



CITY OF
HAYWARD
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DATE: December 2, 2008
TO: Mayor and City Council
FROM: Deputy City Clerk
SUBJECT: Adoption of an Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Property in Connection with Zone Change Application No. PL-2008-0346 Relating to the Residual Burbank School Site

RECOMMENDATION

It is recommended that the City Council adopts the attached Ordinance.

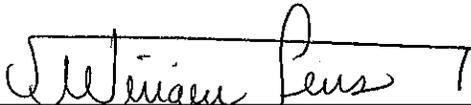
BACKGROUND

The ordinance was introduced by Council Member Dowling at the November 25, 2008, meeting of the City Council with the following vote:

AYES:	Council Members:	Zerneffo, Quirk, Halliday, May, Dowling, Henson
	Mayor:	Sweeney
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

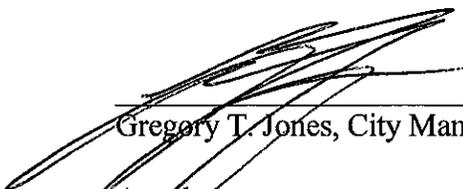
The ordinance was published in the Hayward Daily Review on Saturday, November 29, 2008. Adoption at this time is therefore appropriate.

Recommended by:



Miriam Lens, Deputy City Clerk

Approved by:



Gregory T. Jones, City Manager

Attachment:
Draft Ordinance

PUBLIC NOTICE FOR AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN PROPERTY IN CONNECTION WITH ZONE CHANGE APPLICATION NO. PL-2008-0346 RELATING TO THE RESIDUAL BURBANK SCHOOL SITE

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

Section 1 Rezoning:

Article 1 of Chapter 10 of the Hayward Municipal Code is hereby amended to rezone the Residual Burbank School Site (a portion of APN 431-0024-001), located on the western half of the block bounded by B Street on the north, Myrtle Street on the east, C Street on the south and the Filbert Street extension on the west, from Public Facilities District to Medium Density Residential District.

Section 2 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 excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 3 Effective Date:

This ordinance shall become effective immediately upon adoption.

Introduced at a meeting of the Hayward City Council held November 25, 2008, the above-entitled ordinance was introduced by Council Member Dowling.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on December 2, 2008, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

DATED: November 29, 2008

Angelina Reyes, City Clerk
City of Hayward