CITY OF HAYWARD

Hayward City Hall
777 B Street
Hayward, CA 94541
www.Hayward-CA.gov

Agenda

Thursday, May 9, 2019

7:00 PM

Council Chambers

Planning Commission

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. The Chair may, at the beginning of the hearing, limit testimony to three (3) minutes per individual and five (5) minutes per an individual representing a group of citizens for organization. Speakers are expected to honor the allotted time.

CALL TO ORDER Pledge of Allegiance

ROLL CALL

PUBLIC COMMENTS

The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff for further action.

ACTION ITEMS

The Commission will permit comment as each item is called for Public Hearing. Please submit a speaker card to the Secretary if you wish to speak on a public hearing item.

PUBLIC HEARING

For agenda item No. 1 the Planning Commission may make a recommendation to the City Council.

1. Recommended FY 2020 - FY 2029 Capital Improvement Program

For agenda item No. 2 the Planning Commission may make a recommendation to the City Council.

2. Proposed Commercial Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Requiring Approval of Conditional Use Permit Application No. 201806005.

For agenda item No. 3 the Planning Commission may make a recommendation to the City Council.

3. Proposal to subdivide an existing 8.88 acre parcel into 22

parcels to allow the construction of 19 single-family residences with common open space areas and related site improvements at 29080 Fairway Avenue (APN 085A-6428-002-00) by Erik Hayden of Hayden Land Company, LLC (Applicant) on behalf of Carrie Aitken (Owner) Requiring a Tentative Tract Map, Planned Development (PD) Rezone, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) Application No. 201603891.

APPROVAL OF MINUTES

4. Minutes of the Planning Commission Meeting of April 25, 2019

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters

Commissioners' Announcements, Referrals

ADJOURNMENT

NEXT MEETING, MAY 23, 2019, 7:00PM

PLEASE TAKE NOTICE

That if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing.

PLEASE TAKE FURTHER NOTICE

That the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.

****Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Permit Center, first floor at the above address. Copies of staff reports for agenda items are available from the Commission Secretary and on the City's website the Friday before the meeting.****

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Clerk at (510) 583-4400 or TDD (510) 247-3340.

File #: PH 19-029

DATE: May 9, 2019

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Recommended FY 2020 - FY 2029 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2020 - FY 2029 Capital Improvement Program is consistent with the *Hayward 2040 General Plan.*

SUMMARY

The City's Capital Improvement Program (CIP) is a planning document for the upcoming ten-year period. It supports the City Council's priorities of Safe, Clean, Green, and Thrive, and the three Strategic Initiatives - Complete Communities, Complete Streets, and the Tennyson Corridor. The CIP planning document (Attachment II) includes budget recommendations that contain revenue and expenditure estimates for capital projects.

The proposed CIP budget includes approximately $148 million in FY 2020 and an estimated $520 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, including an Airport, Roadways and Streets, Transportation, Buildings, Water System, Groundwater, Wastewater System with a Water Pollution Control Facility, Recycled Water, and Renewable Energy. The CIP likewise includes projects and purchases for Facilities, Information Technology, and Fleet vehicles. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total over $400 million.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Recommended FY2020-2029 CIP Budget

DATE: May 9, 2019

TO: Planning Commission

FROM: Sara Buizer, Planning Manager

SUBJECT Recommended FY 2020 – FY 2029 Capital Improvement Program

RECOMMENDATION

That the Planning Commission finds that the Recommended FY 2020– FY 2029 Capital Improvement Program is consistent with the *Hayward 2040 General Plan*.

SUMMARY

The City's Capital Improvement Program (CIP) is a planning document for the upcoming ten-year period. It supports the City Council's priorities of Safe, Clean, Green, and Thrive, and the three Strategic Initiatives – Complete Communities, Complete Streets, and the Tennyson Corridor. The CIP planning document (Attachment II) includes budget recommendations that contain revenue and expenditure estimates for capital projects.

The proposed CIP budget includes approximately $148 million in FY 2020 and an estimated $520 million in the next ten years. Given that Hayward is a full-service city, the CIP covers a wide range of projects, including an Airport, Roadways and Streets, Transportation, Buildings, Water System, Groundwater, Wastewater System with a Water Pollution Control Facility, Recycled Water, and Renewable Energy. The CIP likewise includes projects and purchases for Facilities, Information Technology, and Fleet vehicles. As in past years, the document also includes Identified and Unfunded Capital Needs, which currently total over $400 million.

BACKGROUND

State law requires the Planning Commission review of the City's currently Recommended FY 2020 – FY 2029 CIP to ensure conformance with the City's General Plan. The City Council will review the Recommended FY 2020 – FY 2029 CIP[1] at a work session on May 7, 2019.

Council Infrastructure Committee: This year, the Council Infrastructure Committee discussed the CIP process from a broad policy perspective and recommended evaluating specific measures for selecting projects and improving the process. Due to the timing of the Council Infrastructure Committee (CIC) review and the long-range nature of the policy considerations, only a few of the recommendations have been incorporated in the current year's CIP.

[1] https://www.hayward-ca.gov/your-government/documents/capital-improvement-program

DISCUSSION

The CIP includes an emphasis on updating and improving the City's infrastructure, which is aligned with various Public Facilities and Services Element goals and policies, including:

> *General Plan Policy PFS-1.2*: The City shall give high priority in capital improvement programming to funding rehabilitation or replacement of critical infrastructure that has reached the end of its useful life or has capacity constraints.

Key projects include the building of the new Fire Station No. 6 and Training Center by the Hayward Airport, which align with Community Safety Element goals and policies related to Fire Protection and Emergency Medical Services, including:

> *Goal 4:* Provide coordinated fire protection and emergency medical services to promote a safe and healthy community.
>
> *Policy CS-4.4 – Timing of Services*: The City shall ensure that growth and development does not outpace the expansion of Hayward Fire Department staffing and the development of strategically located and fully equipped fire stations.
>
> *Policy CS-4.5 – Station Call Volumes and the Reallocation of Resources*: The City shall monitor call volumes at individual fire stations to determine if certain areas of the City are in high demand of fire and emergency medical services. The City shall consider reallocating resources (fire units and/or equipment) or building new fire stations to serve high demand areas.

Paving and transportation projects, including the FY 2020 Pavement Maintenance and Pavement Rehabilitation Project, and the Downtown Specific Plan Implementation, align with Mobility Elements goals and policies, including:

> *Goal M-3*: Provide complete streets that balance the diverse needs of users of the public right-of- way.
>
> *Policy M-3.1- Serving All Users*: The City shall provide safe, comfortable, and convenient travel along and across streets to serve all users, including pedestrians, the disabled, bicyclists, motorists, movers of commercial goods, and users and operators of public transportation.

Renewable energy projects, including the Solar Power Design and Construction – Phase II aligns with:

> *Goal NR-4.1*: Reduce energy consumption through increased production and use of renewable energy, sustainable energy purchasing, and improved energy efficiency.

> *Policy NR-4.10- Energy Efficiency Measures*: The City shall ensure that all new City-owned facilities are built with renewable energy, as appropriate to their functions, and shall install renewable energy systems at existing City facilities, where feasible.

The need for fleet vehicles is annually assessed as part of the CIP process and the use of "green" technology in being incorporated when purchasing vehicles. The practice to operate and manage the City's fleet in a sustainable manner align with:

> *Goal PFS-2*: Operate and function in a sustainable manner, use public revenues and resources efficiently, and provide professional, high-quality service to residents and businesses.
>
> *Policy PFS-2.3- Sustainable Practices*: The City shall serve as a role model to businesses and institutions regarding purchasing decisions that minimize the generation of waste, recycling programs that reduce waste, energy efficiency and conservation practices that reduce water, electricity and natural gas use, and fleet operations that reduce gasoline consumption.

