

Sec. 10-1.200 Residential Districts

Sec. 10-1.201 Purpose

- a. **Low Density Residential District (RL).** The RL District shall be subject to the following specific regulations in addition to the general regulations hereinafter contained in order to promote and encourage a suitable environment for households of all types and sizes. The RL District is to suitable for detached residential units, duplexes, triplexes, and the community services appurtenant thereto as permitted by this Zoning Ordinance.
- b. **Residential Natural Preservation District (RNP).** The purpose of the Residential Natural Preservation (RNP) District is to allow for the development of area where topographic configuration is a major consideration in determining the most appropriate physical development of the land, and to allow such development only where it is subservient to and compatible with the preservation of major natural features of the land such as preserving the tree line in this zoning district. It is the intention of the regulations for this district that such district be served by limited circulation facilities, and that it be utilized where large open spaces, individual privacy, and semi-agricultural pursuits are suited to the land.
- c. **Medium Density Residential District (RM).** The RM District shall be subject to the following specific regulations in addition to the general regulations hereinafter contained in order to promote and encourage a suitable environment for households of all types and sizes through a compatible mingling of different housing types and densities and compatible community services.
- d. **High Density Residential District (RH).** The RH District shall be subject to the following specific regulations in addition to the general regulations hereinafter contained in order to promote and encourage a suitable high density residential environment through the development of multiunit buildings and compatible community services.

Sec. 10-1.202 Use Regulations—Residential Districts

Table 10-1.202, Land Use Regulations—Residential Districts, sets the land use regulations for Residential Districts by letter designation as follows unless a use or activity is prohibited or subject to a higher level of permit pursuant to other parts of this Section, other requirements of the Hayward Municipal Code, or other applicable regulations:

"P" designates permitted uses.

"A" designates uses that are permitted after review and approval of an Administrative Use Permit.

"C" designates uses that are permitted after review and approval of a Conditional Use Permit.

"-" designates uses that are not allowed.

A project which includes two or more categories of land use in the same building or on the same site is subject to the highest permit level required for any individual use or single component of the project.

Section numbers in the right-hand column refer to other sections of the Zoning Ordinance or other limitations as well as subsections following the Table.

Land uses are defined in Article 1, Section 10-1.3500, Definitions. In cases where a specific land use or activity is not defined, the Planning Director or other approving authority shall assign the land use or activity

to a classification that is substantially similar in character. Land uses defined in the Hayward Municipal Code and not listed in the table or not found to be substantially similar to the uses below are prohibited. Unless otherwise explicitly stated, all uses shall be conducted indoor.

TABLE 10-1.202: USE REGULATIONS—RESIDENTIAL DISTRICTS

“P” Permitted Use; “A” Administrative Use Permit Required; “C” Conditional Use Permit Required; “-” Use Not Allowed

Use	District				Additional Regulations
	RNP	RL	RM	RH	
<i>Residential Uses</i>					
Detached residential unit(s)	P	P	P	-	Subject to density limitations in the General Plan; See Section 10-1.204 (e) Additions to detached residential units existing before Effective Date are permitted.
Duplex/Triplex	-	P	P	P	Subject to density limitations in the General Plan; See Section 10-1.204 (e)
Multi-unit residential (4+ attached units)	-	-	P	P	Subject to density limitations in the General Plan; See Section 10-1.204 (e)
Accessory dwelling unit(s)	P	P	P	P	Where primary use is residential. See Section 10-1.2740 for criteria and standards.
Two-Unit Development	-	P	-	-	As provided in Government Code Sections 66411.7 and 65852.21, as amended from time to time
Group home (6 or fewer residents, excluding staff)	P	P	P	P	See definitions
Large group home (7 or more residents, excluding staff)	C	C	C	C	
Boarding home	-	-	C	C	
Dormitory	-	-	C	C	
<i>Other Uses</i>					
Ambulance service	-	A	A	A	
Cultural facility	A	A	A	A	
Day care, home (State-licensed, less than 24-hour care for children or adults, 14 or fewer persons, excluding staff)	P	P	P	P	See definitions
Day care center (State-licensed, less than 24-hour care for children or	A	A	A	A	See definitions

