR)

Exhibit F shows the recommended text for this new zoning district. Residential units, envisioned to be condominiums with the potential for some apartments, are required at a density range of 75.0 to 100.0 units per net acre above the ground floor and allowed within certain portions of the ground floor. Specifically, no more than half of the gross floor area of the ground floor (excludes parking areas) and no more than half of the ground floor building frontage along Mission Boulevard, Dixon Street and the bus transfer area can be comprised of residential units. Non-residential uses indicated as allowed on the ground floor are those that would be geared toward local residents, including retail uses.

Setback standards reflect those indicated in Chapter 4 of the Concept Design Plan. Also, a maximum 80 foot height limit is recommended, which could accommodate up to a seven-story building and provide greater opportunity for densities to support future retail uses. However, in response to concerns expressed at the June 8 joint City Council/Planning Commission work session, staff is recommending that certain findings be required to be made by the approving authority for buildings whose heights would exceed 60 feet (approximately five stories). Generally, such findings require that the additional height would make a positive contribution to the overall character of the area.

Residential parking ratios would allow a maximum of 1.0 space for each studio or one-bedroom unit and 1.3 spaces for each unit with two or more bedrooms. These parking ratios, where typically 1.5 to 2.1 spaces per unit would be required, further the concept of non-reliance on the automobile.

Also in response to concerns expressed at the June 8 work session related to the visual impacts of balconies and the desire to provide flexibility in future design of developments, staff is recommending that only 40% of units be required to provide private open space at 100 square feet minimum per unit. Common or group open space would also required equal to at least 20% of the lot area plus the area that is not provided as private open space for units. Also, to help facilitate a "sense of place," a requirement is recommended for developments to provide amenities in common open spaces for use by residents. Such amenities could include tot lots with play equipment, picnic shelters with barbeque areas, fitness centers, etc.

Mission Boulevard Residential Zoning District (MBR)

Attachment H shows the recommended text for this new zoning district. Unlike the SAR District, the MBR District is strictly a residential zoning district, with a required density range of 34.8 to

55.0 units per net acre. Setback standards are consistent with those indicated in Chapter 4 of the Concept Design Plan, which reflect provision of a local access lane along Mission Boulevard that would result in a minimum setback of 44 feet from the Mission Boulevard right-of-way. A maximum 55 foot height limit is recommended, which could accommodate up to a five-story building.

Residential parking ratios would allow a maximum of 1.3 spaces for each studio or one-bedroom unit and 1.5 spaces for each unit with two or more bedrooms.

Similar to the *SAR* District provisions, open space requirements for the *MBR* District require that 100 square feet minimum of private open space per unit be provided for at least 40% of the units in developments, and that group or common open space be provided totaling at least 15% of the lot area plus the area that is not provided as private open space for units. The decrease in percentage of required common open space compared to the *SAR* District is reflective of the reduced unit density. Also, consistent with recommendations for the *SAR* district, staff is recommending that the common open spaces in the *MBR* district include amenities.

Revisions to Neighborhood Commercial – Residential Zoning District (CN-R)

The CN-R District provisions were utilized for the zoning designation for those areas indicated as “Mixed Use” in the Concept Design Plan. Such provisions encourage “a mixture of neighborhood serving businesses and residences along portions of certain arterials in order to provide housing with ready access to shops and transit.” Revisions to those provisions reflect the policies in the Concept Design Plan, including requiring ground-floor non-residential uses and a density range of 34.8 to 55.0 units per net acre. Such revisions, related primarily to “Mixed Use” development standards and criteria, are shown in Attachment I.

The minimum lot area is shown at 20,000 square feet for the “Mixed Use” properties in the Concept Design Plan area (compared to 10,000 square feet for other CN-R properties), to facilitate larger projects at key intersections and locations along Mission Boulevard. Also, given the density range is higher than is typical for other CN-R properties, a maximum height limit of 60 feet is recommended, allowing for 12 feet of ground-floor non-residential space and 10 feet per floor for residential uses (five stories maximum), along with allowances for roofs. Along with the 55 foot height limit recommended for the *MBR* District, the 60-foot height limit will help create a more unified look along Mission Boulevard in this area. Setback standards are consistent with those for other CN-R properties and those indicated in the Concept Design Plan (Chapter 4), which require a minimum 10 foot setback for ground-floor non-residential uses along Mission Boulevard.

Residential parking ratios would allow a maximum of 1.5 spaces for each studio or one-bedroom unit and 2.0 spaces for each unit with two or more bedrooms. A reduction in required parking spaces for non-residential uses is recommended (one space per 315 square feet versus one space for every 200 square feet), consistent with that provided in the Central Parking District.

Consistent with the *MBR* and *SAR* Districts, open space requirements for *CN-R* District properties in the Concept Plan Area require that 100 square feet minimum of private open space per unit be provided for at least 40% of the units, and a minimum 15% of the lot area plus the area that is not

provided as private open space for units be required as common open space, with amenities required in such spaces.

Revisions to General Commercial (CG) and Open Space/Parks and Recreation (OS) Zoning Districts

Minor changes are recommended for the CG and OS Districts provisions, as shown in Attachments J and K. In the CG District, the Kmart site is indicated as allowing for new automobile dealerships as a primary use, consistent with the rest of Hayward Auto Row north of Harder Road. Also, "Commercial Amusement Facility" has been added as an administrative use, reflective of the "Recreational/Entertainment Facility" label indicated in the Concept Design Plan for properties at the southeast corner of Tennyson Road and Mission Boulevard.

In the OS District, additional uses are listed as examples for "Special Use Facilities" as conditional uses, to provide greater flexibility to City decision-makers for future uses at the community center site at the southwest corner of Valle Vista Avenue and Mission Boulevard. The revisions would allow opportunity for development of entertainment/recreational facilities envisioned at the southeast corner of Tennyson Road and Mission Boulevard to be developed at the community center site.

Revisions to Off-Street Parking Regulations

Revisions are recommended to the City's parking regulations that incorporate the previously identified recommendations for parking ratios in the various applicable districts (SAR, MBR and CN-R) in the Concept Design Plan area. In summary, the recommendations would allow/require the following:

1. Retail uses in all commercial zones in the Concept Design Plan area, excluding the *CN-R* Zoning District, could be approved for up to a 15% reduction in spaces, provided a public bus stop and shelter are immediately adjacent to the site and maintained by the retail establishment, per Section 10-2.404(b).
2. Residential uses in the *RH* zone in the Concept Plan area could be approved for up to a 15% reduction in spaces, provided they would be located within 1,000 feet of the BART station.
3. Proposed changes to tandem parking Standards would allow unlimited tandem parking in the *SAR*, *MBR* and *CN-R* Zoning Districts in the Concept Design Plan Area, and would allow up to 35% (or more with certain findings) tandem parking in the *RH* District in the Concept Design Plan area.
4. As indicated in Section 10-2.419, non-residential uses, including retail uses, in the *SAR* and *CN-R* zones in the Concept Design Plan area would be required to provide parking at one space per 315 square feet of gross floor area, similar to the Central Parking District. Neighborhood-serving retail uses are typically required to provide one parking space for every 200 square feet of gross floor area.

Framework for Recommendations

A primary function of public policy with respect to land use is to determine appropriate, desired locations, densities and types of land use development. Inherent in such a determination is the

need to balance competing interests. While development may be technically feasible to pursue, it may not always be desirable from a public policy perspective. The City's General Plan provides direction for such public policy. The proposed Concept Design Plan and related amendments to the General Plan and Zoning Ordinance are consistent with the goals and strategies of the General Plan, as stated in the attached findings (Attachment D).

Also, provisions in the proposed Special Design District, along with other adopted City policies and guidelines, will help mitigate potential visual impacts associated with specific development projects, including higher density projects around the BART Station.

With regard to park and recreation facilities, the proposed Plan provides opportunity for development of a new community center and related park in close proximity to the BART station and Mission Boulevard, as well as an expanded school site that could be used as a joint school/park use. Also, a new 30-acre park that will be constructed at the La Vista Quarry site just to the east of the Plan area, which will provide additional recreational opportunities for future residents in the area. Also, new neighborhood parks or enhancement of nearby existing facilities could occur through the payment of park dedication in-lieu fees.

As noted in the EIR, with mitigation measures, adequate public services and facilities would be provided for future developments.

It should be noted that the Concept Design Plan and associated recommendations for General Plan and Zoning Ordinance amendments will only provide a framework to achieve desired development. Ultimately, the success of implementation of the Plan over a number of years will depend on many variables. Market conditions will influence the desire of local property owners, including BART, to sell/lease businesses and property to new developers. Discretionary review of projects by the City's decision-makers, where specific uses and building design are reviewed, will also dictate implementation and the character of the area. Finally, the ability of the City's Redevelopment Agency to assist in facilitating such developments is another variable.

As new developments are proposed and constructed, development policies for the Plan area may need to be reevaluated or new standards developed, in response to concerns that may arise.

Environmental Review

The Draft Environmental Impact Report (DEIR) for the South Hayward BART/Mission Boulevard Concept Design Plan was reviewed with the Planning Commission at a public hearing on May 11, 2006. The 45-day public review period on the DEIR ran from April 17 to June 1, 2006. In addition to comments made by the City Council members at a May 9 work session and comments from Planning Commissioners and the public during the May 11 hearing, the City received comments on the DEIR from nine entities: two State agencies (California Regional Water Quality Control Board, California Department of Transportation and California Public Utilities Commission--Rail Crossings Engineering Section), one regional agency (AC Transit), one County agency (Alameda County Congestion Management Agency) and four individuals/private organizations.

The Final Environmental Impact Report (FEIR), included as Attachment P, contains responses to all comments received on the DEIR, as well as minor modification and clarifications to the

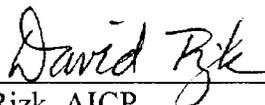
DEIR. The EIR indicates that all potentially significant impacts can be eliminated or mitigated to less-than-significant levels, with the exception of impacts associated with temporary air quality impacts related to inconsistency of population growth with the regional Clean Air Plan, cumulative air quality impacts related to generation of significant quantities of ozone precursors, which are a constituent of regional air pollution, and cumulative traffic impacts related to regional traffic growth and roadway congestion. However, for those significant and unavoidable impacts, a statement of overriding considerations is proposed (Attachment S) that indicates the benefits of the project would outweigh its negative impacts. A statement of overriding considerations is required to be adopted if the project is approved.

The proposed Mitigation Monitoring and Reporting Program, which identifies implementation and monitoring responsibilities, as well as timing of implementation of mitigation measures, is included as Attachment Q. Attachment R includes findings related to the impacts identified in the EIR.

Public Notices

Notice of this public hearing was published in the Daily Review on June 5, 2006. Notices were also mailed to all property owners in the Plan area and within 300 feet of the Plan area, as well as to interested parties, on June 5, 2006. Additionally, an informational newsletter was mailed in May to over 4,600 addresses, involving all owners and residents in the general area, including those in and within 300 feet of the boundary of the Plan area, summarizing key issues associated with the Plan and providing notice of this hearing and the City Council hearing scheduled for June 27.

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DUE TO THE SIZE AND
COLOR OF THE FOLLOWING
ATTACHMENTS, THEY
HAVE BEEN INCLUDED AS
SEPARATE LINKS

Appendix C

General Plan Land Use Map

Appendix C

THE GENERAL PLAN LAND USE MAP

The Land Use Map is based on the policies, assumptions and forecasts contained in this plan. It contains general land use and circulation proposals and is not intended to show precisely the limits of land use proposed nor each individual use as other types of uses may be compatible with the designated use. For example, a convenience market, a school, several duplexes and single-family residences, along with appropriate zoning for each of those uses, could all be in conformance with the plan designation of low density residential (see Appendix D).

Because land use designations may not reflect specific local conditions, they should not be interpreted to propose nor preclude developments without consideration of the policies, principles, standards, or intent of the general plan. Site considerations relating to topography, geology, soils or hydrology may be more important in establishing the specific use and intensity of a particular parcel than designation on the plan map. Similarly, the presence of adequate streets as well as schools, parks and other community facilities should be assured before a development is approved that would otherwise be in conformance with the plan map.

Determination of the conformance of a proposed use or zone with the general plan should include consideration of the following questions:

1. Is the use being considered specifically designated on the land use plan map in the area where its location is proposed?
2. If the use is not specifically designated on the land use plan map in the area where its location is proposed, is it needed to service such a planned use or, if a residential proposal, could it be established without adversely altering the proposed character of the area or setting a precedent for increasing the general density of that area above that proposed on the land use plan map?
3. Are conditions in the area safe from potential flooding and geologic hazards not common to the entire Hayward Planning Area?
4. Will community facilities and streets be available at City standards to serve the use proposed for the property?
5. Is the proposal consistent with the policies, principles and standards contained in the General Plan?
6. Do social and economic conditions indicate that the proposed zoning or development is needed at this time?

-
7. Does an evaluation of required environmental impact reports and any potential public benefit analyses indicate that the use or zone justifies any adverse impact the proposal may have on the area involved?

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.

High Density. Typical density is between 17.4-34.8 dwelling units per net acre,. Typical development includes apartments or condominiums within multi-story buildings near major activity centers or along major arterials. Planned Developments may include a variety of housing types within the overall density range.

Downtown-City Center Area. Residential densities range from 40-110 dwelling units per net acre, although the highest densities are reserved for specific areas (see Downtown Hayward Design Plan). Typical development throughout the remaining area will be 3-5 story apartments or condominiums.

Mission Boulevard Residential. Residential densities range from 34.8-55.0 dwelling units per net acre. Typical developments include condominiums or apartments within multi-story buildings along Mission Boulevard in the vicinity of the South Hayward BART Station. To facilitate transit-oriented development along a major transit corridor, developments are required to meet minimum densities.

Station Area Residential. Residential densities range from 75.0-100.0 dwelling units per net acre. Typical developments include condominiums or apartments over ground-floor neighborhood serving retail uses within multi-story buildings in proximity to the South Hayward BART Station. To facilitate transit-oriented development near the South Hayward BART Station, developments are required to meet minimum densities.

Commercial

Retail and Office Commercial. These areas include the regional shopping center (Southland), community shopping centers, concentrations of offices and professional services, and portions of the downtown area and South Hayward BART Station area where mixed retail and office uses are encouraged. Not shown are neighborhood convenience centers that support and are compatible with residential areas.

General Commercial. These areas include concentrations of special uses which are automobile-oriented in terms of product or access, such as automobile sales and service, building supplies, home furnishings etc. Clustering of these uses along major arterials is appropriate where direct access and adequate parking are provided.

Commercial/High-Density Residential. These areas may include Retail and Office or General Commercial uses. Certain areas along major arterials or at key intersections may be appropriate for high-density residential use or mixed commercial/residential use. Development proposals within these areas should be evaluated within the context of applicable policies and standards and compatibility with adjoining areas.

Industrial

Industrial Corridor. This area consists primarily of planned business and industrial parks along with supporting office and commercial uses. Comprehensive design standards and use restrictions permit their location adjacent to residential areas. Other industrial development may be appropriate if compatible with adjacent industrial parks or residential areas.

Mixed Industrial. These areas "contain older industrial uses within the central part of the city which are typically located along railroad tracks and often surrounded by residential areas. Some areas contain substantial buildings but are presently vacant or underutilized. Future uses must be compatible with adjacent residential and commercial areas. These areas should be considered for conversion to commercial uses, residential uses, or a planned development with mixed uses, as appropriate.

Open Space

Parks and Recreation. These areas include regional parks, community and neighborhood parks, and special use facilities such as golf courses, historic estates, linear parks and trails. Not shown are school athletic fields and playgrounds.

Baylands. These areas are to remain in open space uses such as salt and fresh water marshes, salt ponds, aquaculture, or agriculture; limited educational and recreational uses that provide public contact with the wetlands are also desirable. Existing marshes are to be preserved and opportunities to expand marsh areas pursued.

Limited Open Space. These areas include cemeteries, agricultural and grazing lands, land that is undevelopable due to slope or other hazards, and lands proposed for park or other permanent open space. Minimum lot sizes shall range from 5 acres to 160 acres or more.

Public and Quasi-Public

These areas contain major governmental, educational and cultural facilities such as the Hayward Air Terminal, California State University-Hayward, Chabot Community College, City Center, Hayward Public Library, Alameda County Governmental Complex, high schools, intermediate schools, and elementary schools.

Downtown-City Center Area

This area is the major activity center in the planning area. It contains major public facilities such as City Center and the Main Library, retail and office areas, and high-density residential areas. Mixed-use development is encouraged to promote the pedestrian orientation and to maintain the downtown area as an integrated living, working, shopping and recreational area. The boundary of this area is delineated in the Downtown Hayward Design Plan.

Streets and Highways

Freeways. These routes are intended to carry regional and through traffic at high speeds. Access is limited by divided roadways, grade separations, and interchanges with expressways or major arterials.

Major Arterials. These routes are intended to carry inter-city traffic as well as intra-city traffic between important local generators. Facilities are generally four lanes or more with at grade intersections. Provision may be made for controlled turning movements. Expressways are included as major arterials but may feature selected characteristics of freeways.

Minor Arterials. These routes are intended to carry intra-city traffic as well as local traffic between major arterials and collector streets and/or serve local generators. The type of facility varies with the specific function, traffic volume and nature of adjacent development.

Not shown on the Land Use Map are collector streets and local streets. The function of collectors is to carry local traffic to and from arterials as well as provide access to abutting properties. Local streets are intended primarily to provide direct access to abutting properties.

Rail Transportation

Rapid Transit. The Bay Area Rapid Transit (BART) system includes the Fremont-Daly City/Colma and Fremont-Richmond lines, which serve the planning area with two stations (Hayward and South Hayward). Also shown is the Dublin/Pleasanton-Daly City/Colma line, which parallels Route I-580 and serves the planning area with a station in Castro Valley.

Railroads. Three main lines traverse the planning area in a north-south direction with one paralleling the BART tracks. The middle line is the route of the Amtrak Capital Corridor, which provides service between Sacramento and San Jose.

Urban Limit Line

The Urban Limit Line represents the boundary between urban development (e.g., Residential, Commercial, and Industrial designations) and open space (e.g., Baylands, Limited Open Space, and Regional Parks designations).

DUE TO THE SIZE AND
COLOR OF THE FOLLOWING
ATTACHMENTS, THEY
HAVE BEEN INCLUDED AS
SEPARATE LINKS

South Hayward BART/Mission Boulevard Concept Design Plan EIR Mitigation Monitoring and Reporting Program

June 2006

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Mitigation Measure 4.1-1 - Visual Character. Development projects submitted to the City of Hayward within the project area shall be subject to design review to ensure that privacy impacts on surrounding properties and effects of shade and shadow are reduced to a less-than-significant impact. Design of future buildings shall include “stepping down” of taller buildings, appropriate siting of windows and balconies to maximize privacy and establishment of view corridors to nearby hills.</p>	Individual Project Developers	Hayward Planning Division	During Site Plan Review, in terms of design, and prior to issuance of building permits, for new development projects
<p>Mitigation Measure 4.1-2 - Views and Vistas. Development projects submitted to the City of Hayward within the project area shall be subject to design review to ensure that impacts on views towards the Hayward hills are reduced to a level of insignificance. Design features may include, but is not limited to preservation of view corridors between buildings, stepping down of buildings near existing development, use of corner cut-offs, establishment of view corridors to nearby hills and similar design elements.</p>	Individual Project Developers	Hayward Planning Division	During Site Plan Review, in terms of design, and prior to issuance of building permits, for new development projects
<p>Mitigation Measure 4.1-3 - Light and Glare</p>	Individual Project	Hayward Planning	During Site Plan Review, in terms

Mitigation Measure**Implementing Responsibility****Monitoring Responsibility****Timing**

<p>impacts. Lighting Plans shall be submitted as part of all future development projects. Lighting Plans shall include lighting fixtures to be employed and specific measures to be taken to ensure that lighting is directed downward so that light and glare will be minimized.</p>	Developers	Division	of design, and prior to issuance of building permits, for new development projects
<p>Mitigation Measure 4.2-1 -Inconsistency with an air quality plan and cumulative air quality impacts. Mitigation Measure 4.6.1, contained in Section 4.6, directs the City of Hayward to consult with the Association of Bay Area Governments to include the buildout population of the approved Concept Plan alternative for this project. However, even with current General Plan goals and strategies and adherence to Mitigation Measure 4.6-1, the project would be inconsistent with the Clean Air Plan and would be a significant and unavoidable impact.</p>	City of Hayward Planning Division	City of Hayward Planning Division	As part of next regional population update round
<p>Mitigation Measure 4.2.2 - Cumulative air quality impacts. Implementation of Mitigation Measure 4.2-1 would assist in reducing this impact, but it would still remain as a significant and unavoidable impact.</p>	City of Hayward Planning Division	City of Hayward Planning Division	As part of next regional population update round
<p>Mitigation Measure 4.3-1a – Demolition and Hazardous Air Emissions. Prior to commencement of demolition or deconstruction activities within the project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire</p>	Individual Project Developers	Alameda County Environmental Health Department, Bay Area Air Quality Management District, Department of Toxic Substances Control and the	Prior to issuance of demolition Permits

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Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Department for required site clearances, necessary permits and facility closure with regard to demolition and deconstruction and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with State and Federal OSHA standards. Worker safety plans shall be included for all demolition or deconstruction plans.		Hazardous Materials Division of the Hayward Fire Department, and City of Hayward Planning Division	
Mitigation Measure 4.3-1b - Hazardous Air Emissions. Prior to commencement of grading activities within the project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels and shall identify methods for removal and disposal of hazardous materials. Worker safety plans shall also be prepared and implemented. All required approvals and clearances shall be obtained from appropriate regulatory agencies, including but not limited to the Hayward Fire Department, Department of Toxic and Substances Control and Bay Area Air Quality Management District.	Individual Project Developers	Hayward Fire Department, Department of Toxic and Substances Control and Bay Area Air Quality Management District, Hayward Planning Division and other potentially affected agencies	Prior to issuance of grading or demolition permits
Mitigation Measure 4.3-2 - Potential Soil and Groundwater Contamination. Prior to approval of building or demolition permits, project developer(s) shall prepare a Phase I environmental	Individual Project Developers	Hazardous Materials Office of the Hayward Fire Department, Hayward Planning	Prior to issuance of demolition or grading permits

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>site analysis and, if warranted by such analysis as determined by the Hazardous Materials Office of the Hayward Fire Department or other regulatory agency, a Phase II environmental site analysis shall also be conducted. Recommendations included in the Phase II analysis for remediation of hazardous conditions shall be followed, including contact with appropriate regulatory agencies to obtain necessary permits and clearances. No construction (including grading) shall be allowed on a contaminated site until written clearances are obtained from appropriate regulatory agencies.</p>		<p>Division and other potentially affected agencies</p>	
<p>Mitigation Measure 4.4-1 - Drainage Impacts. Site-specific drainage plans shall be prepared for all future construction within the project area prior to project approval. Each report shall include a summary of existing (pre-project) drainage flows from the project site, anticipated increases in the amount and rate of stormwater flows from the site and an analysis of the ability of downstream facilities to accommodate peak flow increases. The analysis shall also include a summary of new or improved drainage facilities needed to accommodate stormwater increases. Each drainage plan shall be reviewed and approved by the Hayward Public Works Department staff and Alameda Flood Control and Water Conservation District staff prior to approval of the proposed development project.</p>	<p>Individual Project Developers</p>	<p>Hayward Public Works Department and Alameda County Flood Control and Water Conservation District</p>	<p>Prior to issuance of grading permits</p>
<p>Mitigation Measure 4.4-2 - Flooding Impacts. Prior to construction within a 100-year flood plain</p>	<p>Individual Project Developers for</p>	<p>Hayward Public Works Department</p>	<p>Prior to issuance of grading or building permits for any property</p>