The CIP also focuses on beautification and improvement of landscaping along key thoroughfares, including mural painting and median landscaping and curb reconstruction projects, which align with many General Plan Land Use Element goals and policies, including:

> *Goal LU-4*: Create attractive commercial and mixed-use corridors that serve people traveling through the City, while creating more pedestrian-oriented developments that foster commercial and social activity for nearby residents and businesses.
>
> *Policy LU-4.9: Existing Sound Walls and Fences*: The City shall encourage landscaping improvements along sound walls and fences to discourage graffiti and to enhance the visual character of corridors. Where landscaping is not feasible, the City shall encourage the painting of murals on sound walls.
>
> *Policy LU-4.11: Streetscape Enhancements*: The City shall strive to improve the visual character of corridors by improving streetscapes with landscaped medians, and widened sidewalks that are improved with street trees, pedestrian-scaled lighting, underground utilities, landscaping, and streetscape furniture and amenities.

In addition to the previously stated Public Facilities and Services Policy PFS-1.2, sewer and water improvement projects in the CIP adhere to the policies under the following Public Facilities and Services goals:

> *Goal PFS–3*: Maintain a level of service in the City's water system that meets the needs of existing and future development while improving water system efficiency.
>
> *Goal PFS–4*: Maintain a level of service in the City's wastewater collection and disposal system to meet the needs of existing and future development.

ECONOMIC IMPACT

The direct economic impact of these projects is not quantifiable. However, maintaining and improving the City's infrastructure and fleet will have an unquestionable impact on maintaining and improving economic health and vitality of the City.

FISCAL IMPACT

Five of the twenty-one CIP funds rely on transfers from the General Fund for project expenses. Proposed changes are noted in the table below:

Fund	FY 2019 GF Transfer	Proposed FY 2020 GF Transfer	Change from FY 2019 adopted CIP
401- Strategic Initiatives Projects	$156,000	-	($156,000)
405- Capital Projects Governmental	$968,000	$640,000	($328,000)
460- Transportation System Improvements	$350,000	$350,000	-
726- Facilities Management Capital	-	$360,000	$360,000
731- Information Technology Capital	$1,500,000	$585,000	($915,000)
Total Cost to General Fund	$2,974,000	$1,935,000	($1,039,000)

Four of the CIP funds are also Internal Service Funds (ISF), meaning they use Internal Service fees to finance project expenses. Internal Service fees are collected when one City department provides a service to another, drawing those service expenses from the operating budget of the benefiting department. Although some departments are funded by Enterprise funds, many are part of the General Fund. The total General Fund impact of Internal Service fees are shown below.

Fund	FY 2019 ISF (General Fund Impact)	FY 2020 ISF (General Fund Impact)	Change from FY 2019 adopted CIP
726- Facilities Management Capital	$260,618	$258,570	($2,048)
731- Information Technology Capital	$540,892	$653,832	$112,940
736- Fleet Management Capital (General Fund)	$2,113,000	$3,033,049	$920,049
737- Fleet Management Capital (Enterprise)	$0	$0	-
Total Cost to General Fund	$2,914,510	$3,945,451	$1,030,941

There is an overall decrease of $8,000 to the General Fund impact compared with the FY 2019 adopted CIP.

The Recommended FY 2020 – FY 2029 CIP currently contains approximately $148 million of projects for FY 2020, an estimated $520 million for the next ten years, and an additional $410 million in unfunded needs. Project costs by CIP category are as follows:

Category	FY 2020 Total
Livable Neighborhoods	$27,192
Road & Street Projects	$24,120
Pavement Rehabilitation Projects	$10,913
Building/Misc Projects	$31,825
Fleet Management	$4,249
Equipment	$2,499
Water System Projects	$22,240
Sewer System Projects	$18,908
Airport Projects	$5,884

The major CIP funding sources are as follows:

CIP Funding Source	FY 2020
Measure B/BB	4%
General Fund (GF)/Internal Service Fund (ISF)	4%
Gas Tax/Vehicle Registration Fee/Road Repair and Accountability Act	5%
Other Reimbursements/Contributions	17%
Measure C	18%
Grants	20%
Enterprise/Utilities	32%

Strategic Initiatives: The three Council Strategic Initiatives set in November 2016, of Complete Streets, Complete Communities, and Tennyson Corridor, are continually on the forefront when planning capital projects. To the extent possible, a formal management and implementation process ensures that CIP projects are aligned with the Council's Strategic Initiatives and that the value each one of them generates is being maximized. City staff strive to effectively communicate the benefits of Strategic Initiatives to stakeholders at all levels of a project.

SUSTAINABILITY FEATURES

The action taken for this agenda report will not result in a physical development, purchase or service, or a new policy or legislation. Any physical work will depend upon a future Council action. Sustainability features for individual CIP projects are listed in each staff report.

PUBLIC CONTACT

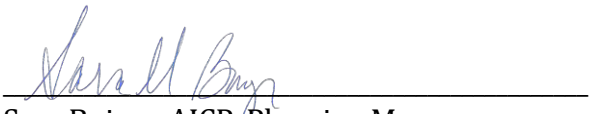
Members of the public had an opportunity to review and comment on the CIP at the City Council Work Session on May 7, at this evening's Planning Commission meeting, and will again at the City Council Public Hearing on May 21. A notice advising residents about the public hearings on the CIP are published in the paper the requisite ten days in advance. The agenda for the Council work session on the CIP is posted in City Hall as well as Weekes Library. A printed copy of the Recommended CIP is made available online, at the Public Works' Department office, at the City Clerk's office, and at Weekes Library. Individual projects receive Council approval and public input as appropriate.

NEXT STEPS

Once the Commission has completed the review of the Recommended CIP and found it in conformance with the General Plan, the CIP will be reviewed at a Council public hearing and adoption of the CIP budget which is currently scheduled for May 21, 2019.

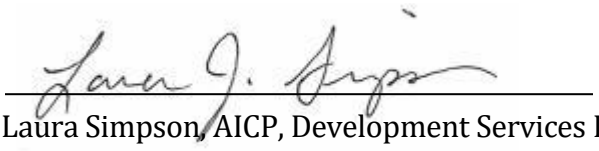
Prepared by: Carol Lee, Management Analyst I

Recommended by:



Sara Buizer, AICP, Planning Manager

Approved by:



