

**PLANNING COMMISSION MEETING
THURSDAY, APRIL 9, 2026**

**DOCUMENTS RECEIVED AFTER
PUBLISHED AGENDA**

ITEM #1 PH 26-015

**Proposed Text Amendments to Municipal Code Chapter
10 Articles 1, 2, 24, and 28 and Chapter 6 Article 2;
Proposed Zoning Map Revisions; and Related Master
Fee Schedule Updates Related to the Business-Friendly
Hayward Project**

PUBLIC COMMENT

From: Julie Machado <[REDACTED]>

Sent: Sunday, April 5, 2026 9:39 PM

To: List-Mayor-Council <List-Mayor-Council@hayward-ca.gov>; Planning Division
<Planning.Division@hayward-ca.gov>

Subject: Please do NOT Build More Data Centers in Hayward - Public Sentiment is Against Them

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

This is to request that the Hayward Planning Commission and City Council think twice before approving data (more) centers in Hayward. This request is based on the following information:

- Americans [oppose](#) building data centers in their communities by a margin of 65-24. That's insane. Maine just [became](#) the first state to ban building them.

That's probably because 55% of Americans think that AI will do more harm than good, and just 34% think it'll do more good than harm. That's up from 44% and 38%, respectively, in April. So the distrust is spreading.

Also, "when it comes to education, nearly two-thirds of Americans (64 percent) think AI will do more harm than good, while 27 percent think AI will do more good than harm."

These quotes are from Matt Stoller's antitrust newsletter, "Big" on Substack.

<https://www.thebignewsletter.com/p/monopoly-round-up-the-next-chapter>

I agree with these statistics. Letting AI continue to grow unchecked is bad for our minds and the environment. Please don't do it.

Julie Machado

< [REDACTED] >

< [REDACTED] >

From: Ben Goulart <[REDACTED]>
Sent: Wednesday, April 8, 2026 10:14 AM
To: Julie Machado MFT <[REDACTED]>
Cc: Sachiko Riddle <Sachiko.Riddle@hayward-ca.gov>; Elizabeth Blanton <Elizabeth.Blanton@hayward-ca.gov>
Subject: Re: Follow Up on Proposed Edits to the RO Zoning District

CAUTION: This is an external email. Do not click on links or open attachments unless you know the content is safe.

Thanks again for all your efforts, and for taking the time to meet with our neighborhood. It is much appreciated.

Thanks!

On Tue, Apr 7, 2026 at 12:21 PM Julie Machado MFT <[REDACTED]> wrote:

Thanks, Sachiko. That seems like a good idea!

Warmly,

Julie Machado, LMFT

Lic. MFT 27937

<[REDACTED]>.

Hayward CA 94541

<[REDACTED]> (voicemail, no texts)

<[REDACTED]> (regular email)

<[REDACTED]> (secure email)

<[REDACTED]>

Pronouns: She/Her/Hers

The information contained in this transmission is privileged and confidential and/or protected health information (PHI) and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act of 1996, as amended

(HIPAA). This transmission is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, dissemination, distribution, printing or copying of this transmission is strictly prohibited. If you have received this transmission in error, please contact the sender at (510) 581-7850 immediately and delete this email and any attachments from any computer.

From: Sachiko Riddle <Sachiko.Riddle@hayward-ca.gov>
Sent: Tuesday, April 7, 2026 8:10 AM
To: Julie Machado MFT <[REDACTED]>; Ben Goulart <[REDACTED]>
Cc: Elizabeth Blanton <Elizabeth.Blanton@hayward-ca.gov>
Subject: RE: Follow Up on Proposed Edits to the RO Zoning District

Hello,

By disallowing outdoor recreation we are preventing uses like tennis, basketball, and pickleball courts and similar uses from being put in the neighborhood which are often quite loud and include bright lights at night.

Thank you,

Sachiko

Sachiko Riddle (she/her)

Assistant Planner

Phone 510-583-4209| **Email** sachiko.riddle@hayward-ca.gov

777 B Street, Hayward, CA 94544

[Permit Center](#) | [E-Permits Portal](#) | [E-Permits Portal Help Center](#)

From: Julie Machado MFT <[REDACTED]>
Sent: Saturday, April 4, 2026 8:32 PM
To: Sachiko Riddle <Sachiko.Riddle@hayward-ca.gov>; Ben Goulart <[REDACTED]>

Cc: Elizabeth Blanton <Elizabeth.Blanton@hayward-ca.gov>

Subject: Re: Follow Up on Proposed Edits to the RO Zoning District

CAUTION:This is an external email. Do not click on links or open attachments unless you know the content is safe.

Thank you for the update, Sachiko.

I am curious: what is meant by "outdoor recreation" that you plan to disallow? Can you give me examples of what that means?