TABLE 10-1.202: USE REGULATIONS—RESIDENTIAL DISTRICTS

“P” Permitted Use; “A” Administrative Use Permit Required; “C” Conditional Use Permit Required; “-” Use Not Allowed

Use	District				Additional Regulations
	RNP	RL	RM	RH	
adults, 15 or more persons, excluding staff)					
Educational facility	A	A	A	A	
Hospital, convalescent home	-	A	A	A	
Livestock	A	A	-	-	
Parking lot	-	A	A	A	
Recreational facility	A	A	A	A	
Religious facility	A	A	A	A	
Wind energy conversion system	A	A	A	A	Allowed by right if accessory to a primary use
Golf course	-	C	C	C	
Country club	-	C	C	C	
Public agency facilities	P	P	P	P	See definitions
Accessory buildings and uses	P	P	P	P	See Section 10-1.205a.
Garage sales	P	P	P	P	4 per year per dwelling. See General Regulations Section 10-1.2735.e.
Home Occupation	P	P	P	P	See definitions
Home Occupation, expanded	A	A	A	A	See definitions
Household pets	P	P	P	P	See definitions and Section 10-1.2735
Apiaries	P	P	-	-	See definitions and Section 10-1.2735

Sec. 10-1.203 Development Standards

Table 10-1.203, Development Standards-Residential Districts, prescribes the development standards for Residential Districts.

TABLE 10-1.203: DEVELOPMENT STANDARDS—RESIDENTIAL DISTRICTS

Standard	RNP	RL	RM	RH
<i>Lot Requirements. See also combining B District (Section 10-1.2400)</i>				

TABLE 10-1.203: DEVELOPMENT STANDARDS—RESIDENTIAL DISTRICTS				
<i>Standard</i>	<i>RNP</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>
Minimum Lot Size (sf)	See also Section 10-1.2720 for Special Lot Requirements			
	20,000	5,000	5,000	7,500
<i>Townhomes</i>	-	Consistent with building footprint and associated private outdoor areas	Consistent with building footprint and associated private outdoor areas	Consistent with building footprint and associated private outdoor areas
Minimum Lot Frontage (ft)	35	35	35	35
	See also Section 10-1.2720 for Special Lot Requirements			
Minimum Flag Lot Frontage (ft)	See City Standard Detail SD-109 for additional flag lot criteria.			
<i>One-Flag Lot</i>	22	22	-	-
<i>Two-Flag Lots</i>	28	28	-	-
Minimum Average Lot Width (ft)	See also Section 10-1.2720 for Special Lot Requirements			
	100	50	60	60
Maximum Rear Yard Coverage	40%	40%	-	-
Minimum Average Lot Depth (ft)	100	80	80	80
<i>Yard Requirements. See also combining B District (Section 10-1.2400)</i>				
Minimum Yards (ft)	See also Section 10-1.2725 for Special Yard Requirements and Exceptions. For townhome-style subdivisions, yard requirements apply to the perimeter of the common ownership property, not individual townhome lots.			
<i>Front Yard</i>	20	15 (street-facing structures) 20 (attached garage)	10	10
<i>Side Yard</i>	10	5	5	5
<i>Side Street Yard</i>	10	10	10	10
<i>Rear Yard</i>	30 from the tree line	20 Exception: Reduction of the required rear yard to 10 feet is permitted for one-story portions of the primary structure(s), provided the required rear yard	10	10

