CITY OF HAYWARD AGENDA REPORT

AGENDA DATE February 17, 1998

AGENDA ITEM

WORK SESSION ITEM WS #2

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: **DRAFT HAYWARD HIGHLANDS NEIGHBORHOOD PLAN**

RECOMMENDATION:

Review the Draft Neighborhood Plan and indicate if additional information or clarification is desired prior to the City Council public hearing on February 24, 1998.

BACKGROUND/DISCUSSION:

The attached Draft Neighborhood Plan refines the existing General Policies Plan in the Hayward Highlands neighborhood. The Hayward Highlands Neighborhood Task Force finished its work on the Draft Neighborhood Plan on January 7, 1998 and the plan is now before the Commission for its consideration. The draft Neighborhood Plan contains recommendations for General Policies Plan Map changes [GPA 98-110-01] and rezonings [ZC 98-190-02] which reflect recommended land use policies.

The Neighborhood Planning Program was initiated by the City Council in 1986 after completion of a comprehensive revision to the General Policies Plan. The Neighborhood Planning Program is intended to refine the recommendations of the General Policies Plan with more detailed consideration of each area and more specific recommendations for public improvements and for residential and commercial development. Sixteen neighborhood areas were delineated for study; the Hayward Highlands Neighborhood Plan is the final plan in this program.

The Hayward Highlands planning process began March 19, 1997 with a neighborhood meeting to explain the planning process, identify local issues and concerns, and solicit applications for a citizens task force. The Hayward Highlands Task Force was appointed by the City Council in May of 1997. The Task Force carefully reviewed those issues and concerns expressed by area residents at the initial neighborhood meeting and at subsequent Task Force meetings during the period from May through October 1997. At a second neighborhood meeting on October 22, the Task Force presented various alternatives to address these issues and asked residents to indicate relative priorities for each strategy. After evaluation of the responses received at the meeting, the Task Force modified some alternatives and eliminated others from further consideration. Remaining strategies have been further refined by the Task Force discussions since that time.

The Task Force presented its recommendations to interested residents, merchants and property owners at the final neighborhood meeting on December 10, 1997. Because of concerns expressed by residents, the Task Force decided to revisit certain issues. The Hayward Highlands Task Force reconvened on January 7, 1998, to reconsider the Policies and Strategies that were presented at the December 10, 1997 Neighborhood Meeting. At this January meeting, the Task Force discussed and made some changes to the Policies and Strategies in response to concerns expressed at the final Neighborhood Meeting.

On January 20, 1998, the City Council acknowledged receipt of the Draft Neighborhood Plan as submitted by the Task Force and referred it to the Planning Commission for public hearing and recommendation. The Commission is scheduled to hold its public hearing on February 19, 1998. The City Council is scheduled to hold its public hearing on the Draft Neighborhood Plan on February 24, 1998.

The Policies and Strategies section (color pages) of the Draft Plan contain the recommendations of the Task Force. The Planning Considerations section (white pages) contains background information and analysis of the identified issues.

Primary Issues and Concerns

Major issues identified by the neighborhood and addressed by the Task Force include maintaining the character of individual neighborhood subareas, recommending appropriate residential densities and housing types along Hayward Boulevard, enhancing the existing trail system in the Hayward Highlands, and developing more specific guidelines for the keeping of livestock in the area. There are several other concerns related to traffic safety which have been addressed by the Task Force.

City staff has reviewed the recommendations contained in the draft Hayward Highlands Neighborhood Plan and has made the Task Force aware of staff concerns regarding the recommendations. The following is a summary of staff concerns with the Policies and Strategies. Staff has suggested changes which are shown in redline. Deletions are shown in ~~strikeout~~.

POLICIES AND STRATEGIES

Land Use

Task Force Recommendation (page 5):

Strategy 1.1.a Reduce the density from HIGH DENSITY (17.4 - 34.8 units per net acre) to LIMITED MEDIUM DENSITY (8.7 -12.0 units per net acre) and change the zoning from RH to RSB4 (single family detached housing with a minimum parcel size of 4,000 square feet) on those properties with additional development potential fronting Hayward

Boulevard. Retain the HIGH DENSITY designation on properties which have already been developed with high density housing.

Staff Recommendation:

Strategy 1.1a Reduce the density from HIGH DENSITY (17.4 - 34.8 units per net acre) to MEDIUM DENSITY (8.7 -17.0 units per net acre) and change the zoning from RH to RSB6 (single family detached housing with a minimum parcel size of 6,000 square feet) on those properties with additional development potential fronting Hayward Boulevard. However, in order to achieve the best site design possible, development applications are encouraged to be processed through the PD (Planned Development) District in order to allow either single-family detached or single-family attached development. Retain the HIGH DENSITY designation on properties which have already been developed with ~~high density~~ multiple-family housing.