Laura Simpson, AICP, Development Services Director

GAS TAX FUND - FUND 210

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05106	Project Predesign	440		40	40	40	40	40	40	40	40	40	40	40
05116	Congestion Management Program	1,584		109	116	123	130	137	144	151	158	165	172	179
05140	Miscellaneous Curb and Gutter Repair	344		44	30	30	30	30	30	30	30	30	30	30
05186	Traffic Signal Energy	4,062		327	357	361	364	368	371	375	379	383	387	390
05187	Traffic Signal Maintenance	4,040		332	339	345	352	359	367	374	381	389	397	405
NEW	Street Repairs and Equipment Replacement - Maintenance Services	865			115	90	90	90	90	90	90	70	70	70
	Transfer from 615	*150*			*15*	*15*	*15*	*15*	*15*	*15*	*15*	*15*	*15*	*15*
	PAVEMENT IMPROVEMENT PROJECTS													
05110	Pavement Management Program	430		55	20	55	20	55	20	55	20	55	20	55
05219	Pavement Rehabilitation - Gas Tax - FY19	320		320										
05222	Pavement Rehabilitation - Gas Tax - FY20	1,100		50	1,050									
NEW	Pavement Rehabilitation - Gas Tax FY21	1,050			50	1,000								
TBD	Pavement Rehabilitation - Gas Tax - FY22 - FY29	9,800					1,000	1,000	1,250	1,300	1,250	1,350	1,350	1,300
	STREETLIGHT IMPROVEMENT PROJECTS													
05132	New and Replacement Streetlights	560		60	50	50	50	50	50	50	50	50	50	50
05188	Streetlight Energy	5,810		455	489	499	509	519	529	540	551	562	573	584
05189	Streetlight Maintenance	1,642		135	138	140	143	146	149	152	155	158	161	165
05223	B Street Lighting	90		90										
	WHEELCHAIR RAMP IMPROVEMENT PROJECTS													
05213	Wheelchair Ramps - FY19- Districts 6 & 9	128		128										
	TDA	*142*		*142*										
05221	Wheelchair Ramps - FY20 - Districts 4 & 5	150	7	3	140									
	TDA	*150*			*150*									
TBD	Wheelchair Ramps - FY21 - FY29	1,360			10	150	150	150	150	150	150	150	150	150
	TDA	*1,350*				*150*	*150*	*150*	*150*	*150*	*150*	*150*	*150*	*150*
	TOTAL PROJECT COSTS			2,148	2,943	2,883	2,879	2,944	3,190	3,307	3,254	3,402	3,400	3,418
	Transfer to General Fund for Street & Signal Maintenance	10,382	8,237	231	233	236	238	240	243	245	248	250	253	255
	Transfer to Fund 450 (Gas Tax "Swap" portion)	9,761	2,639	1,235	750	750	750	750	750	750	750	750	750	750
	Transfer to Fund 450 (Mid Year Adjustment)		165											
	Debt Service (CEC loan for Citywide streetlight conversion) - loan payment through FY23 (interest rate of 1%/yr)	2,472	828	276	276	276	276	281						
	TOTAL EXPENDITURES			3,890	4,202	4,145	4,143	4,215	4,183	4,302	4,252	4,402	4,403	4,423

GAS TAX FUND - FUND 210

PROJ. NO.	PRODUCT DESCRIPTION	PROJ. TOTAL	PRIOR YEARS	EST FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY27
	REVENUES:													
	Interest			1	1	1	1	1	1	1	1	1	1	1
	Reimbursements (TDA)			142	150	150	150	150	150	150	150	150	150	150
	Apportionment Sec. 2105 (04903)			927	942	951	961	971	980	990	1,000	1,010	1,020	1,030
	Apportionment Sec. 2106 (04900)			556	562	567	573	579	585	590	596	602	608	615
	Apportionment Sec. 2107 & 2107.5 (04901)			1,151	1,163	1,174	1,186	1,198	1,210	1,222	1,234	1,246	1,259	1,271
	Apportionment Sec. 2107.5 (04902)			10										
	Gas Tax "Swap" Sec. 2103			635	1,235	1,247	1,260	1,272	1,285	1,298	1,311	1,324	1,337	1,351
	One Time Loan Repayment			183	183									
	REVENUE SUBTOTAL:			3,606	4,236	4,092	4,131	4,171	4,211	4,252	4,293	4,334	4,376	4,419
	TRANSFERS IN FROM:													
	Stormwater Fund 615				15	15	15	15	15	15	15	15	15	15
	TRANSFERS SUBTOTAL:				15	15	15	15	15	15	15	15	15	15
	REVENUE TOTALS:			3,606	4,251	4,107	4,146	4,186	4,226	4,267	4,308	4,349	4,391	4,434
	BEGINNING FUND BALANCE:			312	28	76	37	41	11	54	19	74	21	10
	ENDING FUND BALANCE:			28	76	37	41	11	54	19	74	21	10	20

GAS TAX - RRAA (SB 1) - FUND 211

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	PAVEMENT IMPROVEMENT PROJECTS													
05230	Pavement Rehabilitation - FY 18 - RRAA - Fairway Ave/Calaroga Ave	509	9	500										
05231	Pavement Rehabilitation - FY 19 - RRAA - Various Streets	3,075		3,075										
TBD	Pavement Rehabilitation - FY 20 - FY 29 - RRAA	25,850			2,750	2,750	2,750	2,850	2,850	2,950	2,950	3,000	3,000	3,000
	TOTAL PROJECT COSTS			3,575	2,750	2,750	2,750	2,850	2,850	2,950	2,950	3,000	3,000	3,000
	TOTAL EXPENDITURES			3,575	2,750	2,750	2,750	2,850	2,850	2,950	2,950	3,000	3,000	3,000
	REVENUES:													
	Interest			2	2	2	2	2	2	2	2	2	2	2
	RMRA (SB 1)			2,695	2,700	2,750	2,750	2,850	2,850	2,950	2,950	3,000	3,000	3,001
	REVENUE SUBTOTAL:			2,697	2,702	2,752	2,752	2,852	2,852	2,952	2,952	3,002	3,002	3,003
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			2,697	2,702	2,752	2,752	2,852	2,852	2,952	2,952	3,002	3,002	3,003
	BEGINNING FUND BALANCE:			934	56	8	10	12	14	16	18	20	22	24
	ENDING FUND BALANCE:			56	8	10	12	14	16	18	20	22	24	27

MEASURE BB (LOCAL TRANSPORTATION) - FUND 212

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05208	Project Predesign Services	367		97	30	30	30	30	30	30	30	30	30	30
05218	Tennyson Road Corridor Complete Streets Feasibility Study	100	1	99										
	PAVEMENT IMPROVEMENT PROJECTS													
05216	Pavement Rehabilitation - Measure BB - FY19	2,150	43	2,107										
05224	Pavement Rehabilitation - Measure BB - FY20	2,240		50	2,190									
TBD	Pavement Rehabilitation - Measure BB - FY21 - FY29	30,480			50	2,290	2,590	4,150	4,200	4,250	4,300	4,300	4,350	4,400
	TRAFFIC CALMING PROJECTS													
05217	Hayward Blvd. Traffic Calming Study	120		120										
05225	D Street Traffic Calming Study	120		120										
NEW	Speed Monitoring Devices	1,020			60	60	60	120	120	120	120	120	120	120
	TOTAL PROJECT COSTS			2,593	2,330	2,380	2,680	4,300	4,350	4,400	4,450	4,450	4,500	4,550
	TOTAL EXPENDITURES			2,593	2,330	2,380	2,680	4,300	4,350	4,400	4,450	4,450	4,500	4,550
	REVENUES:													
	Interest			3	3	3	3	3	3	3	3	3	3	3
	Measure BB (Increases to 1% tax April 1, 2022)			2,274	2,297	2,320	2,657	4,294	4,337	4,380	4,424	4,468	4,513	4,558
	REVENUE SUBTOTAL:			2,277	2,300	2,323	2,660	4,297	4,340	4,383	4,427	4,471	4,516	4,561
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			2,277	2,300	2,323	2,660	4,297	4,340	4,383	4,427	4,471	4,516	4,562
	BEGINNING FUND BALANCE:			492	176	146	88	68	65	55	39	16	37	53
	ENDING FUND BALANCE:			176	146	88	68	65	55	39	16	37	53	65

MEASURE BB (PEDESTRIAN AND BICYCLE) - FUND 213

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05278	Project Predesign Services	340		20	20	20	20	40	40	40	40	40	40	40
	PEDESTRIAN SAFETY IMPROVEMENTS													
NEW	Pedestrian Traffic Signal Improvements	225			25	25	25	25	25	25	25	25	25	25
	NEW SIDEWALK PROJECTS													
05259	New Sidewalks - Measure BB - FY17 - Walpert Street	495	30	465										
05246	New Sidewalks - Measure BB - FY18 - Muir St., Calhoun St.	365		365										
05247	New Sidewalks - Measure BB - FY19	350	12	338										
NEW	New Sidewalks - Measure BB - FY20	375			375									
TBD	New Sidewalks - Measure BB - FY21 - FY29	5,150				375	400	700	725	750	700	750	750	750
	TOTAL PROJECT COSTS			1,188	420	420	445	765	790	815	765	815	815	815
	TOTAL EXPENDITURES			1,188	420	420	445	765	790	815	765	815	815	815
	REVENUES:													
	Interest			2	2	2	2	1	1	2	2	2	2	2
	Measure BB (Increases to 1% tax April 1, 2022)			423	427	432	436	770	778	785	793	801	809	817
	REVENUE SUBTOTAL:			425	429	434	438	771	779	787	795	803	811	819
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			425	429	434	438	771	779	787	795	803	811	820
	BEGINNING FUND BALANCE:			826	63	72	86	79	85	73	46	76	64	61
	ENDING FUND BALANCE:			63	72	86	79	85	73	46	76	64	61	66

MEASURE B (LOCAL TRANSPORTATION) - FUND 215

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05199	Project Predesign Services	120		30	30	30	30							
NEW	Downtown Specific Plan Implementation (Foothill Blvd., A St., B St., and C St.)				480									
	PAVEMENT IMPROVEMENT PROJECTS													
05220	Pavement Rehabilitation - Measure B - FY19	3,150	48	3,102										
05226	Pavement Rehabilitation - Measure B - FY20	2,050		50	2,000									
TBD	Pavement Rehabilitation - Measure B - FY21 - FY22	4,137			50	2,425	1,662							
	TRAFFIC CALMING PROJECT													
05166	Speed Monitoring Devices	502		142	120	120	120							
	TOTAL PROJECT COSTS			3,324	2,680	2,575	1,812							
	TOTAL EXPENDITURES			3,324	2,680	2,575	1,812							
	REVENUES:													
	Interest			5	1	0	0							
	Reauthorized Measure B (Ends March 30, 2022)			2,532	2,557	2,583	1,782							
	REVENUE SUBTOTAL:			2,537	2,558	2,583	1,782							
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0							
	REVENUE TOTALS:			2,537	2,558	2,583	1,782							
	BEGINNING FUND BALANCE:			931	144	22	30							
	ENDING FUND BALANCE:			144	22	30	0							

MEASURE B (PEDESTRIAN AND BICYCLE) - FUND 216

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05260	Project Predesign Services	120		45	25	25	25							
	PEDESTRIAN/BIKE SAFETY IMPROVEMENT PROJECTS													
05175	Pedestrian Traffic Signal Modifications and Improvements	144		69	25	25	25							
05271	Pedestrian Master Plan/Update Bicycle Master Plan	340	7	333										
NEW	Mission-Torrano HAWK Pedestrian Signal				130									
	NEW SIDEWALK PROJECTS													
05258	New Sidewalks FY17 - Walpert Street	480	199	281										
05272	New Sidewalks FY18 - Muir and Calhoun	430	20	410										
05284	New Sidewalks FY19	420		420										
NEW	New Sidewalks FY20	400			400									
TBD	New Sidewalks FY21- FY22	836				475	361							
	TOTAL PROJECT COSTS			1,558	580	525	411							
	TOTAL EXPENDITURES			1,558	580	525	411							
	REVENUES:													
	Interest			1	1	1	1							
	Reauthorized Measure B (Ends March 30, 2022)			518	523	528	360							
	REVENUE SUBTOTAL:			519	524	529	361							
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0							
	REVENUE TOTALS:			519	524	529	361							
	BEGINNING FUND BALANCE:			1,140	101	45	50							
	ENDING FUND BALANCE:			101	45	50	0							

VEHICLE REGISTRATION FEE - FUND 218

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	PAVEMENT IMPROVEMENT PROJECTS													
05215	Pavement Rehabilitation - VRF - FY18	900	889	11										
05280	Pavement Rehabilitation - VRF - FY19	1,650	14	1,636										
05289	Pavement Rehabilitation - VRF - FY20	775		25	750									
TBD	Pavement Rehabilitation - VRF - FY21 - FY29	6,925			25	850	850	850	850	850	850	900	900	900
	TOTAL PROJECT COSTS			1,672	775	850	850	850	850	850	850	900	900	900
	TOTAL EXPENDITURES			1,672	775	850	850	850	850	850	850	900	900	900
	REVENUES:													
	Interest			2	1	1	1	1	1	1	1	1	1	1
	VRF - Local Streets and Roads			809	817	825	834	842	850	859	867	876	885	894
	REVENUE SUBTOTAL:			811	818	826	835	843	851	860	868	877	886	895
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			811	818	826	835	843	851	860	868	877	886	895
	BEGINNING FUND BALANCE:			896	35	78	54	39	32	33	43	61	38	24
	ENDING FUND BALANCE:			35	78	54	39	32	33	43	61	38	24	19

CAPITAL PROJECTS (GOVERNMENTAL) - FUND 405

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	CAPITAL PROJECTS - GENERAL													
06909	Downtown Parking Study	199	175	5										
06911	Property Acquisition Management	2,130	1,133	168	100	100	100	100	100	100	100	100	100	100
NEW	La Vista Park (06914 added to Munis)	23,254		650	22,604									
	Fees for La Vista Development	*2,790*		*650*	*2,140*									
	HARD	*2,000*			*2,000*									
	Park-in-Lieu	*4,230*			*4,230*									
	HARD Bond	*13,400*			*13,400*									
	Community Center Contribution	*850*			*850*									
06978	Foothill Gateway Landscape Plan	50			50									
	County Reimbursement	*25*			*25*									
	RDA	*25*	*25*											
06901	City Facilities Needs Assessment Study	507	496	11										
	Calpine (for 21st Century Library & Community Learning Center)	*180*	*180*											
06977	UST Remediation Study - Fire Station 2	301	219	82										
06904	Community Satisfaction Survey	312	112	40		40		40		40		40		40
06906	Mural/Art Program	298		73	25	25	25	25	25	25	25	25	25	25
06953	Employee Engagement Survey	175			35		35		35		35		35	
05102	Landscape Material/Median Tree/Shrub Replacements	1,101		156	105	105	105	105	105	105	105	105	105	105
05160	Surplus Property Maintenance	39		39										
06121	Property Taxes on Excess Right-of-Way	50		5	5	5	5	5	5	5	5	5	5	5
06907	Project Predesign Services	351		36	35	35	35	35	35	35	35	35	35	35
06950	Neighborhood Partnership Program Project	574		124	50	50	50	50	50	50	50	50	50	50
06905	Disaster Preparedness Exercise	50		50										
06968	Sealing Centennial Hall Parking Deck (Safeway Roof)	30				30								
06952	Neighborhood Improvement Grant Program	105	5	25	15	15	15	15	15					
06913	Downtown Parking Improvements (Wayfaring Signage)	106	13	93										
NEW	Hayward Housing Navigation Center	500			500									
	County of Alameda HEAP	*500*			*500*									
TBD	150th Hayward Anniversary Events	100									100			
NEW	South Hayward Youth and Family Center	500		200	300									
	County Reimbursement	*500*		*500*										
	CAPITAL PROJECTS - POLICE													
07402	Supporting Services Equipment	691		295	54	75	54	54	30	37	30	30	32	40
07405	SWAT Team Equipment	470		46	23	27	35	84	55	50	50	50	50	25
07409	Police Officer Equipment	1,412		286	85	85	235	100	125	156	105	115	120	100
07411	Field Operations Equipment	698		122	209	76	33	42	63	53	25	50	25	50
07412	Criminal Investigations Equipment	180		41	37	3	6	3	25	25	3	22	15	15

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	CAPITAL PROJECTS - FIRE													
7450	Lucas Device Replacement	358		19	70	70	70	19	19	19	24	24	24	24
7451	Cardiac Monitor Replacement (Defibrillators)	1,664	283	525	92	92	92	92	92	92	92	106	106	106
7452	Fire Special Operations		192	*9*										
7456	Fire Radio Replacement	1,002		62	140	140	140	140	76	76	76	76	76	76
7466	Breathing Apparatus Replacement	1,400		108	108	108	108	172	172	172	172	172	108	108
7472	Fire Station No. 7 & Firehouse Clinic - Construction	10,000	9,870	130										
	Financing	*8,800*	*8,800*											
	County Health Services Department	*1,200*	*1,200*											
7483	Dental Chairs for Fire Station Clinic	60		60										
	OES Mutual AID	*60*		*60*										
7484	Emergency Management System	107			107									
7486	Emergency Vehicle Preemption	2,087	188	188	188	188	188	188	188	188	188	188	207	207
	CAPITAL PROJECTS - MAINTENANCE SERVICES													
07475	Replacement Equipment for Maintenance Services	151		61	10	10	10	10	10	10	10	10	10	10
	TOTAL PROJECT COSTS	38,579		3,709	24,947	1,279	1,341	1,279	1,225	1,238	1,230	1,203	1,128	1,121
	TOTAL EXPENDITURES			3,709	24,947	1,279	1,341	1,279	1,225	1,238	1,230	1,203	1,128	1,121
	REVENUES:													
	Interest			10	10	—	1	—	—	—	1	1	1	1
	Construction Tax			250	250	250	250	250	250	250	250	250	250	250
	County Reimbursement (Project 6978)				25									
	Planning Fee Charges (Project 06908)	1,387	787	200	200	200								
	Mutual Aid Overhead Reimbursement			50	50	50	50	50	50	50	50	50	50	50
	OES Mutual Aid for New Dental chairs Project			60										
	Fees for La Vista Development	2,790		650	2,140									
	HARD	2,000			2,000									
	Park-in-Lieu	4,230			4,230									
	HARD Bond	13,400			13,400									
	Community Center Contribution	850			850									
	County of Alameda HEAP	500			500									
	County Reimbursement (SHYFC)	500		500										
	REVENUE SUBTOTAL:			1,720	23,655	500	301	300	300	300	301	301	301	301
	TRANSFERS IN FROM:													
	General Fund	10,472	4,234	968	640	755	1,040	980	925	930	930	900	825	825
	TRANSFERS SUBTOTAL:			968	640	755	1,040	980	925	930	930	900	825	825
	REVENUE TOTALS:			2,688	24,295	1,255	1,341	1,280	1,225	1,230	1,231	1,201	1,126	1,126
	BEGINNING FUND BALANCE:			1,710	689	37	13	13	14	14	6	7	5	3
	ENDING FUND BALANCE:			689	37	13	13	14	14	6	7	5	3	8

MEASURE C CAPITAL - FUND 406

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07474	Fire Station Nos. 1-6 Improvements - Design	2,900	1,570	1,330										
07479	Fire Station No. 1 Improvements	1,500	977	523										
07478	Fire Station No. 2 Improvements	2,700	2,159	541										
07476	Fire Station No. 3 Improvements	2,193	2,095	98										
07477	Fire Station No. 4 Improvements	2,200	1,724	476										
07480	Fire Station No. 5 Improvements	1,700	1,283	417										
07481	New Fire Station No. 6	7,500	66	4,934	2,500									
07482	New Fire Training Center	52,900	2,707	22,143	28,050									
	Contributions from Partnering Agencies	*20,000*		*20,000*										
06988	21st Century Library and Community Learning Center - Construction	61,878	45,031	16,847										
	Housing Related Parks Program			*399*										
05290	Tennyson Corridor Landscape Improvement			300	350	200	125							
	PAVEMENT IMPROVEMENT PROJECTS													
05204	Pavement Rehabilitation Project	11,730	11,698	32										
TBD	Pavement Rehabilitation Project*	2,000							2,000					
*Note	Pavement Rehabilitation will receive $2M in FY32													
	TOTAL PROJECT COSTS			47,641	30,900	200	125		2,000					
	Transfer to Fund 450 - Project 05255 Landscaping				129									
	TOTAL EXPENDITURES			47,641	31,029	200	125		2,000					
	REVENUES:													
	Interest													
	Revenue Contributions from Partnering Agencies	20,000		20,000										
	Housing Related Parks Program Grant			399										
	REVENUE SUBTOTAL:			20,399										
	TRANSFERS IN FROM:													
	Fund 101 - Measure C			9,187	26,815	200	125		2,000					
	TRANSFERS SUBTOTAL:			9,187	26,815	200	125		2,000					
	REVENUE TOTALS:			29,586	26,815	200	125		2,000					
	BEGINNING FUND BALANCE:			22,269	4,214	0	0	0	0					
	ENDING FUND BALANCE:			4,214	0	0	0	0	0					

ROUTE 238 CORRIDOR IMPROVEMENT - FUND 410

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05194	Preliminary Design and Environmental Study for the Route	2,127	2,077	50										
	238 Corridor Improvement Project - Phases 2 & 3	*2,000*	*2,000*											
05276	238 Bypass Property Disposition	1,624	1,285	339										
	238 OPHP (Fund 411)	*1,000*	*1,000*											
05114	Administration and Predesign	733	507	106	60	60								
05270	Route 238 Corridor Improvement Project - Phase 2 Construction(Mission from Industrial to South City Limit)	30,393	2,906	14,000	13,487									
	LATIP	*19,900*		*10,700*	*9,200*									
	ACTC	*10,600*		*5,600*	*5,000*									
	Rule 20A	*1,450*	*612*	*725*	*113*									
	Comcast	*130*		*130*										
05287	New Route 238 Corridor Improvement Project - Phase 3 Final Design and Construction	15,500	422	600	7,000	7,478								
	ACTC	*10,900*			*5,000*	*5,900*								
	Rule 20B				*125*	*125*								
NEW	Mission Blvd. Improvements Phase 2 Linear Park Landscape	2,813			275	2,538								
	TOTAL PROJECT COSTS			15,095	20,822	10,076								
	Transfer to Street System Improvements Fund (Fund 450)			129										
	TOTAL EXPENDITURES			15,224	20,822	10,076								
	REVENUES:													
	Interest			1	1	1								
	Lease/Rent Payments from Acquired Properties	432	227	50										
	Alameda CTC	21,500		5,600	10,000	5,900								
	JEM (Developer Reimbursement Agreement)	65	65											
	Real Estate Transactions (Surplus Land Sales)	2,400		2,400										
	PG&E Rule 20A/B	1,813		725	238	125								
	LATIP	21,900	2,000	10,700	9,200									
	Comcast Rule 20A	130		130										
	County RDA Reimb. For City's Contrib. for Mt. Eden Project	5,839		312	2,750	2,777								
	Other Revenue (William Lyon Homes, North Am. Title)			6										
	REVENUE SUBTOTAL:			19,729	16,128	11,574								
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0								
	REVENUE TOTALS:			19,924	22,189	8,803								
	BEGINNING FUND BALANCE:			(4,794)	(94)	1,273								
	ENDING FUND BALANCE:			(94)	1,273	0								