A-24

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>area, project developers shall either:</p> <ul style="list-style-type: none"> a) Submit a hydrology and hydraulic study prepared by a California-registered civil engineer proposing to remove the site from the 100-year flood hazard area through increasing the topographic elevation of the site or similar steps to minimize flood hazards. The study shall demonstrate that flood waters would not be increased on any surrounding sites, to the satisfaction of City staff. b) Comply with Section 9-4.110, General Construction Standards, of the Hayward Municipal Code, which establishes minimum health and safety standards for construction in a flood hazard area. c) Apply to the City for a Conditional Letter of Map Revision (CLOMR) to remove the site from the FEMA Flood Insurance Rate Map 100-year flood hazard area. 	<p>properties within a 100-year flood plain</p>	<p>and Hayward Planning Division</p>	<p>within a 100-year flood plain</p>
<p>Mitigation Measure 4.5-1 - Construction Noise Impacts. Construction Noise Management Plans shall be prepared for all development projects within the project area, including public and private projects. Each plan shall specify measures to be taken to minimize construction noise on surrounding developed properties. Noise Management Plans shall be approved by City staff prior to issuance of grading or building permits and shall contain, at minimum, a listing of hours of construction operations, a requirement for the use of mufflers on</p>	<p>Individual Project Developers</p>	<p>Hayward Public Works Department and Hayward Planning Division</p>	<p>Prior to issuance of grading or building permits</p>

A-25

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
construction equipment, limitation on on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitors. Specific noise management measures shall be included in appropriate contractor plans and specifications.			
Mitigation Measure 4.5-2 - Permanent Noise Impacts. Site-specific acoustic reports shall be prepared for future residential projects within the project area. Each report shall include a summary of existing noise levels, an analysis of potential noise exposure levels, consistency with City of Hayward noise exposure levels and specific measures to reduce exposure levels to City of Hayward noise standards.	Individual Project Developer	Hayward Planning Division	Prior to discretionary project approvals
Mitigation Measure 4.6-1 - Population Increase If the City approves either the Urban or Suburban Concept alternatives, the City of Hayward shall consult with ABAG to ensure buildout populations for the project area are included in future regional projections.	Hayward Planning Division and Association of Bay Area Governments	Hayward Planning Division	As part of next regional population update round
Mitigation Measure 4.7-1 - Level of Service at Dixon Street/Tennyson Road. Provide northbound and southbound left turn lanes and modify the traffic signal at Dixon Street/Tennyson Road to provide for protected-permissive northbound left turns and permissive southbound left turns. This mitigation will improve the LOS to D in the AM peak under both the Blended and Urban scenarios.	Hayward Public Works Department	Hayward Public Works Department	As dictated by future traffic increases
Mitigation Measure 4.7-2 - Level of Service at Mission Boulevard/Industrial Parkway. Modify	Hayward Public Works Department	Hayward Public Works Department	As dictated by future traffic increases

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>traffic signal to provide eastbound and westbound right turn overlap phases. This will require prohibiting both northbound and southbound U-turns and will improve the LOS to D in the 2025 AM peak periods at the Mission Boulevard/Industrial Parkway intersection. <i>(Mitigation applicable only for the Urban scenario.)</i></p>			
<p>Mitigation Measure 4.7-3 - Parking Resource Impacts. Detailed parking studies will be required of future developments in the project area to ensure impacts of development on parking resources will be less-than-significant. If determined to be necessary as a result of such studies, mitigation measures will be required to be implemented. Examples of such measures could include parking charges and separate parking space rentals.</p>	<p>Individual Project Developers</p>	<p>Hayward Planning Division and Hayward Public Works Department</p>	<p>Prior to discretionary approvals for future development projects</p>
<p>Mitigation Measure 4.7-4 - Cumulative Traffic Impacts. As noted in the City of Hayward’s adopted General Plan and related certified EIR, implementation of the General Plan policies and strategies, such as implementation of “smart growth” policies, will reduce the City’s contribution to traffic growth a less-than-significant level. However, due to physical constraints, funding limitations and regional growth patterns, cumulative traffic impacts anticipated by the South Hayward BART project are expected to be significant and unavoidable.</p>	<p>Please refer to statement of overriding considerations.</p>	<p>n.a.</p>	<p>n.a.</p>

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Mitigation Measure 4.8-1 - Fire Services. If the City determines new or replacement equipment is needed, future developers shall:</p> <p>(a) Pay a fair share contribution to the City of Hayward to finance the acquisition of equipment to serve proposed developments, including those associated with mid to high rise structures (3 to 7 stories); and</p> <p>(b) Pay a fair share contribution to the City of Hayward to finance the acquisition of traffic pre-emption devices along Mission Boulevard, as determined by the Hayward Fire Chief, to ensure emergency equipment can access new construction in the project area.</p>	Individual Project Developers	Hayward Fire Department	Prior to finalization of development projects
<p>Mitigation Measure 4.8-2 - Police Services. If the City determines new or replacement equipment is needed, future developers shall pay a fair share contribution to the City of Hayward to finance the acquisition of such equipment, including, but not limited to vehicles.</p>	Individual Project Developers	Hayward Police Department	Prior to finalization of development projects



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

Council Chambers

Thursday, June 15, 2006, 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 Thnay followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Lavelle, Sacks, Bogue, Peixoto, Zermeño

CHAIRPERSON: Thnay

Absent: COMMISSIONER: McKillop

Staff Members Present: Bauman, Conneely, Patenaude, Rizk, Lens

General Public Present: Approximately 30

PUBLIC COMMENTS

PUBLIC HEARINGS

1. South Hayward BART/Mission Boulevard Concept Design Plan, Environmental Impact Report and Related Amendments to the General Plan and Zoning Ordinance

Staff report submitted by Senior Planner Rizk, dated June 15, 2006, was filed.

Senior Planner Rizk summarized the staff report indicating that this is the first formal hearing where action is required.

Commissioner Lavelle thanked staff for the report and asked for clarification of Attachment G, Section 10-1.XXX Minimum Design and Performance Standards, regarding the maximum building height of 60 feet and required findings for additional heights. She asked who would make a recommendation. Senior Planner Rizk mentioned that the approving authority, such as the Planning Commission and ultimately City Council, would make a recommendation for additional heights, and that they would have to make the findings indicated under section 2 that the additional height would not have unreasonable impact and that additional height would contribute positively to the area.

Chair Thnay confirmed with staff that heights above 60 feet would need special approval based on required findings.

Commissioner Peixoto inquired if the determination on the findings would be made at the point of development. Senior Planner Rizk affirmed the inquiry and indicated that each finding would be

DRAFT

related to a specific development that would need to go before Planning Commission and then recommended to City Council.

Commissioner Peixoto mentioned concurrence with an argument made by Council Member Quirk at a Work Session that low density levels would render projects unviable, which would result in neglecting the transit oriented concept. He inquired about a threshold level or optimal level of density that would make a transit oriented development work and thus respond to the retail component favorably. Senior Planner Rizk indicated that such level of analysis had not been done, but from a developer's perspective, buildings over seven-story levels seems to be more economically feasible for the type of development. He indicated that staff's goal is to provide a balance between the desire to have a smart growth transit village concept and the desire of decision makers and residents, and to provide opportunity for flexibility for different types of development.

Chair Thnay, referring to Station Area Residential Zoning District (SAR) with maximum parking ratio of 1.0 space for one-bedroom unit and 1.3 for more bedrooms and Mission Boulevard Residential Zoning District (MBR) with ratios of 1.5 spaces for one-bedroom unit and 2.0 spaces for more bedrooms, requested more clarification on page 7 under revisions to Off-Street Parking Regulations, related to unlimited tandem parking in the SAR and MBR. Senior Planner Rizk indicated that the decision-makers would have to make the determination whether to allow unlimited tandem parking and that per staff recommendations, the allowance is consistent with that applicable to the Downtown Parking District and would help facilitate parking where limited parking ratios are recommended. In response to Chair Thnay's question for supportive data for the ratios, Senior Planner Rizk mentioned other transit oriented developments as the basis for the proposed ratios and that they would be addressed at specific project levels.

Chair Thnay opened the public hearing at 8:02 p.m.

Mr. Garrett Cowenhoven, referring to Attachment E, the General Commercial (CG) sites between Mission Boulevard and Tennyson Road, inquired if a commercial site would change its designation with the proposed plan. Senior Planner Rizk indicated that the map only reflects changes to the zoning designations and does not change the uses.

Mr. Gary Stephenson expressed concerns with traffic associated with the corner of Colette Street and Sorenson Road and mentioned lack of traffic control for a parking lot in the area and lack of reference to the existing issue in the proposed project. He also reported about continuous accidents at the intersection of Colette Street and Sorenson Road because of lack of traffic control. He added that Sorenson Road has only one point of access, which exacerbates the traffic issue. He added that the increased amount of traffic on Mission Boulevard and the proposed increase of housing is going to create more traffic congestion, which is not addressed in the proposed plan.

Mr. David McLennan, Art Monument Business representative, expressed concern for the change of zoning for his property from commercial to high density residential. He favored commercial residential zoning. He expressed concern that any proposed future changes made to his property would be adversely affected by the proposed change.

Ms. Mary Stephenson expressed disagreement with the proposed Haymont Village two-story apartments that are planned to be constructed over the retail portion of the building proposed at



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Sorenson Road and Mission Boulevard. She mentioned her property at the intersection of Colette Street and Sorenson Road and expressed concern related to decrease in value to her property as the proposed apartments would impair the view and privacy in her house. She indicated disagreement with the proposed trees, inadequate parking, and the suggested parking permits as a solution to the parking issue. She favored waiting to build the apartments until the property by McDonalds restaurant is acquired and then build the apartments vertically to Mission Boulevard, incorporating a parking lot adjacent to the properties on Colette Street.

Mr. Michael Sweeney, 2614 Lancaster Road, mentioned that the pedestrian orientation as analyzed in the environmental documents is not sufficient to move forward. He spoke about inadequate quality shopping and public safety and he referred to Attachment R: Findings for the Environmental Impact Report and Mitigation Measure and Impact 4.8-2 Police Services, and Attachment Q: Mitigation Monitoring and Reporting Program, Mitigation Measure 4.8-2, Police Services, indicating that issues such as lack of police staff to attend to potential problems related to an increased number of residents and the mitigation measure of having more police cars but not police staff, need to be further addressed. He mentioned that the California Environmental Quality Act (CEQA) guidelines should not prevent decision-makers from seeking answers to questions about potential impacts. He asked the commissioners to look for factors that would make pedestrian orientation successful such as quality shopping, public safety, and more parks and recreation opportunities. Lastly, he urged the commissioners to send the environmental documents back for more review.

Mr. Tim Crusen, resident of the proposed area, mentioned support for the concept plan but expressed concern for the visually impaired and handicap in getting in and out of the BART station. He further expressed concern for increased riders and more trains and therefore suggested that a soundwall be installed from Sorenson Road to Harder Road. He urged the commissioners to visit the Sorenson Road area. He also spoke about Zeile Creek and its restoration indicating that it needs attention.

Mr. Bob Billmire, representing the mobile home community, expressed concern that the plan might entice more developments between Tennyson Road and Industrial Parkway that would affect the mobile home community. He suggested that more community input is needed. He asked that the report be sent back for further review and to wait for Mayor-elect Sweeney to be seated, to allow him to participate in the decision-making process.

Mr. Brian Stanke thanked staff, Planning Commission, and City Council for the concept plan, but indicated that there are aspects that are missing, such as the Harder Road to South Hayward BART pedestrian spine proposed by the consultant that was dropped off, which may be implemented on a parcel by parcel basis. In speaking about traffic impact being unavoidable, the plan does not include a transportation demand management plan. He referred to submitted transportation data and suggested a local transit service funded by a \$25 to \$60 per unit per month fee in order to provide 3 to 20 buses running on a daily bases. He indicated that the reduction of density lacks rationality and

that parking implementation needs to be analyzed in order to properly enforce issues. Lastly, he mentioned maximizing density at a given height.

Mr. Howard Beckman, representing Friends of San Lorenzo Creek, asked the commissioners to address the concept of incorporating three creeks to the proposed plan. He added that a key component to the plan is a pedestrian oriented concept with places that are inviting, such as along creeks.

Mr. Kenneth Ryan, Chair of Southern Alameda Group of the Sierra Club, expressed disappointment on the plan because it does not reflect a true walkability concept and that walking corridors do not exist as planned. He also mentioned that the ongoing plan for providing six traffic lanes on Mission Boulevard has not been completed and the proposed plan does not address it. Speaking of the transit oriented concept, he favored the idea of shuttles, but asked for inclusion of places to conveniently board the shuttles. He urged for more analysis of the plan.

Mr. Del Dietrich asked about the sites designated for the expansion of Bowman School and if due to economic challenges and related to feasible construction projects on such sites, how the property can change its proposed use or be developed as a nonconforming use or under present use. He expressed hesitation to support a theoretical plan that might not come to fruition for ten or more years.

Mr. Nathan Landau, Senior Planner for AC Transit, mentioned the ongoing collaboration between BART and the City and spoke in support of the concept of the plan and in support of advancement for smart growth and transit-oriented development. He mentioned that there are issues and concerns that can be addressed as projects are proposed and developed.

Ms. Evelyn Cormier, Fairway Park resident, expressed concern about the seven-story height of the proposed residential buildings in a single family and one-story building area because it seems imposing. She also spoke about the placement and adequacy of the space for the grocery store site and the size allotted for the community center. She agreed with Mr. Sweeney that in a pedestrian oriented area, an appealing vista and a creek in its natural setting would appeal and enhance the area. She asked that the commissioners analyze the creeks and incorporate them into the concept.

Mr. Wassim Azizi, Payless Auto Glass business owner at the corner of Douglas Street and Mission Boulevard, favored keeping his business as a mixed-use designation and asked for the Commissioner's consideration.

Chair Thnay closed the public hearing at 8:47 p.m.

In response to Commissioner Zermefio, Assistant City Attorney Conneely indicated that the Commissioners can make a recommendation to Council that the item be placed on hold until the elected mayor is installed.

Commissioner Sacks, referring to the Framework for Recommendation on page 8 of the report, confirmed that the approval of the plan does not preclude reevaluation and new standards as developments are proposed. In response to the count of community meetings held regarding the



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topic discussed, Senior Planner Rizk responded that there were about four or five, excluding work sessions.

Chair Thnay asked if the proposed plan is at a more detailed concept plan level. Senior Planner Rizk mentioned that this is a concept design plan that looks at land uses, circulation, connections, basic guidelines, and recommendation to zoning designations. He mentioned that details such as design quality retail uses and types of business will be decided at a project specific level.

Commissioner Sacks confirmed with staff that the concerns raised, such as bus poles and creeks, can be addressed and incorporated at a later stage.

Commissioner Zermeño indicated he favored seven-story buildings around the BART station, but not on Mission Boulevard. He asked if the Commissioners are setting a framework for allowing seven-story buildings, but that the location would be determined as developments are proposed. Senior Planner Rizk mentioned that staff is recommending different zoning districts and height and density limitations at various locations and that the detail design plans of proposed developments would be addressed at project specific reviews. Mr. Rizk added that every plan that the City has adopted could be amended at the discretion of decision makers.

Commissioner Peixoto expressed that he did not hear comments in support of the project, but rather concerns that need to be addressed. He favored making a recommendation to send the proposal back for further analysis.

Commissioner Lavelle mentioned that she had the opportunity to make comments and that the public was given the same opportunity throughout the study of this concept. She thanked the audience for participating. She indicated that people that are not against a project do not necessarily express it at meetings and added that the comments raised can be addressed as the project moves forward. She mentioned that the City is being responsible in planning for an area that needs attention and improvements. Among the different issues raised, she mentioned traffic as a challenge that requires attention and that the City is taking measures to address traffic problems. She supported pedestrian access and walkability and mentioned that quality retail in the newly designed mixed use is going to be critical in drawing retail and people to the City. She asked for continued public input. Commissioner Lavelle made a motion per staff's recommendation.

Commissioner Zermeño seconded the motion.

Commissioner Bogue mentioned concerns for the grocery store site not being large enough but indicated that it will be part of a walkable area that will have commercial retail and activities mixed in. In reference to the creeks, he agreed with preserving them, but not in favor of opening channels that would be hidden behind properties. He mentioned that the issue of creeks needs to be addressed and favored not providing much access in order to preserve residents' properties and that at the design level for new projects, the pedestrian access points can be incorporated. He added that design concerns can be mitigated as proposals are reviewed. He supported the motion.

Commissioner Sacks supported the motion and commended the public input. She indicated that there have been changes as result of the input received. In reference to the creeks, she stated that it is going to be a lengthy process that has to be addressed with the people who live adjacent to the creek areas. She mentioned that traffic is a problem that needs to be considered and can be improved as quality projects move forward. She supported the plan and mentioned concern for the walkability aspect, but reminded the audience that Mission Boulevard needs improvement.

Chair Thnay mentioned smart growth from an economic perspective, from an integration with the environment, and inclusion of different income levels. He mentioned the aspects mentioned do not apply to the proposed plan. He spoke about piecemeal planning being successful for certain areas, but mentioned that when it is not part of the EIR, comprehensive planning could be difficult to incorporate. The EIR does not address conditioning future owners to pay for part of the improvements on Dixon Street. He favored waiting a few more months to get a more detailed specific plan.

Commissioner Zermeño mentioned that the walkability on Mission Boulevard is not appealing and needs improvement. He suggested that traffic problems on Sorenson Road be mitigated, that creeks be included in more discussion, attend to mobile home park concerns related to this plan, continue to work with AC Transit to ensure proper accessibility, plant more trees along Mission Boulevard, and place PG&E poles underground. He indicated that this plan can be amended and supported the motion.

Commissioner Peixoto expressed support for the concept plan and favored the transit oriented aspect, favored parking ratios, appreciated the attention paid to open space but would like to see it expanded, agreed with the improvement to Bowman School, and favored a design district with a design theme for the area. He also commended the attention to the issue of seven-story buildings by requiring that a finding be made for anything over 60 feet, but in disagreement to pass the responsibility to future commissioners. In reference to lower densities and not being able to support the retail component, he mentioned that the type of retail is an aspect that is missing in the report. He indicated he is not in favor of high density housing with no tenants filling the retail stalls, such as the Cannery and Eden Shores projects. He mentioned that there are issues and data missing that needs attention and favored recommending to Council to continue the public input process.

Commissioner Lavelle mentioned a San Francisco Chronicle article about creek protection and indicated that protection of the creeks is critical and support for this plan does not mean that they will be forgotten.

Commissioner Bogue mentioned the Cannery Plan as being different than this plan.

There was further discussion regarding Mission Boulevard and the plan. Public Works Director Bauman mentioned that the Proposed 238 Corridor Improvement Project, as proposed by the City, is currently in the environmental analysis stage and that the traffic analysis for the proposed plan was based on the perception that the project would be completed. He mentioned key issues and setbacks along Mission Boulevard that will be part of a development that would include better walking, lighting, and a better landscaping as part of the traffic analysis.



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Commissioner Lavelle moved, seconded by Commissioner Zermeño, and approved, with the following vote, to recommend that the City Council certify the Environmental Impact Report as being prepared in accordance with the California Environmental Quality Act and City implementing guidelines; adopt the Statement of Overriding Considerations; and approve the Mitigation Monitoring and Reporting Program, based on findings; adopt the South Hayward BART/Mission Boulevard Concept Design Plan; adopt proposed amendments to the General Plan Land Use Map for certain properties within the Concept Design Plan area, as well as amendments to the text of General Plan Appendices C and D (PL-20060280GPA), based on findings; adopt proposed amendments to the Zoning Map for certain properties within the Concept Design Plan area (PL-206-0281ZC), based on the findings; and adopt proposed text change amendments to the Zoning Ordinance and Off-Street Parking Regulations, including creation of the South Hayward BART/Mission Boulevard Special Design District (SD-6) (PL-2006-0282TA), based on findings.

AYES: Commissioners: Lavelle, Sacks, Bogue, Zermeño
NOES: Commissioners: Peixoto
Chair: Thnay
ABSENT: Commissioner: McKillop

There was an announcement that the discussed item would go before Council on June 27, 2006.

ADDITIONAL MATTERS

2. Oral Reports on Planning and Zoning Matters

Acting Planning Manager Patenaude mentioned a meeting on June 22 regarding the Eden Housing Project and a meeting scheduled for the fourth Thursday in July.

3. Commissioners' Announcements, Referrals

Commissioner Sacks, referring to the Sorenson Road and Colette Street, mentioned that it needs attention and improvement. Acting Planning Manager Patenaude mentioned that the neighborhood was left with one access point and mentioned that as the Haymont Project continues to be reviewed, the traffic can be addressed.

Commissioner Zermeño made an announcement about a Blue Agave restaurant.

APPROVAL OF MINUTES

Minutes of May 25, 2006, were approved.

ADJOURNMENT

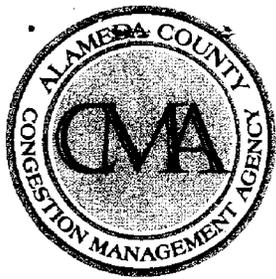
Chair Thnay adjourned the meeting at 9:41 p.m.

APPROVED:

Marvin Peixoto, Secretary
Planning Commission

ATTEST:

Miriam Lens
Commission Secretary



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

EXHIBIT C

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

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JUN 19 2006

PLANNING DIVISION

AC Transit

Director
Dolores Jaquez

June 15, 2006

Alameda County

Supervisors
Nate Miley
Scott Haggerty
Vice Chairperson

Mr. David Rizk
Senior Planner
Planning Division
City of Hayward

City of Alameda

Mayor
Beverly Johnson

777 b Street
Hayward, CA 94541

City of Albany

Mayor
Allan Maris

BART

Director
Thomas Balock

SUBJECT: Comments on the Final Environmental Impact Report (FEIR) for the South Hayward BART/Mission Boulevard Concept Design Plan

City of Berkeley

Councilmember
Kris Worthington

Dear Mr. Rizk:

City of Dublin

Mayor
Janet Lockhart

Thank you for the opportunity to comment on the City of Hayward's Final Environmental Impact Report (FEIR) for the South Hayward BART/Mission Boulevard Concept Design Plan. The study area comprises approximately 240 acres in the southeastern portion of the City of Hayward, and is bordered by the BART tracks on the west (excluding the residential neighborhoods west of East 12th and north of Sorenson Road), Industrial Parkway on the south (including the triangular area on the south side), Harder Road on the north, and Mission Boulevard on the east (including properties along the east side of Mission Boulevard). The Concept Plan Draft EIR analyzed potential future redevelopment of the project area under four alternative land use concepts: 1) Suburban Concept with a development of 1,886 dwelling units and 362,746 sqft. non-residential including retail, commercial etc.; 2) Blended Concept with a development of 2,427 dwelling units and 386,922 sqft. non-residential use; 3) Urban Concept with a development of 3,707 dwelling units and 520,106 sqft. of non-residential use; and 4) draft concept design plan alternative with 2,814 dwelling units and 367,755 sqft. non-residential land uses. The above developments will be at the mid-point of applicable General Plan density ranges

City of Emeryville

Mayor
Ruth Atkin

City of Fremont

Mayor
Robert Wasserman

City of Hayward

Mayor
Roberta Cooper

City of Livermore

Mayor
Marshall Kamena

City of Newark

Councilmember
Luis Freitas

The final environmental document indicates that for the CMP purposes the Recommended Project Alternative was analyzed. The FEIR further clarifies that this Recommended Project Alternative has a higher intensity of development than any of the other alternatives, except the Urban Alternative, and reflects a scenario that is likely to be implemented. If, under any circumstances, a more intense alternative than the above Recommended Project Alternative is selected for implementation, then the ACCMA requests that a new CMP Land Use Analysis be conducted.