Staff Rationale:

The General Policies Plan encourages higher density development to be located next to arterials and activity centers. Staff has gathered information on the actual densities of existing multiple family development along Hayward Boulevard. Of the 12 multiple family developments reviewed, five are within the HIGH DENSITY range; four are within the MEDIUM DENSITY range; and three are within the LOW DENSITY range. Based on this information and a review of physical characteristics of parcels along Hayward Boulevard, it would appear that clustered housing development along Hayward Boulevard, within the MEDIUM DENSITY (8.7 -17.0 units per net acre) range is the most appropriate land use.

The RSB6 Zoning District is categorized as "potentially consistent" with the Medium Density Residential land use category according to the General Plan/Zoning Consistency Matrix. Irrespective of the zoning district applied at this time, staff believes that clustered housing developments, processed through the PD (Planned Development) District, is the most appropriate way to approach new development on the steep hillside along Hayward Boulevard. Although the Task Force favors single-family detached housing, the standard residential subdivision in this location may not be the most appropriate type of development. Rather, a PD approach accommodating clustered housing (either single-family detached units or single-family attached townhomes) appears to be a better approach since a PD development would allow the most flexibility in the siting of building footprints and internal streets to avoid inappropriate areas for development.

Task Force Recommendation (page 5):

Strategy 1.1b: Change the area, which is presently designated Low Density (4.3 to 8.7 units per net acre) between Parkside Drive and Hayward Boulevard, to Suburban Density (1.0 to 4.3 units per net acre) and change the zoning to be consistent with the General Policies Plan.

Staff Recommendation:

Staff recommends that the Council consider the following revised strategy in order to maintain the spirit of the Task Force recommendation and residents' desire for lower density in this part of the Old Highlands:

Revised Strategy 1.1b:

Strategy 1.1 b. Retain the existing LOW DENSITY (4.3 - 8.7 units/net acre) designation in the Old Highlands between Parkside Drive and Hayward Boulevard and rezone all parcels which are 10,000 square feet or greater, to the RS B10 zoning district.

Staff Concerns:

Staff has a concern regarding the proposed change to the Suburban Density land use designation and associated rezoning to the RSB10 (10,000 square feet parcel minimums) zoning district. In addition to reducing further development potential within the Old Highlands area by requiring larger minimum parcel sizes, these proposals may have the effect of creating additional legal, non-conforming parcels. Although staff is not opposed to the proposed reduction in density in the Old Highlands area, there exist regulations in the Hayward Zoning Ordinance and state Subdivision Map Act which affect legal non-conforming parcels and which need to be clarified now for city decision makers and affected property owners.

