

**CITY OF HAYWARD PLANNING COMMISSION
ZONE MAP AMENDMENT APPLICATION NO. MTA-23-0005**

DRAFT FINDINGS FOR APPROVAL

Zoning Map Amendment

Pursuant to HMC Section 10-1.3425, the decision-making body shall make the following findings prior to recommending approval or approving a Zone Map Amendment:

A. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward.

The State of California is experiencing a housing supply crisis, with housing demand far outstripping supply. In 2018, California ranked 49th out of the 50 states in housing units per capita. As noted in the recently adopted Hayward Housing Element, the city is one of many cities in the State that is severely impacted by the housing crisis, experiencing high rates of cost burden, homelessness, overcrowding, and potential displacement of existing residents. The proposed rezoning would remove barriers to allow for a greater variety of housing development on the site. Additionally, the parcel would be eligible for the streamlining provisions of the Senate Bill 9 (2021).

Furthermore, the proposed rezoning would bring the site into further conformance with local regulations. The project site does not currently conform with the minimum lot size and average lot width prescribed in the existing Agriculture (A) District. Additionally, the existing A District allows for 40-foot-tall buildings by right and a riding stable, a riding academy, a kennel, an asphalt or concrete batch plant and a quarry with a use permit. Those developments and uses would not be as compatible with surrounding development as the development and uses allowed under the proposed Low Density Residential – Minimum Lot Size- 10,000 square feet (RLB10) District. The proposed zoning would be more consistent with the existing General Plan land use designation as described further in Finding B.

B. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans.

The proposed rezoning from A District to RLB10 District would be in harmony with all applicable City policies including but not limited to the Zoning Ordinance, Hayward 2040 General Plan, and the City Council Strategic Roadmap priority to preserve, protect and produce housing for all. The intent of the RL District, which is to promote and encourage a suitable environment for households of all types and sizes, seamlessly aligns with the site's existing General Plan land use designation of Low Density Residential (LDR). The LDR designation allows for the development of detached residential units and second units with a density of 4.3 to 8.7 dwelling units per net acre. The rezoning further aligns with the following policies in the Housing and Land Use Elements of the *Hayward 2040 General Plan* which focuses on goals and policies to accommodate future growth and promote housing development.

- H-3.1 Diversity of Housing Types. The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.
- H-3.4 Residential Uses Close to Services. The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- H-3.6 Flexible Standards and Regulations. The City shall allow flexibility within the City's standards and regulations to encourage a variety of housing types.
- LU-1.3 Growth and Infill Development. The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.

C. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified.

No development project is being proposed in association with this Zone Change. However, the change from A District to RLB10 District is consistent with the site's LDR land use designation, as analyzed in the Environmental Impact Report (EIR) prepared for the Hayward 2040 General Plan. The General Plan EIR analyzed the streets, utilities, and public facilities, ensuring their capacity for future growth. The rezoning is fully consistent with the General Plan land use designation as described further in Finding B.

D. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

Approval of the rezoning would reclassify the agriculturally zoned parcel to RLB10, which is compatible with the existing underlying General Plan land use designation of LDR as noted in Finding B. Both the RLB10 zoning district and LDR General Plan land use designation allow for a variety of residential development as well as compatible community serving uses. Any future uses would be evaluated for consistency with the RLB10 District use regulations prior to their establishment. Furthermore, the rezoning would be consistent with the zoning on the southern side and western extent of Calhoun Street which are zoned Low Density Residential (RL) and Low Density Residential-Minimum Lot Size – 6,000 square feet (RLB6), respectively. In addition to being consistent with the zoning, the existing development and potential subdivision are consistent with other developments along Calhoun Street and the nearby streets of Kellogg Street and Broadway Street.

California Environmental Quality Act

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, a Program Environmental Impact Report (EIR) was prepared for the Hayward 2040 General Plan and

certified by the City Council on July 1, 2014. In accordance with Section 15164 of the CEQA Guidelines, a lead agency shall prepare an addendum to a previously certified EIR if changes are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The Program EIR covers the subject zoning map amendments, and the said amendments are fully consistent with the General Plan land use designation. Future development would undergo site and project specific review. No further environmental review is necessary.