TABLE 10-1.203: DEVELOPMENT STANDARDS—RESIDENTIAL DISTRICTS

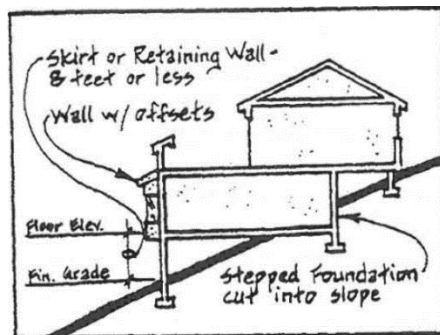
<i>Standard</i>	<i>RNP</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>
		area is not reduced by more than 20 percent		
<i>Height Limit</i>				
Maximum Height (ft)	See also Section 10-1.2730 for Special Height Requirements and Exceptions			
<i>Building Height</i>				
<i>Detached Residential Unit(s)</i>	30 (2-stories)	30 (2-stories)	30 (2-stories)	30 (2-stories) Only applicable to units existing before Effective Date
<i>Duplex/Triplex</i>	-	30 (2-stories)	40 (3-stories)	40 (3-stories)
<i>Multifamily Residential (4+ Units)</i>	-	-	50' (4-stories)	60' (5-stories)
<i>Accessory Building Height (excluding ADUs)</i>	14 (1-story)	14 (1-story)	14 (1-story)	14 (1-story)
<i>Fences/hedges/walls</i>	See Section 10-1.205(e) for additional standards			
<i>Front and Side Street Yard</i>	4	4	4	4
<i>Side and Rear Yard</i>	7	7	7	7

Sec. 10-1.204 Minimum Design Standards Applicable to All Districts

- a. Accessory Buildings, Detached. Detached accessory buildings, including but not limited to carports, garages, greenhouses, freestanding patio covers, and sheds shall meet the following criteria. Does not include Accessory Dwelling Unit(s) - see Section 10-1.2740.
- (1) Shall not be left unfinished with metal or plywood.
 - (2) Shall not be located in a required front yard or side street yard.
 - (3) Shall not be located in front of the primary building, with the exception of detached carports or garages.
 - (4) Accessory buildings less than or equal to 120 square feet in area may be setback a minimum of 3 feet from a side and rear property line.
 - (5) Accessory buildings exceeding 120 square feet in area shall be setback a minimum of 5 feet from a side and rear property line.
 - (6) Shall be setback a minimum of 5 feet from any structure.
 - (7) The total area of all accessory buildings shall not exceed 50 percent of the ground floor area of the primary building(s).

- (8) Accessory buildings may include a bathroom but may not include a kitchen or bedroom.
- b. Additions to Primary Building(s).
- (1) At the time that cumulative additions to a residence increase the original building floor area by more than 50 percent or increase the number of bedrooms, the residence shall be required to provide all required off-street parking (per Section 10-2.200 of the Off-Street Parking Regulations).
- c. Building Entrances.
- (1) At least one residential building shall have a primary entrance facing and visible from a street. The entrances of other residential buildings on site shall face and be visible from either a street, driveway, or a pedestrian walkway.
- d. Decks and Ramps.
- (1) Decks and ramps 12 inches or less in height (excluding railings) may be located in any required yard area.
 - (2) Ramps required for persons with physical disabilities may be located in any required yard area.
 - (3) Decks and ramps between 12 to 30 inches in height (excluding railings) may be located in any rear or side yard but no closer than 3 feet to the rear or side property line.
 - (4) Decks 30 inches or more in height (excluding railings) shall conform to the minimum yard setback requirements of the primary building.
- e. Density.
- (1) Allowable density shall be determined by the parcels General Plan land use designation and net acreage.
 - (2) Net acreage excludes land required for public and private streets, parks, and other public facilities.
- f. Fences, Hedges and Walls. (See also Section 10-1.2725(g).)
- (1) Barbed wire, razor, or electrified fences are prohibited.
 - (2) Retaining Walls.
 - o Retaining walls which are not a part of building walls shall not exceed 6 feet in height as measured from finished grade elevation to top of wall.
 - o A maximum of two successive, approximately parallel retaining walls is permitted when they are separated by a minimum horizontal distance of 6 feet as measured between centerline of the walls.
 - o Any additional successive walls shall require a minimum of 15 feet separation.
 - o The sides of exposed exterior retaining walls that are visible from the public right-of-way, private streets and driveways, and private and public common open space shall be architecturally treated with colored concrete, plaster, stone veneer, brick, tile, natural stone, cultured stone, the same material as the primary residential building or acceptable alternative as approved by the Planning Director. Alternatively, the exposed exterior retaining wall shall be screened by landscaping that blocks 50 percent of the visible wall area at maturity.
- g. Hillside Standards. Applicable to parcels located in the Hayward Hills, defined as east of Mission Boulevard and south of "D" Street. See Section 10-1.3500 for slope calculation formula. See Section 10-8.23 for additional requirements that exceed 20%.

