



## HAYWARD AREA SHORELINE PLANNING AGENCY

City of Hayward  
East Bay Regional Park District  
Hayward Area Recreation and Park District

Meeting of Board of Trustees  
Hayward Shoreline Interpretive Center  
4901 Breakwater Avenue  
Hayward, CA 94545



**October 11, 2018**

### **DRAFT ACTION MINUTES**

#### **HASPA TRUSTEES PRESENT:**

Al Mendall, City of Hayward, Chair  
Dee Rosario, East Bay Regional Park District  
Rick Hatcher, Hayward Area Recreation and Park District

#### **HASTAC MEMBERS PRESENT:**

Adrienne De Ponte, Hayward Area Recreation and Park District  
Jay Lee, City of Hayward  
Mark Taylor, East Bay Regional Park District  
Sandra Hamlat, East Bay Regional Park District

#### **STAFF:**

Leigha Schmidt, City of Hayward  
Robert Goldassio, City of Hayward  
Tigran Agdaian, Climate Corps Fellow

#### **VISITORS:**

Erika Castillo, Alameda County Mosquito Abatement District  
Peter Boucher, Environmental Consultant (Michael Baker Intl)  
Paul McCreary, Hayward Area Recreation and Park District

### 1. Call to Order

A regular meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:00 P.M. by Chair Mendall.

**2. Introductions**

Introductions of those present were made [listed on Page 1].

**3. Approval of HASPA Minutes for August 2, 2018**

Moved by Trustee Hatcher and seconded by Chair Mendall, without objection, to approve the minutes of the Hayward Area Shoreline Planning Agency meeting of August 2, 2018, with one minor correction.

**4. Public Comments**

No public comments were made.

**REPORTS**

**1. Report from Technical Advisory Committee (TAC)**

Leigha Schmidt, Senior Planner, City of Hayward, gave a presentation on the Industrial District Regulations update that is under way in the City of Hayward. The City of Hayward is in the process of updating its Industrial District regulations, which provides development standards for industrially zoned properties within the City of Hayward. The update will provide three subdistricts (Limited Industrial, Industrial Park, and General Industrial) to accommodate differences in character and context within industrial areas. Commercial activity will be encouraged to allow for more active industrial areas, especially within the Limited Industrial and Industrial Park subdistricts. The new Industrial District regulations will also be accompanied by design guidelines to provide clear visual and written direction to developers related to site planning, architecture, landscaping, and other topics. The overall goal of the update is to allow for a balanced mix between traditional, heavy manufacturing and high-technology, light industrial uses.

Ms. Schmidt indicated that one of the focuses of the update is to encourage development that is sensitive to the Shoreline. There are several development standards and design guidelines that encourage better connectivity to the San Francisco Bay Trail and other recreational areas, building facades that blend into the natural environment, and height restrictions that allow for better transitions between industrial areas and adjacent natural areas.

Chair Al Mendall, Trustee Dee Rosario, TAC Member Mark Taylor, and TAC Member Sandra Hamlat posed questions to Ms. Schmidt regarding the proposed guidelines, highlighting items of particular interest to the Shoreline and HASPA.

Trustee Hatcher thanked Ms. Schmidt for her presentation and, in particular, the way she distinguished between standards and guidelines and how the City is moving towards providing standards beyond permitted uses. He stated that it is nice to see the benefits of greenspace and open areas being considered and provided feedback on what he believes should be a guideline versus a standard.

Ms. Schmidt addressed his comments and continued that the overall goal is to tie everything together through pedestrian access to trails and other connections, provide amenities, and improve the aesthetics of development for its citizens. She encouraged researching the existing webpage and submitting written comments so that all input is considered during the drafting stage.

Trustee Rosario was impressed that the City of Hayward is considering the effects of industrial development on the Shoreline and expressed appreciation for the good work that has been done.

TAC Member Taylor mentioned that EBRPD intends to submit a formal response at a later time.

Chair Mendall appreciated that the update to the Industrial District Regulations will address height limitations along the Shoreline. He is concerned with the visual impacts of building facades that abut the Shoreline and is interested in seeing how pressure is placed on future development to mitigate his concerns.