City of Oakland

Councilmember
Larry Reid
Chairperson

City of Piedmont

Councilmember
John Chiang

City of Pleasanton

Mayor
Jennifer Hosterman

City of San Leandro

Mayor
Shella Young

City of Union City

Mayor
Mark Green

Executive Director

Dennis R. Fay

Mr. David Rizk
June 15, 2006
Page 2

Thank you for the opportunity to comment on this Final Environmental Impact Report. Please do not hesitate to contact me at 510/836-2560 ext. 24 if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Saravana Suthanthira', with a long horizontal line extending to the right.

Saravana Suthanthira
Associate Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2006

EXHIBIT D

David Rizk

From: Rudell ONeal [onealr@sbcglobal.net]
Sent: Friday, June 16, 2006 4:59 PM
To: David Rizk
Subject: Feedback & Comments on Bart - Mission St Design Plan

Mr. Rizk,

I was unable to attend the public comment meeting on June 15th concerning the BART-Mission St Design Concept plan. However, I did want to let the Council know of my concerns.

My concerns are with the height of the new buildings to be added to Mission for residences, i.e., 5-7 stories, where currently 1 story buildings exist. This will create more of an urban or City feel to downtown Hayward. I do not care for that. I like the low, opens space feel of Hayward and my drive along Mission. The residencies further south on Mission in Union City and Fremont are only 3 stories. Double that and you'll get a sense of what I mean. I realize the Council's plan to deal with this is to have "design reviews" as the buildings are constructed. I'm not too hopeful about those. I am hoping at some point there will be an opportunity for all residents in Hayward, not just those in proximity to the project, to hear about and weigh in on the 3 concepts.

If you would add this feedback to that given at the Council meeting last evening, I would appreciate it. If you are unable to do that, please let me know.

Thank you,

Rudell

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

*Yml
6/23/06*

RESOLUTION CERTIFYING PROGRAM FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN, THE RELATED GENERAL PLAN AMENDMENTS, ZONING RECLASSIFICATIONS AND TEXT CHANGES FOR THE SOUTH HAYWARD BART/MISSION BOULEVARD AREA

WHEREAS, in October of 2004, the City Council authorized the preparation of a conceptual design plan ("Concept Design Plan") for the South Hayward BART/Mission Boulevard area, which area is comprised of approximately 240 acres extending both north and south along Mission Boulevard, generally between Harder Road and Industrial Parkway (the "Project Area"); and

WHEREAS, the proposed Concept Design Plan has been prepared, and to achieve the goals envisioned by the Concept Design Plan, the General Plan and the Zoning Ordinance must be amended to change certain land use designations and sections of text (collectively the "Related Land Use Actions"); and

WHEREAS, the Related Land Use Actions include amendments to the General Plan Land Use Map changing the land use designation for certain properties within the Project Area, as well as amendments to the text of General Plan Appendices C and D (PL-2006-0280GPA), as set forth in Exhibits "A" and "B"; text changes to the Zoning Ordinance adding a new special design district (SD-6), creating two new zoning districts, the Mission Boulevard Residential District (MBR) and the Station Area Residential District (SAR), amending the Neighborhood Commercial Residential (CN-R), General Commercial (CG) and Open Space/Parks and Recreation (OS) zoning districts, amending the Off-Street Parking Regulations (PL-2006-0282TA), and rezoning certain properties in the Project Area to conform to the proposed amended General Plan (PL-2006-0281ZC), all as more specifically set forth in the accompanying zoning ordinances; and

WHEREAS, a draft and final Program Environmental Impact Report ("Program EIR") has been prepared to assess the potential environmental impacts of the proposed

Concept Design Plan and Related Land Use Actions (collectively the "Project"), describing alternatives to the Concept Design Plan and potential mitigation measures; and

WHEREAS, the Planning Commission has considered the Program EIR and the Project at a public hearing held on June 15, 2006, and has recommended the City Council's certification of the Program EIR, the adoption of the Statement of Overriding Consideration, approval of the proposed mitigation measures and Mitigation Monitoring and Reporting Program, attached hereto as Exhibit "C", and the adoption of PL-2006-0280GPA, PL-2006-0281ZC, PL-2006-0282TA, and the adoption of the Concept Design Plan; and

WHEREAS, notice of the hearing was published in the manner required by law and the hearing was duly held by the City Council on June 27, 2006.

NOW, THEREFORE, the City Council hereby adopts the following findings and actions:

I. CONCEPT DESIGN PLAN. The main purpose of the Concept Design Plan is to develop a framework that will help create a vibrant, livable, transit-oriented neighborhood with high quality, safe, well-used public spaces in proximity to the South Hayward BART Station and along the major transit corridor, Mission Boulevard. To achieve the goals envisioned by the Concept Design Plan, the General Plan and the Zoning Ordinance must be amended.

A. General Plan Amendments. The Project proposes changes to the General Plan Land Use Map for some properties in the Project Area. In addition, the General Plan will be amended to add to new land use categories: Station Area Residential and Mission Boulevard Residential. Also, the Project proposes an amendment to the General Plan appendices to incorporate the two new land use designations and allow the Retail-Office Commercial land use designation to be potentially consistent with the General Commercial zoning designation. The amendments to the General Plan Land Use Map and Appendices C and D are illustrated in Exhibits "A" and "B".

B. Findings for Approval of the General Plan Amendments. The Project reflects the City's development goals and objectives as articulated in the General Plan in that the Project responds to and expands the City's commitment to smart growth principles. In particular, the Project will implement the following policies and strategies: promote transit-oriented development in the Mission/Foothill Corridor in order to help relieve regional congestion and create a distinctively attractive commercial boulevard and seek to integrate greater intensity of development and enhance the neighborhood surrounding the South Hayward BART Station. The Project will focus high-density housing close to the South Hayward BART Station and Mission Boulevard transit corridor and will help the City accommodate its share of the regional housing need without expansion into areas that are less

suitable for residential development. Additionally, the Project will provide opportunities for new commercial development, particularly neighborhood-serving retail development, which will stimulate economic activity and provide benefits for the City and its residents. The Project will also provide opportunity for development of new public facilities, including a new community center and park, as well as the opportunity for the expansion of Bowman Elementary School and the potential for a joint school-park facility at that site.

C. Zoning Ordinance Text Changes. The Zoning Ordinance Text Changes establish the existence of two new zoning districts, the Mission Boulevard Residential District (MBR) and the Station Area Residential District (SAR). In addition, implementation of the Concept Design Plan requires modifications to the Neighborhood Commercial-Residential, the General Commercial and the Open Space/Parks and Recreation districts as well as amendments to the Off-Street Parking Regulations, all as more specifically set forth in the accompanying zoning ordinances.

D. Zoning Ordinance Reclassifications. Implementation of the Project will require the reclassification of some properties in the Project Area, as set forth more specifically in the accompanying zoning ordinance.

E. Findings for Approval of Zone Changes. The proposed zone changes conform to the General Plan, as amended, and reflect the City's development goals and objectives as articulated in the General Plan. Substantial proof exists that the proposed changes will promote the public health, safety, convenience and general welfare of the residents of Hayward in that opportunities would be created for the development of much-needed housing in close proximity to the South Hayward BART Station and along the Mission Boulevard transit corridor, which will promote smart growth principles and non-reliance on automobiles, resulting in less traffic and air pollution. In addition, the zone changes are in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans in that the Project would provide opportunity to integrate greater intensity of development and enhance the neighborhood surrounding the South Hayward BART Station. Existing and proposed streets and public facilities are adequate to serve all uses when the properties are reclassified, provided the proposed improvements to the Tennyson Road-Dixon Street and Mission Boulevard-Industrial Parkway intersections are implemented. Finally, a beneficial effect will be achieved with the zone change that is not obtainable under existing regulations because higher-density transit-oriented development around the South Hayward BART Station and along Mission Boulevard would be possible that would result in less traffic than would be generated by more traditional development, due to the proximity of residents to public transit and also because much-needed housing would be provided that would not otherwise be developed.

F. Findings of Approval for Text Changes to the Zoning Ordinance. The proposed text amendments conform to the General Plan, as amended, and reflect the City's development goals and objectives as articulated in the General Plan. The adoption of the

proposed Station Area Residential (SAR) and Mission Boulevard Residential (MBR) zoning districts, as well as the recommended amendments to the Neighborhood Commercial-Residential (CN-R), General Commercial (CG and Open Space - Parks and Recreation (OS) zoning districts, will promote transit-oriented development and a variety of uses, including high-density residential uses and mixed uses near the South Hayward BART Station and along the Mission Boulevard transit corridor, which would be consistent with the policies of the General Plan. In addition, the proposed adoption of the South Hayward BART/Mission Boulevard Special Design District (SD-6) will ensure that potential development will be consistent with the Concept Design Plan, which seeks to promote the goals and policies of the General Plan and the City's Design Guidelines. The recommended amendments to the City's Off-Street Parking Regulations will promote transit-oriented development and smart growth principles in that development near the South Hayward BART Station and along the Mission Boulevard transit corridor will have reduced parking limitations to promote less reliance on the automobile. Substantial proof exists that the proposed text amendments will promote public health, safety, convenience and general welfare of the residents of the City in that such amendments will provide opportunities for development of much-needed housing in close proximity to the South Hayward BART Station and along the Mission Boulevard transit corridor. Finally, the proposed text amendments are in conformance with the purposes of the Zoning Ordinance and all applicable, officially-adopted policies and plans, including the General Plan, in that the amendments will facilitate implementation of the Concept Design Plan, which will provide the opportunity to integrate greater intensity of development and enhance the neighborhood surrounding the South Hayward BART Station and promote transit-oriented development in order to help relieve regional congestion and create a distinctively attractive streetscape.

II. **PROGRAM EIR CERTIFICATION.** The City Council has reviewed the documents comprising the Draft and Final Program EIR for the Concept Design Plan and the Related Land Use Actions and hereby finds that such Program EIR reflects the independent judgment of the City Council and its staff, is an adequate and extensive assessment of the environmental impacts of the Concept Design Plan. Accordingly, the City Council hereby certifies such Program EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"). The City Council also incorporates by this reference the findings contained in the Program EIR as to the environmental effects of the Concept Design Plan, together with the additional findings contained in this Resolution.

III. **CONSIDERATION OF PROJECT ALTERNATIVES.** The Program EIR evaluated the potential impacts of the Project, including five alternatives and identifying an environmentally superior alternative, as follows:

- **No Project Alternative.** This alternative assumes that the Concept Design Plan and the Related Land Use Actions are not approved, leaving intact the existing General Plan designations and text, and zoning classifications and text. Under this alternative, the

existing General Plan land use designations of commercial or residential would remain intact.

- Blended Concept Alternative. The EIR also analyzed a Blended Concept Alternative which proposes a mix of higher density residential, commercial and mixed uses, greater than the Suburban Concept Alternative but less than the Urban Concept Alternative, both of which are addressed below. Land uses at the north and south portions of the Project Area would be devoted to commercial uses, including a potential hotel/conference complex, the expansion of Bowman School and a site for a new community center.

Urban Concept Alternative. The Urban Concept Alternative proposes the most dense development of the alternatives analyzed in the Program EIR. The predominant uses along the Mission Boulevard frontage would be a combination of Mission Boulevard Residential and mixed use. This alternative also includes the development of a recreation/entertainment center and a community center. The Bowman School would be converted to a mix of open space uses surrounded by High Density Residential.

- Draft Concept Design Plan Alternative. The EIR also identifies a Draft Concept Land Use Plan for the Project Area. Under this alternative, future auto dealerships would be allowed at the north end of the Project Area. Properties along Mission Boulevard would be developed with a mix of High-Density Residential and Mission Boulevard Residential. The southerly portion of the Project Area would be developed as a hotel and conference center, with some properties proposed for retail/office development. This alternative also includes an expansion of Bowman School and the development of a recreation/entertainment center and a community center. This alternative allows for more intense development adjacent to the BART station than would be allowed in the other alternatives.

- Environmentally Superior Alternative: Suburban Concept. Among the Suburban, Blended and Urban Concept alternatives analyzed in the EIR, the Suburban Concept would be the environmentally superior because this alternative proposes less development, thus resulting in less lighting of taller buildings, and fewer automobile trips, with an associated reduction in impacts relating to noise and air quality. The Suburban Concept would require less water to support future land uses; would generate less wastewater; would require fewer calls for service for the police and fire departments and would generate fewer school-aged children. Since the Project Area is already substantially developed, there would be minimal difference between the Suburban Concept and the Blended, Urban or Draft Concept alternatives as related to hydrology and drainage.

However, the Suburban Concept would not allow the implementation of a higher density, pedestrian-oriented community around the South Hayward BART Station, as is

encouraged in the General Plan to promote the implementation of smart growth principles. Accordingly, approval of Suburban Concept and other alternatives are rejected as infeasible because these alternatives will not fulfill the City objectives which will be advanced by implementation of the Concept Design Plan.

IV. POTENTIALLY UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS.

The EIR indicates that all potentially significant impacts can be eliminated or mitigated to less-than-significant levels, with the exception of impacts associated with temporary air quality as a result of the inconsistency between the potential population growth and the regional Clean Air Plan and cumulative air quality impacts related to the generation of significant quantities of ozone precursors, which are a constituent of regional air pollution, and cumulative traffic impacts related to regional traffic growth and roadway congestion.

V. STATEMENT OF OVERRIDING CONSIDERATIONS. The City of Hayward adopts and makes this Statement of Overriding Considerations related to the adoption of the Concept Design Plan and Related Land Use Actions and the resulting unavoidable and significant impacts related to air quality and regional traffic, in order to explain why the benefits of implementing the Project override and outweigh such impacts.

The EIR utilizes analyzes in the General Plan Update EIR related to cumulative traffic impacts associated with regional traffic to conclude that such impacts are significant and unavoidable. As reflected in the General Plan Update EIR, some intersections and roadway segments throughout the City are expected to operate at Levels of Service E or F in the year 2025. The General Plan Update EIR indicates that regional through traffic accounts for up to 25 to 30 percent of the peak hour trips on some major arterials within the City and that the City's ability to mitigate this traffic through land use is limited. The General Plan Update EIR concluded that it is likely that some roadways will continue to operate at less than acceptable levels due to physical constraints, funding limitations, and regional growth patterns, thus resulting in an overall traffic impact that is expected to be significant and unavoidable.

Adoption and implementation of the Concept Design Plan and Related Land Use Actions will provide substantial benefits to the City by providing for much needed housing in the City, some of which would be affordable in accordance with the City's Inclusionary Zoning Ordinance and redevelopment area provisions, and assisting the City in meeting quantified housing objectives contained in the Housing Element of the General Plan, without substantially impacting local traffic patterns compared with traditional development trends. In addition, the Project promotes the conversion of older commercial uses and areas that are no longer economically feasible to a state-of-the-art, urban-scale mixed-use neighborhood and will help create a vibrant livable neighborhood with high-quality, safe, and well-used public spaces. The Project will also provide opportunities for intensified land uses to encourage the development of a transit-friendly, smart-growth area near an existing BART station, consistent with regional planning objective and encourage highest intensity residential uses and essential community services with a short walking distance of an existing BART station, which will

lessen reliance on the automobile and reduce traffic and congestion and air pollution. Additionally, the Project will increase local jobs and economic return to the City and provide landowners with incentives to remediate soil and groundwater contamination conditions. The Project will also provide economic incentives to provide missing public infrastructure improvements and upgrade older facilities and provide opportunity for the development of new public facilities, including a community center and the expansion of Bowman School. Finally, the Project will encourage coordinated development that enhances existing neighborhoods, promotes design that relates to existing neighborhoods through building height, setbacks and massing that steps down to transition to existing buildings and encourages development that is oriented toward the street and scaled to the pedestrian.

For all the foregoing reasons, the City Council of the City of Hayward finds that the significant and unavoidable impacts associated with the adoption of the Design Concept Plan and the Related Land Use Actions are outweighed by the benefits above identified.

VI. GENERAL PLAN AMENDMENT. Based on the foregoing findings, the City Council hereby determines that it is in the public interest and hereby approves and adopts the General Plan amendments set forth in PL-2006-0280GPA, more particularly identified in Exhibits "A" and "B" attached hereto and incorporated by reference.

VII. ZONING ORDINANCE AMENDMENTS. Based on the foregoing findings, the City Council hereby determines that it is in the public interest and hereby approves and adopts the zoning reclassifications set forth in PL-2006-0281ZC and the text amendments to the Zoning Ordinance set forth in PL2006-0282TA, subject to the adoption of the companion ordinances.

VIII. CONCEPT DESIGN PLAN. Based on the foregoing findings, the City Council hereby determines that it is in the public interest and hereby approves and adopts the Concept Design Plan, with the changes recommended in the accompanying staff report.

IX. MITIGATION MEASURES. The City Council also finds that the proposed mitigations set forth in the EIR for the Concept Design Plan and the accompanying Mitigation Monitoring and Reporting Program will reduce all of the environmental impacts of the Project to an insignificant level. The City Council accordingly approves the mitigation measures and Mitigation Monitoring and Reporting Program as conditions of approval of the Concept Design Plan, and requires the development of the Project and issuance of development approvals which may be issued in the future to incorporate the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (Exhibit "C") .

X. ADMINISTRATIVE RECORD. A copy of the Program EIR, staff reports and communications to the Planning Commission and City Council are on file in the office of the City Clerk. In addition, other documents comprising the administrative record in this matter are on file in the office of the Community and Economic Development Department.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

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

ORDINANCE NO. _____

*Mal
6/22/06*

AN ORDINANCE AMENDING THE ZONING ORDINANCE,
CHAPTER 10, ARTICLE 1 OF THE HAYWARD
MUNICIPAL CODE, RELATING TO THE ADOPTION OF
THE SOUTH HAYWARD BART/MISSION BOULEVARD
CONCEPT DESIGN PLAN

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. This City Council incorporates by reference the findings contained in Resolution No. _____, approving the text changes requested in Zone Change Application PL-2006-0282TA, as related to the adoption of the South Hayward BART/Mission Boulevard Concept Design Plan.

Section 2. Section 10-1.2220 of the City's Zoning Ordinance, relating to conditionally permitted uses in the Open Space/Parks and Recreation Zoning District (OS) is hereby amended to read as follows:

"b. Conditional Uses. The following uses, or uses determined to be similar by the Planning Director, are conditional uses permitted in the OS District subject to the approval of a conditional use permit:

Special use facilities. (Examples: sports parks or complexes, golf courses (including miniature golf), water slides, indoor soccer, batting cages, bowling facilities, billiard parlors, zoos, nature centers)".

Section 3. Section 10-1.1015(a) of the City's Zoning Ordinance, relating to primary uses in the General Commercial Zoning District (CG) is hereby amended to include the following language in subsection (2)(b): "(Dealership selling primarily new vehicles, when all minimum design standards are met and when located along Mission Blvd. between Highland/Sycamore and 700 feet south of Harder Road.)".

Section 4. Section 10-1.1020(a)(7) of the City's Zoning Ordinance, relating to uses permitted with an administrative use permit in the General Commercial Zoning District (CG) is hereby amended to read as follows:

"7. Other Uses.

- (a) Ambulance service.
- (b) Animal grooming service.
- (c) Animal hospital
- (d) Auction.
- (e) Banquet hall. (Where abutting a residential district or property but no where alcohol is served)

- (f) Carnival.
- (g) Catering facility (Where abutting a residential district or property)
- (h) Commercial amusement facility.
- (i) Cultural facility.
- (j) Day care center (state-licensed, less than 24-hour care for children or adults, 15 or more persons excluding staff. See definitions)
- (k) Educational facility.
- (l) Flea market.
- (m) Kennel.
- (n) Mortuary
- (o) Outdoor gathering. (Refer to General Regulations Section 10-1.2735h.)
- (p) Passenger terminal.
- (q) Recreational facility.
- (r) Religious facility.
- (s) Sign shop.
- (t) Temporary use. (i.e., parking lot or tent sale)
- (u) Wind energy conversion system.”

Section 5. The second paragraph of Section 10-1.1045 of the City’s Zoning Ordinance, relating to minimum design and performance standards in the General Commercial Zoning District (CG) is hereby amended to read as follows:

“Commercial Buildings and Uses.

For commercial buildings and use, refer to the design criteria contained in the City of Hayward design Guidelines, applicable Special Design Districts, the Hillside Design and Urban/Wildland Interface Guidelines and the following specific criteria and standards:”.

Section 6. The caption of Section 10-1.1045(h) of the City’s Zoning Ordinance, relating to minimum design and performance standards in the General Commercial Zoning District (CG) is hereby amended to read as follows: “h. Automobile Dealerships (New, located on Mission Boulevard between 700 feet south of Harder Road and Highland/Sycamore.”

Section 7. The following definition is hereby added to Section 10-1.3510 of the City’s Zoning Ordinance: “MISSION BOULEVARD RESIDENTIAL DISTRICT (MBR). A land use zoning district which allows the development of multiple-family dwellings at high densities along Mission Boulevard, in order to provide opportunities for higher density housing near a major transit corridor. See Section 10-1.550.”

Section 8. The following definition is hereby added to Section 10-1.3510 of the City’s Zoning Ordinance: “STATION AREA RESIDENTIAL DISTRICT (SAR). A land use zoning district which includes the development of multiple family dwellings at high densities, along with neighborhood serving businesses and public facilities in proximity to the South Hayward

BART Station, in order to provide opportunities for transit-oriented development with ready access to shops and transit. See Section 10-1.650.”

Section 9. Subsection (a) of Section 10-1.3510 of the City’s Zoning Ordinance, relating to the definition for “Dwelling Unit,” is hereby repealed and, in substitution thereof, a new definition for Apartment/multiple family dwelling(s) is hereby enacted to read as follows: “Apartment/multiple family dwelling(s): Any building, group of buildings, or portion thereof which includes two or more dwelling units, and which are intended as ownership units, or in the case of apartments, rental or for lease units. Apartment/multiple family dwelling projects may include private recreational facilities. See Sections 10-1.400 and 10-1.500 for requirements.”