- (1) Setbacks Abutting Permanent Open Space. All structures, including decks that exceed 12 inches in height, shall be setback a minimum of 30 feet from any rear property line and 10 feet from any side property line that abuts permanent open space, defined as land identified within a Habitat Conservation Plan or Natural Community Conservation Plan, land with a conservation easement, and/or regional park land.
- (2) Slopes Equal to or Exceeding 15 Percent: Where the existing slope is equal to or exceeds 15 percent, dwellings shall exhibit a stepped design that preserves the natural slope by adhering to the following standards:
 - At each point, the lowest floor of the structure shall not exceed eight feet above the adjacent exterior finished grade.



- Grading of areas to the side and rear of the building to create flat open spaces is not permitted on lots with an existing slope exceeding 25 percent.

h. Landscaping.

- (1) Applicable to All Districts
 - Landscape Buffers. New development with building facades that are at least 15 feet taller than the tallest existing buildings on the abutting parcels, shall include a landscape buffer at least 12 feet wide between the new and existing buildings.
 - The landscape buffer shall include 15-gallon evergreen trees that create a continuous tree canopy at maturity as defined by the Sunset Western Garden Book.
 - Landscaping Near BART or Railroad Track.
 - Parcels abutting and in direct view from the BART or railroad track right-of-way shall include a minimum 10-foot wide landscape strip along the property line(s) abutting or in view from the BART or railroad track right-of-way.
 - A minimum of one 15-gallon buffer tree shall be planted for every 20 lineal feet of property line.
- (2) Applicable to RL and RNP Districts
 - Required front and street side yards shall be landscaped except for permitted driveways and walkways. At least 75% of the designated landscape areas shall be covered with live plants at maturity as defined by the Sunset Western Garden Book.
 - Ground covering mulch shall not include gravel, decorative rock, decomposed granite and non-biodegradable materials.
 - A minimum of one 15-gallon-size tree shall be planted within the required front yard and side street yard of each lot.

- Edible fruit bearing or invasive root-system trees as defined by the Invasive Plant Council are prohibited in front or street side yards.
- For a lot with more than 50 feet of street frontage, one tree shall be planted for every 50 feet or fraction thereof of frontage.

(3) Applicable to RM and RH Districts

- All required yards shall be landscaped except for permitted driveways and walkways. At least 75% of the designated landscape areas shall be covered with live plants at maturity as defined by ____.
 - Ground covering mulch shall not include gravel, decorative rock, decomposed granite and non-biodegradable materials.
 - Edible fruit bearing or invasive root-system trees as defined by the Invasive Plant Council are prohibited in all front and street side yards.
 - Street Trees. Street trees shall be planted along all street frontages at a minimum of one 24-inch box tree per 30 lineal feet of frontage or fraction thereof unless otherwise approved by the City Landscape Architect.
- i. Lighting, Exterior. Exterior lighting shall be provided so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way.
- j. Mechanical Equipment. All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from public rights-of-way. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners and related equipment, emergency generators, utility meters, cable equipment, backflow preventers, irrigation control valves, electrical transformers, pull boxes, and ducting. Screening materials shall be consistent with the exterior colors and materials of the building. The Planning Director or other approving authority may waive this requirement where screening is infeasible due to existing development or health and safety or utility requirements.
- k. Open Space. For developments with four or more residential units, a minimum of 150 square feet of open space is required per dwelling unit. Common use and/or private open space can be used to satisfy this requirement.
- (1) For a development with 21 or more units, 50 percent of the required open space shall be outside.
 - (2) Required open space shall not include the required front or side street yard or exceed 5 percent slope.
 - (3) Common use open space shall be available to all residents.
 - (4) Private open space which is directly available to individual units shall adhere to the following requirements.
 - Private open space areas shall be at least 50 square feet in size and shall have no dimension less than 5 feet.
 - Grade-level open space shall be screened from view by fencing or landscaping.
 - (5) All new developments shall achieve the following point values for residential amenities, based on the total number of dwelling units in the project. For amenities not listed, the Planning Director may assign point values based on similarities to listed amenities. The residential amenities may be used to satisfy the open space requirement specified above.