Ms. Schmidt added that there are currently rules in place regarding building facades facing public right-of-way but nothing specifically about building facades facing the Shoreline. She indicated that she will discuss this subject in the presentation to City Council.

Chair Mendall initiated a conversation about the possibility of requiring future developments to join a Geologic Hazard Abatement District (GHAD) as a standard condition of approval.

TAC Member Lee recalled that the City of Hayward's City Attorney's Office brought to his attention some legal challenges associated with mandatory requirements of that nature.

Ms. Schmidt stated that it would be a challenge to include requirements in the Industrial District Regulations that would codify a GHAD that is not yet in existence for that geographical area.

Chair Mendall expressed that he would like it to be codified, and that further conversation with the City Attorney's Office is needed. As a City of Hayward Councilmember, he will be looking for that to be included. He also stated that the existing walkability throughout the industrial corridor is unacceptable and asked if this will be addressed through the updated regulations. He also inquired about the use of space for retail and commercial uses, and its permissibility in the industrial area. He also expressed that ornamental sod should be banned for environmental reasons.

TAC Member Lee and Ms. Schmidt confirmed that the update will address walkability throughout the corridor and will be more permissive for retail and commercial uses. Ms. Schmidt also indicated that she will look into possible restrictions or requirements for ornamental sod.

TAC Member Lee raised the issue of minimizing light pollution and spillover onto adjacent natural habitats. He also encouraged the inclusion of a sustainability plan that identifies items beyond what is currently regulated, which Ms. Schmidt later pointed out was already included in the update.

Chair Mendall asked for clarification regarding the height limit of 75 feet and asked what would happen if a request was made to go beyond that limit.

TAC Member Lee and Ms. Schmidt answered that a variance would be required to exceed any height limits, which require approval by the Planning Commission. The General Plan also provides Floor Area Ratio (FAR) requirements that indirectly limits the maximum height limit of buildings.

Acting Trustee Hatcher noted for the record that he agrees with Chair Mendall about the formation of and requirements to new developments to join a GHAD or similar improvement district.

Ms. Schmidt recommended that the best option is to move forward with acceptance of the Industrial District Regulations update and then create a GHAD afterwards. Then the City of Hayward could entertain an amendment to the regulations to include any requirements to join or form a GHAD. She acknowledged that creating a GHAD before or with the Industrial District Regulations update would be unlikely and attempts to do so could delay the update.

Ms. Schmidt reminded everyone that any comments regarding the Industrial District Regulations update can be submitted through the City of Hayward project webpage at <https://www.hayward-ca.gov/content/industrial-district-regulations-update>.

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TAC Member Lee presented a calendar created by Climate Corps Fellow Tigran Agdaian. It outlines the steps and key dates for the Shoreline Master Plan (SMP) through the end of 2018. A Request for Proposals has been posted to find a consultant by the end of the year to commence work on the SMP in January 2019. November 5, 2018 is the deadline for submission of proposals.

TAC Member Taylor asked if the consultants will be making any presentations to HASPA.

TAC Member Lee responded that that would be a good idea and that the TAC could ask the recommended consultant to make a presentation to HASPA for final review. [Presentation(s) are expected to be held on the HASPA Special Meeting of November 29, 2018]

TAC Member Lee reported that the kickoff meeting with Caltrans occurred on the morning of October 11, 2018 to review the grant funding logistics, which several TAC members attended. Caltrans called the project a “win-win” and expressed that they are hopeful that the SMP will become a “showcase” project for all grants and projects to follow.

TAC Member Hamlat indicated that of the SB1 grants, the grant to HASPA may be the greatest dollar amount awarded and may include the largest geographic area next to the San Francisco Bay Trail.

TAC Member Lee indicated that the TAC will provide a recommendation for which consultant to select at the next HASPA meeting for the Board of Trustees to review and confirm. After a decision by the Board of Trustees, since the City of Hayward is the treasurer of the grant funds, he will bring the item to the Hayward City Council for confirmation and formal approval.

TAC Member Lee announced that the Memorandum of Understanding between the member agencies for the completion of the SMP is being circulated for approval and signatures.