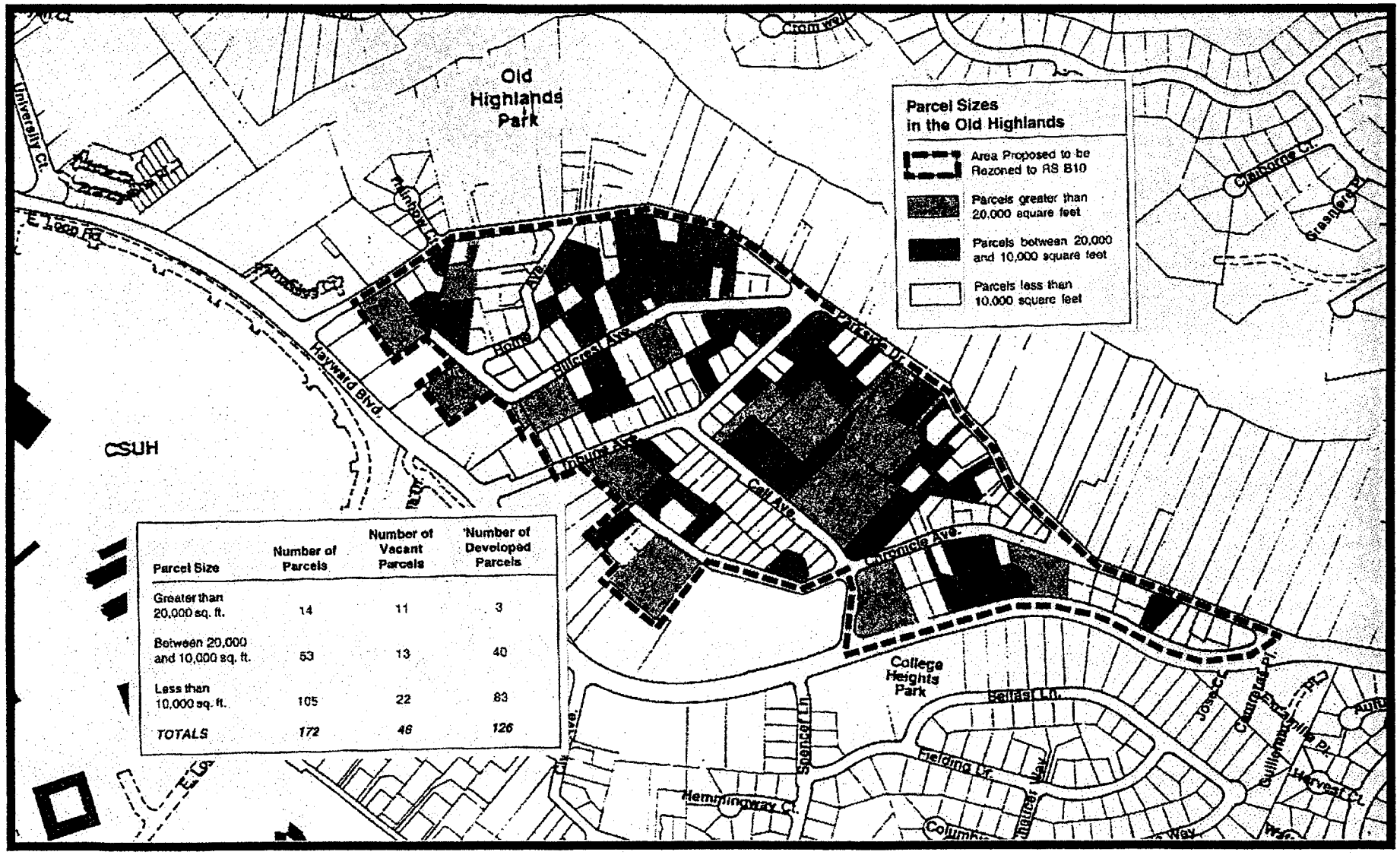
Parcel Sizes in the Old Highlands - Map A shows parcels by size in the Old Highlands area proposed for reduced density. The map legend provides a breakdown of the number of parcels within each category: a) parcels under 10,000 square feet; b) parcels between 10,000 and 20,000 square feet; and c) parcels greater than 20,000 square feet. Under the existing zoning, parcels greater than 10,000 square feet could potentially be further subdivided, whereas under the proposed zoning, only parcels greater than 20,000 square feet could potentially be further subdivided.

Hayward Zoning Ordinance Regulations and Subdivision Map Act - The Zoning Ordinance contains regulations (§10-1.503 LOT REQUIREMENTS) regarding the treatment of legal non-conforming parcels that could affect the ability to construct or rebuild structures. The area in the Old Highlands which is proposed for General Plan and zone changes is presently designated in the General Plan as LOW DENSITY and zoned RS (Single Family Residential) and contains parcels as small as 5,000 square feet.

Under the proposed rezoning to a minimum parcel size of 10,000 square feet, legal non-conforming parcels less than 80 percent of the minimum parcel size (8,000 sf) which are not adjacent to a parcel under the same ownership, would be considered buildable lots. However, if a legal, non-conforming parcel is less than 80% of the minimum parcel size and "there was land abutting the parcel under the same ownership on the date the lot became substandard," then that lot is considered unbuildable. This standard would apply to parcels that are either vacant ***or*** developed. Consequently, properties containing a house which might later be damaged more than 50 percent would not be allowed to rebuild.