TABLE 10-1.204.1: RESIDENTIAL OPEN SPACE AMENITIES BY PROJECT SIZE

<i>Size of Project (number of dwelling units)</i>	<i>Points Value</i>
4 – 10	50
11 – 20	100
21 – 50	150
51 and up	200

TABLE 10-1.204.2: RESIDENTIAL AMENITIES AND ASSOCIATED POINTS VALUE	
<i>Amenity Type</i>	<i>Points Value</i>
Courtyard/Garden	
<i>With seating and/or tables for at least 4 people</i>	25
<i>With seating and/or tables for at least 10 people</i>	35
<i>With seating and/or tables for at least 20 people</i>	50
Pergola, shade, trellis or arbor structure	15
Playground with at least 3 pieces of play equipment including slides, swings, monkey bars, climbing walls, etc.	40
Community Garden with at least 5 garden beds	40
Permanent affixed barbecue	15
Outdoor kitchen with a countertop, sink, an appliance and seating and tables for at least 10 people	50
Sports Court	
<i>Bocceball</i>	20
<i>Table Tennis</i>	20
<i>Badminton</i>	30
<i>Tennis</i>	30
<i>Pickleball</i>	30
<i>Basketball</i>	50
Splash Pad or Fountain	25
Swimming Pool or Hot Tub	75
Open Lawn Areas with no dimension less than 10 feet	15
Walking/running path at least 1000 linear feet in length with lighting and signage (i.e. mile markers, information boards, etc.)	25
Amphitheater with seating for at least 25 people	75
Community Room	-
<i>Library Room with bookshelves and seating for at least 5 people</i>	25
<i>Media Room with television and seating for at least 10 people</i>	35
<i>Game Room with a least two game tables or consoles</i>	30
<i>Gathering Room with countertop, cabinets, and sink</i>	50
<i>Gym/Fitness Room with at least 5 pieces of gym equipment</i>	50
<i>Co-working space with wi-fi, tables and seating for at least 8 people, and a bathroom</i>	75

TABLE 10-1.204.2: RESIDENTIAL AMENITIES AND ASSOCIATED POINTS VALUE	
<i>Amenity Type</i>	<i>Points Value</i>
Fenced Dog Park with trash can <i>Measuring at least 50 feet by 20 feet</i>	25
<i>Measuring at least 100 feet by 20 feet with a dog waste bag dispenser and dog water fountain.</i>	50

- I. Projections into Yards.
- (1) Architectural features such as bay windows, chimneys, cornices, eaves, open or covered porches and entries, may extend 2 feet into any required side yard and 5 feet into any required front or rear yard.
 - (2) Uncovered first floor landing places and outside open stairways may project 3 feet into any required yard, provided they do not exceed 6 feet in height (excluding railings) above ground level.
 - (3) Uncovered second or third floor landing places and outside open stairways may project 3 feet into a required rear yard, but no closer than 5 feet to a side property line.
 - (4) Balconies may extend 5 feet into any required front or rear yard.
- m. Separation Between Residential Units. If there are multiple detached residential units located on the same property, each unit shall be setback at least 10 feet from each other. The separation for ADUs may be reduced to 5 feet.
- n. Swimming Pools or Hot Tubs. May not be located in the required front or street side yard. All wall lines of a swimming pool or hot tub shall setback 5 feet from any structure and the side and rear property lines.
- o. Trash and Recycling Facilities.
- (1) Outdoor trash and recycling facilities shall be screened from view, utilizing a wood, metal, masonry or landscape screening unless where not visible to other residential units or from the street.
 - (2) Shall be a maximum of 300 feet away from any residential building entrance, as measured by path of travel.
 - (3) Trash and recycling facilities shall have covered roofs.

Sec. 10-1.205 Detached Residential, Duplex, and Triplex Minimum Design Standards

- a. Building Massing. If multistory, floor area of the highest story shall not exceed 75 percent of the gross floor area of the first floor.
- b. Façade Design. All buildings shall include at least two of the following design elements:
 - (1) At least two dormer windows that project from the roof by at least 18 inches along the front facade.
 - (2) At least 4 inches of window recess on all windows located on street facing facades.
 - (3) Window moldings at least four inches wide on all windows.

