



**DATE:** January 27, 2009  
**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-2007-0594

**RECOMMENDATION**

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

**BACKGROUND**

The ordinance was introduced by Council Member Quirk at the January 20, 2009, meeting of the City Council with the following vote:

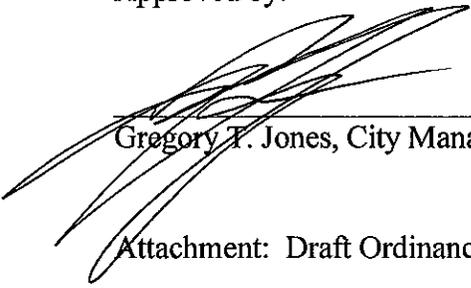
AYES:	Council Members:	Zermefio, Quirk, May, Dowling
	Mayor:	Sweeney
NOES:	Council Members:	Halliday
ABSENT:	Council Members:	Henson
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on Saturday, January 24, 2009. 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 OF 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-2007-0594

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 parcel located at 1944 B Street on the northwest corner of Pearl Avenue and B Street from Commercial Office (CO) District to Planned Development (PD) 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 January 20, 2009, the above-entitled ordinance was introduced by Council Member Quirk with the following vote:

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

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on January 27, 2009, at 8:00 p.m., in the Council Chamber, 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: January 24, 2009

Miriam Lens, Deputy City Clerk  
City of Hayward