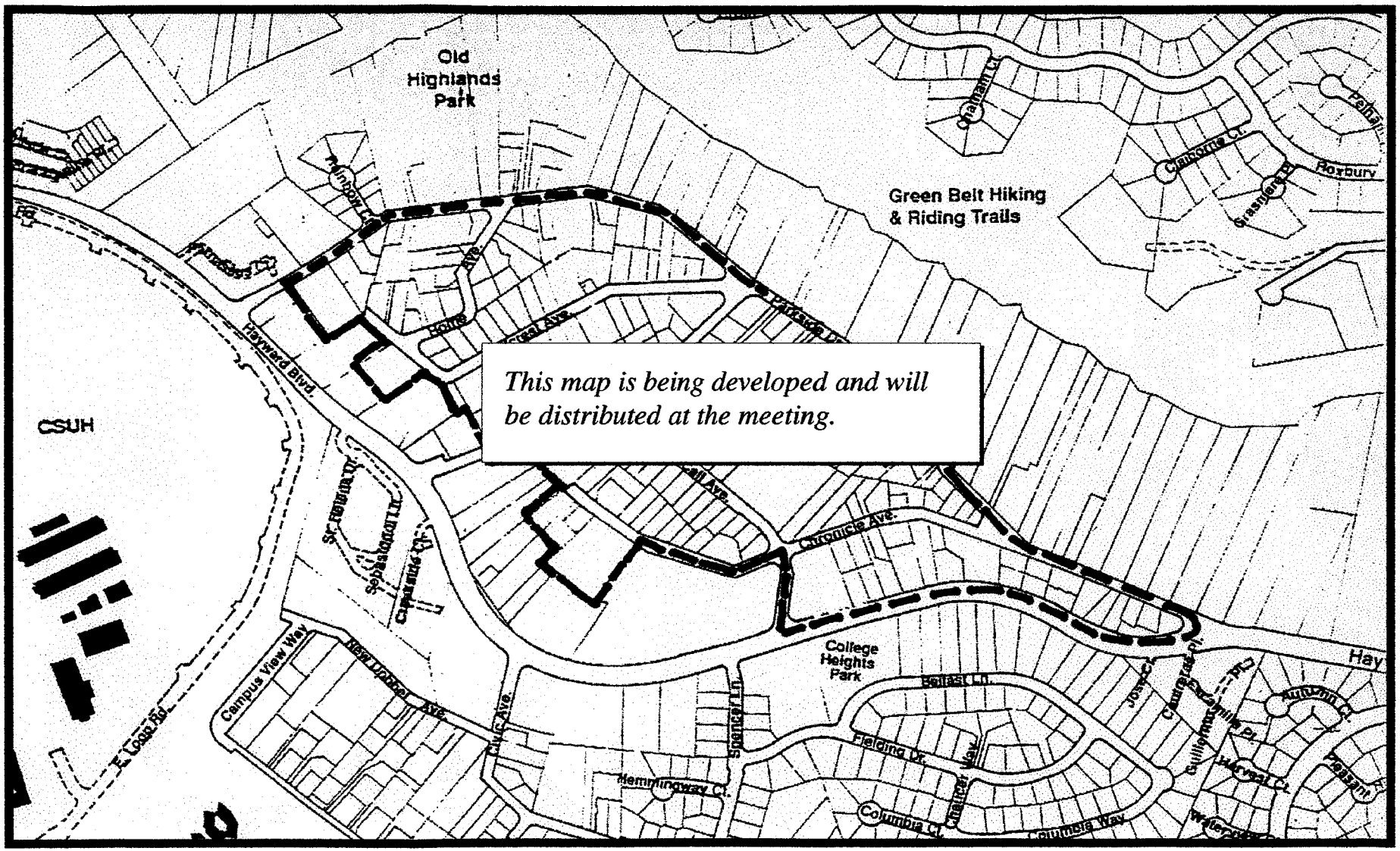
Under the Subdivision Map Act (§ 66451.11), the City has the ability, in a few circumstances, to merge vacant, legal nonconforming parcels if an adjacent parcel is under the same ownership, although this has not been done in the past. However, if the parcels are not merged, the legal non-conforming parcel becomes an unbuildable lot.

Map B shows parcels that are less than 8,000 square feet (either developed or vacant) and are adjacent to properties under the same ownership. These parcels would be considered unbuildable regardless if the parcel is vacant or not. The concern regarding developed parcels is that a home could not be rebuilt if 50 percent or more of the structure is damaged.



Parcel Size	Number of Parcels	Number of Vacant Parcels	Number of Developed Parcels
Greater than 20,000 sq. ft.	14	11	3
Between 20,000 and 10,000 sq. ft.	53	13	40
Less than 10,000 sq. ft.	105	22	83
TOTALS	*172*	*46*	*126*

Map A - Parcel Sizes in the Old Highlands



This map is being developed and will be distributed at the meeting.

Map B - Parcels less than 8,000 sq. ft.with a Contiguous Parcel under the Same Ownership

Task Force Recommendation (page 5):

Strategy 1.2: Adopt the proposed *Interface Zoning Ordinance for Hayward Boulevard* to apply to potential conflicts between multiple family development along Hayward Boulevard and adjacent single family residences.

Staff Recommendation:

Staff recommends that Strategy 1.2 ***be deleted*** as the proposed setbacks and height limits are more restrictive than the RS zone.

Staff Rationale:

In some cases, application of the proposed regulations could make some of the properties along Hayward Boulevard unbuildable. If the land use policy for single family housing remains, staff sees no need to provide buffers between existing single family homes and new single family homes.

If multiple family development potential still exists after the Neighborhood Plan is adopted, staff suggests that the strategy be deleted because the Hillside Design Guidelines could address the general concerns about potential conflicts between multiple family development and single family homes.

