

ORDINANCE NO. 19-

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, VESTING TENTATIVE MAP AND SITE PLAN REVIEW WITH MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PROGRAM APPLICATION NO. 201706649 TO ACCOMMODATE 12-SINGLE FAMILY DWELLINGS AND FIVE ACCESSORY DWELLING UNITS AT 25941 & 29591 HARVEY AVENUE

WHEREAS, on October 29, 2019, 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. 19-___);

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

Section 1. Provisions.

Chapter 10 of the Hayward Municipal Code is hereby amended to rezone the property located at 25941 & 29591 Harvey Avenue (Assessor's Parcel Numbers 464-0060-005-02 and 464-0060-006-00) from Single Family Residential and Planned Development District to a new Planned Development District to allow for the subdivision of a 1.83-acre site to accommodate the construction of 12 new single-family homes and five Accessory Dwelling Units 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. 19-___) 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 ____, 2019, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of ____, 2019, 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

Area & Zoning Map



201706649

Address:
28571 Harvey Ave

Applicant:
Nuvera Homes

Owner:
Ngal Ming Wang

Zoning Classifications

- RESIDENTIAL**
- MH Mobile Home Park
- RS Single Family Residential, min lot size 5000 sqft
- RSB10 Single Family Residential, min lot size 10000 sqft
- OTHER**
- PD Planned Development



November 2017

Zoning Map Change



Map Date: 10/15/2019
Application #: 201706449
Memo: 28571 Harvey Ave

Rezoned Parcel(s): 464-0060-005-02, 464-0060-006-00
From: RS
To: PD
Effective Date:
Resolution:
Ordinance:

