



DATE: March 13, 2023

TO: Council Sustainability Committee

FROM: Director of Public Works
Acting Director of Development Services

SUBJECT: Draft Hazards Element Update – Information and Discussion

RECOMMENDATION

That the Council Sustainability Committee (CSC) reviews and comments on this report and provides direction to staff.

SUMMARY

This report presents the draft updated Hazards Element (sometimes referred to as the Safety Element, which incorporates new policies and programs as well as edits to existing policies to adequately address climate crisis hazards and improve community resilience in compliance with recent state legislation. Outreach and environmental analysis for the updated Hazards Element was coordinated with the recently-adopted Housing Element, the new Environmental Justice Element and the updated Climate Action Plan – both of which are in process. Staff is seeking input from the CSC regarding the draft Hazards Element policies. Staff will use the input to finalize the policies and to prepare programs to implement the policies.

BACKGROUND

In 2014, Council adopted the *Hayward 2040 General Plan*¹, the City's long range planning document that guides decision-making related to land use, growth and development, transportation, and open space conservation. State law requires that a General Plan include a "Safety Element", however, most of the required policies are addressed in the Hazards Element of the *Hayward 2040 General Plan*.

Updates to the Hazards Element are needed to ensure that hazards, especially those related to climate change, are addressed in compliance with state law. In 2015, California adopted

¹ [What is the Hayward 2040 General Plan? | Hayward ePlan](#)

Senate Bill (SB) 379², requiring local jurisdictions to integrate climate adaptation and resilience strategies to their Safety Elements beginning January 1, 2017. Following this legislation, SB 1000³ was established in 2016, requiring further amendments to the Hazards Element to address hazards specifically related to wildfires and flooding, where applicable. In 2019, AB 747⁴ and SB 99⁵ were signed into law requiring that local governments evaluate the resiliency of their transportation system in emergency situations.

On July 20, 2021⁶, Council adopted a resolution authorizing the City Manager to execute an agreement with Rincon Consultants to prepare General Plan amendments to the Safety (Hazards) Element along with the Climate Action Plan (CAP), Housing Element, and a new Environmental Justice Element. On May 9, 2022⁷, staff presented draft policies and programs for the CAP and the Environmental Justice Element. On October 6, 2022⁸, staff presented revised draft policies and programs for the CAP. On February 7, 2023, Council adopted Resolution No. 23-008 approving the Housing Element.

Information about the Safety/Hazards Element, Environmental Justice Element, CAP, and Housing is available on the City's project website⁹.

DISCUSSION

The Hazards Element update was combined with updates to the Housing Element, Climate Action Plan (CAP), and the Environmental Justice Element because issues of housing, environmental justice, safety and hazard planning, and climate change are inextricably linked. While the CAP focuses on climate change mitigation through GHG reductions, the Hazards Element focuses on adaptation and resiliency strategies to climate change hazards. Adaptation and resiliency efforts are also addressed in the Shoreline Adaptation Master Plan¹⁰, which concentrates on sea level rise planning. Hayward also has a Local Hazard Mitigation Plan¹¹ that addresses a variety of hazards and is required by the Federal Emergency Management Agency to be eligible for certain types of non-emergency disaster assistance. The Local Hazard Mitigation Plan is being updated and will be titled the *Hayward Resilience Plan*.

Draft Hazards Element Policies

² http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_0351-0400/sb_379_bill_20150706_amended_asm_v94.pdf

³ [Bill Text - SB-1000 Land use: general plans: safety and environmental justice. \(ca.gov\)](#)

⁴ [AB 747 - California Assembly \(20192020\) - Open States](#)

⁵ [SB 99 - California Senate \(20192020\) - Open States](#)

⁶ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5034289&GUID=A1DD2D35-7B4A-42C8-9284-7DEB78AAD470&Options=&Search=>

⁷ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5644445&GUID=18072FD1-2F1C-4355-91BE-CA6780C8961A&Options=&Search=>

⁸ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5860957&GUID=64D86CA2-B9AA-4EBB-8236-1D2362C48DB6&Options=&Search=>

⁹ <https://haywardhousingandclimateupdate.com/>

¹⁰ [SHORELINE ADAPTATION MASTER PLAN | City of Hayward - Official website \(hayward-ca.gov\)](#)

¹¹ [Microsoft Word - 2016-09-13 City of Hayward Revised LHMP.docx \(hayward-ca.gov\)](#)

The draft updated Hazards Element (available on the project website on the Get Involved Page¹²) was informed by an Evacuation Analysis, a Climate Vulnerability assessment, and significant community input. Prior to drafting new policies for the Hazards Element, staff worked with the consultant team to prepare an Evacuation Analysis and a Climate Vulnerability Assessment (available on the project website), both of which are required by state law. The updated Hazards Element includes ten overarching goals to protect life and property against potential natural disasters, emergencies, and hazards. Following the format of the existing General Plan, each goal has several supporting policies. As indicated in the list below, some goals have significant policy changes, while some have none.