Section 10. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective immediately upon adoption.

Section 11. Should any portion of this ordinance be declared by court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond the authority of the City, such decision shall not effect the validity of the remainder of the ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance absent the excised portion, can be reasonably interpreted to give effect to the intentions of the City Council

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the _____ day of _____, 2006, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the ___ day of _____, 2006, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Mayor of the City of Hayward

DATE:

ATTEST:

City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DRAFT

ORDINANCE NO. _____

*me
6/22/06*

**ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 10 OF
THE HAYWARD MUNICIPAL CODE AND ADOPTING
NEW OFF-STREET PARKING REGULATIONS**

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD
DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. This City Council incorporates by reference the findings contained in Resolution No. _____, approving the text changes requested in Zone Change Application PL-2006-0282TA, as related to the adoption of the South Hayward BART/Mission Boulevard Concept Design Plan.

Section 2. Upon the adoption of this ordinance, Article 2 of Chapter 10 of the Hayward Municipal Code, relating to the City's Off-Street Parking Regulations is hereby repealed and, in substitution thereof, a new Article 2 of Chapter 10 of the Hayward Municipal Code is hereby enacted to read as set forth in Exhibit "A" incorporated herein by reference.

Section 3. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of
Hayward, held the ___ day of _____, 2006, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward,
held the ___ day of _____, 2006, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

ARTICLE 2

OFF-STREET PARKING REGULATIONS

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ARTICLE 2

OFF-STREET PARKING REGULATIONS

I. PURPOSE AND DEFINITIONS

SEC. 10-2.000 PURPOSE. These regulations are intended to achieve the following:

- a. To relieve congestion on streets by providing convenient off-street parking and loading facilities in proportion to the demand created by the use;
- b. To provide for the safe and orderly movement of traffic through proper design and location of adequate parking, loading, and maneuvering areas;
- c. To protect neighborhoods and surrounding land uses from vehicular parking, loading and traffic congestion, noise, and dust through proper aesthetic design and location of entries, parking areas, and landscaping;
- d. To promote businesses and industries by providing safe, convenient, attractive shopping and working environments; and
- e. To encourage the use of alternate forms of transportation.

SEC. 10-2.100 DEFINITIONS. Certain words and phrases are defined within these regulations. Where it appears from the context of such words, phrases, or provisions that a different meaning is intended, the definition shall be as determined by the Director of Community and Economic Development/Planning Director.

- a. 'Central Parking District.' The words 'Central Parking District' shall apply only to, and shall be coincidental with, the Central City (CC) Zoning Districts, including Central City Commercial (CC-C), Central City Plaza (CC-P) and Central City Residential (CC-R).
- b. 'Gross Floor Area.' The words 'gross floor area' shall mean the area included within the exterior walls of a building or portion thereof, exclusive of vent shafts, eaves, overhangs, atriums, covered entries and courts and any portion of a structure above or below ground used for parking, parking aisles or loading areas.
- c. 'Nonconforming Use.' The words 'nonconforming use' shall mean a use which, when commenced, complied with the regulations of the district in which the use was commenced but which does not conform to the present regulations of the district where the use is being conducted or located because of a zoning district change, ordinance amendment, or annexation. The term 'nonconforming use' shall be applicable to both land and buildings.
- d. 'Off-Street Loading Space.' The words 'off-street loading space' shall mean a designated area or berth for the temporary parking and maneuvering of delivery vehicles for the purpose of loading or unloading.

- e. 'Off-Street Parking Space.' The words 'off-street parking space' shall mean a designated area used solely for parking of motor vehicles, exclusive of public or approved private streets, areas reserved by precise plan line, and areas necessary for driveways, maneuvering, ramps, columns, walks, or similar purposes.
- f. 'South Hayward BART/Mission Boulevard Parking Area.' The words 'South Hayward BART/Mission Boulevard Parking Area' shall apply only to, and shall be coincidental with, the Station Area Residential (SAR) and Mission Boulevard Residential (MBR) Zoning Districts, as well as those portions of the Neighborhood Commercial-Residential (CN-R) Zoning District located along Mission Boulevard between Harder Road and Industrial Parkway.
- g. 'Use.' The word 'use' shall mean the purpose or activity for which the land, or building thereon, is designed, arranged or intended, or for which it is occupied or maintained.

II. GENERAL PROVISIONS

SEC. 10-2.200 APPLICATION. This article shall not apply to existing uses established prior to its adoption except as hereinafter modified. Off-street parking and loading spaces shall be provided subject to the provisions of this chapter:

- a. At the time of construction of any new building.
- b. At the time an existing building is altered or enlarged, except in the Central Parking District. The number of parking spaces or loading berths required for a major alteration or enlargement of an existing structure shall be in addition to the number of spaces or berths existing prior to the alteration or enlargement. The required number of parking spaces for that portion of the building existing prior to the alteration or enlargement shall not be increased as a result of the alteration or enlargement. For purposes of these requirements, 'major alteration or enlargement' shall mean an alteration or enlargement that would increase the number of parking spaces or loading berths required by at least 25 percent or by at least 10 parking spaces, whichever is greater.
- c. At the time a new use is established in an existing building, where a major change of use or expansion in the existing use is involved for any lot, structure, or building, except in the Central Parking District, additional parking shall be provided for the new use based on the difference between the parking requirements for the new use as set forth in this article and the parking requirements for the prior use. For purposes of these requirements, 'major change of use' shall mean a change of use that would increase the number of parking spaces or loading berths required by at least 25 percent or by at least 10 parking spaces, whichever is greater.
- d. At the time that cumulative additions to a single-family or multi-family dwelling increase the original building floor area by more than 50 percent per unit or increase the number of sleeping rooms.

NOTE: Excess parking spaces existing at the time a building is increased in area or a

new use is established may be credited toward meeting the required parking.

SEC. 10-2.201 EXISTING PARKING AREAS. No existing use of land or structure shall be deemed a nonconforming use solely because of the lack of off-street parking or loading facilities required by this article. A change of occupancy is not a change of use unless the new occupant is considered in a different use classification, as described in Chapter 10, Article 1, the Zoning Ordinance, than the former occupant.

SEC. 10-2.202 PRIOR USE REQUIREMENTS. No required parking spaces in existence prior to the date of this article, or established pursuant to the provisions of this article or subsequent amendments thereto, shall be eliminated unless an equivalent number of alternate spaces are provided in conformance with the requirements of this article.

SEC. 10-2.203 FRACTIONAL SPACES. Any required fractional parking space shall be considered a required whole space.

SEC. 10-2.204 MIXED USES. The total requirement for off-street parking spaces shall be the sum of the requirements of the various uses on the site except as provided in Section 10-2.401, Shared Parking, Section 10-2.402, Off-site Parking and Sections 10-2.417 to 10-2.419, South Hayward BART/Mission Boulevard Parking.

SEC. 10-2.205 ADMINISTRATION. Except where indicated otherwise, the Director of Community and Economic Development/Planning Director shall administer and interpret these regulations. Prior to authorization for occupancy of any structure, including authorization for gas and/or electric meter service, City officials shall ensure that the use, arrangement, construction, and improvements are in accordance with plans approved through the verification of zoning compliance procedure.

III. REQUIRED RATIO OF PARKING SPACES

SEC. 10-2.300 REQUIRED RATIO OF PARKING SPACES. Uses not specifically listed in this article shall provide the minimum off-street parking required of the use most similar in nature, as determined by the Director of Community and Economic Development/ Planning Director. Additional parking spaces may be required for developments requiring conditional use permits, parcel map or tract map approvals, or other conditionally approved projects at the discretion of the Director of Community and Economic Development/Planning Director.

SEC. 10-2.310 RESIDENTIAL USES. The number of off-street parking spaces required for residential shall be:

USES	PARKING SPACES REQUIRED
SINGLE-family dwellings:	2.0 covered per dwelling unit
If a lot abuts a public or private street that has no parking lane on either side of the street or is posted for no parking on both sides of the street.	2.0 covered per dwelling unit plus 2.0 open per dwelling unit, which shall not block access to the covered parking
If a dwelling with a single car garage was built prior to March 24, 1959	1.0 covered per dwelling unit
MULTIPLE-family dwelling(s):	

<p>Studio</p> <p>One-bedroom</p> <p>Two or more bedrooms</p> <p>* Ten percent of the multiple family parking spaces required shall clearly be marked for visitor's parking, at least 70 percent of which shall accommodate standard size vehicles. Where less than 10 parking spaces are required, a minimum of one standard parking space shall clearly be marked for visitor's parking.</p>	<p>1.0 covered and 0.50 open per dwelling unit</p> <p>1.0 covered and 0.70 open per dwelling unit</p> <p>1.0 covered and 1.10 open per dwelling unit</p> <p>* Included in the rental cost, a minimum of one covered parking space shall be assigned to each studio and one-bedroom unit, and a minimum of one covered and one uncovered parking space shall be assigned to each two or more bedroom or more units. Assigned unused spaces may not be rented to any other party. Any uncovered space may be covered instead.</p>
<p>MOBILE HOMES</p>	<p>2.0 per mobile home space, plus 1.0 guest parking space per three mobile home spaces within a mobile home park</p>
<p>ATTACHED SECOND-FAMILY UNITS (Granny Units)</p>	<p>No additional parking spaces are required for attached second-family units.</p>

SEC. 10-2.320 LODGING, REST HOMES AND HOSPITAL USES. The number of off-street parking spaces required for boarding, hotels, convalescent homes, and hospital uses shall be:

USES	PARKING SPACES REQUIRED
<p>BOARDING, rooming and transient homes, sleeping accommodations of clubs and lodges, and dormitories, including those of clubs, lodges, fraternities, and sororities</p>	<p>1.2 for each occupant based on capacity as designed.</p>
<p>HOTELS and motels</p>	<p>1.0 for each room, plus 1.0 for each two employees on the largest shift,</p> <p>plus</p> <p>15% additional truck/trailer combination parking spaces, if located in an Industrial zoned area</p>
<p>CONVALESCENT, rest and nursing homes, homes for the aged, and sanitariums</p>	<p>1.0 for each 3.0 beds (See Section 10-2.770 for physically disabled persons parking requirements.)</p>
<p>HOSPITALS</p>	<p>1.0 for each hospital bed</p>

SEC. 10-2.321 PLACES OF LODGING, REST HOMES AND HOSPITAL USES
ADDITIONAL PARKING. Additional parking spaces for those areas used for offices, laboratories, pharmacies, cafeterias, restaurants, or other uses shall be required pursuant to Section 10-2.204, Mixed Uses. The amount of additional parking spaces required shall per the appropriate 'use' table.

SEC. 10-2.330 PLACES OF PUBLIC ASSEMBLY USES. The minimum number of off-street parking spaces required for places of public assembly uses shall be:

USES	PARKING SPACES REQUIRED
<p>PLACES OF PUBLIC ASSEMBLY, having fixed seating, including:</p> <p>Auditoriums Race tracks Sports arenas Stadiums Theaters</p> <p>PLACES OF PUBLIC ASSEMBLY, having no fixed seating, including</p> <p>Associations Business, trade, and professional societies Card rooms Clubs Community centers Convention or meeting halls Lodges Union Halls</p>	<p>1.0 for each 4.0 seats</p> <p>or</p> <p>1.0 for each 50 square feet of gross floor area used for public assembly, whichever is greater</p> <p>1.0 for each 5.0 seats</p> <p>plus</p> <p>1.0 for each 100 gross square feet of non-seating area</p>
ATHLETIC clubs, gymnasiums, health clubs	1.0 per 200 square feet of gross floor area
BOWLING alleys	4.0 for each lane
BILLIARD halls	2.0 for each table
CHURCHES, mortuaries and funeral homes	<p>For area used for the main assembly</p> <p>1.0 for each five seats (22 inches of bench is equivalent to one seat or 1.0 for each 100 square feet of gross floor area, whichever is greater)</p>
GOLF courses, driving range	<p>5.0 per hole</p> <p>plus</p> <p>1.0 per range tee</p>
LIBRARIES, museums, art galleries	1.0 per 300 square feet of gross floor area
<p>SCHOOLS:</p> <p>Colleges, not including dormitories, stadiums, and gymnasiums</p> <p>High schools, not including stadiums and gymnasiums</p> <p>Intermediate and elementary schools</p> <p>Business, trade and other schools</p>	<p>1.0 for each two full-time equivalent students enrolled</p> <p>1.0 for each four daytime students</p> <p>1.2 for each classroom</p> <p>1.0 for each four students</p>

Nursery schools and day care facilities	1.0 for each four students, plus a drop off area
SKATING rinks	1.0 for each 200 gross square feet of skating area
SWIMMING pools, commercial	1.0 for each 200 gross square feet of water surface and dressing room area
TENNIS courts/racquet, commercial	3.0 per court

SEC. 10-2.331 PLACES OF PUBLIC ASSEMBLY USES ADDITIONAL PARKING. Additional parking spaces in places of public assembly for those areas used for offices, restaurants, taverns, or other uses shall be required pursuant to Section 10-2.204, Mixed Uses. Additional parking spaces for bowling alleys, golf courses, swimming pools, tennis courts, gymnasiums, or similar uses shall be required for fixed spectator seating per 'Places of Public Assembly having fixed seating.' The amount of additional parking spaces required shall per the appropriate 'use' table.

SEC. 10-2.340 OFFICE, RETAIL, AND SERVICE USES. The minimum number of off-street parking spaces required for office, retail, and service uses shall be:

USES	PARKING SPACES REQUIRED
<p>AUTOMOBILE washing operations:</p> <p>Conveyor type</p> <p>Non-conveyor type or self-service</p>	<p>Five times the length of the washing operation in queuing space</p> <p>plus</p> <p>2.0 parking spaces for drying and cleaning purposes per washing area or stall</p> <p>In all cases a minimum of 200 feet of queuing space and 5 parking spaces for drying and cleaning shall be provided</p> <p>3.0 queuing spaces per washing area in front of washing area or stall</p> <p>plus</p> <p>2.0 parking spaces for drying and cleaning purposes per washing area</p>
BARBER shops, beauty salons, nail care, massage parlors, tanning salons	2.0 for each chair or 1.0 for each 100 square feet of gross floor area, whichever is greater
LAUNDRY or dry-cleaning, self-service	<p>1.0 for each two washing machines</p> <p>plus</p> <p>1.0 for each dry-cleaning machine</p>

OFFICES, general, including banks and similar financial institutions, and professional offices except medical or dental offices	1.0 per 250 square feet of gross floor area
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USPS	PARKING SPACE REQUIRED
OFFICES, medical and dental offices, clinics and laboratories	1.0 for each 200 square feet of gross floor area
RESTAURANTS, taverns, bars, night clubs, lunch counters, soda fountains, diners, and other eating or drinking establishments (floor area includes outdoor seating area)	<p>1.0 per three seats of seating area, including outdoor seating</p> <p>plus</p> <p>1.0 per 200 square feet of gross floor area for other areas.</p> <p>In the Industrial area, if lot abuts a street that has no parking lane on either side of the street or is posted for no truck parking on both sides of the street, additional on-site truck parking may be required.</p>
<p>RETAIL establishments characterized by hand-carried merchandise in which a customer makes quick purchases or rentals in small quantities, including</p> <p>Cleaners without a cleaning plant Convenience stores Delicatessen Doughnut shops Ice cream shops Laundry without a cleaning plant Off-sale liquor establishments Take out restaurants Video stores</p>	<p>1.0 per 175 square feet of gross floor area where the total gross floor area of the development, whether an individual establishment or a shopping center, is 10,000 square feet or less</p> <p>or</p> <p>1.0 per 215 square feet of gross floor area where the total gross floor area of the development, whether an individual establishment or a shopping center, is over 10,000 square feet</p>

USPS	PARKING SPACE REQUIRED
<p>RETAIL establishments characterized by hand-carried merchandise, including</p> <p>Apparel shops Department stores Food markets Pharmacies Photography shop Sporting goods Variety stores</p>	<p>1.0 per 200 square feet of gross floor area where the total gross floor area of the development, whether an individual establishment or a shopping center, is 10,000 square feet or less</p> <p>or</p> <p>1.0 per 225 square feet of gross floor area where the total gross floor area of the development, whether an individual establishment or a shopping center, is over 10,000 square feet, but less than 40,000 square feet</p>

USE	PERCENTAGE OF GROSS FLOOR AREA
	<p>or</p> <p>1.0 per 250 square feet of gross floor area where the total gross floor area of the development, whether an individual establishment or a shopping center, is over 40,000 square feet.</p>
<p>RETAIL establishments and service and/or repair establishments generally characterized by large or heavy merchandise and including:</p> <p>Appliances Building materials Building trade uses, such as heating, plumbing, roofing, sheet metal working, woodworking Business machines Furniture Hardware Household equipment Nursery products Printing Upholstering Vehicles equipment Vehicle sales and rental, including motorcycles, jet skis, recreational vehicles, trailers, etc.</p>	<p>1.0 for each 250 square feet of gross floor area used for offices, sales and display</p> <p>plus</p> <p>1.0 for each 600 square feet of gross floor area used for repair or services</p> <p>plus</p> <p>1.0 for each 1,000 square feet of gross floor area used for indoor storage</p> <p>plus</p> <p>1.0 for each 2,000 square feet of gross area used for outdoor sales, sales display or storage.</p>

USE	PERCENTAGE OF GROSS FLOOR AREA
<p>GAS service stations</p>	<p>1.0 for each employee on the largest shift</p> <p>plus</p> <p>2.0 for each hoist, rack, or area primarily designed for the servicing or minor repair of one motor vehicle, excluding fuel pump service areas.</p> <p>plus</p> <p>1.0 for air/water dispenser</p> <p>In all cases, a minimum of three off-street parking spaces must be provided.</p>
<p>GAS service stations with mini-markets</p>	<p>1.0 for each employee on the largest shift</p> <p>plus</p> <p>2.0 for each hoist, rack, or area primarily designed for the servicing or minor repair of one motor vehicle, excluding fuel pump service areas</p> <p>plus</p> <p>1.0 for air/water dispenser</p>

	<p>plus</p> <p>1.0 for each 400 square feet of gross floor area.</p> <p>In all cases, a minimum of five off-street parking spaces must be provided.</p>
VEHICLE repair and service	1.0 for each 500 square feet of gross floor area

SEC. 10-2.341 UNKNOWN OFFICE, RETAIL AND SERVICE USES. When the type of occupancy or use is unknown or uncertain for a commercially zoned site, the minimum off-street parking required is 1.0 space for each 200 square feet of gross floor area.

SEC. 10-2.350 WHOLESALE, MANUFACTURING, STORAGE, TRANSPORTATION, AND SIMILAR USES. The minimum requirements for wholesale, manufacturing, storage, transportation, and similar uses are:

USES	REQUIREMENTS
BAKERIES, wholesale Bottling establishments Canneries Communications equipment and service facilities Creameries Freight transportation terminals Laundry and/or dry-cleaning plants Lumber yards Manufacturing, processing, or assembling uses Utility yards Wholesale or warehouse establishments	<p>1.0 for each 500 square feet of gross floor area, or</p> <p>If the building or structure has leasable bays of 2,500 square feet or greater, the minimum off-street parking required is 1.0 space for each 1,000 square feet of gross floor area, or</p> <p>If a building or structure has leasable bays of 10,000 square feet or greater, the minimum off-street parking required is 1.0 space for each 1,500 square feet of gross floor area, or</p> <p>If a building or structure has leasable bays of 20,000 square feet or greater, the minimum off-street parking required is 1.0 space for each 2,000 square feet of gross floor area.</p>
Mini-storage facilities	2.0 covered near the residential unit and 5.0 uncovered near the office
Salvage, wrecking and dump yards	5.0 spaces, plus 1.0 for each 20,000 square feet of outdoor areas under use, plus 1.0 space of adequate size for all rolling stock stationed on the premises.
Passenger terminal facilities and stations for airports, BART rail transit, railroads, or bus lines	1.0 for each 500 square feet of gross floor area, plus additional spaces for commuter traffic as determined by the City Engineer.
Research and development facilities	1.0 for each 350 square feet of gross floor area
T-hangars	1.0 for each based aircraft

Tie-downs (open)	1.0 for each 3 based aircraft
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SEC. 10-2.351 WHOLESALE, MANUFACTURING AND STORAGE USES
ADDITIONAL PARKING. Additional parking spaces in wholesale, manufacturing, and storage uses for those areas used for offices or other uses shall be required pursuant to Section 10-2.204, Mixed Uses. The amount of additional parking spaces required shall be pursuant to the appropriate "use" table.

SEC. 10-2.360 GOVERNMENTAL OR OTHER PUBLIC USES. All governmental or other public uses shall provide the minimum off-street parking requirements of the use most similar in nature, as determined by the Director of Community and Economic Development/Planning Director.

IV. EXCLUSIONS, REDUCTIONS, EXCEPTIONS AND APPEALS

SEC. 10-2.400 PARKING SPACE WIDTH REDUCTIONS. Parking space widths for standard cars may be reduced by 6 inches at the discretion of the Director of Community and Economic Development/Planning Director, if it can be demonstrated that the proposed spaces are for the use of employees only and that adequate standard width spaces are available for the use of non-employees near the buildings.

SEC. 10-2.401 SHARED PARKING. An administrative use permit may be issued for shared parking serving more than one use subject to the following specific findings and conditions of approval:

- a. Up to 25 percent of parking facilities required for night-time or Sunday uses may be supplied by the off-street parking facilities provided by day-time and/or week-day use facilities.
- b. The following uses are considered as day-time and/or week-day uses: banks, business offices, medical offices, personal service shops, household equipment or furniture shops, clothing or service shops, manufacturing or wholesale buildings, and other similar primarily day-time and/or uses as determined by the Director of Community and Economic Development/Planning Director.
- c. The following uses are considered as night-time and/or Sunday uses: auditoriums incidental to a public or private school, churches, bars, bowling alleys, nightclubs, theaters, and other similar primarily night-time and/or Sunday uses as determined by the Director of Community and Economic Development/Planning Director.

SEC. 10-2.402 OFF-SITE PARKING. An administrative use permit may be issued for off-site parking subject to the following specific findings and conditions of approval:

- a. The building or use for which application is being made shall have the main entrance located within 500 feet along a traversable pedestrian route from the farthest proposed parking space;

- b. There is a useable pedestrian route along public streets or permanently established easements between the parking and the uses or structures served;
- c. The adjacent or nearby properties will not be adversely affected relative to parking;
- d. The proposed traffic circulation will not be detrimental to the health, safety, and welfare of residents residing or working in or adjacent to the parking; and
- e. The property owner(s) must enter into a written, recorded agreement with the City, in a form satisfactory to the City Attorney, describing the off-site parking plan and including a guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, a recording of a covenant among the properties for access to and use of the off-site parking facilities, a provision stating that the City may, upon a finding by the Director of Community and Economic Development/Planning Director that there has been a change in use, modify, amend, or unilaterally terminate the agreement.