Thank you,

Julie Machado, LMFT
Lic. MFT 27937
22248 Main St.
Hayward CA 94541
510-581-7850 (voicemail, no texts)
<[REDACTED]> (regular email)
<[REDACTED]> (secure email)
<[REDACTED]>

Pronouns: She/Her/Hers

The information contained in this transmission is privileged and confidential and/or protected health information (PHI) and may be subject to protection under the law, including the Health Insurance Portability and Accountability Act of 1996, as amended (HIPAA). This transmission is intended for the sole use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are notified that any use, dissemination, distribution, printing or copying of this transmission is strictly prohibited. If you have received this transmission in error, please contact the sender at (510) 581-7850 immediately and delete this email and any attachments from any computer.

From: Sachiko Riddle <Sachiko.Riddle@hayward-ca.gov>
Sent: Thursday, April 2, 2026 9:22 AM
To: Ben Goulart <[REDACTED]>; <[REDACTED]>; <[REDACTED]>
Cc: Elizabeth Blanton <Elizabeth.Blanton@hayward-ca.gov>
Subject: Follow Up on Proposed Edits to the RO Zoning District

Hello,

Elizabeth and I just wanted to close the loop with you about where we landed with our proposed edits to the RO zoning district.

We will not be moving forward with our original suggestion of combining the RO and CO zoning districts and creating a new zoning district, CR-O. After meeting with you and a few other community members it became clear that the two zoning districts, CO and RO, should be kept separate to help preserve the residential feel and unique identity of the RO zoning district. The only two changes to the RO zoning district we are proposing now is allowing office uses by right instead of requiring an AUP or CUP, which is the case now, and disallowing outdoor recreation as a permitted use, as it is permitted with an AUP now.

When the staff report is published we will make sure that you are sent the link.

Please let us know if you have any questions.

Thank you,

Sachiko

Sachiko Riddle (she/her)
Assistant Planner
Phone 510-583-4209 | **Email** sachiko.riddle@hayward-ca.gov
777 B Street, Hayward, CA 94544
[Permit Center](#) | [E-Permits Portal](#) | [E-Permits Portal Help Center](#)

--

Benjamin Goulart
The Waterfall Guy
Lic.#817143



ITEM #2 PH 26-016

**Recommended FY 2027 – FY 2036 Capital Improvement
Program**

PUBLIC COMMENT

Staff Responses to Commissioners' Questions



April 9, 2026– Planning Commission Questions

ITEM #	QUESTION	STAFF RESPONSE
1	With regards to Agenda Item #1 on p. 10 of Attachment III it states that ADUs “Shall not be located in front of a primary building.” If the primary building is a house, and the Accessory building is in the garage, isn’t it likely be in front for the house? Please ask staff to explain what is meant by this rule.	Section 10-1.705(a) refers to detached accessory structures generally. This could include detached garages, sheds, carports, etc. Rules about ADUs are set at the State level and thus supersede local rules. For this reason, ADUs have different allowances regarding location, setbacks, etc.
1	What part of the proposed definition of truck terminal caused confusion with businesses?	Industrial stakeholders did not believe third party logistics uses should be included in the definition of truck terminal. In addition, many industrial stakeholders felt that last mile delivery should be defined differently than truck terminals.
1	Is the 2 hours of expected review for all of ACUs the expected baseline or can anything be done to further expedite review? As certain applications become routine, could a "preapproved" application be provided (similar to the preapproved ADU plans) to make this process even cheaper?	Yes, fees in the Master Fee Schedule are reassessed annually. If staff finds that the average processing time for ACUs is less than two hours, then this fee can be reduced accordingly in the future. Regarding preapproved plans, this can be something that is potentially explored in the future if we find we have a number of detached ACUs constructed in the City that could serve as models for other properties.
1	If the ACU pilot program is successful, what is the realistic timeline for when a code amendment might roll it out across Hayward?	Staff recommends that we collect at least two years of data as part of this pilot. If successful, Council could consider expansion in or around 2028, pending available resources.
1	Is the \$714 / 1 month approval for a minor temporary use permit in line with other jurisdictions that have a similar permit?	Similar permit types from other jurisdictions range in cost and time for review. Given current financial constraints, full cost recovery is ideal. If the Council would like to subsidize fees similar to other communities, they will have an opportunity to consider as part of the annual Master Fee Schedule update.
1	Why were the minimum lot sizes, frontages, lot widths, and heights added to the CB and GC zoning districts where minimums were not previously required?	It is unusual that no/limited lot standards were set for these zoning districts given that every other district in the City has established standards. To provide clarity for both staff and the development