1. Regional Coordination – Minor updates. Elimination of non-applicable policies.
2. Seismic and Geologic Hazards – Minor updates. No significant policy changes.
3. Flood Hazards – Minor updates. One new policy supporting Green Infrastructure.
4. Rising Sea Levels – Significant changes and new policies.
5. Urban Wildfire Hazards – Three new policies.
6. Climate Change Adaptation/Resiliency – New section with 12 new policies.
7. Hazardous Materials – No policy changes.
8. Evacuation Capacity – New section with 11 new policies.
9. Airport Hazards – No policy changes.
10. Noise Hazards – No policy changes.

Evacuation Analysis

An evacuation analysis was prepared for the Hazards Element to comply with AB 747 and SB 99. These laws require local governments to evaluate the resiliency of their transportation system in emergency situations. The analysis models five evacuation scenarios to estimate traffic congestion and roadway capacity during evacuations and identify areas that have one point-of-entry/exit. The scenarios include wildfire, tsunami, dam failure and two different natural gas pipeline failures. These models revealed severe congestion and capacity limitations on Hayward's highways and arterials during emergency evacuations, including the San Mateo/Hayward Bridge, I-880, SR-238, Hesperian Boulevard, and West Jackson Street. The analysis also includes several recommendations regarding operations and communications that may be implemented during an emergency.

Draft Hazards Element Policies Related to Evacuation:

- HAZ-2.8 Tsunamis
- HAZ-5.9 Evacuation During Wildfires
- HAZ-8.1 Evacuation Route Maintenance
- HAZ-8.2 Vulnerable Population Assistance
- HAZ-8.3 Transportation Coordination
- HAZ-8.4 Evacuation Management Tools
- HAZ-8.5 Single Access Roads
- HAZ-8.6 Evacuation Facilities

¹² <https://haywardhousingandclimateupdate.com/get-involved/>

- HAZ-8.7 Evacuation Planning
- HAZ-8.8 Annual Trainings
- HAZ-8.9 High Fire Limitations
- HAZ-8.10 Public Education
- HAZ-8.11 Resource Management

Climate Vulnerability Assessment

A climate vulnerability assessment was prepared to assist in the development of climate change adaptation and resilience policies and programs for the Hazards Element update. The assessment evaluates the potential impacts of the climate crisis (extreme heat, drought, sea level rise, etc.) on community facilities, services, and populations, and measures the community's ability to adapt to these impacts. By understanding the community's vulnerabilities, the City will be better equipped to develop adaptation strategies that strengthen community resilience.

The following Draft Hazards Element policies will require significant resources to implement:

- HAZ-4.3 Shoreline Adaptation Master Plan. Implementation of the master plan, which was approved by Council February 2021 is estimated to cost approximately \$1 billion over 40 years.
- HAZ-4.7 Adaptation Programs and Standards. This policy calls for retrofitting and adapting critical facilities and infrastructure.
- HAZ-6.2 Resilience Hubs. The development and operation of a network of resilience hubs would be a significant cost to the City.
- HAZ-6.8 Parks and Open Space Resilience. Adding resilience features to existing parks and open space may be a significant cost to the City.
- HAZ-6.9 Resilient Power. This policy calls for hardening utilities and installation of batteries and microgrids.
- HAZ-6.10 Climate Overlay Zone. The creation of climate hazard overlay zones would be a significant undertaking for the City's Planning Division.
- HAZ-8.4 Evacuation Management Tools. This policy calls for road improvements and new equipment to facilitate emergency evacuations.
- HAZ-8.5 Single Access Roads. This policy calls for the removal of obstructions to allow for two-way traffic where it currently does not exist.

ECONOMIC IMPACT

The climate crisis is expected to negatively impact national and local economies. The updated Hazards Element, CAP, and Environmental Justice Element will seek to help make Hayward's economy more resilient to climate change. Many of the policies identified above would result in new or increased costs related to implementation; however, the policies and related programs would result in long term co-benefits such as better, more equitable health outcomes, job creation and resilient infrastructure and development. As the policies and programs are implemented over the life of the General Plan, staff will review each for

potential economic impacts such as job creation/job retention and Hayward's desirability for developers and businesses to locate in Hayward.

FISCAL IMPACT

Council approved a total budget of \$720,000 for these General Plan updates. Preparing the updates will not impact the City's General Fund. The project is funded by a Local Early Action Planning (LEAP) Grant from the California Department of Housing and Community Development (HCD), the Development Services Department's Planning Policy Fund, and the Public Works and Utilities Department's Recycling, Water, and Sewer Funds.