SEC. 10-2.403 CREDIT FOR TRANSPORTATION SYSTEMS MANAGEMENT

PROGRAM. In consideration of the financial commitment involved in providing a Transportation Systems Management Program and the fact that the use of alternative commute modes serves to reduce parking demand, a development that is required to provide greater than 50 off-street parking spaces may be allowed to reduce the employee parking requirements of this article up to 6 percent by providing a Employee Transportation Coordinator and up to another 14 percent by implementing the first 13 items below for a total of up to 20 percent.

- a. All developments may submit a plan for a Transportation Systems Management Program. The program may include, but is not limited to the following factors:
 - (1) Carpool/vanpool matching
 - (2) Preferential parking for carpools and vanpools
 - (3) Financial subsidies and rewards to walkers/carpool/vanpool/bus/BART passengers and drivers
 - (4) Employer provided vehicles for carpools and/or vanpools
 - (5) Carpool/vanpool operating subsidies, e.g. insurance, fuel, maintenance
 - (6) Provision of subscription bus services
 - (7) Sale of bus/BART passes/ticket books at the work site
 - (8) On-site route maps and schedules
 - (9) Shuttle service to bus/BART
 - (10) Bus shelter provision and maintenance
 - (11) Alternative work hours

- (12) Capital improvements for transit services
- (13) Bicycle linkages to established bicycle routes
- b. As a guideline, the position of an Employee Transportation Coordinator should involve at a minimum the following:
 - (1) The Employee Transportation Coordinator should have completed a Bay Area Air Quality Management District certified training curriculum, or as approved by the City Engineer;
 - (2) The Employee Transportation Coordinator should be equipped with sufficient office space, marketing materials, clerical assistance, and telephone service to implement a complete transportation center;
 - (3) The Employee Transportation Coordinator should disseminate promotional materials and information to building occupants to encourage ride sharing and alternate work hours;
 - (4) The Employee Transportation Coordinator should conduct a minimum of 2 information days annually;
 - (5) The Employee Transportation Coordinator should devote a minimum 1 hour per week for every 50 employees to encourage alternative commute modes;
 - (6) The Employee Transportation Coordinator shall prepare an annual report evaluating the extent and results of the Transportation Systems Management program, including measures undertaken by the employer, average number of employees using various modes of transportation, total number of employees participating in alternative work hours, and any employer subsidies.
- c. In addition to the 6 percent reduction obtainable for providing an Employee Transportation Coordinator, a 14 percent reduction may be obtained if the Transportation Management Systems program shows how alternative modes will be implemented, the permanency of such modes, the extent of the program, the number of trips reduced, and the number of parking spaces eliminated by the alternative modes. The potential for maintaining the program will be considered in determining the reduction in required parking.
- d. In addition, the property owner(s) must enter into a written, recorded agreement with the City, in a form satisfactory to the City Attorney, setting forth the substance of the Transportation Systems Management program and including a guarantee that there will be no substantial alteration in the Transportation Systems Management program that will create a greater demand for parking without the City's knowledge and approval, and a provision stating that the City may, upon a finding by the Director of Community and Economic Development/Planning Director that there has been a change in the plan, modify, amend, or unilaterally terminate the agreement.

SEC. 10-2.404 CREDIT FOR PROXIMITY TO PUBLIC TRANSPORTATION

FACILITIES.

- a. Except for uses established in the Central Parking District and the South Hayward BART/Mission Boulevard Parking Area, parking space requirements for public or private institutional or government uses, e.g., hospitals, office buildings, may be reduced by the Director of Community and Economic Development/Planning Director up to 15 percent, provided public transportation is available within 500 feet of the site or if public rail transportation is available within 1000 feet of the site.
- b. Except for uses in the South Hayward BART/Mission Boulevard Parking Area, parking space requirements for retail establishments may be reduced by the Director of Community and Economic Development/Planning Director up to 15 percent, provided a public bus stop and shelter are immediately adjacent to the site and maintained by the retail establishment.
- c. Except for uses established in the Central Parking District and in the South Hayward BART/Mission Boulevard Parking Area, parking space requirements for multi-family residential may be reduced by the Director of Community and Economic Development/Planning Director up to 15 percent provided public rail transportation is available within 1,000 feet of the site.

SEC. 10-2.405 CREDIT FOR SENIOR CITIZEN/HANDICAPPED HOUSING.

Parking space requirements for residential developments exclusively for individuals 62 years of age and older and/or for persons with disabilities may be reduced by the Director of Community and Economic Development/Planning Director up to 25 percent when:

- a. The facility is conveniently located with respect to shopping, services, and public transportation;
- b. Units are permanently made available to low income persons;
- c. Tenant vehicles are limited to the number of parking spaces provided exclusive of guest parking spaces; and
- d. The Director of Community and Economic Development/Planning Director finds that these conditions substantially reduce the need for on-site parking. The percent reduction obtained cannot be in addition to any other reductions.

SEC. 10-2.406 CREDIT FOR TWO-WHEEL VEHICLE PARKING SPACE(S). In addition to the off-street parking requirements heretofore enumerated, additional parking spaces or facilities for bicycles, motorcycles, and similar two-wheel vehicles shall be provided when more than 50 parking spaces are required. Location, area, design, and improvement of such space or facilities shall be as approved by the Director of Community and Economic Development/Planning Director.

- a. Credit for one parking space shall be given for each 4 bicycle spaces provided, whether the spaces are required or not. Bicycle spaces shall measure at least 2- feet by 7-feet and shall be located in groups of 4 and be equipped with locking devices for each bicycle.
- b. Credit for one parking space shall be given for each 2 motorcycle spaces provided, whether the spaces are required or not. Motorcycle spaces shall measure 4-feet wide by 8-feet long and shall provide an adequate maneuvering area to permit easy access

to the space.

- c. Credits for bicycle and motorcycle parking, or a combination thereof, shall not exceed 5 percent of the total required parking spaces.

SEC. 10-2.407 TANDEM PARKING STANDARDS

- a. Tandem parking is permitted for single-family and mobilehomes.
- b. Tandem parking may be permitted by the Director of Community and Economic Development/Planning Director for multi-family residences in the Central Parking District and South Hayward BART/Mission Boulevard Parking Area when spaces are assigned to the same dwelling unit and are enclosed within a garage.
- c. Tandem parking may be permitted by the Planning Commission for multi-family residences outside the Central Parking district and South Hayward BART/Mission Boulevard Parking Area when spaces are assigned to the same dwelling unit and are enclosed within a garage and when 1) the development contains at least 20 units and is located within 1,000 feet of a bus route with 7-day service or a rail station; 2) no more than 35 percent of the residences are provided tandem spaces; 3) the tandem garages are spaced or grouped such that vehicular movement conflicts are minimized; and 4) the tandem garages are located such that vehicles back out into an alley or courtyard that provides access to parking facilities only. Based on a recommendation by the Planning Commission, the percentage of units with tandem garages may be increased by the City Council where such increase serves to meet the goals of an officially-adopted Design plan, including, but not limited to, density and architectural design.
- d. Tandem Parking may be permitted by the Director of Community and Economic Development/Planning Director for commercial parking facilities when a valet/attendant is on duty during the hours when the facility is being used.

SEC. 10-2.410 CENTRAL PARKING DISTRICT STANDARDS. All requirements of this article shall apply to development located within the Central Parking District, as defined by Section 10-2.100, except as hereinafter modified.

Parking and loading spaces in the Central Parking District shall conform to the extent possible with the Downtown Hayward Design Plan, which seeks to create a densely developed, mixed use, pedestrian oriented downtown neighborhood.

SEC. 10-2.411 CENTRAL PARKING DISTRICT NON-RESIDENTIAL PARKING REQUIREMENTS.

1.0 space for each 315 square feet of gross floor area except for theaters; 1.0 space for each 4.0 seats.

An increase in the number of dwelling units within an existing building or the conversion of a non-residential use to residential within the Central Parking District shall not require providing parking spaces.

SEC. 10-2.412 CENTRAL PARKING DISTRICT RESIDENTIAL PARKING

REQUIREMENTS. Residential parking shall be provided on the site being developed. Use of combined facilities for residential parking requirements shall be permitted if parking facility is located on site of residential development.

1.0 covered and 0.50 open spaces per dwelling unit.

0.5 space per dwelling unit for multiple-family dwellings providing housing exclusively for the elderly. (Occupancy requirements must be guaranteed, e.g., condition of government financing or grant, or other guarantee acceptable to the City.)

SEC. 10-2.413 CENTRAL PARKING DISTRICT PARKING SPACE IN-LIEU

PAYMENTS. The Central Parking District requirements may be satisfied by providing payments in lieu of providing all or part of the required non-residential parking. Such payments shall be accepted on behalf of the City only when adequate municipal parking is available or will be provided within a reasonable walking distance of the proposed development, as determined by the Director of Community and Economic Development/ Planning Director. Such payments shall be placed in a fund to be used for the provision of municipal parking facilities serving the Central Parking District. The amount of such payments shall be determined by the Director of Public Works and be computed on the basis of the estimated cost of providing an equivalent number of spaces at the time the development is approved. The estimate shall include land costs computed at the fair market value for the land as established by the County Assessor. Construction costs shall be computed on the basis of construction of surface parking to City standards.

SEC. 10-2.414 DOWNTOWN CORE AREA SPECIFIC PLAN REDUCTION.

Within the area subject to the Downtown Core Area Specific Plan, the residential parking requirement may be reduced by the approving authority to a minimum of 1.0 space-per-dwelling unit, provided that the aggregate parking supply for all residential units at buildout, as described in the Specific Plan, excluding units exclusively for the elderly, is 1.5 spaces per dwelling. Residential parking requirements may be met in locations other than on the development sites, subject to the approval of the reviewing authority.

SEC. 10-2.415 CENTRAL CITY - PLAZA DISTRICT EXCEPTIONS. Additional off-street parking spaces shall not be required for construction of new buildings for commercial uses located on the ground floor in the Central City-Plaza District. Off-street parking spaces shall not be required for construction of new buildings of similar area which replace demolished or damaged buildings within 6 months that were located all or partially in the Central City-Plaza District.

SEC. 10-2.416 COTTAGE DISTRICT - EXCEPTIONS. In the Cottage District, 1.0 off-street parking space per cottage is required; however, a single-car garage in a raised basement or backyard or nearby leased parking may be appropriate depending on the site circumstances. Driveways should generally be limited to a 10 foot width and in no case exceed 30 percent of the lot width. Double car garages in the front street elevation are prohibited.

SEC. 10-2.417 SOUTH HAYWARD BART/MISSION BOULEVARD PARKING STANDARDS. All requirements of this article shall apply to development in the South Hayward BART/Mission Boulevard Parking Area, as defined by Section 10-2.100.

Parking and loading spaces for the South Hayward BART/Mission Boulevard Parking Area shall conform with the South Hayward BART/Mission Boulevard Concept Design Plan, which seeks to create a variety of high density, transit-oriented development in proximity to the South Hayward BART Station and along the major transit corridor, Mission Boulevard.

SEC. 10-2.418 SOUTH HAYWARD BART/MISSION BOULEVARD PARKING AREA NON-RESIDENTIAL PARKING REQUIREMENTS.

1.0 space for each 315 square feet of gross floor area.

SEC. 10-2.419 SOUTH HAYWARD BART/MISSION BOULEVARD PARKING AREA RESIDENTIAL PARKING REQUIREMENTS. Residential parking shall be provided on the site being developed as indicated below. Use of combined facilities for residential or BART commuter parking requirements shall be permitted if parking facility is located on site of residential development.

Station Area Residential (SAR) Zoning District:

- 1.0 space maximum per studio or one bedroom unit
- 1.3 spaces maximum per unit with two or more bedrooms

Mission Boulevard Residential (MBR) Zoning District:

- 1.3 spaces maximum per studio or one bedroom unit
- 1.5 spaces maximum per unit with two or more bedrooms

Neighborhood Commercial-Residential (CN-R) Zoning District:

- 1.5 spaces maximum per studio or one bedroom unit.
- 2.0 spaces maximum per unit with two or more bedrooms.

SEC. 10-2.420 EXCEPTIONS.

- a. An exception may be granted from the provisions hereof where unnecessary or unusual hardship is shown and where such exception will not defeat the purposes of this article or the Zoning Ordinance. Possible reasons for issuing an exception include an unusually low number of employees for a given wholesale or manufacturing use; unusually small size of units; unusual topography, size, or shape of a parcel or existing structures; compatibility with the surrounding development; or other unusual conditions.
- b. Applications for exceptions shall be processed in accordance with Sections 10-1.2815 through 10-1.2825 and Sections 10-1.3305 through 10-1.3365 of the Zoning Ordinance. Notice of a decision by the Director of Community & Economic Development/ Planning Director on a parking exception which exceeds 25 percent of the parking requirements shall be given within 5 business days of the decision.
- c. The Director of Community and Economic Development/Planning Director, or the Planning Commission upon referral by the Director of Community and Economic Development/Planning Director, may grant an exception when it can be determined that:
 - (1) There are special conditions or circumstances peculiar to the property involved that do not apply generally to property in the same district;
 - (2) Literal interpretation of this article would cause a hardship or deprive the applicant of rights enjoyed by others in the same district, who have applied for parking since adoption of this ordinance;

- (3) The granting of the exception does not grant a special privilege inconsistent with the limitations on other properties in the same district;
 - (4) The granting of an exception will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the requirements set forth in this article as nearly as is reasonably possible; and
 - (5) The granting of an exception will not create a safety hazard or any other condition inconsistent with the purposes of this article.
- d. For purposes of this section, the fact that the proposed parking and circulation requirements on sites with existing buildings is in compliance with the requirements set forth in this article as nearly as is reasonably possible, may constitute a special circumstance warranting an exception under this section.

SEC. 10-2.430 APPEALS. Any person aggrieved by the action of the Director of Community and Economic Development/Planning Director may appeal such action to the Planning Commission by filing a written appeal with the Development Review Services Division within 10 days from the date of such action. Upon completion of its consideration, the Planning Commission may sustain, or modify, or reverse the preceding decision.

Any member of the City Council may request review of an application on which the Director of Community and Economic Development/Planning Director or the Planning Commission has made a final decision. The Council Member requesting review shall file a written request for review with the City Clerk before the 10th day following the day the decision is rendered. The matter shall be scheduled for review and approval by the City Council. The City Council may approve, conditionally approve, or disapprove the applications based upon the relevant findings. In the event significant new evidence, which may include change in the proposal, is presented at the time of hearing, the Council may return the matter to the approving authority for further consideration and a decision. If the application has previously been subject to notice under Section 10-1.2820, it shall be scheduled for a hearing by the City Council and noticed in accord with Section 10-1.2820. No fees by the applicant shall be required when a member of the City Council requests review of an applicant.

V. LOCATION OF PARKING AND LOADING SPACES

SEC. 10-2.500 PARKING SPACE LOCATIONS. Except for non-residential uses in the Central Parking District and residential uses in the area subject to the Downtown Core Area Specific Plan (Sec. 10-2.414) and exceptions noted in Section 10-2.402 (Off-site Parking), required off-street parking spaces and access to parking spaces shall be located on the same parcel as the uses served.

No multi-family residential parking spaces shall be located further than 200 feet from dwelling units. Where driveways exceed 40 feet in length, garages, carports, or other parking areas shall be designed to require vehicles to exit property in a forward direction.

SEC. 10-2.501 TRUCK LOADING SPACE LOCATIONS. Truck loading spaces and the access and maneuvering areas serving loading spaces shall be located on the same parcel as the activity served and must be exclusive of the area used for required parking spaces and

maneuvering areas. Truck loading spaces shall not interfere with on-street traffic, parking, or sidewalks. Truck turning templates should be used for design.

Loading areas should not dominate the street frontage. Where loading docks or doors are located directly off abutting street(s), the following policy shall be used:

- a. If abutting street is a major street where the curb-to-curb width is 72 feet or more, the loading facility/dock/door, etc., shall be located so that a truck cannot use the street as a means to maneuver in a backwards motion towards the unloading point. This will require an unobstructed on-site minimum depth of 95-115 feet in front of the loading area. Driveways shall not be placed to line up with the loading docks.
- b. On industrial service roads (streets 40-48 feet curb-to-curb), truck maneuvering can take place within the street area. The driveway may be lined up with the loading dock. When a truck is parked at the loading point, it shall not project into the public right of way. A minimum of 65 feet shall be unobstructed and provided in front of the loading area.

SEC. 10-2.502 OFF-STREET PARKING ON/IN SLOPES. In residential and agricultural zoning districts, a one-story garage may be located within the front yard area, if it does not interfere with visual clearance as required by the Hayward Traffic Code and it conforms to the criteria for the location of garages on slopes as noted in the Zoning Ordinance and in the Hillside Design Guidelines.

Parking lots in all zones shall have a maximum of a 5 percent slope.

SEC. 10-2.503 OFF-STREET PARKING NEAR WALLS AND PROPERTY LINES. Except in industrial zones, parking and aisles shall be no closer than 5 feet to a building and shall be no closer than 5 feet to a property line in residential zones or where abutting residential zoning districts, 7 feet to a building or property line if a 2 foot vehicular overhang is allowed, or 7½ feet to a building or property line if a 2 ½ foot vehicular overhang is allowed. An exception may be made for lots less than 51 feet in width, in which case vehicular circulation may be located within 3 feet of a side property line.

In all zones, parking spaces adjacent to fences or walls shall be increased in width by at least 1 foot to accommodate door swing.

SEC. 10-2.504 OFF-STREET PARKING AND LOADING IN FRONT AND STREET SIDE YARD AREAS. Off-street parking and loading spaces or maneuvering areas for all types of vehicles--automobiles, trucks, recreational vehicles, bicycles, motorcycles, and similar two-wheel vehicles--shall not be located in any required front or street side yard, except as provided elsewhere in this article or as a part of an approved mobile home park plan.

Non single-family parking and loading spaces in residential areas should be located behind the primary structure(s) in order to enhance the streetscape.

In commercial and industrial zones, off-street parking spaces and driveway aisles shall be located no closer than 10 feet from the front and street side yard property lines, if the setbacks are less than 10 feet.

SEC. 10-2.505 OFF-STREET PARKING AND LOADING IN INTERIOR SIDE

YARD AREAS. In single-family zones, parking and loading spaces shall not be located in a required interior side yard, with the following exceptions: one recreational vehicle such as a boat, compact trailer, tent, or similar recreational vehicle less than 6 feet in height can be stored in a required side yard if screened from view from the street by a 6-foot high solid fence. Covered parking located between the rear of the main building and the rear lot line may be placed 5 feet from the side and rear property lines. Driveway aisles may be located in required interior side yards in conformance with Section 10-2.503 (Off-Street Parking Near Walls and Property Lines).

In multi-family zones, and commercial and industrial zones, parking and driveway aisles may be located in required interior side yards in conformance with Section 10-2.503 (Off-Street Parking Near Walls and Property Lines).

SEC. 10-2.506 OFF-STREET PARKING AND LOADING IN REAR YARD AREAS. Covered or uncovered parking and loading spaces may be located in a required rear yard as long as such parking spaces are located in accordance with requirements of the Zoning Ordinance, Sections 10-1.445 and 10-1.545, 10-1.845, and 10-1.1645, and the requirements of this article.

Open parking or vehicle storage areas located on single-family residential lots less than 10,000 square feet in area shall not exceed 500 square feet in area and shall not exceed 700 square feet for lots 10,000 feet or larger.

VI. DESIGN STANDARDS FOR PARKING AND LOADING SPACES

SEC. 10-2.600 CONFORMANCE BY TWO-WHEEL VEHICLES AND RECREATIONAL VEHICLES. All parking and loading facilities shall meet the minimum dimensions and standards set forth in this article, including the appendices. Parking facilities for bicycles, motorcycles, and similar two-wheel vehicles shall incorporate security locking devices in their design, and such parking facilities, as well as recreational vehicle parking facilities, shall conform to all other standards contained in this article.

SEC. 10-2.601 CONFORMANCE WITH HAYWARD DESIGN GUIDELINES. Parking and loading spaces shall conform to the extent possible with the Hayward Design Guidelines, which seek to create an environment that is pleasant for human use while preserving the positive physical aspects of a site such as views, mature trees, and historic buildings, and minimizing its physical problems such as flooding or noise.

SEC. 10-2.602 PARKING SPACE DIMENSIONS. Minimum stall, aisle, and driveway dimensions for off-street parking spaces shall be those shown in the attached appendices. Typically, minimum dimensions for non-angled compact car spaces shall be 8'-0" wide by 15'-0" long, and minimum dimensions for non-angled standard car spaces shall be 9'-0" wide by 19'-0" long.

Open or covered parking areas, and garages or carports exceeding 120 square feet in area shall be located no less than 5 feet from the side or rear property line and shall conform to all other requirements of the Zoning Ordinance and Building Code.

SEC. 10-2.603 LOADING SPACE NUMBER AND DIMENSIONS. The number of spaces and dimensions for loading areas shall be determined and approved by the Director of Community and Economic Development/Planning Director for new non-residential buildings as needed and physical conditions warrant.

SEC. 10-2.604 COVERED SPACE DIMENSIONS. Minimum covered parking dimensions for off-street covered parking spaces shall be 20'-0" wide by 19'-0" long for two cars and shall be 11'-0" wide by 19'-0" for one car.

SEC. 10-2.610 COMPACT CAR PARKING SPACES. In all non-single-family residential parking facilities containing 6 or more spaces, a maximum of 30 percent of the required spaces may be compact car spaces in all parking facilities and a maximum of 50 percent may be compact car spaces for uses located in the Industrial District.

SEC. 10-2.620 ACCESS LOCATION. For other than single-family residential uses, all parking and loading spaces shall be located so as not to require vehicles to back out into street right-of-way.

In order to protect traffic flow and pedestrian safety and to allow for screening of parking facilities, the number of curb cuts shall be minimized. Access ways, without parking on either side, to any parking lot shall be not less than 20 feet for two-way traffic and 12 feet for one-way traffic.

SEC. 10-2.621 HOURS OF AVAILABLE USE. All parking spaces and loading spaces shall be accessible for use during all hours of operation of the uses served.

SEC. 10-2.622 JOINT ACCESS TO PARKING SPACES. Uses on adjoining parcels, subject to approval of the Director of Community and Economic Development/Planning Director, may share joint access to required parking spaces, providing the entire access is a minimum of 12 feet wide on each parcel (24 feet total). Owners of affected properties shall grant a recorded, reciprocal, permanent, nonexclusive easement establishing the joint access.

SEC. 10-2.623 PRIVATE DRIVEWAY STANDARDS. Private driveway standards shall be constructed in accordance with the Standard Details of the City of Hayward Public Works Department. Driveways 40 feet or less in length shall be paved with Class B Portland Cement concrete.

On single-family residential lots, driveway width, regardless of the number of driveways, shall not exceed 20 feet in front of the garage. In addition, for access to a recreational vehicle storage area adjacent to a dwelling, a maximum 10-foot-wide driveway may be located on the opposite side of the lot from the garage, and outside the required side yard.

In multi-family residential zones, no more than 1/3 of the required front yard shall be devoted to driveway. An exception may be made for lots less than 72 feet in width, in which case driveway may be a maximum of 24 feet in width.

For lots 70 or more feet in width, the Director of Community and Economic Development/ Planning Director may approve a greater driveway width if the Director of Community and Economic Development/Planning Director determines the design of the driveway is aesthetically pleasing and compatible with the lot terrain and adjacent development and will not create a pedestrian or vehicular hazard.