Neighborhood Character

Task Force Recommendation (page 9):

Strategy 2.2: Residential development in the hill area should be placed on slopes under 25 percent to preserve hillsides and to minimize development hazards. Clustering of residential development is strongly encouraged in order to preserve natural site features such as steep hillsides, rock outcroppings, significant trees or tree clusters and any creeks or natural waterways.

Staff Recommendation:

Strategy 2.2: ~~Residential development in the hill area should be placed on slopes under 25 percent to preserve hillsides and to minimize development hazards.~~ In accordance with the City's Hillside Design Guidelines, clustering of residential development is strongly encouraged in order to preserve natural site features such as steep hillsides, rock outcroppings, significant trees or tree clusters and any creeks or natural waterways.

Staff Rationale:

The Hillside Design Guidelines do not specifically restrict development to slopes under 25 percent. The City typically requires that a soils and geology report be provided to show that development could be accommodated on slopes greater than 25 percent. Staff suggests that the strategy be changed as shown.

Task Force Recommendation (page 9):

Strategy 2.3: Amend the Hillside Design Guidelines with regard to the height, size and setbacks of structures to establish view corridors, view rights and solar rights.

Staff Recommendation:

Strategy 2.3: Consider amending the Hillside Design Guidelines with regard to the height, size and setbacks of structures to establish view corridors, view rights and solar rights.

Staff Rationale:

Staff suggests this issue should be considered more broadly for the city as a whole since neither the City's Hillside Design Guidelines nor the general Design Guidelines address view corridors, view rights or solar rights.

Task Force Recommendation (page 9 and 10):

The Urban Forest

Policy 3: Protect and promote the health and further development of the urban forest -- particularly in the Hayward Highlands area and encourage the planting of native trees.

Strategy 3.1: Develop an educational pamphlet explaining the pine tree problem and clearly identifying the tree species involved.

3.1.a) Clearly state how to prolong the life of individual trees that are still alive and how to mitigate the dangers of dead and dying trees.

3.1.b) Include a list of appropriate tree species for replacement trees.

3.1.c) Seek alternate funding and citizen involvement to minimize the impact of this project on the City's budget.

Strategy 3.2 Develop a community-wide, cooperative approach so that homeowners, city utility and park districts, and the University can share information and implement a unified solution.

3.2.a) Find out what the state and other communities are doing to address the problem.

3.2.b) Encourage local chapters of citizen tree-planting and tree-stewardship groups to promote tree education and development of the urban forest.

3.2.c) Develop and implement a phased program for removal of dead trees and for the health maintenance of affected living trees.

3.2.d) Help homeowners find economical solutions for both tree removal and for purchasing and planting replacement trees.

Staff Recommendation:

Policy 3: Protect and promote the health and further development of the urban forest -- particularly in the Hayward Highlands area and encourage the planting of native trees.

Strategy 3.1: ~~Develop an~~ Encourage homeowner associations to work with city staff, the Department of Forestry, the California Arborists Association and other tree industry organizations to find educational pamphlets explaining the pine tree problem ~~and~~ clearly identifying the tree species involved. The pamphlet should also identify how to mitigate the dangers of dead and dying trees and include a list of appropriate replacement trees.

~~3.1.a) Clearly state how to prolong the life of individual trees that are still alive and how to mitigate the dangers of dead and dying trees.~~

~~3.1.b) Include a list of appropriate tree species for replacement trees.~~

~~3.1.c) Seek alternate funding and citizen involvement to minimize the impact of this project on the City's budget.~~

Strategy 3.2 Support a grass roots effort to develop a community-wide, cooperative approach so that homeowners, city utility and park districts, and the University can share information and implement a unified solution. Any model which might be developed should find out what other communities are doing to address this problem; encourage local chapters of citizen tree-planting and tree-stewardship groups to promote tree education and development of the urban forest; develop and implement a phased program for removal of dead trees; and help homeowners find economical solutions for both tree removal and for purchasing and planting replacement trees.

~~3.2.a) Find out what the state and other communities are doing to address the problem.~~

~~3.2.b) Encourage local chapters of citizen tree-planting and tree-stewardship groups to promote tree education and development of the urban forest.~~

~~3.2.c) Develop and implement a phased program for removal of dead trees and for the health maintenance of affected living trees.~~

~~3.2.d) Help homeowners find economical solutions for both tree removal and for purchasing and planting replacement trees.~~

Staff Rationale:

The vast amount of trees in the Highlands are private and/or in natural areas not maintained by the city. According to the Public Works Department, Policy 3, as written, and the related strategies imply city assistance in dealing with tree problems on private property. The city has neither the resources nor expertise to provide consulting services to private property owners in this regard. The issues in strategies 3.1 and 3.2 are entirely related to private property. If possible, these strategies should be reworded. Changes are shown above.