STREET SYSTEM IMPROVEMENTS - FUND 450

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05148	Project Predesign Services	302		32	30	30	30	30	30	30	30	30	30	30
05153	Alameda County Aerial Photography	171		21	50			50			50			50
05197	880/92 Reliever Route Project Design, R/W and Construction	32,407	32,057	350										
	ACTC	*26,425*	*26,425*											
05257	Bridge Structures Maintenance	637	274	363										
	OBAG	*1,750*			*1,750*									
05283	Main Street Complete Street Project	2,225	22	328	1,875									
	OBAG	*1,675*		*175*	*1,500*									
05292	Innovative Deployments to Enhance Arterials (IDEA) -Tennyson Corridor and Second Street	402		402										
	IDEA Grant	*300*		*300*										
	MEDIAN IMPROVMENT PROJECTS													
05263	Median Landscaping Improvement Project FY18 - Industrial Parkway - Hesperian to Hwy 880	640	590	50										
05255	Median Landscaping Improvement Project FY19 - Hesperian - Winton to Chabot Ct.	640	133	378	129									
05281	Median Landscaping Improvement Project FY20 - Hesperian - West A St. to Winton	852	2		50	800								
05291	Median Island Curb Reconstruction - Industrial Pkwy West	322		200	122									
TBD	Median Landscaping Improvement Project FY23 - Industrial Blvd. - Hwy 92 to Arf Ave.	1,100				50	1,050							
	MUNICIPAL PARKING LOT IMPROVMENT PROJECTS													
05286	City Municipal Parking Lot #1	650		650										
05248	City Municipal Parking Lot #2	500	65	435										
NEW	City Municipal Parking Lot #7, D-1 and D-2	242			242									
	PAVEMENT IMPROVEMENT PROJECTS													
05282	Pavement Rehabilitation Winton Ave West - Hesperian Blvd to Santa Clara	1,978			1,978									
TBD	Pavement Rehabilitation FY22 - FY29	4,050				50	1,350	400	400	500	400	450	500	500
	SIDEWALK IMPROVEMENT PROJECTS													
05256	Sidewalk Rehabilitation FY18 - Districts 2 & 3	858	858											
	Resident Participation	*94*	*29*	*65*										
05249	Sidewalk Rehabilitation FY19 - Distrcits 6 & 9	960	305	655										
	Resident Participation	*90*		*90*										
05285	Sidewalk Rehabilitaion FY20 - Districts 4 & 5	650	1	49	600									
	Resident Participation	*75*			*75*									
TBD	Sidewalk Rehabilitation FY21 - FY29	6,850				550	900	900	900	900	900	900	900	900
	Resident Participation	*685*				*55*	*90*	*90*	*90*	*90*	*90*	*90*	*90*	*90*
	TOTAL PROJECT COSTS			3,913	5,076	1,480	3,330	1,380	1,330	1,430	1,380	1,380	1,430	1,480
	TOTAL EXPENDITURES			3,913	5,076	1,480	3,330	1,380	1,330	1,430	1,380	1,380	1,430	1,480

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	REVENUES:													
	Interest			2	2	2	2	2	2	2	2	2	2	2
	Sidewalk Rehabilitation Reimbursement			155	75	55	90	90	90	90	90	90	90	90
	OBAG (Projects 05257 and 05283)	3,425		175	3,250									
	ACTC (Project 05197)	26,425	26,425											
	County RDA Reimb. for City's Contrib. for Mt. Eden Project 05143 (repayment term - 20 years)	5,123		2,650	250	223	2,000							
	Streets Impact Fee (Waste Management)	5,320		444	480	494	509	525	540	556	573	590	608	626
	IDEA Grant (Project 05292)	300		300										
	REVENUE SUBTOTAL:			1,920	4,816	2,302	753	2,579	594	608	624	640	656	674
	TRANSFERS IN FROM:													
	Fund 410 - (Rt. 238 Corridor Improvement)				129									
	Fund 210 (Gas Tax "Swap")			1,235	750	750	750	750	750	750	750	750	750	750
	Fund 210 (Gas Tax Mid Year adjustment)													
	TRANSFERS SUBTOTAL:			1,235	879	750	750	750	750	750	750	750	750	750
	REVENUE TOTALS:			4,961	4,936	1,524	3,351	1,367	1,382	1,398	1,415	1,432	1,450	1,468
	BEGINNING FUND BALANCE:			(727)	321	181	225	246	233	285	253	288	341	361
	ENDING FUND BALANCE:			321	181	225	246	233	285	253	288	341	361	349

TRANSPORTATION SYSTEM IMPROVEMENT - FUND 460

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
05701	Signal Timing and Controller Replacement Program - Hesperian, Tennyson, and Winton	695	668	27										
	TFCA	*664*	*633*	*31*										
05705	Citywide Multi Modal Improvement Study	699	296	403										
05709	Traffic Control Devices Repair/Replacement	458		40	40	40	40	40	40	40	40	40	40	40
05712	Intersection Improvement Project - TBD	1,200		175	100	100	125	125	125	125	100	100	125	150
05856	Controller Cabinet Replacement and Battery Back Up Program	1,095		37	115	115	115	115	115	115	115	115	115	115
05877	Transportation System Management Projects	550		50	50	50	50	50	50	50	50	50	50	50
05893	Quick Response Traffic Safety Projects	240		25	20	20	20	20	20	20	20	20	20	20
NEW	Transportation Software Improvements	10			10	10	10	10	10	10	10	10	10	10
	TRAFFIC CALMING PROJECT													
05734	Traffic Calming Implementation Program	1,064		172	90	90	90	90	90	90	90	90	90	90
	TOTAL PROJECT COSTS			871	425	415	440	440	440	440	415	415	440	465
	TOTAL EXPENDITURES			871	425	415	440	440	440	440	415	415	440	465
	REVENUES:													
	Interest			2	2	2	2	2	2	2	2	2	2	2
	TFCA (Projects 05701, 05703 and 05706)		1,054	31										
	REVENUE SUBTOTAL:			33	2	2	2	2	2	2	2	2	2	2
	TRANSFERS IN FROM:													
	Fund 100 (General Fund)			350	350	400	425	450	450	425	400	425	450	450
	TRANSFERS SUBTOTAL:			350	350	400	425	450	450	425	400	425	450	450
	REVENUE TOTALS:			383	352	402	427	452	452	427	402	427	452	452
	BEGINNING FUND BALANCE:			676	188	115	102	89	101	113	100	87	99	111
	ENDING FUND BALANCE:			188	115	102	89	101	113	100	87	99	111	98

WATER REPLACEMENT - FUND 603

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07001	Utility Center Prefabricated Storage Building	302	26	276										
07003	Miscellaneous Hydrant Replacement Program	376	N/A	26	35	35	35	35	35	35	35	35	35	35
07004	Distribution System Pressure Reducing Strategy	500	105	395										
07025	Conversion to Advanced Metering Infrastructure (AMI)	13,833	12,038	1,795										
	Transfer from 605 (Water Operating)	*10,000*	*10,000*											
07030	Project Predesign Services	299	N/A	49	25	25	25	25	25	25	25	25	25	25
07033	Tennyson Water Needs Assessment (EJCW)			50										
	Prop 1 DACIP Grant			*50*										
07035	City Irrigation System Backflow Replacements	130	10	10	20	10	10	10	10	10	10	10	10	10
07043	Asset Management Plan	100	3		97									
07144	Fittings Upgrade for Fire Department - Various Reservoirs	150		75	75									
	WATER CONSERVATION													
07013	Water Efficiency Program	2,328	488	540	100	100	100	100	150	150	150	150	150	150
07026	Water System Leak Detection Survey and Repair	275	97		178									
07047	Water Efficient Landscape Surveys and Incentives	541	302	239										
07049	City-owned Turf Area Assessment and Pilot Turf Repl Program	1	1											
07050	Bay-Friendly Water Conservation/Demonstration Garden	1	1											
	WATER DISTRIBUTION SYSTEM REPLACEMENT PROJECTS													
07005	Cast Iron Water Pipeline Replacement	1,568	1,568											
07006	Annual System Replacement Program	2,024	N/A	174	150	150	150	200	200	200	200	200	200	200
07008	Erosion Control at 1530' Reservoir													
07009	Easement Protection & Landscape Clearing at Various Locations	500	16		484									
07010	Air Release with Blow Off Access and Rehabilitation	320			320									
07011	Water Main Replacement at Mission Blvd between Fairway St. and Lexington St.	2,012	1,873	139										
07046	Replace 16" Water Line on Francisco, Willis & Mission	1,750				250	1,500							
07055	Floor Drain Modification Project at 1285 and 1530 Tanks	200	21		179									
07056	Well D2 Evaluation and Repair	131	131											
07057	Restore Water Mains Crossing at I-880	550			550									
07059	Reservoir Coating Inspection/Recoating at 250' East, 250' West, Garin, South Walpert, Treeview	2,400			1,200	1,200								
07110	750' Reservoir Inspection and Repair	2,050	42		2,008									
07129	Well B Evaluation and Repair	495		495										
07130	Pressure Reducing Station Regulator Replacement	450	62	238	150									
07131	Water Pump Station Valve Repair & Upgrade at Various Stations	375	5	220	75	75								
07132	Water Main Replacement at Highland, Carroll, Zephyr, Cascade, Hickory, Stanwood, & Memorial Way	4,700	39	3,161	1,500									
07133	SCADA System Evaluation and Upgrade	400	400											
07134	Cast Iron Water Pipeline Replacement - Local Streets	5,827	231	596	500	500	500	500	500	500	500	500	500	500