SEC. 10-2.624 CIRCULATION TO PARKING AND LOADING SPACES. Within a parking facility, circulation must be such that a car entering a parking lot need not enter the street to reach another aisle and that a car need not enter the street backwards, except for some single-

family residences. Unless waived by the Director of Community and Economic Development/Planning Director, single-family residential lots that front on a major or secondary arterial and/or where driveways exceed 40-feet in length and multi-family residential properties shall provide a sufficient paved driveway turnaround to allow vehicles to exit the property in a forward direction.

The entrance or exit to any service bay, loading space, or parking area shall not conflict with the entrance or exit to any other service bay, loading space, or parking area.

Driving aisles shall be at least 12 feet wide for 1-way traffic flow and 20 feet wide for 2-way traffic flow. Parking lots and driving aisles parallel and adjacent to public sidewalks shall be separated by a minimum 10 foot landscape strip. One-way aisles shall alternate direction, or otherwise provide logical vehicular circulation as approved by the Director of Community and Economic Development/Planning Director, and shall not dead-end if greater than 60 feet in length. A 2-way dead-end driving aisle shall have minimum 5-foot turning back-up bay beyond the end stall.

SEC. 10-2.625 VEHICLE OVERHANG. Where a parking lot is designed so that cars may overhang low landscaping, the stall depth for a standard-sized car may be reduced by 2-½ feet. The stall depth for a compact space may be reduced by 2 feet. The area overhung shall not be included in required landscape setback. In areas where vehicles overhang a sidewalk or walkway, the width of the sidewalk or walkway shall be increased by the overhang width to provide a minimum unobstructed width of the sidewalk or walkway of 4 feet. Parking stalls adjacent to walls shall be increased in width from the standard by at least one foot to accommodate door swing.

SEC. 10-2.626 CONTROLLED ACCESS.

- a. Where access to a parking, loading, and/or driving aisle is controlled by gates, there shall be sufficient width for either 2 side-by-side entry vehicles or 2 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 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.
- b. Security gates in multi-family residential uses shall not obstruct access to visitor parking areas. Access shall be provided at all times for police, fire, city inspection, utility, and other health and safety related vehicles.
- c. When a request is made to the City for controlled access, all property owners within the area to be gated, or their homeowner's association, shall agree in writing to the request and agree to be responsible for the ongoing maintenance of the gate equipment, fences or walls, traffic control devices, and landscaping.
- d. The height and location of the gate shall be in conformance to Section 10-1.2725, Yard Requirements, e.g., Yard Exceptions - Fences, Hedges, 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.
- e. A gate opening system to provide for emergency vehicle access shall be installed to the satisfaction of the Police Chief and Fire Marshal.

- f. Site Plan Review is required before the construction of a gate, if the Director of Community and Economic Development/Planning Director determines that the gate materially alters the appearance and character of the property or area or may be incompatible with the above requirements, City policies, standards, and guidelines.

SEC. 10-2.630 DRAINAGE, SURFACING AND MAINTENANCE. A storm drainage system shall be provided that conveys storm water runoff into facilities of the City or the Alameda County Flood Control District. All on-site storm drain inlets must be labeled 'No Dumping - Drains to Bay,' using approved methods.

All on-site storm drains must be cleaned at least once a year prior to the rainy season (October 15). Additional cleaning may be required by the City Engineer.

Parking surfaces and driveways for all single-family dwellings shall be paved with Class B, Portland Cement Concrete. Subject to the approval of the Director of Community and Economic Development/Planning Director, driveways exceeding 40 feet in length may be paved with asphaltic concrete or a comparable all-weather, dustless material(s), such as bricks or pavers.

All other residential and non-residential uses shall be paved with Class B, Portland Cement Concrete, or a minimum 3 inches of asphaltic concrete over a minimum of 4 inches of aggregate base or comparable all-weather, dustless material(s), such as bricks or pavers.

Parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. No cleaning agent may be discharged to the storm drain. If any cleaning agent or degreaser is used, washwater shall not be discharged to the storm drains; washwaters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the wastewater treatment plant receiving the discharge.

SEC. 10-2.640 LIGHTING AND MARKING. Parking facilities shall be adequately lighted for safety and security as determined by the City Engineer. The minimum requirement is 1 foot candle of light across the entire surface of the parking area. Exterior lighting shall be designed, erected, and maintained so that light or glare is not directly cast upon adjacent properties or public rights-of-way.

Aisles, approach lanes, and maneuvering areas shall be marked and maintained with directional arrows and striping to control traffic flow. Each parking space shall be stripped, marked, and maintained by surface markings or other effective means and shall be maintained so as to be readily visible at all times. All compact parking spaces and designated employee parking spaces per Section 2.400, Parking Space Width Reductions, shall be clearly marked as such.

This section shall not apply to detached single-family dwellings.

SEC. 10-2.641 SPACE IDENTIFICATION. In multiple-family developments of 5 or more units, no less than 10 percent of the spaces shall be clearly and permanently marked for visitor parking, except in the Central Parking District where parking requirements are less than 1.0 space per dwelling unit. Where less than 10 parking spaces are required, a minimum of 1 standard parking space shall clearly be marked for visitor's parking.

SEC. 10-2.642 DIRECTIONAL AND REGULATORY SIGNS. Traffic directional

signs as required and approved by the Director of Public Works shall be installed at no expense to the City. Each exit from any parking area, except for single-family residential, shall be clearly marked with a 'STOP' sign.

SEC. 10-2.650 LANDSCAPING. Landscaped areas required in this section shall be composed of trees, shrubs, turf grass, planted ground cover, or a combination thereof. Landscaping shall be permanently maintained, including replacement where necessary. Landscaping shall be provided as follows:

- a. Except for access driveways, a landscape planter 10 feet in width shall be provided in all required yard areas adjacent to street right-of-ways to create a separation from parking, loading, and vehicle maneuvering areas.
- b. Where no front and/or street side yards are required, a landscape strip at least 10 feet wide, unless a wider strip is otherwise required by the Zoning Ordinance, shall be installed between parking areas and all existing or future street rights-of-way.
- c. Landscape materials within 10 feet of vehicle ingress and egress points shall be maintained so as not to impair visibility or create a traffic hazard.
- d. Landscaped areas shall be irrigated by means of an automatic sprinkler system with an automatic on-off timer clock mechanism.
- e. Landscape buffers shall be provided between adjoining outdoor use spaces with walls and planting shall be provided.
- f. Parking areas shall include a minimum of one 15-gallon parking lot tree for every 6 parking stalls, except where restricted because of design constraints. Parking lot trees shall be planted in tree wells or landscape medians located within the parking area, unless an alternative location is approved by the Director of Community and Economic Development/Planning Director. Required street and buffer trees shall not qualify as parking lot trees.
- g. Where a side or rear yard is required between a parking area and residential district, a minimum of one 15-gallon buffer tree shall be planted for every 20 lineal feet of property line.
- h. The minimum dimensions of any tree well or landscape median shall be 5 feet, measured from the back of curb. The end of the parking rows shall be capped with landscape medians except where space is restricted due to existing site conditions.
- i. Parking and loading areas shall also be buffered from the street with shrubs, walls, or earth berms, as determined by the Director of Community and Economic Development/Planning Director. Where shrubs are used for buffering, the type and spacing of shrubs shall create a continuous 30-inch-high screen within 2 years.
- j. Agricultural zoning districts and parcels in a residential zoning district with three or less dwelling units shall be exempt from the landscaping requirements of this section.

SEC. 10-2.660 SCREENING.

- a. A view-obscuring screen shall be installed along rear and interior lot lines whenever parking, loading, and vehicle maneuvering areas are adjacent to residentially zoned parcels. At the discretion of the Director of Community and Economic Development/ Planning Director or the Planning Commission, a view-obscuring screen may be required abutting any nonconforming residential buildings. The view-obscuring screen shall be uniformly painted, decorative wood fence, masonry wall or its equivalent, or chain-link fence with plant materials, and shall be constructed to withstand a 15-pound-per-square-foot wind load. The view obscuring screen shall be 6 feet high except when located within required street yard setbacks, in which case the screen shall not exceed 4 feet high.
- b. Unless there already exists a building wall or a fence, wall, or similar screen located within 2 feet of either side of a common property line, a view-obscuring screen as described above shall be installed. On Commercial or Industrial zoned properties abutting a residentially zoned parcel, the view obscuring screen shall be a concrete, brick, or masonry wall, or an equivalent.
- c. Agricultural zoning districts and parcels in a residential zoning district with 3 or less dwelling units shall be exempt from the requirements of this section.

SEC. 10-2.670 CURBING/BARRIERS. Except for single-family dwellings, where abutting trees and other landscaping, walls, columns, fences and pedestrian paths, each parking and loading space shall be provided with a Class B, Portland Cement Concrete bumper block or continuous concrete curb at least 6 inches in height above the finished pavement and 6 inches thick. Barriers shall be located a minimum of 24 inches from landscaped strips and 30 inches from fences, walls, etc. Additional barriers may be required by the Director of Community and Economic Development/Planning Director where he/she determines they are necessary for proper traffic circulation or safety reasons.

VII. PARKING FOR PERSONS WITH PHYSICAL DISABILITIES

SEC. 10-2.700 PARKING FOR PERSONS WITH PHYSICAL DISABILITIES.

Each lot or parking structure where parking is provided for public as clients, guests, or employees, shall provide accessible parking as required by this section. In addition to the following requirements, the parking space(s) for persons with physical disabilities shall be designed and provided pursuant to state and federal requirements. Parking spaces for persons with physical disabilities required by this section shall count toward fulfilling off-street parking space requirements.

SEC. 10-2.710 REQUIRED PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITIES. The minimum number of persons with physical disabilities' accessible parking spaces shall be:

Total Number of Parking Spaces Required	Accessible Parking Spaces Required
1-25	1
26-50	2
51-75	3

76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2 percent of total number
1,001 & over	20 plus 1 for each 100, or fraction thereof, over 1,001

Parking for persons with physical disabilities in residential uses shall be provided at the minimum rate 1 space per dwelling unit that is designed for occupancy for persons with physical disabilities.

SEC. 10-2.720 REQUIRED PARKING SPACE SIZE FOR PERSONS WITH PHYSICAL DISABILITIES. Where single spaces are provided, they shall be 14 feet wide and outlined to provide a 9-foot parking area and a 5-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one space is provided in lieu of providing a 14-foot wide space for each parking space, two spaces can be provided within a 23-foot wide area lined to provide a 9-foot parking area on each side of a 5-foot loading and unloading access aisle in the center. The minimum length of each parking space shall be 18 feet.

One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide minimum on the passenger side and shall be designated van accessible. All such spaces may be grouped on one level of a parking structure.

SEC. 10-2.730 LOCATION OF PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITIES. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

SEC. 10-2.740 ARRANGEMENT OF PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITIES. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. Also, the space shall be so located that persons with physical disabilities are not compelled to wheel or walk behind parked cars other than their own. Pedestrian ways which are accessible to people with physical disabilities shall be provided from each such parking space to related facilities, including curbs or ramps as needed. Ramps shall not encroach into any parking space.

Surface slopes of parking spaces for persons with physically disabilities shall be the minimum possible and shall not exceed ¼ inch per foot (2.083 percent gradient) in any direction.

SEC. 10-2.750 IDENTIFICATION OF PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITIES. Each parking space reserved for persons with physical disabilities

shall be identified by a reflectorized sign permanently posted immediately adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white on dark blue background. The sign shall not be smaller than 70 square inches in area and, when in path of travel, shall be posted at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade. Signs may also be centered on the wall at the interior end of the parking space at a minimum height of 36 inches from the parking space finished grade, ground or sidewalk. Van accessible spaces shall have an additional sign stating 'Van-Accessible' mounted below the symbol of accessibility.

An additional sign shall also be posted in a conspicuous place at each entrance to off-street parking facilities, or immediately adjacent to and visible from each stall or space. The sign shall not be less than 17 inches by 22 inches in size with lettering not less than 1 inch in height, which clearly and conspicuously states the following:

'Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.'

[Blank spaces are to be filled in with appropriate information as a permanent part of the sign.]

In addition to the above requirements, the surface of each accessible parking space or stall shall have a surface identification duplicating either of the following schemes:

- a. By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant, or
- b. By outlining a profile view of a wheelchair with occupant in white on blue background. The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36 inches high by 36 inches wide.

SEC. 10-2.760 DROP-OFF AND LOADING ZONES FOR PERSONS WITH PHYSICAL DISABILITIES. When provided, passenger drop-off and loading zones for persons with physical disabilities shall be located on accessible routes of travel. One passenger drop-off and loading zone shall provide an access aisle at least 5 feet wide and 20 feet long adjacent and parallel to the vehicle pull-up space. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 50 horizontal. If there are curbs between the access aisle and the vehicle pull-up space, a curb ramp shall be provided.

Valet parking facilities shall provide a passenger loading zone complying with drop-off and loading zone requirements and shall be located on an accessible route to the entrance of the facility.

SEC. 10-2.770 REQUIRED PARKING SPACES FOR PERSONS WITH PHYSICAL DISABILITIES IN MEDICAL CARE FACILITIES. At facilities providing medical care and other services for persons with mobility impairments, the minimum required number of accessible parking spaces for persons with physical disabilities shall be:

- a. Outpatient units and facilities: 10 percent of the total number of parking spaces

provided serving each such outpatient unit or facility.

- b. Units and facilities that specialize in treatment or services for persons with mobility impairments: 20 percent of the total number of parking spaces provided serving each such unit or facility.

DRAFT

ORDINANCE NO.

ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 10 OF
THE HAYWARD MUNICIPAL CODE AND ADOPTING
NEW REGULATIONS FOR THE NEIGHBORHOOD
COMMERCIAL RESIDENTIAL ZONING DISTRICT

*mtl
6/22/06*

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD
DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. This City Council incorporates by reference the findings contained in Resolution No. _____, approving the text changes requested in Zone Change Application PL-2006-0282TA, as related to the adoption of the South Hayward BART/Mission Boulevard Concept Design Plan.

Section 2. Upon the adoption of this ordinance, Article 1 of Chapter 10 of the Hayward Municipal Code, Sections 10-1.900 through 10-1.945, relating to the City's Neighborhood Commercial Residential Zoning District are hereby repealed and, in substitution thereof, new regulations for the City's Neighborhood Commercial Residential Zoning District are hereby enacted to read as set forth in Exhibit "A" incorporated herein by reference.

Section 3. Section 10-1.3510 of the City's Zoning Ordinance, relating to the definition for "Neighborhood Commercial - Residential District (CN-R)," is hereby repealed and, in substitution thereof, a new definition is hereby enacted to read as follows: "A land use zoning district with a mix of neighborhood serving businesses and residences along portions of certain arterials in order to provide options for housing with ready access to shops and transit. See Section 10-1.900."

Section 4. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 5. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of
Hayward, held the ___ day of _____, 2006, by Council Member_____.

ADOPTED at a regular meeting of the City Council of the City of Hayward,
held the _____ day of _____, 2006, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:
Mayor of the City of Hayward

DATE:

ATTEST:
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

SEC. 10-1.900 NEIGHBORHOOD COMMERCIAL-RESIDENTIAL DISTRICT (CN-R)

Sections:

- Section 10-1.905 Purpose.
- Section 10-1.910 Subdistricts.
- Section 10-1.915 Uses Permitted.
- Section 10-1.920 Conditionally Permitted Uses.
- Section 10-1.925 Lot Requirements.
- Section 10-1.930 Yard Requirements.
- Section 10-1.935 Height Limit.
- Section 10-1.940 Site Plan Review Required.
- Section 10-1.945 Minimum Design and Performance Standards.

SEC. 10-1.905 PURPOSE.

The CN-R District includes a mixture of neighborhood serving businesses and residences along portions of certain arterials in order to provide housing with ready access to shops and transit. The CN-R District encourages joint development of lots along arterials in order to minimize curb cuts and maximize architectural continuity. The CN-R District adjusts parking and open space requirements to reflect the characteristics of mixed-use development along arterials.

SEC. 10-1.910 SUBDISTRICTS.

SD1, SD2 and SD6 (See Section 10-1.2600).

SEC. 10-1.915 USES PERMITTED.

Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the CN-R District as primary uses:

- (1) **Administrative and Professional Offices/Services.**
 - (a) Accounting and financial offices. (Excluding check cashing store.)
 - (b) Architectural and engineering offices.
 - (c) Banks and financial institutions.
 - (d) Chiropractic or acupuncture office.
 - (e) Insurance and real estate offices.
 - (f) Law offices.
 - (g) Medical and dental offices.
 - (h) Travel and airline agency offices.

- (2) Automobile Related Uses.
None.

- (3) Personal Services.
 - (a) Barber or beauty shop.
 - (b) Dance studio.
 - (c) Dry cleaner/laundry.
 - (d) Martial arts studio.
 - (e) Music studio.
 - (f) Nail salon.
 - (g) Palm reading service.
 - (h) Photography studio.
 - (i) Physical fitness studio.
 - (j) Shoe repair shop.
 - (k) Tailor/seamstress shop.

- (4) Residential Uses.
Residential dwelling unit(s).

(Above first floor non-residential uses only;
required at 34.8 to 55.0 units per net acre
above ground-floor commercial uses in the
SD6 Special Design District)

- (5) Retail Commercial Uses.
 - (a) Antique store.
 - (b) Appliance store.
 - (c) Art and art supplies store.
 - (d) Bakery.
 - (e) Bicycle shop.
 - (f) Bookstore.
 - (g) Camera store.
 - (h) Card shop.
 - (i) Carpet/drapery store.
 - (j) Clothing store.
 - (k) Coffee/espresso shop.
 - (l) Delicatessen.
 - (m) Fabric store.
 - (n) Floral shop.
 - (o) Furniture store.
 - (p) Garden supplies store.
 - (q) Gift shop.
 - (r) Hardware store.
 - (s) Jewelry store.
 - (t) Locksmith shop.
 - (u) Music store.
 - (v) Nursery (plant).

- (w) Paint/wallpaper store.
- (x) Pet grooming shop.
- (y) Pet store.
- (z) Plumbing and heating store.
- (aa) Restaurant. (Where not abutting a residential district or property and no bar)
- (bb) Sporting goods store.
- (cc) Stationary store.
- (dd) Supermarket.
- (ee) Theater (Small Motion Picture or Live Performance only.)
- (ff) Thrift store.
- (gg) Toy store.
- (hh) Variety store.
- (ii) Video sales and rental store.

(6) Service Commercial Uses.

- (a) Copying or reproduction facility.
- (b) Mailing or facsimile service.
- (c) Reverse vending machine(s). (When located within a convenience zone)

(7) Other Uses.

- (a) Banquet hall. (Where not abutting a residential district or property and where no alcohol is served)
- (b) Christmas tree or pumpkin patch lot. (See General Regulations Section 10-1.2735d. for standards)
- (c) Day Care Center. (Less than 24-hour care for children or adults, 15 or more persons, excluding staff. See definitions.)
- (d) Educational facility. (Small, generally less than 2,000 sq. ft. design to augment the education)
- (e) Public agency facilities.

b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the CN-R District:

- (1) Accessory buildings and uses. (See Section 10.1.845a.-d.)
- (2) Garage sales. (4 per year per dwelling. See Section 10-1.2735e.)
- (3) Home Occupation. (See definitions)
- (4) Household pets.

SEC. 10-1.920 CONDITIONALLY PERMITTED USES.

a. **Administrative Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the CN-R District, subject to the approval of an administrative use permit:

- (1) **Administrative and Professional Offices/Services.**
Medical/Dental laboratory.
- (2) **Automobile Related Uses.**
Parking lot.
- (3) **Personal Services.**
Massage parlor. (When located within an established beauty or tanning salon)
- (4) **Residential Uses.**
Multiple-family dwellings with ground level units.
(Not allowed in the SD6 Special Design District.)
- (5) **Retail Commercial Uses.**
None.
- (6) **Service Commercial Uses.**
Restaurants. (When abutting residential district or use or containing a bar.)
- (7) **Other Uses.**
 - (a) Animal grooming service.
 - (b) Animal hospital.
 - (c) Convalescent hospital.
 - (d) Cultural facility.
 - (e) Educational facility.
 - (f) Home occupation - expanded.
 - (g) Recreational facility.
 - (h) Religious facility.
 - (i) Temporary use.

b. **Conditional Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the CN-R District subject to approval of a conditional use permit:

- (1) **Administrative and Professional Offices/Services.**
 - (a) Check cashing store.
 - (b) Payday loan facilities.

- (2) Automobile Related Uses.
None.
- (3) Personal Services.
 - (a) Massage parlor. (When not located within an established beauty or tanning salon)
 - (b) Tattoo parlor.
- (4) Residential Uses.
None.
- (5) Retail Commercial Uses. (See General Regulations Sections 10-1.2735b. for regulations of alcohol.)
 - (a) Bar, Cocktail lounge.
 - (b) Dance or night club.
 - (c) Liquor store.
 - (d) Theater, Large Motion Picture (See Section 10-1.1045 for special requirements; not allowed in the SD6 Special Design District.)
- (6) Service Commercial Uses.
None.
- (7) Other Uses.
None.

SEC. 10-1.925 LOT REQUIREMENTS.

- a. Minimum Lot Size: 10,000 square feet.
(20,000 square feet in the SD6 Special Design District.)
- b. Minimum Lot Area per Dwelling Unit:
 - (1) Lots with less than 80 feet of frontage and/or less than 20,000 square feet in area shall require a minimum of 2,500 square feet of lot area per dwelling unit.
 - (2) Lots with more than 80 feet of frontage and more than 20,000 square feet in area shall be allowed a minimum of 1,743 square feet of lot area per dwelling.
- c. Minimum Lot Frontage: 100 feet.
- d. Minimum Average Lot Width: 100 feet.
- e. Maximum Lot Coverage: 90 percent.
- f. Minimum Lot Depth: 80 feet.
- g. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.930 YARD REQUIREMENTS.

- a. Minimum Front Yard: 10 feet.
- b. Minimum Side Yard: None, except where entrances or windows face the side lot line, 10 feet shall be required.
- c. Minimum Side Street Yard: 10 feet.
- d. Minimum Rear Yard: 20 feet.
- e. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.935 HEIGHT LIMIT.

- a. Maximum Building Height: 40 feet.
(60 feet in the SD6 Special Design District.)
- b. Maximum Accessory Building Height: 14 feet and one story.
- c. Maximum Height for Fences/hedges/walls:
 - (1) Front and Side Street Yard 4 feet.
 - (2) Side and Rear Yard 6 feet.
(Also see Section 10-1.845k. for additional standards).
- d. Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.

SEC. 10-1.940 SITE PLAN REVIEW REQUIRED.

Site plan review approval is required before issuance of any building or construction permit or construction of a fence within this district only if the Planning Director determines that a project materially alters the appearance and character of the property or area or may be incompatible with City policies, standards, and guidelines.

SEC. 10-1.945 MINIMUM DESIGN AND PERFORMANCE STANDARDS.

