

ORDINANCE NO. 18-

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE) AND ARTICLE 24 (SOUTH HAYWARD FORM BASED CODE) OF THE HAYWARD MUNICIPAL CODE REZONING CERTAIN PROPERTY TO PLANNED DEVELOPMENT DISTRICT IN CONNECTION WITH GENERAL PLAN AMENDMENT, ZONE CHANGE AND VESTING TENTATIVE MAP APPLICATION NO. 201704129 FOR THE SOHAY MIXED USE DEVELOPMENT

WHEREAS, on May 8, 2018, 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. 18-\_\_);

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 on an approximately 25-acre site roughly bound by Mission Boulevard on the east, the BART tracks on the west, Industrial Parkway on the south and Valle Vista Avenue on the north. Assessor Parcel Numbers (APNs) 078C-0447-003-01, 078C-0447-003-02, 078C-0447-006-02, 078C-0438-006-00, 078C-0438-005-00, 078C-0438-007-00, 078C-0438-008-00, 078C-0438-009-00, 078C-0438-010-00, 078C-0438-011-01, 078C-0438-019-01, 078C-0435-002-01, 083-0460-006-03, 078C-0436-010-03, 078C-0436-001-07, 078C-0435-006-00, 078C-0455-004-00, 078C-0455-003-00, 078C-0455-005-02, 083-0460-011-00, 083-0460-010-00, from Civic Space Zone (S-CS), Urban General Zone (S-T4), Urban Center Zone (S-T5) of the South Hayward Form Based Code, High Density Residential District and Industrial District to Planned Development District to allow for construction of Sohay, a mixed-use development consisting of 472 multi-family housing units; approximately 20,000 square feet of retail space; 2.4 acres of parkland and trails; and, related site improvements, subject to the findings and conditions of approval set forth in the companion Resolution (No. 18-\_\_) 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 \_\_\_\_, 2018, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_\_ day of \_\_\_\_, 2018, 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