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07135	Annual Line Replacements FY17	471	471											
07141	Annual Line Replacements FY18	647	647											
07143	Annual Line Replacements FY19			750										
NEW	Annual Line Replacements FY20				750									
NEW	12" CIP Replacement from Sleepy Hollow to Industrial on Hesperian				2,046									
NEW	Utilities SCADA Security Upgrade				75									
NEW	1000 PZ Tank Roof Concrete Spalling Repair				200									
TBD	Annual Line Replacements - FY21 - FY29	30,500				2,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
	TOTAL PROJECT COSTS			9,228	10,717	4,845	5,820	4,370	4,420	4,420	4,420	4,420	4,420	4,420
	TOTAL EXPENDITURES			9,228	10,717	4,845	5,820	4,370	4,420	4,420	4,420	4,420	4,420	4,420
	REVENUES:													
	Interest			254	135	67	49	36	56	57	58	59	59	60
	BAWSCA Prop 84 Grant For Water Conservation	50	50											
	Prop 1 DACIP Grant (Project 07033)	50		50										
	REVENUE SUBTOTAL:			304	135	67	49	36	56	57	58	59	59	60
	TRANSFERS IN FROM:													
	Replacement Transfer from Fund 605			3,000	4,000	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400
	Transfer from Fund 604 (50% of Cast Iron Pipeline Repl)		1,500	500										
	Replacement Transfer from Fund 605 (Conversion to AMI)		10,000											
	TRANSFERS SUBTOTAL:			3,500	4,000	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400
	REVENUE TOTALS:			3,804	4,135	4,467	4,449	4,436	4,456	4,457	4,458	4,459	4,459	4,460
	BEGINNING FUND BALANCE:			15,554	10,130	3,548	3,170	1,799	1,865	1,901	1,938	1,976	1,976	2,015
	ENDING FUND BALANCE:			10,130	3,548	3,170	1,799	1,865	1,901	1,938	1,976	2,015	2,015	2,055

WATER IMPROVEMENT - FUND 604

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07029	Project Predesign Services	150	N/A	15	15	15	15	15	15	15	15	15	15	15
07058	Green Hayward PAYS Program	1,000	143	857										
07101	Cross Connection Improvement Project	200	7		193									
07103	Design of Facility Improvements for Water Distribution Field and Customer Services	200		200										
07105	Solar Power at Various Water Facilities	6,000			6,000									
07177	GIS Data Development and Conversion	675	112	112	112	112	112	112	112	112	112	112	112	112
07176	Utility Center Renovation/Training Center Addition (2nd Floor)	3,000	11		2,989									
	Fund 612	*1,400*	*1,400*											
07178	Hesperian Site Additional Paving													
07186	Solar Photovoltaic at Hesparian Pump Station	1,000		1,000										
07189	Safety Improvements to Utility Center Corporation Yard Storage	36	36											
	WATER DISTRIBUTION SYSTEM IMPROVEMENT PROJECTS													
07106	Dead-end Water Main Improvements	400	10	390										
07108	D Street, Treeview, Maitland Reservoir Water Quality Pump Upgrade	450		450										
07119	SCADA Replacement & Upgrade	200	N/A	20	20	20	20	20	20	20	20	20	20	20
07136	System Seismic Upgrades	400			400									
07140	Second Water Supply Source to 330 Zone	770	121	649										
07160	Seismic Retrofit Maitland Reservoir and Appurtenances	2,130	27	500		1,603								
07172	New 3 MG Reservoir at High School Reservoir Site	7,005	105							900	6,000			
07173	Seismic Retrofit Highland 250 Reservoirs	1,115	29		1,086									
07184	New 1.2MG Reservoir in 1530' Zone	1,800	1,800											
	Developer Reimbursement	*2,065*	*1,950*	*115*										
07180	New 8" Pipeline - BART Hayward Maintenance Complex	473	373	100										
	BART Reimbursement	*220*	*220*											
07181	New 1000' Zone Regulating Station (Skyline Drive)	475		475										
07182	New 12" Pipeline - Dunn Road	600			600									
07183	New 0.75MG Tank, Pumps, and Generator at Garin Reservoir/ Pumps Station Site	4,148	1,853	2,295										
	Developer Reimbursement	*4,148*	*3,148*	*602*	*398*									
07014	Rehabilitation of Pressure Regulation Station in 250' Zone	500	1	499										
07015	Hesperian Water Field Improvements	294	262	32										
07016	New Pressure Regulating Stations at New 265' Zone	2,760				500	2,260							
07187	New University Pressure Reducing Station	200		200										
07188	Arc Flash Survey - Water Share	0												
07190	Disinfection Residual Management	1,000		1,000										
07192	Alternative Feed Pipelines	750		300	150	150	150							
TBD	New Emergency Well B2	2,500				2,500								
TBD	New 2 MG Reservoir & Booster Station at Hesperian Site	10,000					1,500	8,500						