The City recognizes that high-quality design of commercial and residential structures can contribute to a positive appearance of commercial districts and neighborhoods and improve the overall character of the community. This Section establishes design and performance standards that shall apply to the construction of residential and commercial buildings and certain commercial uses in the CN-R District, including but not limited to cultural, educational, religious

or recreational facilities.

Multiple-family dwelling.

For multiple-family dwellings, refer to the criteria and standards contained in the RM or RH Districts, Sections 10-1.400 and 10-1.500 respectively, whichever is most consistent with the General Plan and associated Neighborhood Plan.

Non-Residential Uses.

For commercial buildings and uses, including but not limited to cultural, educational, religious or recreational facilities, refer to the criteria and standards contained in the CN District, Section 10-1.800.

All non-residential uses are subject to the following requirements; provided, however, that exceptions from these requirements may be authorized by approval of a conditional use permit:

- (1) Offices shall be no larger than 2,000 square feet and no more than 2,000 square feet of office space may be contained in any building or group of buildings on a parcel or building site.
- (2) Operating hours shall not begin before 7:00 a.m. nor end after 10:00 p.m.

Mixed-Use Development.

Mixed-use development, which entails residential uses over ground floor non-residential uses, shall be subject to the following requirements:

- (3) Shall provide separate entrances, isolation of noise and smell generating activities, and other compatibility features shall be addressed.
- (4) Special attention shall be given to architectural and landscape continuity, vehicular access and attractive pedestrian orientation. Where at all possible, parking in front of the building shall be avoided.
- (5) A minimum of 150 square feet of usable open space per residential dwelling unit shall be provided.

In the SD6 Special Design District:

- (a) For at least 40% of the units in each development, a minimum of one hundred (100) square feet of usable private open space, consisting of a private yard, patio, porch, deck balcony or a combination of the above, shall be provided for each unit.
- (b) All developments shall provide a minimum fifteen percent (15%) of the lot area plus 100 square feet per unit for each unit that is not provided private open space as usable common open space for passive and active recreational uses. Usable open space areas shall not include public or private rights-of-way; vehicular parking area; areas adjacent

to or between structures less than fifteen (15) feet apart; required building setback areas; private patios or yards; or areas having a slope greater than 3:1. Usable open space can include roof decks (including roof deck above structured or podium parking) or interior group open space accessible to all residents in the development.

(c) All common opens space associated with developments shall have, at a minimum, a landscaped area of six hundred (600) square feet complete with two (2) benches. Additional amenities may include, but are not limited to, a swimming pool, spa, tot lot with play equipment, picnic shelter with barbecue area, court game facilities and indoor exercise facilities. The types of amenities shall be dependent upon the nature of development and shall be approved by the reviewing authority.

(6) Studio apartments shall be required to have only one covered off-street parking space per dwelling unit.

In the SD6 Special Design District, residential units are allowed a maximum of 1.5 spaces per studio or one-bedroom unit and 2.0 spaces for units with two or more bedrooms; non-residential uses are required to provide 1.0 space for each 315 square feet of non-residential gross floor area.

(7) For properties located along Mission Boulevard between Harder Road and Industrial Parkway, compliance with provisions in the SD6 Special Design District.

DRAFT

ORDINANCE NO. _____

me
6/27/06

ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 10 OF THE HAYWARD MUNICIPAL CODE AND CREATING THE STATION AREA RESIDENTIAL ZONING DISTRICT (SAR), THE MISSION BOULEVARD RESIDENTIAL ZONING DISTRICT (MBR) AND THE SOUTH HAYWARD BART/MISSION BOULEVARD SPECIAL DESIGN DISTRICT (SD-6)

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HAYWARD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. This City Council incorporates by reference the findings contained in Resolution No. _____, approving the text changes requested in Zone Change Application PL-2006-0282TA, as related to the adoption of the South Hayward BART/Mission Boulevard Concept Design Plan.

Section 2. Upon the adoption of this ordinance, Sections 10-1.550 through 10-1.595 of Article 1 of Chapter 10 of the Hayward Municipal Code, creating the Mission Boulevard Residential Zoning District (MBR), are hereby enacted to read as set forth in Exhibit "A" incorporated herein by reference.

Section 3. Upon the adoption of this ordinance, Sections 10-1.650 through 10-1.685 of Article 1 of Chapter 10 of the Hayward Municipal Code, creating the Station Area Residential Zoning District (SAR) are hereby enacted to read as set forth in Exhibit "B" incorporated herein by reference.

Section 4. Upon the adoption of this ordinance, Section 10-1.2635 of Article 1 of Chapter 10 of the Hayward Municipal Code, creating the South Hayward BART/Mission Boulevard Special design District (SD-6) is hereby enacted to read as set forth in Exhibit "C" incorporated herein by reference.

Section 5. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 6. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ___ day of _____, 2006, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the _____ day of _____, 2006, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

SEC. 10-1.550 MISSION BOULEVARD RESIDENTIAL DISTRICT (MBR)

Sections:

- Section 10-1.555 Purpose.
- Section 10-1.560 Subdistricts.
- Section 10-1.565 Uses Permitted.
- Section 10-1.570 Conditionally Permitted Uses.
- Section 10-1.575 Lot/Density Requirements.
- Section 10-1.580 Yard Requirements.
- Section 10-1.585 Height Limit.
- Section 10-1.590 Site Plan Review Required.
- Section 10-1.595 Minimum Design and Performance Standards.

SEC. 10-1.555 PURPOSE.

The MBR District encourages the development of multiple-family dwellings at high densities along Mission Boulevard, in order to provide opportunities for higher density housing near a major transit corridor.

SEC. 10-1.560 SUBDISTRICTS.

SD6 (See Section 10-1.2600).

SEC. 10-1.565 USES PERMITTED.

Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the MBR District as primary uses:

- (1) Residential Uses.
Multiple-family dwelling units. (at 34.8 to 55.0 units per net acre.)
- (2) Other Uses.
None.

b. **Secondary Uses.** The following uses are permitted as secondary or subordinate uses to the uses permitted in the SAR District:

- (1) Home Occupation. (See definitions)
- (2) Household pets.

SEC. 10-1.570 CONDITIONALLY PERMITTED USES.

- a. **Administrative Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the MBR District, subject to the approval of an administrative use permit:
- (1) **Administrative and Professional Offices/Services.**
None.
 - (2) **Other Uses.**
 - (a) Cultural facility.
 - (b) Day Care Center. (Less than 24-hour care for children, 15 or more, excluding staff. See definitions.)
 - (c) Educational facility. (Small, generally less than 2,000 sq. ft.)
 - (d) Public agency facilities.
 - (e) Recreational facility.
- b. **Conditional Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the SAR District subject to approval of a conditional use permit:
None.

SEC. 10-1.575 LOT/DENSITY REQUIREMENTS.

- a. Minimum Lot Size: 20,000 square feet.
- b. Required Density Range: 34.8 to 55.0 units per net acre.
- c. Minimum Lot Frontage: 100 feet.
- d. Minimum Average Lot Width: 100 feet.
- e. Maximum Lot Coverage: 90 percent.
- f. Minimum Lot Depth: 80 feet.
- g. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.580 SETBACK REQUIREMENTS.

- a. Minimum Setbacks along Public Streets: 44 feet adjacent to Mission Boulevard, which includes local access lane, in accordance with the SD6 Special Design District provisions; 20 feet adjacent to other existing public streets.

- b. Minimum Setbacks for Other Areas: 10 feet, or in accordance with the SD6 Special Design District provisions.
- c. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.585 HEIGHT LIMIT.

- a. Maximum Building Height: 55 feet.
- b. Maximum Accessory Building Height: 14 feet and one story.
- c. Maximum Height for Fences/hedges/walls:
 - (1) Front and Side Street Setback 4 feet.
 - (2) Side and Rear Setback 6 feet.
(Also see Section 10-1.845k. for additional standards).
- d. Special Height Requirements and Exceptions: See General Regulations Section 10-1.2730.

SEC. 10-1.590 SITE PLAN REVIEW REQUIRED.

Site plan review by the Planning Commission and approval by the City Council is required before issuance of any building or construction permit.

SEC. 10-1.595 MINIMUM DESIGN AND PERFORMANCE STANDARDS.

The City recognizes that high-quality design of residential structures can contribute to a positive appearance of neighborhoods and improve the overall character of the community. This section establishes design and performance standards that shall apply to the construction of multi-family dwellings and accessory buildings and uses allowed in the MBR District.

Refer to the criteria and standards contained in the SD6 Special Design District (10-1.2600) and the RH District (Section 10-1.500), and the following requirements:

Parking Ratios.

- (1) Residential units are allowed a maximum of 1.3 off-street parking space per studio or one-bedroom unit and a maximum of 1.5 spaces for units with two or more bedrooms

Open Space and Amenities.

- (2) (a) For at least 40% of the units in each development, a minimum of one hundred (100) square feet of usable private open space, consisting of a private yard, patio, porch, deck balcony or a combination of the above, shall be provided for each unit.

- (b) All developments shall provide a minimum fifteen percent (15%) of the lot area plus 100 square feet per unit for each unit that is not provided private open space as usable common open space for passive and active recreational uses. Usable open space areas shall not include public or private rights-of-way; vehicular parking area; areas adjacent to or between structures less than fifteen (15) feet apart; required building setback areas; private patios or yards; or areas having a slope greater than 3:1. Usable open space can include roof decks (including roof deck above structured or podium parking) or interior group open space accessible to all residents in the development.
- (c) All common opens space associated with developments shall have, at a minimum, a landscaped area of six hundred (600) square feet complete with two (2) benches. Additional amenities may include, but are not limited to, a swimming pool, spa, tot lot with play equipment, picnic shelter with barbecue area, court game facilities and indoor exercise facilities. The types of amenities shall be dependent upon the nature of development and shall be approved by the reviewing authority.

SEC. 10-1.650 STATION AREA RESIDENTIAL DISTRICT (SAR)

Sections:

- Section 10-1.655 Purpose.
- Section 10-1.660 Subdistricts.
- Section 10-1.665 Uses Permitted.
- Section 10-1.670 Conditionally Permitted Uses.
- Section 10-1.675 Lot/Density Requirements.
- Section 10-1.680 Yard Requirements.
- Section 10-1.685 Height Limit.
- Section 10-1.690 Site Plan Review Required.
- Section 10-1.695 Minimum Design and Performance Standards.

SEC. 10-1.655 PURPOSE.

The SAR District requires the development of multiple-family dwellings at high densities, along with neighborhood serving businesses and public facilities in proximity to the South Hayward BART Station, in order to provide opportunities for transit-oriented development with ready access to shops and transit.

SEC. 10-1.660 SUBDISTRICTS.

SD6 (See Section 10-1.2600).

SEC. 10-1.665 USES PERMITTED.

Primary Uses. The following uses, or uses determined to be similar by the Planning Director, are permitted in the SAR District as primary uses only on the ground floor of buildings:

- (1) Administrative and Professional Offices/Services.
 - (a) Banks and financial institutions.
 - (b) Chiropractic or acupuncture office.
 - (c) Medical and dental offices.

- (2) Automobile Related Uses.
 - Parking structure. (Can also be above ground floor, integrated into the design of buildings in accordance with SD6 Special Design District provisions.)

- (3) Personal Services.
 - (a) Barber or beauty shop.
 - (b) Dance studio.

- (c) Dry cleaner/laundry.
- (d) Martial arts studio.
- (e) Nail salon.
- (f) Physical fitness studio.
- (g) Shoe repair shop.
- (h) Tailor/seamstress shop.

(4) Residential Uses.

Multi-family dwelling units.

(Allowed on portions of ground-floor and required above ground-floor at 75.0 to 100.0 units per net acre.)

(5) Retail Commercial Uses.

- (a) Bakery.
- (b) Bookstore.
- (c) Camera store.
- (d) Card shop.
- (e) Coffee/espresso shop.
- (f) Delicatessen.
- (g) Floral shop.
- (h) Gift shop.
- (i) Jewelry store.
- (j) Music store.
- (k) Pet grooming shop.
- (l) Restaurant.
- (m) Stationary store.
- (n) Variety store.
- (o) Video sales and rental store.

(Without a bar.)

(6) Service Commercial Uses.

- (a) Mailing or facsimile service.

(7) Other Uses.

- (a) Day Care Center.

(Less than 24-hour care for children, 15 or more, excluding staff. See definitions.)

b. Secondary Uses. The following uses are permitted as secondary or subordinate uses to the uses permitted in the SAR District:

- (1) Home Occupation. (See definitions)
- (2) Household pets.

SEC. 10-1.670 CONDITIONALLY PERMITTED USES.

a. **Administrative Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the SAR District, subject to the approval of an administrative use permit:

- (1) Administrative and Professional Offices/Services.
Medical/Dental laboratory.
- (2) Automobile Related Uses.
None.
- (3) Personal Services.
None.
- (4) Residential Uses.
None.
- (5) Retail Commercial Uses.
None.
- (6) Service Commercial Uses.
Restaurants. (With a bar.)
- (7) Other Uses.
 - (a) Cultural facility.
 - (b) Educational facility. (Small, generally less than 2,000 sq. ft.)
 - (c) Public agency facilities.
 - (d) Recreational facility.

b. **Conditional Uses.** The following uses, or uses determined to be similar by Planning Director, are permitted in the SAR District subject to approval of a conditional use permit:

- (1) Administrative and Professional Offices/Services.
None.
- (2) Automobile Related Uses.
None.
- (3) Personal Services.
None.
- (4) Residential Uses.
None.

- (5) Retail Commercial Uses.
None.
- (6) Service Commercial Uses.
None.
- (7) Other Uses.
None.

SEC. 10-1.675 LOT/DENSITY REQUIREMENTS.

- a. Minimum Lot Size: 40,000 square feet.
- b. Required Density Range: 75.0 to 100.0 units per net acre.
- c. Minimum Lot Frontage: 200 feet.
- d. Minimum Average Lot Width: 200 feet.
- e. Maximum Lot Coverage: 90 percent.
- f. Minimum Lot Depth: 80 feet.
- g. Special Lot Requirements and Exceptions: See General Regulations Section 10-1.2720.

SEC. 10-1.680 SETBACK REQUIREMENTS.

- a. Minimum Setbacks along Public Streets/Areas: 20 feet along Dixon Street, 25 feet adjacent to bus transfer facility at the South Hayward BART Station, 10 feet (for ground-floor non-residential) or 16 feet (ground-floor residential) adjacent to Mission Boulevard, in accordance with the SD6 Special Design District provisions.
- b. Minimum Setbacks for Other Areas: 10 feet, or in accordance with the SD6 Special Design District provisions.
- c. Special Yard Requirements and Exceptions: See General Regulations Section 10-1.2725.

SEC. 10-1.685 HEIGHT LIMIT.

- a. Maximum Building Height: 60 feet, except that 80 feet could be allowed if the approving body determines compliance with the Minimum Design and Performance Standards (Sec. 10-1.695)
- b. Maximum Accessory Building Height: 14 feet and one story.
- c. Maximum Height for Fences/hedges/walls:
 - (1) Front and Side Street Setback 4 feet.
 - (2) Side and Rear Setback 6 feet.
(Also see Section 10-1.845k. for additional standards).
- d. Special Height Requirements: See Minimum Design and Performance Standards Section 10-1.695.

SEC. 10-1.690 SITE PLAN REVIEW REQUIRED.

Site plan review by the Planning Commission and approval by the City Council is required before issuance of any building or construction permit.

SEC. 10-1.695 MINIMUM DESIGN AND PERFORMANCE STANDARDS.

The City recognizes that high-quality design of commercial and residential structures can contribute to a positive appearance of commercial districts and neighborhoods and improve the overall character of the community. This section establishes design and performance standards that shall apply to the construction of buildings and uses in the SAR District.

Mixed-use development, which entails residential uses over ground-floor non-residential uses, shall be subject to the criteria and standards contained in the SD6 Special Design District (10-1.2600), the RH District (Section 10-1.500) for residential uses, the CN District (Section 10-1.800) for non-residential uses and the following requirements:

- (1) No more than 50% of the gross floor area of the ground floor and no more than 50% of the building frontage of ground-floor uses along Dixon Street, the South Hayward BART Station bus transfer area and Mission Boulevard shall be comprised of residential units.
- (2) For developments that would exceed 60 feet in height, the approving body must make the following findings:

- (a) The additional height makes a positive contribution to the overall character of the area and will be compatible with its surroundings in terms of site planning, scale, building design, color, exterior materials, roof styles, lighting, landscaping and signage.
- (b) The additional height will not result in unreasonable restrictions of light and air to adjacent properties or the public right-of-way, or otherwise be detrimental to the public health, safety and welfare.
- (c) The additional height will support other policies and standards of the South Hayward BART/Mission Boulevard Concept Design Plan and will result in a better overall project.

Parking Ratios.

- (3) Residential units are allowed a maximum of 1.0 off-street parking space per studio or one-bedroom unit and a maximum of 1.3 spaces for units with two or more bedrooms.

Non-residential uses are required to provide a minimum 1.0 space for each 315 square feet of non-residential gross floor area.

Open Space and Amenities.

- (4) (a) For at least 40% of the units in each development, a minimum of one hundred (100) square feet of usable private open space per unit, consisting of a private yard, patio, porch, deck balcony or a combination of the above, shall be provided for each unit.
- (b) All developments shall provide a minimum twenty percent (20%) of the lot area plus 100 square feet per unit for each unit that is not provided private open space as usable common open space for passive and active recreational uses. Usable open space areas shall not include public or private rights-of-way; vehicular parking area; areas adjacent to or between structures less than fifteen (15) feet apart; required building setback areas; private patios or yards; or areas having a slope greater than 3:1. Usable open space can include roof decks (including roof deck above structured or podium parking) or interior group open space accessible to all residents in the development.
- (c) All common opens space associated with developments shall have, at a minimum, a landscaped area of one-thousand (1,000) square feet complete with two (2) benches. Additional amenities may include, but are not limited to, a swimming pool, spa, tot lot with play equipment, picnic shelter with barbecue area, court game facilities and indoor exercise facilities. The types of amenities shall be dependent upon the nature of development and shall be approved by the reviewing authority.

**SEC. 10-1.2635 SOUTH HAYWARD BART/MISSION BOULEVARD
SPECIAL DESIGN DISTRICT (SD-6).**

The South Hayward BART/Mission Boulevard Special Design District includes the area encompassed in the South Hayward BART/Mission Boulevard Concept Design Plan. Consistent with the General Plan, the purpose of the South Hayward BART/Mission Boulevard Special Design District (SD-6) is to implement policies embodied in the South Hayward BART/Mission Boulevard Concept Design Plan. The Concept Design Plan envisions development of high density transit-oriented development along the Mission Boulevard transit corridor generally between Harder Road and Industrial Parkway, and a transit village with high density residential development with a variety of neighborhood-serving retail and public uses in proximity to the South Hayward BART Station. The following design requirements shall apply to the South Hayward BART/Mission Boulevard Special Design District (SD-6)

a. **Design Theme.**

The overall layout and design of development proposed within this district shall be consistent with Chapters 3 through 5 of the South Hayward BART/Mission Boulevard Concept Design Plan.

b. **Development Densities.**

Densities of new development shall be consistent with the applicable General Plan designations and shall further conform to the densities specified in Chapter 3 of the South Hayward BART/Mission Boulevard Concept Design Plan.

c. **Building Setbacks.**

The required minimum building setbacks for new ground-floor, commercial development along Mission Boulevard shall be 10 feet, or 16 feet for ground-floor residential development. For development on properties where an access lane is indicated in the Concept Design Plan, an additional minimum 28 foot setback is required to accommodate diagonal parking and the access lane.

The required minimum setback for new development along Dixon Street shall be 20 feet.

The required minimum setback for new development along the bus transfer area by the South Hayward BART Station shall be 25 feet.

For new buildings of four or more stories that abut existing one or two story residential uses or abut residential zoning districts that allow up to three stories of residential development, a minimum 10 foot landscaped area abutting such residential uses or zones is required.

Architectural features such as cornices, eaves, open porches, bay windows, and canopies may extend into the required front yard, in accordance with the Concept Design Plan.

d. **Parking**

Parking standards shall be in accordance with the Off-Street Parking Regulations, including the following:

the following:

SAR Zoning District:

- 1.0 space maximum per studio or one-bedroom unit
- 1.3 spaces maximum per dwelling units with two or more bedrooms
- 1.0 space for each 315 square feet of non-residential gross floor area

MBR Zoning District:

- 1.3 spaces maximum per studio or one-bedroom unit
- 1.5 spaces maximum per dwelling units with two or more bedrooms

CN-R Zoning District (between Harder Road and Industrial Parkway):

- 1.5 spaces maximum per studio or one-bedroom unit
- 2.0 spaces maximum per dwelling units with two or more bedrooms
- 1.0 space for each 315 square feet of non-residential gross floor area

e. **Parks and Open Space.**

Parks and other open space proposed within new developments shall be consistent with the South Hayward BART/Mission Boulevard Concept Design Plan.

For all developments in the Station Area Residential (SAR), Mission Boulevard Residential (MBR) and Neighborhood Commercial-Residential (CN-R) Zoning Districts, a minimum of one hundred (100) square feet of usable private open space is required for each unit for at least 40% of the units in each development, consisting of a private yard, patio, porch, deck, balcony or a combination of the above.

All developments in the Station Area Residential (SAR), Mission Boulevard Residential (MBR) and Neighborhood Commercial-Residential (CN-R) Zoning Districts shall provide a minimum twenty percent (20%) (for SAR) or fifteen percent (15%) (for MBR and CN-R) of the lot area, plus 100 square feet per unit for each unit that is not provided private open space, as usable common open space for passive and active recreational uses. Usable open space areas shall not include public or private rights-of-way; vehicular parking area; areas adjacent to or between structures less than fifteen (15) feet apart; required building setback areas; private patios or yards; or areas having a slope greater than 3:1. Usable open space can include roof decks (including roof deck above structured or podium parking) or interior group open space accessible to all residents in the development.

All common open space associated with developments in the Station Area Residential (SAR), Mission Boulevard Residential (MBR) and Neighborhood Commercial-Residential (CN-R) Zoning Districts shall have, at a minimum, a landscaped area of one-thousand (1,000) square feet (for SAR) or six hundred (600) square feet (for MBR and CN-R) complete with two (2) benches. Additional amenities may include, but are not limited to, a swimming pool, spa, tot lot with play equipment, picnic shelter with barbecue area, court game facilities and indoor exercise facilities. The types of amenities shall be dependent upon the nature of development and be approved by the reviewing authority.

f. **Circulation Improvements**

Circulation improvements, including provision of trails, within the district shall be consistent with Chapter 5 of the Mission Boulevard Concept Design Plan.

DRAFT
ORDINANCE NO. 06-

me
6/21/06

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTIES
LOCATED IN THE SOUTH HAYWARD BART/MISSION
BOULEVARD AREA PURSUANT TO ZONE CHANGE
APPLICATION PL-2006-0281ZC

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Reclassification.

Zone Change Application No. PL-2006-0281ZC concerns reclassification of multiple properties affected by the South Hayward BART/Mission Boulevard Concept Design Plan (the "Properties"), by rezoning such properties as set forth in Exhibit "A" attached hereto and made a part hereof.