TAC Member Lee added that the HASPA Special Meeting scheduled for November 29<sup>th</sup> will take place at the Hayward Shoreline Interpretive Center.

TAC Member Lee reported on the Joint Powers Agreement (JPA) from 2016 that was already approved by all member agencies. Although the JPA was approved through a resolution and signed by all member agencies, the wet copy has been lost. Therefore, it needs to be recirculated and resigned by all member agencies for the Hayward City Clerk's Office. No revisions are being made to the agreement and it will be signed as is.

TAC Member Lee reported on the status of the 2018 Measure AA grant application. The TAC believes that it would be best to hold off on submitting an application for this next round since there are no projects that are “shovel-ready” at this time, which is a strong preference for the

Measure AA grant program. For Measure AA and most other grant programs, HASPA would need to provide detailed designs and complete California Environmental Quality Act (CEQA) analysis prior to applying for grant funding for any projects, which would make our application more competitive. The CEQA analysis would have to begin in March to meet the application deadline, which is typically in November. TAC Member Lee also indicated that although the SMP will take some time to complete, it would be best to wait until the SMP is completed to apply for grants for various implementation projects. This would allow the CEQA analysis for implementation projects to tier off the CEQA analysis for the SMP (if completed in the future).

Chair Mendall restated his interest in completing the CEQA analysis concurrently with the SMP and having agencies provide the necessary funds sooner rather than later. He also indicated that a delay of six months to a year is better than a delay of several years.

TAC Member Hamlat shared that in September the TAC met with the Resilient by Design Public Sediment Team to discuss their final concept for the Alameda Creek project, which includes the Alameda Creek and the South Bay Salt Ponds. The TAC was impressed by the presentation made by Gina Werth of SCAPE, which is a landscape architecture consultant based in New York. The strengths of their concept included restoring natural sediment processes, restoring fish passages, and considering the public.

TAC Member Lee appreciated the multiple benefits of the project and watershed approach, which considers natural ecosystems at a regional scale. He also followed up with the consultant about implementation for infrastructure projects.

ClimateCorps Fellow Agdaian conducted some sediment research that others would find interesting and identified a website called Sediment Catch, if others wanted to read more about using sediment to adapt to sea level rise.

TAC Member Hamlat continued the discussion of the Resilient-by-Design approach and its intent to allow for innovative, out-of-the-box brainstorming and concepts for addressing sea level rise impacts.

TAC Member Lee provided an update on the 4150 Point Eden Way property. Staff has communicated to the property owner, U-Haul, that the City of Hayward and HASPA see this site as a critical gateway into the City of Hayward. Staff has also communicated the challenges of developing on this site, which contains sensitive natural habitat and a historically significant building.

TAC Member Lee mentioned that following President Trump's decision to expand offshore drilling, the City of Hayward intends to create and adopt a resolution that supports banning offshore drilling. Once the resolution is drafted, it will come back to HASPA for review and recommendation to City Council.

## **2. Report from Trustees**

Trustee Hatcher reported that HARD, Alameda County, and the Alameda County Flood District applied for the Active Transportation Grant to cover \$7 million of the \$30 million project that would create a pedestrian and bicycle trail along San Lorenzo Creek from the Lincoln Landing project on Foothill Boulevard to the San Francisco Bay. They are hoping for an answer by January 2019.

## **3. Final 2018 Meeting Schedule**

The remaining 2018 meeting dates and locations are as follows:

Thursday, November 29, 2018 (Special Meeting) (Shoreline Interpretive Center)

The first 2019 meeting date and location is as follows:

Wednesday, January 10, 2019 (tentative) (Shoreline Interpretive Center)

**4. Agenda for Next Meeting, Thursday, November 29, 2018, at 3:00 P.M.**

Presentation by Shoreline Master Plan consultant candidate.

Standing TAC Report Items:

- Shoreline Master Plan Update
- Measure AA Grant
- Salt Ponds EIR
- W. Winton Project Update

Future Agenda Items:

- MOU
- JPA
- Offshore Drilling Update
- Consultant Selection

**ADJOURNMENT**

Chair Mendall adjourned the meeting at 4:22 PM.