Task Force Recommendation (page 10):

Strategy 4.1: Recommend that the City Council adopt guidelines for the keeping of livestock in the residential zones of the City of Hayward and maintain current uses.

Staff Recommendation:

Strategy 4.1: Recommend that the City Council adopt guidelines for the keeping of livestock in the residential zones of the City of Hayward and maintain current legal, non-conforming uses.

Staff Rationale:

As presently written, the strategy would also encourage maintaining illegal uses. The additional wording shown above reflects previous Task Force wording and specifies that legal, non-conforming uses are recognized and can continue per the provisions of the Zoning Ordinance.

Circulation and Traffic Safety

Task Force Recommendation (page 11):

Strategy 1.1: Accept Tribune, Call and Chronicle Avenues as public streets.

Staff Recommendation:

Strategy 1.1: Accept Tribune, Call and Chronicle Avenues as public streets at the time the streets are brought up to city standards.

Staff Rationale:

Staff suggests that the wording on Strategy 1.1 be changed as shown. The city would accept these streets as public streets when they are improved to city standards. The wording, as proposed by the Task Force, should reference the improvements that are shown per the adopted Precise Plan Lines.

Task Force Recommendation (page 11):

Strategy 1.2: If public safety concerns, such as fire safety, storm drainage, and traffic safety require specific areas of some streets within the Old Highlands area to be improved, the cost of those improvements should be paid for by the affected properties.

Staff Recommendation:

Strategy 1.2: Establish a fact-finding committee consisting of neighborhood residents and city staff to identify public safety concerns regarding streets in the Old Highlands area *(formerly 1.6.e)*. If public safety concerns, such as fire safety, storm drainage, and traffic safety require ~~specific areas of some~~ streets within the Old Highlands area to be improved, the cost of those improvements should be paid for by the affected properties.

Staff Rationale:

Staff suggests that the wording on Strategy 1.2 be changed as shown. The existing Precise Plan Lines, which were developed with Old Highlands Homeowners Association input, are an expression of needed public safety improvements. As written, the strategy implies that only certain improvements are needed. Staff also suggests that 1.6e become the first sentence in Strategy 1.2 as shown.

Task Force Recommendation (page 11):

Strategy 1.3: Investigate the possibility of creating an assessment district that would include property owners in the Old Highlands neighborhood, north and east of Hayward Boulevard, to improve Tribune Avenue per the Precise Plan Lines.

Staff Recommendation:

Strategy 1.3: Investigate the possibility of creating an assessment district that would include property owners in the Old Highlands neighborhood, north and east of Hayward Boulevard, to improve Tribune Avenue per the Precise Plan Lines, modified to include a concrete sidewalk on one side of the street and concrete rolled curbs.

Staff Rationale:

Staff has previously indicated to Old Highlands Homeowners Association that a concrete sidewalk is needed to address public safety concerns along Tribune and that concrete rolled curbs are acceptable.

Task Force Recommendation (page 11):

Strategy 1.6.c Relocate the pedestrian button on the northwest corner of the Hayward Blvd./Campus Blvd. intersection.

Staff Recommendation:

Strategy 1.6.c Relocate the pedestrian button on the northwest corner of the Hayward Blvd./Campus Blvd. intersection to the traffic signal pole adjacent to Campus Drive.

Staff Rationale:

Staff suggests that 1.6.c be modified as shown for purposes of clarification.

Task Force Recommendation (page 12):

Note 1 - There are a few strategies that are not very exact Department of Public Works "action items" but are none-the-less very important to the neighbors. These are listed in this section. We hope that these will be a guide to the Department of Public Works, the Planning Commission and City Council, now and in the future.

Note 2: There are a few larger longer-term, but none-the-less specific projects we request. Some of these may require the cooperation of CalTrans as well. The Task Force feels these would enhance the safety and convenience of the neighborhood. These are listed below. We hope that in time these will be implemented and that eventually this part of the report will become obsolete.

Staff Recommendation and Rationale:

Staff suggests that these statements be ***deleted*** because they do not appear to be either strategies or policies.

Task Force Recommendation (page 12):

Strategy 1.6.k Improve traffic and pedestrian safety on Dobbel between Spencer and Civic by widening the street and installing pedestrian walkways at city expense.

Staff Recommendation:

Strategy 1.6.k Improve traffic and pedestrian safety on Dobbel between Spencer and Civic by widening the street and installing pedestrian walkways ~~at city expense~~.

Staff Rationale:

This particular improvement may be done by the city, but staff does not want to preclude the possibility of this improvement being installed by a private developer should the property be developed in the future. Staff suggests 1.6.k be changed as shown.