The City Council has previously adopted Resolution No. _____, approving the text changes requested in Zone Change Application PL-2006-0282TA, as related to the adoption of the South Hayward BART/Mission Boulevard Concept Design Plan. Based on such findings and determinations, the City Council hereby approves the rezoning of the Properties as set forth in Exhibit "A".

In addition, the City Council also directs the Director of Community and Economic Development to amend the Zoning District Index Map on file with the Clerk and the Community and Economic Development Department in accordance with the reclassification approved by this Ordinance.

Section 2. Effective Date. In accordance with the provisions of section 620 of the City Charter, this ordinance shall become effective from and after the date of its adoption.

Section 3. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 2006, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward held the ____ day of _____, 2006, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
083025108400	CLOVER TRUST 1997-1	29874 MISSION BLVD	Limited Access Commercial	Neighborhood Commercial
083025108502	COMMUNICATION WORKERS OF AMERICA LOCAL 9412	29862 MISSION BLVD	Limited Access Commercial	Neighborhood Commercial
083025108504	STORAGE EQUITIES INC	29824 MISSION BLVD	Planned Development	Neighborhood Commercial
083025108604	HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA	29800 WOODLAND AVE	Limited Access Commercial	Neighborhood Commercial
083025108606	STORAGE EQUITIES INC	29824 MISSION BLVD	Planned Development	Neighborhood Commercial
083046000603	STATE OF CALIFORNIA	INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
452002000610	ART MONUMENT CO INC	MISSION BLVD	General Commercial	High Density Residential
452002000611	ART MONUMENT CO INC	26253 MISSION BLVD	General Commercial	High Density Residential
452002000706	ART MONUMENT CO INC	26295 MISSION BLVD	General Commercial	High Density Residential
452002000800	ROBERT & PATRICIA MATTOS	26359 MISSION BLVD	General Commercial	High Density Residential
452002001002	ALAMEDA COUNTY FLOOD CONTROL	MISSION BLVD	General Commercial	High Density Residential
452002001100	CITY OF HAYWARD	WHITMAN ST	General Commercial	High Density Residential
452003603003	MEM HOLDINGS LLC	MISSION BLVD	General Commercial	High Density Residential
452003603004	MEM HOLDINGS LLC	26699 MISSION BLVD	General Commercial	High Density Residential, Neighborhood Commercial/Residential
452005600902	HAYWARD UNIFIED SCHOOL DISTRICT	MISSION BLVD	Single Family Residential	Public Facilities
452006801300	IGNATIUS F & FLORENCE M ROBERTO	629 JEFFERSON ST	General Commercial	Neighborhood Commercial/Residential
452006801402	DANIEL B & NATIVIDAD F ROBERTO	27451 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452006801601	CASATICO PROPERTIES LLC	27467 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452006801700	JOHN J & MARIA D SANTOS	27511 MISSION BLVD	General Commercial	High Density Residential
452006801800	JOHN & MARIA SANTOS	27541 MISSION BLVD	General Commercial	High Density Residential
452006801900	JOHN J & MARIA D SANTOS	27575 MISSION BLVD	General Commercial	High Density Residential
452006802003	GORGONIO & JOSEFA RUEZGA	27651 MISSION BLVD	General Commercial	High Density Residential
452006802004	ALEXA BUDDE	27645 MISSION BLVD	General Commercial	High Density Residential
452006802200	ST JOSEPHS CENTER LLC	27703 MISSION BLVD	General Commercial	High Density Residential
452006802300	VISTA BAPTIST CH ALTA	27787 MISSION BLVD	General Commercial	High Density Residential
452006802403	CASATICO PROPERTIES LLC	27795 MISSION BLVD	General Commercial	High Density Residential
452006802405	HOWARD & IP K CHU	27915 MISSION BLVD	General Commercial	High Density Residential
452006802406	JAMES E & MARGUERITE RUEBLING	27823 MISSION BLVD	General Commercial	High Density Residential
452006803001	LARRY E & JOAN Q BEDROSIAN	27695 MISSION BLVD	Commercial General, Single Family Residential	High Density Residential, Single Family Residential
452006803101	CAROLINE BYERS	27580 E 12TH ST	Single Family Residential	High Density Residential, Single Family Residential
452006803402	JOHN & MARIA SANTOS	27550 E 12TH ST	Single Family Residential	High Density Residential, Single Family Residential
452006809503	HAYWARD UNIFIED SCHOOL DISTRICT	520 JEFFERSON ST	Medium Density Residential	Public Facilities
452006811100	YEAN T & LUCILLE G CHIN	27423 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452006811200	YEAN T & LUCILLE G CHIN	27369 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008003700	HAYWARD FULL GOSPEL TEMPLE INC	27931 MISSION BLVD	General Commercial	High Density Residential

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
452008003803	HAYWARD FULL GOSPEL TEMPLE INC	27955 MISSION BLVD	Commercial General, Single Family Residential	High Density Residential, Single Family Residential
452008003902	RONALD D & CAREY J DEININGER	28001 MISSION BLVD	General Commercial	High Density Residential
452008004200	OMID K MEHDAVL	28049 MISSION BLVD	General Commercial	High Density Residential
452008004302	HENRY S & PAULINE P CHIN	28075 MISSION BLVD	General Commercial	High Density Residential
452008004501	OMID K MEHDAVI	650 HANCOCK ST	Single Family Residential	High Density Residential, Single Family Residential
452008406902	SMITH MEMORIAL CHRISTIAN METH EPISCOPAL CHR UNITED	28105 MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407001	THOMAS V & BETTY J HANLON	28149 MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407200	FRANCISCO & ALICIA GUZMAN	28257 MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407300	AIMEE L WEST	MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407400	AIMEE L WEST	28285 MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407502	AIMEE L WEST	28293 MISSION BLVD	General Commercial	Mission Boulevard Residential
452008407602	AIMEE L WEST	28390 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008407700	AIMEE L WEST	28368 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008407800	AIMEE L WEST	28348 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008407900	CAROL A GARDNER	28320 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408000	KENNETH R & REBECCA A BROWN	28298 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408100	HERLINDA HURTADO	28276 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408200	OSVALDO E GONZALEZ	28240 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408300	MANUEL & YOLANDA RAMOS	28202 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408400	SMITH MEMORIAL CHRISTIAN METH EPISCOPAL CHR UNITED	28200 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408502	SMITH MEMORIAL CHRISTIAN METH EPISCOPAL CHR UNITED	28200 E 13TH ST	Single Family Residential	Mission Boulevard Residential
452008408602	AIMEE L WEST	28475 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008408700	AIMEE L WEST	28485 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008408800	AIMEE L WEST	28495 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008408900	AIMEE L WEST	28521 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008409000	PETER G & MARY P ANAST	28529 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
452008409505	TENNYSON INVESTMENTS LLC	650 TENNYSON RD	Neighborhood Commercial	Neighborhood Commercial/Residential
452008409600	AIMEE L WEST	28538 E 13TH ST	Commercial Office	Neighborhood Commercial/Residential
452008409700	AIMEE L WEST	28470 E 13TH ST	Single Family Residential	Neighborhood Commercial/Residential
452008409800	AIMEE L WEST	28458 E 13TH ST	Single Family Residential	Neighborhood Commercial/Residential
452008409902	EDUARDO PEREIRA	28406 E 13TH ST	Single Family Residential	Neighborhood Commercial/Residential
078C043500201	STATE OF CALIFORNIA	DIXON ST	Medium Density Residential	High Density Residential
078C043500302	CLIFFORD N FELCHLE	29495 DIXON ST	Medium Density Residential	High Density Residential
078C043500402	EASTSIDE DEVELOPMENT COMPANY LLC	29529 DIXON ST	Medium Density Residential	High Density Residential
078C043500502	COURTNEY H CLEMENTS	29571 DIXON ST	Medium Density Residential	High Density Residential
078C043500600	STATE OF CALIFORNIA	29599 DIXON ST	Medium Density Residential	High Density Residential
078C043600106	RAMAMOORTHY & MUNIANDY SARASVATHY RAJA	29633 DIXON ST	Medium Density Residential	High Density Residential
078C043600107	STATE OF CALIFORNIA	29629 DIXON ST	Medium Density Residential	High Density Residential

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
078C043600115	CLYDE L & BARBARA F NELSON	29615 DIXON ST	Medium Density Residential	High Density Residential
078C043600202	AZIZ & ABDUL T HOTAKY	29659 DIXON ST	Medium Density Residential	High Density Residential
078C043600302	MARIO C & MARIO MALDONADO	29667 DIXON ST	Medium Density Residential	High Density Residential
078C043600402	JESUS & MARIA MAGALLANES	29683 DIXON ST	Medium Density Residential	High Density Residential
078C043600502	JASBIR S & KAUR DALIJIT TAKHAR	29689 DIXON ST	Medium Density Residential	High Density Residential
078C043600602	DONALD L & DOROTHY S DICKINSON	29695 DIXON ST	Medium Density Residential	High Density Residential
078C043600803	ROSALIO & MARYJOY GUZMAN	29697 DIXON ST	Medium Density Residential	High Density Residential
078C043601003	STATE OF CALIFORNIA	INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043601004	FAMILY STATIONS INC	INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043611000	L C TRIBIT	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043611100	MANISHA HIRALAL	260 INDUSTRIAL PKWY 2	Medium Density Residential	High Density Residential
078C043611200	MARISA D SIMMONS	260 INDUSTRIAL PKWY 3	Medium Density Residential	High Density Residential
078C043611300	ARMIDA B MORALES	260 INDUSTRIAL PKWY 4	Medium Density Residential	High Density Residential
078C043611400	JANICE M JONES	260 INDUSTRIAL PKWY 5	Medium Density Residential	High Density Residential
078C043611500	BETTINA KOBLICK	260 INDUSTRIAL PKWY 6	Medium Density Residential	High Density Residential
078C043611600	MARIA V TOLENTINO	260 INDUSTRIAL PKWY 7	Medium Density Residential	High Density Residential
078C043611700	GUADALUPE AGUAYO	260 INDUSTRIAL PKWY 8	Medium Density Residential	High Density Residential
078C043611800	RAYMOND Y & FERNANDEZKWAN FELY KWAN	260 INDUSTRIAL PKWY 9	Medium Density Residential	High Density Residential
078C043611900	CELSE & YORIE ABUEG	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043612000	BYRON R & CHRISTINA DEADWILER	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043612100	MATTIE JENKINS	260 INDUSTRIAL PKWY 12	Medium Density Residential	High Density Residential
078C043612200	MARICELA MARTINEZ	260 INDUSTRIAL PKWY 13	Medium Density Residential	High Density Residential
078C043612300	JUAN RODRIGUEZ	260 INDUSTRIAL PKWY 14	Medium Density Residential	High Density Residential
078C043612400	FAYE E THOMPSON	260 INDUSTRIAL PKWY 15	Medium Density Residential	High Density Residential
078C043612500	DARREN & ANIKA ALBERT	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043612600	MEGAN B WILSON	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043612700	EUGENE ALBERT	260 INDUSTRIAL PKWY 18	Medium Density Residential	High Density Residential
078C043612800	DARRYL J RUTLEDGE	260 INDUSTRIAL PKWY 19	Medium Density Residential	High Density Residential
078C043612900	SCOTT HAYASHIDA	260 INDUSTRIAL PKWY 20	Medium Density Residential	High Density Residential
078C043613000	RANTI AKANDE	260 INDUSTRIAL PKWY 21	Medium Density Residential	High Density Residential
078C043613100	ENRIQUE & MARIA D ROMERO	260 INDUSTRIAL PKWY 22	Medium Density Residential	High Density Residential
078C043613200	DOROTHY BROOKS	260 INDUSTRIAL PKWY 23	Medium Density Residential	High Density Residential
078C043613300	DERRICK LEVINGSTON	260 INDUSTRIAL PKWY 24	Medium Density Residential	High Density Residential
078C043613400	GUADALUPE AGUAYO	260 INDUSTRIAL PKWY 25	Medium Density Residential	High Density Residential
078C043613500	ELEA LUIS	260 INDUSTRIAL PKWY 26	Medium Density Residential	High Density Residential
078C043613600	DAN HONG	260 INDUSTRIAL PKWY 27	Medium Density Residential	High Density Residential
078C043613700	DELIA B & DAVID A BUGAY	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043613800	STEVEN L HALL	260 INDUSTRIAL PKWY 29	Medium Density Residential	High Density Residential
078C043613900	ENGELIN DELROSARIO	260 INDUSTRIAL PKWY 30	Medium Density Residential	High Density Residential
078C043614000	BRIAN OLEARY	260 INDUSTRIAL PKWY 31	Medium Density Residential	High Density Residential
078C043614100	JAFFE DANIA	260 INDUSTRIAL PKWY 32	Medium Density Residential	High Density Residential
078C043614200	GABRIEL FIGUEROA	260 INDUSTRIAL PKWY 33	Medium Density Residential	High Density Residential
078C043614300	MARIA E & ROBIN S DOMINGO	260 INDUSTRIAL PKWY 34	Medium Density Residential	High Density Residential

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
078C043614400	SHELBY THOMAS	260 INDUSTRIAL PKWY 35	Medium Density Residential	High Density Residential
078C043614500	JOHNVILLE ACOSTA	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043614600	LUALHATI LUALHATI	260 INDUSTRIAL PKWY 37	Medium Density Residential	High Density Residential
078C043614700	MARIA A TORO	260 INDUSTRIAL PKWY 38	Medium Density Residential	High Density Residential
078C043614800	LAKISHA M WASHINGTON	260 INDUSTRIAL PKWY 39	Medium Density Residential	High Density Residential
078C043614900	CHUWCHIN CHANG	260 INDUSTRIAL PKWY 40	Medium Density Residential	High Density Residential
078C043615000	MARIA N TORRES	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043615100	HENRY O & SAUL OCHOA	260 INDUSTRIAL PKWY 42	Medium Density Residential	High Density Residential
078C043615200	GRUMK S MAUDE	260 INDUSTRIAL PKWY 43	Medium Density Residential	High Density Residential
078C043615300	SCOTT M MCMURRAY	260 INDUSTRIAL PKWY 44	Medium Density Residential	High Density Residential
078C043615400	PRISCILA MONCADA	260 INDUSTRIAL PKWY 45	Medium Density Residential	High Density Residential
078C043615500	JOSEPH N CHAO	260 INDUSTRIAL PKWY 46	Medium Density Residential	High Density Residential
078C043615600	ROSA Z GUTIERREZ	260 INDUSTRIAL PKWY 47	Medium Density Residential	High Density Residential
078C043615700	CHRISTOPHER C OKPARA	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043615800	260 INDUSTRIAL PARKWAY LLC	260 INDUSTRIAL PKWY	Medium Density Residential	High Density Residential
078C043800500	STATE OF CALIFORNIA	381 VALLE VISTA AVE	High Density Residential	Open Space
078C043800600	STATE OF CALIFORNIA	29213 MISSION BLVD	Neighborhood Commercial	Open Space
078C043800700	CITY OF HAYWARD	29263 MISSION BLVD	Neighborhood Commercial	Open Space
078C043800800	STATE OF CALIFORNIA	MISSION BLVD	Neighborhood Commercial	Open Space
078C043800900	STATE OF CALIFORNIA	29335 MISSION BLVD	Neighborhood Commercial	Open Space
078C043801000	STATE OF CALIFORNIA	29339 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801101	STATE OF CALIFORNIA	MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801102	CONSTRUCTION & GENERAL LABORERS LOCAL NO 304	29459 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801200	CONSTRUCTION & GENERAL LABORERS LOCAL NO 304	29479 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801306	STATE OF CALIFORNIA	29497 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801400	STATE OF CALIFORNIA	29547 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801501	STATE CALIFORNIA	29553 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C043801502	NORBERT J & EDNA A BROWN	29553 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C044100116	LARRY R & KAREN L DUKE	28901 MISSION BLVD	General Commercial	Station Area Residential
078C044100117	LARRY R & KAREN L DUKE	28937 MISSION BLVD	General Commercial	Station Area Residential
078C044100123	STATE OF CALIFORNIA	MISSION BLVD	Neighborhood Commercial	Station Area Residential
078C044100124	STATE OF CALIFORNIA	MISSION BLVD	High Density Residential	Station Area Residential

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
078C044100128	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	TENNYSON RD	High Density Residential	Station Area Residential
078C044100129	SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT	DIXON ST	Agriculture, High Density Residential	Station Area Residential, Public Facilities
078C044700201	ALI A ADIBNAZARI	29097 MISSION BLVD	Limited Access Commercial	Neighborhood Commercial
078C044700202	STAHL ROBERT & VIRGINIA M PARTNERSHIP	29083 MISSION BLVD	Limited Access Commercial	Neighborhood Commercial
078C044700301	STATE OF CALIFORNIA	29115 MISSION BLVD	Limited Access Commercial	Neighborhood Commercial
078C044700602	STATE OF CALIFORNIA	380 VALLE VISTA AVE	High Density Residential	Neighborhood Commercial
078C044700706	AMREEK KAUR	378 VALLE VISTA AVE	High Density Residential	Neighborhood Commercial
078C045000102	WAI D & WAI C HOM	29583 MISSION BLVD	Neighborhood Commercial	Mission Boulevard Residential
078C045000308	BROWN PROPERTIES LLC	29671 MISSION BLVD	Neighborhood Commercial	Neighborhood Commercial/Residential
078C045000803	KIM H & MAI CHI BUI	422 INDUSTRIAL PKWY	Neighborhood Commercial	Neighborhood Commercial/Residential
078C045500103	E & E PESTANA	29272 MISSION BLVD	Neighborhood Commercial	High Density Residential
078C045500104	LIVERMORE ACRES INC	29212 MISSION BLVD	General Commercial, Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500105	CARL L & CARLA G FULLER	648 OVERHILL DR	Neighborhood Commercial	High Density Residential
078C045500107	STATE OF CALIFORNIA	29290 MISSION BLVD	Neighborhood Commercial	High Density Residential
078C045500108	CARL L & CARLA G FULLER	29312 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500200	JAMES & PATRICIA MALERICH	29338 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500300	STATE OF CALIFORNIA	29350 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500400	STATE OF CALIFORNIA	29362 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500501	TERESA SILVA	29390 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500502	STATE OF CALIFORNIA	29380 MISSION BLVD	Single Family Residential (RSB10)	High Density Residential
078C045500704	CASATICO PROPERTIES LLC	29444 MISSION BLVD	Neighborhood Commercial	High Density Residential
078C045500706	GONZALO CASTANEDA	627 GREELEY CT	Single Family Residential (RSB10)	High Density Residential
078C045500713	PHILIP E BENHAM	643 GREELEY CT	Single Family Residential (RSB10)	High Density Residential
078C045500714	LINDA P & NORMAN J BENHAM	635 GREELEY CT	Single Family Residential (RSB10)	High Density Residential
078C045500715	DHARAM P & VIJAY SALWAN	619 GREELEY CT	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500716	MANGAT SS	GREELEY CT	Neighborhood Commercial	High Density Residential
078C045500806	JOSE DECASAS	657 OVERHILL DR	Single Family Residential (RSB10)	High Density Residential
078C045500811	ROSEMARIE A SHANNON	29498 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C045500812	CITY OF HAYWARD	MISSION BLVD	Single Family Residential (RSB10)	High Density Residential
078C045500813	NICHIREN BUDDHIST INTERNATIONAL CENTER	29490 MISSION BLVD	Neighborhood Commercial, Single Family Residential (RSB10)	High Density Residential
078C046100700	UNITED FOOD & COMMERCIAL WORKERS UNION LOCAL 870	28870 MISSION BLVD	General Commercial	High Density Residential

SOUTH HAYWARD BART/MISSION BOULEVARD CONCEPT DESIGN PLAN PROJECT: PARCELS FOR WHICH ZONING WILL CHANGE

APN	Owner Name	Parcel Address	Existing Zoning	Proposed Zoning
078C046100901	ERNEST E & IRENE F PESTANA	28900 MISSION BLVD	General Commercial, High Density Residential	High Density Residential
078C062600120	RONALD F & ANNIE I MEINTS	28168 MISSION BLVD	General Commercial	High Density Residential
078C062600204	RONALD F & ANNIE I MEINTS	28244 MISSION BLVD	General Commercial	High Density Residential
078C062600601	SHAIQ MOINA & SAMAH CONSTRUCTION INC	28000 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
078C062600703	MISSION PARADISE DEVELOPMENT LLC	28030 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
078C062600901	MISSION PARADISE DEVELOPMENT LLC	28090 MISSION BLVD	General Commercial	Neighborhood Commercial/Residential
078C063701102	VSHA NEVADA LLC	27826 MISSION BLVD	General Commercial	High Density Residential
078C063701301	LARRY E & RENA A WEED	27820 MISSION BLVD	General Commercial	High Density Residential
078C063701400	WASSIM M AZIZI	737 DOUGLAS ST	General Commercial	High Density Residential
078C063701500	WASSIM M AZIZI	DOUGLAS ST	Single Family Residential	High Density Residential
078C063800501	WASSIM AZIZI	DOUGLAS ST	General Commercial	High Density Residential
078C063800701	BARTON & LAVON RINGSTROM	27702 MISSION BLVD	General Commercial	High Density Residential
078C063800900	KATHLEEN F MILLS	727 BROADWAY ST	General Commercial	High Density Residential
078C064400500	JAYWANT & PRANITA SINGH	744 BROADWAY ST	General Commercial	High Density Residential
078C064400600	RAUL M SALAZAR	720 BROADWAY ST	General Commercial	High Density Residential
078C064400700	RAYMUNDO F & MANUELA B REYES	27690 MISSION BLVD	General Commercial	High Density Residential
078C064400800	RAYMUNDO F & MANUELA B REYES	27654 MISSION BLVD	General Commercial	High Density Residential
078C064400900	HARPREET SINGH	27630 MISSION BLVD	General Commercial	High Density Residential
078C064401000	HARPREET SINGH	KELLOGG AVE	General Commercial	High Density Residential
078C064401100	HARPREET SINGH	KELLOGG AVE	General Commercial	High Density Residential
078C064500500	FRANCISCO & CARMEN MAGALLON	740 KELLOGG AVE	General Commercial	High Density Residential
078C064501303	CASATICO PROPERTIES LLC	27572 MISSION BLVD	General Commercial	High Density Residential
078C064501400	CLARENCE G & BETTY D SCOTT	739 CALHOUN ST	General Commercial	High Density Residential
078G265100800	STATE OF CALIFORNIA	29875 MISSION BLVD	Neighborhood Commercial	General Commercial
078G265100902	GAR CORPORATION	29705 MISSION BLVD	Neighborhood Commercial	General Commercial
078G265101003	EDWIN SOMMER LLC	29851 MISSION BLVD	Neighborhood Commercial	General Commercial
078G265101102	EDWIN SOMMER LLC	411 INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial
078G265101201	MACDONALD & SOMMER PARTNERSHIP	INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial
078G265101203	MACDONALD & SOMMER PARTNERSHIP	INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial
078G265101207	MACDONALD & SOMMER PARTNERSHIP	395 INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial
078G265101300	JEROME & MARINA KAIDOR	339 INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial
078G265101400	MONA WU	375 INDUSTRIAL PKWY	Neighborhood Commercial	General Commercial