

**CITY OF HAYWARD PLANNING COMMISSION
HAYWARD RESIDENTIAL DESIGN STUDY
PROPOSED TEXT AMENDMENTS TO THE HAYWARD MUNICIPAL CODE CHAPTER 10,
ARTICLES 1, 2, 24 AND 28 AND ZONING MAP AMENDMENTS
DRAFT FINDINGS FOR APPROVAL**

PROPOSED AMENDMENT FINDINGS

Pursuant to HMC Section 10-1.3425, the decision-making body shall make the following findings prior to recommending approval or approving zoning text and zoning map amendments:

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

The proposed Zoning Map and Text Amendments will promote public health, safety, convenience and general welfare of the residents in Hayward in that the updated regulations will promote attractive high quality residential development and redevelopment to benefit existing and future residents; address and minimize compatibility issues between higher and lower density residential uses; and create a more predictable and streamlined development process for housing developers aligned with State housing law.

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

The proposed Zoning Map and Text Amendments are consistent with the goals and policies set forth in the *Hayward 2040 General Plan* in that the updated regulations are designed to protect and enhance the city's housing stock.

The proposed Zoning Map Amendments establish objective design standards for the Residential Natural Preserve, Low Density Residential, Medium Density Residential, and High Density Residential, Mission Boulevard, and Downtown districts in alignment with the *Hayward 2040 General Plan* and State law. The proposed Amendments are consistent with the following goals and policies set forth in the *Hayward 2040 General Plan*:

Goal LU-1.7: Maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.

Goal LU-2.7: Develop, maintain, and implement a plan to establish a vision for Downtown Hayward and to guide and regulate future development and infrastructure improvements.

Goal LU-2.12: Maintain and implement the Mission Boulevard to guide and regulate development within the Mission Boulevard Mixed-Use Corridor.

Goal LU-3.2: Encourage the development of neighborhood amenities and complimentary uses in central locations of the neighborhood whenever feasible.

Goal LU-3.6: Encourage residential developments to incorporate design features that encourage walking within neighborhoods by:

- Creating a highly connected block and street network.
- Designing new streets with wide sidewalks, planting strips, street trees, and pedestrian-scaled lighting.
- Orienting homes, townhomes, and apartment and condominium buildings toward streets or public spaces.
- Locating garages for homes and townhomes along rear alleys (if available) or behind or to the side of the front facade of the home.
- Locating parking facilities below or behind apartment and condominium buildings.
- Enhancing the front facade of homes, townhomes, and apartment and condominium buildings with porches, stoops, balconies, and/or front patios.
- Ensuring that windows are provided on facades that front streets or public spaces.

Goal LU-3.7: Protect the pattern and character of existing neighborhoods by requiring new infill developments to have complimentary building forms and site features.

Goal LU-3.8: Require home additions to be compatible with the mass, scale, and character of the existing home and neighborhood by using compatible building forms, materials, and features. Home additions along rear or side facades are encouraged.

Goal M-9.1: Ensure that adequate parking is provided appropriately to all areas of the city, while prioritizing alternative transportation modes and Transportation Demand Management strategies that reduce parking demand.

Goal M-9.2: Consider reduced parking requirements for projects located near public transit, or new residential developments that fulfill senior, disabled, or other special housing needs.

Goal M-9.10: Encourage multifamily development projects to separate (i.e., unbundle) the cost of parking from lease or rent payments.

Goal H-3.1: 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.

Goal H-3.6: Allow flexibility within the City's standards and regulations to encourage a variety of housing types.

Goal H-4.1: Strive to create and administer clear objective development standards and streamlined approval procedures for a variety of housing types, including, but not limited to, multifamily housing and emergency shelters.

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

The proposed Zoning Map and Text Amendments make small changes to the allowable uses in the city's residential zoning districts. The proposed uses are generally consistent with land uses envisioned in the Hayward 2040 General Plan and analyzed in the related Program Environmental Impact Report. While the city's residential areas are generally

built out and have adequate streets and public facilities to serve the areas, each new project would be evaluated on a case-by-case for environmental impacts and would be required to install or upgrade utilities, upgrade roadways or install frontage improvements as standard conditions of approval to ensure that the future development or land use is adequately served.

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.

The proposed Zoning Map and Text Amendments include residential districts with allowable uses and development standards to ensure that future housing development is compatible with existing development. The proposed Amendments include the creation of building massing and landscaping standards that will buffer higher density residential uses from adjacent lower density uses. The Amendments would achieve a beneficial effect by promoting well-designed, amenity-rich residential development. Overall, the proposed Amendments would protect and enhance the city's residential areas by providing coherent site-specific standards and expectations for future development within the area.

ENVIRONMENTAL REVIEW

In accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Under Section 15162, a subsequent EIR need not be prepared unless the lead agency determines one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The proposed Amendments are entirely consistent with the *Hayward 2040 General Plan*. Thus, no new or unanticipated levels of development are expected as a result of the proposed Amendments that were not previously identified in the General Plan and General Plan EIR, and no new or unanticipated traffic, employment density, or construction impacts are expected to be generated as a result of adoption of these regulations. Therefore, the proposed Amendments substantially conform to the Goals and Policies set forth in the *Hayward 2040 General Plan* and were adequately analyzed in the related Program EIR. As such, no further environmental review is necessary.