

ORDINANCE NO. 18-__

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE) OF THE HAYWARD MUNICIPAL CODE BY REZONING CERTAIN PROPERTY TO PLANNED DEVELOPMENT DISTRICT IN CONNECTION WITH ZONE CHANGE AND VESTING TENTATIVE MAP APPLICATION NO. 201704262 TO ACCOMMODATE EIGHT TOWNHOMES AT 420 SMALLEY AVENUE

WHEREAS, On July 10, 2018, the City Council held a public hearing and adopted findings in support of the requested zone change as set forth in the companion Resolution (No. 18-__);

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

Section 1. Provisions.

Chapter 10 of the Hayward Municipal Code and the Official Zoning Map of the City of Hayward is hereby amended to rezone the property located at 420 Smalley Avenue (Assessor's Parcel Number 431-0008-020-00) from RM, Single Family Residential to PD, Planned Development District, to allow for the condominium subdivision of a 0.47-acre site to accommodate the construction of 8 new attached townhomes with common open space and bioretention areas, as well as related site and frontage improvements, subject to the findings and conditions of approval set forth in the companion Resolution (No. 18-__) to this Ordinance.

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 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 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 regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2018, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2018, 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