Task Force Recommendation (page 12):

Strategy 1.6.p Prohibit on-street parking to provide a right-turn lane from northbound Mission Boulevard to eastbound Carlos Bee.

Staff Recommendation:

Strategy 1.6.p ~~Prohibit~~ Consider removing on-street parking to provide a right-turn lane from northbound Mission Boulevard to eastbound Carlos Bee.

Staff Rationale:

This would need to be considered as a separate action. Further study and review with adjacent property owners is necessary.

Public Facilities

Task Force Recommendation (page 13):

Strategy 1.2: Require day-to-day public access to any new golf course development in the Walpert Ridge area.

Staff Recommendation:

Strategy 1.2: ~~Require day-to-day public access to~~ Provide opportunities for the public to play on any new golf course development in the Walpert Ridge area.

Staff Rationale:

Staff suggests that this strategy be modified to be consistent with the most recent Conditions of Approval with the Hayward 1900 application. Changes are shown above.

PLANNING CONSIDERATIONS

The Planning Considerations section of neighborhood plans typically includes background information and discussion which relates to the many issues that have been discussed by the Task Force and addressed by the neighborhood plan. The Planning Considerations section represents a blend of Task Force viewpoints and staff perspectives, as well as historical information relevant to particular issues. The Task Force reviewed, discussed and voted on the information which is in the Planning Considerations section. The following are staff's suggestions for additional information to be included in the Planning Considerations section as noted.

1) The proposal to reduce the residential density in the Old Highlands from LOW DENSITY to SUBURBAN DENSITY, and the related rezoning from RS to RS B10 raises concerns regarding legal, non-conforming parcels. The discussion in the draft plan (§ 4.14 Reduction of Density in the Old Highlands) and Figure 11 should be revised to clarify potential issues. This same concern is raised earlier in this report and staff suggests that the discussion in the narrative be modified.

Staff suggests the following revisions to the text (page 33 and 34) and Figure 11 (page 35):

4.14 Reduction of Density in the Old Highlands

The parallel land use recommendation which the Task Force considered, for the remainder of the Old Highlands between Hayward Boulevard and Parkside Drive, is to reduce the density by changing the land use category from Low Density (4.3 - 8.7 units/net acre) to Suburban Density (1.0 - 4.3 units/net acre). Given the land use changes discussed above, the Task Force wanted to achieve consistency in the remainder of the Old Highlands. Although recommending this reduction achieves consistency with the remainder of the Old Highlands, the recommended reduction in density and associated zoning change would create legal, non-conforming parcels. ~~In addition to reducing development potential, new development would then be subject to the new zoning regulations which are in place.~~

Parcel Sizes in the Old Highlands - Map A shows parcels by size in the Old Highlands area proposed for reduced density. The map legend provides a breakdown of the number of parcels within each category: a) parcels under 10,000 square feet; b) parcels between 10,000 and 20,000 square feet; and c) parcels greater than 20,000 square feet. Under the existing zoning, parcels greater than 10,000 square feet could potentially be further subdivided, whereas under the proposed zoning, only parcels greater than 20,000 square feet could potentially be further subdivided.

Hayward Zoning Ordinance Regulations and Subdivision Map Act - The Zoning Ordinance contains regulations (§10-1.503 LOT REQUIREMENTS) regarding the treatment of legal non-conforming parcels that could affect the ability to construct or rebuild structures. The area in the Old Highlands which is proposed for General Plan and zone changes is presently designated in the General Plan as LOW DENSITY and zoned RS (Single Family Residential) and contains parcels as small as 5,000 square feet.

Under the proposed rezoning to a minimum parcel size of 10,000 square feet, legal non-conforming parcels less than 80 percent of the minimum parcel size (8,000 sf), which are not adjacent to a parcel under the same ownership, would be considered buildable lots. However, if a legal, non-conforming parcel is less than 80% of the minimum parcel size and "there was land abutting the parcel under the same ownership on the date the lot became substandard," then that lot is considered unbuildable. This standard would apply to parcels that are either vacant ***or*** developed. Consequently, properties containing a house which might later be damaged more than 50 percent would not be allowed to rebuild.

Under the Subdivision Map Act (§ 66451.11), the City has the ability, in a few circumstances, to merge vacant, legal nonconforming parcels if an adjacent parcel is under the same ownership, although this has not been done in the past. However, if the parcels are not merged, the legal non-conforming parcel becomes an unbuildable lot.

Map B shows parcels that are less than 8,000 square feet (either developed or vacant) and are adjacent to properties under the same ownership. These parcels would be considered unbuildable regardless if the parcel is vacant or not. The concern regarding developed parcels is that a home could not be rebuilt if 50 percent or more of the structure is damaged.