- (4) Use of shutters on at least 50 percent of street facing windows.
- (5) At least one variation in the facade plane in the form of projections or recesses at least 18 inches deep along the front facade.
- (6) Use of at least two distinct building materials that each make up at least 25 percent of the total building facade.
- (7) A street facing balcony with no dimensions less than 5 feet.
- (8) A street facing porch with no dimensions less than 5 feet.

Sec. 10-1.206 Multi-unit Residential (4+ units) Minimum Design Standards

a. Building Massing.

- (1) Floor area of the fourth and fifth stories each shall not exceed 85 percent of the gross floor area of the first floor.
- (2) Facades between 75 and 125 feet long shall have vertical breaks using recesses or projections of the facade plane that are at least 8 feet wide and 2 feet deep at least once every 75 feet.
- (3) Facades that equal to or greater than 125 feet long shall have vertical breaks using recesses or projections that are at least 15 feet wide and 10 feet deep at least once every 125 feet.

b. Façade Design.

- (1) All multi-unit residential buildings shall include at least three of the following design elements:
 - i. Use of at least two distinct building materials that each make up at least 25 percent of the total building facades.
 - ii. Variation in roof height by utilizing sloped roofs of at least 15 percent or varying the parapet height by at least 2 feet on a flat roof.
 - iii. Use of at least three arches, columns, beams/lintels, and/or other features determined to be similar by the Planning Director along all street facing facades.
 - iv. At least 4 inches of window recess on all windows located on street facing facades.
 - v. Window moldings at least four inches wide on all windows.
 - vi. Use of shutters on at least 50 percent of street facing windows.
 - vii. Ground floor units elevated above the sidewalk by at least 3 feet.
 - viii. Balconies on at least 50 percent of street facing units with no dimensions less than 5 feet.
- (2) Four and five story buildings shall have clearly a defined base and top.
 - o The building base shall be defined as the ground floor. The base shall be differentiated from the middle of the building using at least one of the following design features:
 - Using a siding or cladding material on the base that is different from the middle of the building facade.
 - Horizontal decorative bands that separate the building base from the middle of the building. Bands shall be of a distinct building material that measures at least 12 inches wide and 2 inches deep along the length of all building facades.

- Awnings above the ground floor that are at least 2 feet deep and line at least 30 percent of street facing facades.
- Incorporating windows along the building base that make up at least 40 percent of street facing facades.
- The building top shall be defined as the area above the top floor. The top shall be differentiated using at least one of the following features:
 - Cornices or horizontal decorative bands along the top of all building facades. Bands shall be of a distinct building material that measures at least 18 inches wide and 4 inches deep along the length of all building facades visible from the street.
 - Roof overhang of at least 2 feet.
 - Upper story step back of at least 6 feet along at least 75 percent of street facing facades.
 - Roof open space with trees and or landscaping that is visible from the street for at least 25 percent of the street facing facades.

Sec. 10-1.207 Non-residential Development Minimum Design and Performance Standards

For non-residential development refer to standards contained in the Neighborhood Commercial District, Section 10-1.845, Minimum Design and Performance Standards. All non-residential development shall comply with the Hillside Design Guidelines.

Sec. 10-1.208 Performance Standards Applicable to All Districts

- a. Entrance Lighting. All building entrances shall be lit from dawn to dusk for high visibility of the building entrance and safety.
- b. Landscaping Maintenance.
 - (1) After initial installation, all plantings shall be maintained in a reasonably weed-free and litter-free condition, including replacement where necessary, as determined by the Planning Director.
 - (2) Required parking lot, buffer, front and street side trees shall not severely pruned, topped, pollarded, disfigured or removed without issuance of a Tree Permit as defined in the Tree Preservation Ordinance.

Sec. 10-1.209 Site Plan Review Required

Site Plan Review approval shall be required before issuance of any building or construction permit only if the Planning Director determines that a project materially alters the appearance and character of the property or area, or may be incompatible with City policies, standards, and guidelines.