		community as to what constitutes development that is in line with the Municipal Code, staff is proposing these lot standards at this time.
1	Would the new minor temp use permit also cover the submittal for other departmental permits that were previously required (such as from the fire department for pumpkin patches)?	No, as with all use permits any additional life safety permits required from the Building Division or Fire Department would still be required to comply with State law, which are separate from the Planning Division permit.
1	Are neighborhood grocery stores also excluded from the ACU program as part of the removal of restaurants?	Grocery stores would be a permitted use under the allowed "retail" category.
1	The new language of the limited entertainment permit (sub-section i)4)b) states that a basis for denial for a permit includes the premises being "found out of compliance with applicable City, State, and/or Federal laws, ordinances, and codes." Does this preclude these permits being issued for buildings that are pre-existing nonconforming?	No, if a building is deemed legal nonconforming due to its construction prior to the adoption of current codes that building is not considered to be out of compliance.
1	Based on the proposed language of the MCUP, can the Planning Commission suggest modifications or edits to staff recommendations when making a recommendation to City Council? Or is the Commission only allowed to accept or reject staff recommendations?	Yes. The Planning Commission can propose "friendly amendments" to staff's recommendations for consideration by the City Council.
1	For the "lapse of approval" language around the timing of pulling permits, how does the City define "substantially completed" or "substantial sums"?	This would be determined by the Building Official in consultation with the City Attorney's Office on a case-by-case basis.
2	Attachment 1 Page 5 – Hazards Element – In the event of a power disruption from lack of petroleum, do we have the capacity to cover the city using AVA's renewable energy?	A grid outage is unlikely to be caused by a lack of petroleum or fossil fuels. Ava's Bright Choice product comes from approximately 4% natural gas and fossil fuels. For PG&E, approximately 2% of their power comes from natural gas. If fossil fuels were no longer available, it is likely that PG&E would make up the difference with their alternate generation facilities.
2	If power is out for a # of days, how long can our water treatment plant continue to run?	The Water Resource Recovery Facility uses the biogas from the treatment process to power a co-generation system, which provides 100% of the energy used at the treatment plant and excess electricity is used at other City facilities. In addition, when the co-generation system is down, WRRF has a diesel engine generator at the facility that



		can run the entire treatment plant for as long as there is sufficient diesel supply.
2	Economic Development Element – Page 7 Policy ED 1.19 describes Local Hiring – “The city shall promote local hiring”. I agree, but just curious what this looks like. Where and how is it promoted?	The Community Workforce Agreement (CWA) applies to City projects when the engineer’s estimate exceeds \$1,000,000. One of the requirements of the CWA is the goal that Hayward residents and HUSD graduates perform a minimum of 30% of the hours worked on the project or make good faith efforts to reach this goal. This is promoted through the invitation to bid for the construction contract where the notice to contractors includes the CWA requirements.
2	Page 7 shows Information Technology fund jumping to 850k. What is the reason for this increase?	For the past several years, the IT Capital Fund (Fund 731) included an annual \$850,000 Internal Service Fee (ISF) transfer from IT’s operating budget for all the capital project needs. In FY 2026, the \$850,000 ISF budget was originally included in the CIP budget. However, due to the budget deficit and to ensure there is enough cash flow in IT’s operating fund, FY 2026 ISF budget was reduced to \$0. The FY27 proposed ISF amount of \$850,000 is to restore the annual ISF transfer.
2	How much are we allocating for Mobility Element projects such as Patrick/Gading in this next FY budget? Now it’s (994,500) going to (4,518,000) Attachment 1 Page 2 – Mobility Element – Would it make sense financially to pause Patrick/Gading Complete Streets type improvements until we can get a more user friendly and public accepting answer?	While the CIP does not categorize the projects based on the elements of the General Plan, two categories that are related to the Mobility Element are Livable Neighborhoods and Road & Street. The combined proposed FY27 budget for these two categories are \$28,233,200. The projects in the Livable Neighborhoods category involve pedestrian & bicycle improvements, traffic calming, and sidewalk & wheelchair ramps projects etc. The projects in the Road & Street category include transportation system improvements projects, such as the Tennyson Road Crossing Safety Improvements, Interstate 880 Interchange Improvements, and East Bay Greenway – Environmental Phase etc. Projects like the Patrick/Gading Complete Streets are funded by transportation-specific funding or grants, and that specific project is substantially complete. In general, Transportation Division does

		project-specific outreach and incorporates community feedback in the plan and design, before implementation.
2	What are we cancelling/pausing to get the \$12M from the Municipal Facilities amount?	The \$12 million reduction is due to the deferral of the design and construction of the Utility Center Renovation/Training Center Addition Project from FY26 to FY28. The City's Corporation Yard, used by both the Maintenance Services Department and Public Works & Utilities Departments is old and outdated. Staff is currently conducting a Corporation Yard Needs Assessment to assess the space and facilities needs for the foreseeable future as the basis for the design of the new facilities.
2	The sewer system project is most definitely needed, but are there any potential parts of these improvements that we can push off for another year or so?	As part of the CIP process, Utilities staff conducts annual review of all project budgets and timeline based on needs, staff resources, and funding. The review is framed by the guidance provided by City Council, as well as the needs of the community. The projects are also designed to meet the requirements of the City's General Plan, specific plans, and master plans. In the Sewer System Project category, out of the \$171 million proposed budget, approximately \$157 million is related to the Phase II Improvement Project at the Water Resources Recovery Facility in FY27. The Public Works & Utilities department is pursuing this major capital improvement project to meet the nutrient reduction mandate for treated effluent identified in the 3rd Nutrients Watershed Permit adopted by the California Regional Water Quality Control Board in July 2024. The total cost of the project is estimated at \$498 million, including capital costs, contingencies, and financing costs.