~~Figure 11 shows properties which would be affected by proposed changes to the General Policies Plan Map. The development of these properties would be reduced. It should be noted that for purposes of estimating development potential, estimates a based solely on parcel size. Other factors such as slopes, natural features, and access may affect further affect potential development of properties.~~

2) Earlier versions of the draft plan contained additional information on the Old Highlands street concerns which staff believes to be relevant, but which was deleted by the Task Force in the final

draft. Staff suggests that the following discussion on Old Highland area streets be re-inserted on the top of page 49 of the draft Neighborhood Plan:

City Concerns and Issues - The city recognizes the objective of maintaining the character of individual neighborhoods, which is why after careful consideration, an exception to allow rolled curbs in the Old Highlands has been determined to be reasonable. However, given the public safety and liability issues, the city needs to ensure that there is a program of planned improvements which provide for an adequate level of public safety on all public streets.

One way to achieve this in the Old Highlands is to "call" the deferred street improvement agreements and require property owners to install the street improvements consistent with city standards per the Precise Plan Lines (modified to reflect rolled concrete curbs and a concrete sidewalk on Tribune). Figure 17 shows those properties in the Old Highlands which have a deferred street improvement agreement and locations with installed street improvements as defined by the adopted Precise Plan Lines.

Another alternative might include abandoning the city's interest in the Old Highland streets and allowing the property owners to maintain them. One positive aspect of this would be to allow more neighborhood control over the "look and feel" of these streets, but it would place the onus of street maintenance, including drainage issues, on property owners. A majority of the property owners would have to agree and a financing mechanism, such as a form Home Owners Association with Conditions, Covenants and Restrictions for street maintenance, would be required. Another option is to establish an assessment district to more evenly distribute the costs of bringing the existing street system up to an adequate level of public safety.

Another issue which relates to streets and public safety is the lack of on-street parking. Figure 18 shows streets in the Old Highlands with no on-street parking and those properties which are required to provide four on-site parking spaces to alleviate parking demand.

The Task Force has not endorsed a specific way to address these concerns, however, the Task Force has developed a strategy which calls for the creation of a committee which would consist of area residents and city staff to identify specific public safety concerns and issues regarding Old Highland area streets and develop long-term solutions which are acceptable to both the city and neighborhood.

3) The Task Force felt the need to include additional background information on the urban forest. Staff is proposing certain changes to that narrative on page 42 for purposes of clarification.

5.7 Maintain the Urban Forest in the Highlands and All of Hayward

The urban forest consists of all trees within a city - street trees, trees on city and utility district property, trees in parks and schools, and trees on private property. Because of this diversity of domains, it is important to develop policy for private property owners that helps coordinate the

preservation and maintenance of all trees. The City and park district (HARD) already have such polices in place for public rights-of-way and open space.

Trees contribute to higher property values, help to clean the air, prevent soil erosion, and add to a general feeling of well-being. They contribute to the overall value and ambience of a city.

Currently, about 30% of the tree cover in the non-canyon areas of the Hayward Highlands consists of privately-owned pine trees that are infected with beetles and are destined to completely die out over the next ten years. Many are already dead and dying and present both fire hazards and hazards from falling limbs.

A good example of several of these trees in various states of decline can be seen to the south of Hayward Boulevard just uphill from the PG&E towers. They also line the fronts of the apartment buildings on Hayward Boulevard west of the entrance to CSUH. Pines also shield the water reservoir on Parkside and shelter the picnic and play area of Old Highlands Park.

Look for pines that:

- have brown clumps of needles;
- have turned completely brown;
- have come completely bare.

If all affected trees were gone, the Highlands would be much barer, and it would take 30 to 40 years to replace comparable tree cover. It is very important to develop a PHASED approach - removing privately-owned trees as they die and replacing them with appropriate tree species. This is a long-term process that must be approached logically and economically.

Many people seem unaware of the problem or of its potential impact. A serous reduction in the urban forest affects us all. Well-informed community-based solutions may be able to assist with cost and planting.

Hayward Highlands needs a policy for addressing this private property problem that includes the participation of homeowners, a private arborist and ~~by the city and parks as well as by homeowners and citizen~~ volunteer groups such as California ReLeaf. The city and park district can provide technical assistance. Many Bay Area cities have experienced the social, educational and economic benefits of citizens of all ages working together to improve their cities by planting trees. ~~In addition to the appropriate use of volunteer labor, grants and other funding are often available for the purchase of trees.~~

Prepared by:

Matt Tomas
Associate Planner

Recommended by:

Sylvia Ehrenthal
Director of Community and
Economic Development

Approved by:

Jesús Armas
City Manager

Attachments: Draft Neighborhood Plan