Fiscal impacts associated with implementing the new Hazards Element, CAP, and Environmental Justice Element will occur over the course of the life of the General Plan, and each policy and program will be evaluated, and costs for implementation of each will be disclosed when it is made part of the City's work program.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority to Enhance Community Safety & Quality of Life, Confront Climate Crisis & Champion Environmental Justice. Specifically, this item is related to implementation of the following projects:

- Project Q9: Update comprehensive emergency services plan for the community and staff.
- Project C5: Adopt & Implement 2030 GHG Goal and Roadmap along with other General Plan Elements
- Project C14b: Implement Shoreline Master Plan, including mitigating sea level rise in the industrial corridor through building requirements and outreach

SUSTAINABILITY FEATURES

The draft Hazards Element provides a policy framework for adaption and resiliency to hazards including wildfire, sea level rise, earthquakes and flooding. The policies are intended to help future generations manage the inevitable effects of climate change addresses long term adaptation approaches to protect critical infrastructure and facilitate adaptation of natural systems.

PUBLIC CONTACT

Equitable Outreach Plan

There is considerable overlap between the issues addressed in the Hazards Element, Climate Action Plan, Housing Element and Environmental Justice Element. As a result, staff is conducting public outreach for all four projects simultaneously, with an emphasis on equity and extensive community involvement.

The following four community workshops were held in 2022 with a focus on the CAP and the Environmental Justice Element, but all workshops included some discussion of climate adaptation and resilience, which is addressed in the Hazards Element. Reports and presentations for the workshops are available on the project website¹³.

- February 23, 2022 – Environmental Justice workshop
- April 13, 2022 – CAP workshop
- April 27 – Environmental Justice workshop
- July 19, 2022 – CAP workshop

Prior to the Environmental Justice and CAP community workshops, staff reached out to over 100 community-based organizations and groups in Hayward to gauge interest in collaborating on the General Plan updates. Staff members have also visited various locations around Hayward (grocery stores, laundromats, farmers market, BART stations, etc.) to pass out flyers with information on the General Plan Updates and how residents can be involved. Collectively, Environmental Services and Planning staff visited 19 different locations across the City. Housing outreach has included standard surveys and interviews and an interactive housing simulation that allows people to identify sites and areas for future development.

Additionally, staff organized a Gallery Walk Event, featuring large poster boards with information on the Climate Action Plan, Housing Element, Environmental Justice Element, Hazards Element, and the History of Hayward. The posters were printed in both English and Spanish and were displayed in City Hall, the Downtown Hayward Library, BART, the Farmers Market and at Chabot and Hayward NAACP Branch offices in conjunction with outreach events. Additionally, staff offered the posters to various organizations and Alameda County Transit Authority requested the posters to display in their Hayward facility where approximately 400 Hayward residents are employed. Community members were invited to learn about the General Plan updates by walking through the gallery and engage with the posters through QR codes.

Another avenue of community engagement has been through surveys and interviews conducted by college students in Hayward. Chabot College students have helped the City by surveying residents about parks, housing, and climate action. In Spring 2021, Chabot College students interviewed 252 residents about their experience, concerns, and ideas for parks in Hayward. Chabot students also interviewed approximately 550 residents online in Fall 2021 and Spring 2022 about housing, discrimination, pollution, and community amenities. In Summer 2022, Chabot students interviewed approximately 350 residents about their experience, concerns, and thoughts on initiatives regarding general climate change and climate action. A summary of the responses will be provided during the CSC meeting. Chabot students will continue to interview residents regarding climate change and climate action during the Fall 2022 semester. Additionally, students in a public health capstone class at California State University East Bay (CSUEB) conducted surveys, receiving over 250 responses, around park access, pollution, access to healthy food, and safe and sanitary housing.

¹³ <https://haywardhousingandclimateupdate.com/project-resources/#materials>

Staff has been hosting various focus group and meetings with stakeholders since the May CSC meeting. Specifically, City staff:

- Hosted a focus group with members from Tennyson High School's Green Team – eight students and two teachers participated.
- Hosted four focus groups with Eden Housing tenants at Alta Mira, Tennyson Gardens, Montgomery Plaza, and Hayward Senior, with 48 participants total.
- Met with Eden Housing staff, Save the Bay staff, the Sierra Club, and the Starr King Unitarian Universalist Church.
- Communicated with the Bay East Association of Realtors, who have informed staff they will oppose any requirements that are triggered by the sale of a home.
- Attended the Hayward Community Family Fair on June 17, the Juneteenth Wellness Festival on June 18, and the Downtown Street Party on August 18.

Finally, the City has sought out community input via an online survey and received over 100 responses. Results of the survey were attached to the CSC report dated October 6, 2022.

In October 2022, Council received a letter from non-profit organization Save the Bay (see Attachment II), urging the City to incorporate policies centered on equitable climate resilience to the General Plan Update. Attachment III contains Save the Bay's recommendations and the proposed policies from the draft Hazards Element and Climate Action Plan corresponding to their comments.

NEXT STEPS

Staff will incorporate input from the CSC when finalizing the draft Hazards Element policies. Staff will also use the input to prepare implementation programs for the policies and will present those draft programs at an upcoming meeting of the CSC.

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