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	WATER RESOURCES PROJECTS													
07017	Weather Based Irrigation Controllers at Various Locations	220	20	20	20	20	20	20	20	20	20	20	20	20
07021	Groundwater Sustainability Agency Coordination	296	139	157										
07102	Reservoir Water Quality Improvement Project	300	62	238										
07191	Groundwater Sustainability Plan Development	3,000		3,000										
TBD	Groundwater Sustainability Plan Projects	5,600						800	800	800	800	800	800	800
	TOTAL PROJECT COSTS			12,510	11,523	4,858	4,015	9,405	905	1,805	6,905	905	905	905
	Transfer to Fund 605 - Retirement of Debt Service - Hesperian Pump Station (to 2025)	11,331	2,931	265	265	265	265	265	265	265	265			
	Transfer to Fund 605 - 38.2% of 2013 Bond Repayment (to 2025)			268	268	270	269	270	271	268				
	Transfer to Fund 603 - 50% of Cast Iron Pipe Replacement		1,500	500										
	Transfer to Fund 612 - 50% of Recycled Water Loan DS ($12.306 million @ 1% for 30 years to 2049) (Project 07507 in Fund 612)	12,306		117	230	413	413	413	413	413	413	413	413	413
	Transfer to Fund 612 - Loan to Sewer System Improvement Fund 612 for Solar Project Phase IIA (Project 07530 in Fund 612)				3,500									
	TOTAL EXPENDITURES			13,660	15,786	5,806	4,962	10,353	1,854	2,751	7,583	1,318	1,318	1,318
	REVENUES:													
	Interest			608	388	243	203	179	102	136	86	55	114	174
	Facilities Fee			2,400	2,600	2,600	2,600	2,800	2,800	2,800	2,800	2,800	2,800	2,800
	Repayment of Loan to Fund 612 for Solar Project Phase IIA ($3.5 million at 3% for ten years to 2028) (Project 07530 in Fund 612)	4,100	410			410	410	410	410	410	410	410	410	410
	Developer Reimbursement of 1.2MG Reservoir in 1530' Zone (Project 07184)		512	115	0									
	Developer Reimbursement of New .75 Tank and Pumps at Garin Reservoir/Pump Station (Project 07183)		300	602	398									
	BART Reimbursement (for New 8" Pipeline - BART Access Road near Maintenance Yard project)		220											
	Green Hayward PAYS Revenue ($1 million at 6.95% for ten years to 2026)		5	142	142	142	142	142	142	142	142			
	REVENUE SUBTOTAL:			3,867	3,528	3,395	3,355	3,531	3,454	3,488	3,438	3,265	3,324	3,384
	TRANSFERS IN FROM:													
	TRANSFERS SUBTOTAL:			0	0	0	0	0	0	0	0	0	0	0
	REVENUE TOTALS:			3,867	3,528	3,395	3,355	3,531	3,454	3,488	3,438	3,265	3,324	3,384
	BEGINNING FUND BALANCE:			35,599	25,806	13,548	11,137	9,530	2,708	4,308	5,045	900	2,847	4,853
	ENDING FUND BALANCE:			25,806	13,548	11,137	9,530	2,708	4,308	5,045	900	2,847	4,853	6,919

SEWER REPLACEMENT - FUND 611

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07516	EBDA Outfall Replacement Payment	1,560	93	147	120	150	150	150	150	150	150	150	150	150
07524	Project Predesign Services	165	14	16	15	15	15	15	15	15	15	15	15	15
07541	Install Stormwater Trash Capture Device	209	209											
	Cal Beverage Container Recycling & Litter Reduction Funds	*113*	*113*											
	SF Estuary Project Grant	*137*	*137*											
07675	Trash Capture Device and Litter Reduction Education Project	800	358	442										
	US EPA Grant	*800*	*341*	*459*										
	SEWER COLLECTION SYSTEM REPLACEMENT PROJECTS													
07018	Pump Station Valve Repair and Upgrade at Various Stations	300		150	75	75								
07546	Valle Vista Sewer Force Main Reliability Implementation	200	27	173										
07551	Sewer Spot Repairs at Various Easement Areas	624	624											
07552	Valle Vista Sewer Force Main Inspection, Cleaning and Repair	295	295											
07553	Memorial Park Easement Sewer Main Inspection, Cleaning and Repair	600	5	595										
07562	Annual Line Replacements FY14	590	590											
07575	Miscellaneous Lift Station Equipment Replacement	1,576	40	186	150	150	150	150	150	150	150	150	150	150
07594	Collection Systems SCADA & Transducer Replacement	220	20	20	20	20	20	20	20	20	20	20	20	20
07614	Collection Systems SCADA System Evaluation and Upgrade	300		300										
07616	Tennyson Lift Station Rehabilitation	350		350										
07617	Annual Line Replacement FY18	500	23	477										
07622	Ward Creek/Tiegen Drive Sewer Replacement	500		500										
07624	Harder Road Sewer System Improvement	3,000		1,000	2,000									
	Developer-Sewer Impact Fee	*155*		*155*										
07626	Valle Vista Submersible Pump Repl and Wet Well Rehabilitation	700		700										
07627	Annual Line Replacement FY19	1,000		1,000										
07659	Annual Line Replacement FY16	500	115	385										
07671	Cypress Avenue Sewer Improvement	520			520									
07678	Air Release with Blow Off Access and Rehabilitation	80		80										
07685	Annual Line Replacement FY17	500	1	499										
07686	Tyrell Avenue Sewer Improvement	520			520									
07687	Tennyson Sewer Basin Improvement													
07693	Sewer Manhole Rehabilitation - Various Locations	250		250										
07694	Sewer Main Replacements - Various Locations	2,620		2,620										
NEW	Jackson Street Underpass Pump Station Upgrades	250			250									
NEW	West Winton Landfill Cap Maintenance				250									
NEW	Annual Line Replacement FY20				3,500									
TBD	Annual Line Replacements FY21 - FY29	32,000				4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
	WPCF REPLACEMENT PROJECTS													
07529	WPCF Miscellaneous Replacements	3,750	197	403	350	350	350	350	350	350	350	350	350	350

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07531	WPCF Asset Management Plan	100	1	99										
07596	WPCF SCADA System Misc. Replacements	165		30	15	15	15	15	15	15	15	15	15	15
07604	WPCF South Vacuator Coating and Rehabilitation	425	20			405								
07611	WPCF Equalization Pond Diversion Valve Replacement	100		100										
07615	WPCF Digester #2 Cleaning and Dome Rehabilitation	500		50	450									
07618	WPCF Gas Conditioning System Skid Media Replacement	1,815		282	165	165	165	165	165	165	165	165	165	165
07619	WPCF Motorized Valve Actuators for Influent Gates	105		105										
07620	WPCF Safety Improvements	100		100										
07621	WPCF Chlorine Contact Channel Rock Slope Protection	165	165											
07623	WPCF Effluent Channel Corrugated Pipeline Rehabilitation	500		500										
07625	WPCF Underground Conduit Repair (494 Pump & Sludge Beds)	80		80										
07628	WPCF GBT Sludge Wetwell Structure Repairs and Modifications	150		150										
07629	WPCF EQ Pond Sludge Removal	75		75										
07630	WPCF Effluent Pond Weed Removal	200		200										
07631	WPCF Final Clarifier No. 1 Electrical Conduit Replacement	35		35										
07632	WPCF Gravity Belt Thickener Rebuilding	500		500										
07642	WPCF Headworks Hydraulic Valve Actuator and Shaft Replacement	8	8											
07643	WPCF Digester Feed Valve Automation													
07647	WPCF Exterior Buildings Painting	200	200											
07648	WPCF Seismic Retrofit of Miscellaneous Buildings	375	10	365										
07649	WPCF Access Roads Rehabilitation	500		500										
07650	WPCF Structural Repairs and Canopy Covers	675		675										
07653	WPCF Site Waste Pump Station and Control Building Improvements	1,100	21		1,079									
07656	WPCF Main 480V MCC Electrical Distribution Rehabilitation	8,692		8,692										
07658	WPCF Heating and Mixing Building Improvements	774	774											
07660	WPCF Headworks Wetwell Concrete Evaluation, Repair & Interior Coating	2,084	2,084											
07664	WPCF UST Cleanup and Closure at Maintenance Building	147	137		10									
07668	WPCF West Trickling Filter and Biofilter Project	5,070	399	4,671										
07673	WPCF Chlorination System Improvement	215		215										
07674	WPCF Cross Connection Prevention Project	300		300										
07677	WPCF Biobeds Media Replacement	390	166		224									
07689	WPCF Laboratory Improvements													
07690	WPCF Diversion Ponds 2, 3, & 7 Gate Restoration													
07691	WPCF Programmable Logic Controller Cabinet Upgrades	60		60										
07692	WPCF REXA Valve Replacement	235	72	163										
07695	WPCF VFD Replacement	166	166											
NEW	WPCF Digester Cleaning Maintenance				30	30	30							
NEW	WPCF SCADA Security Upgrade				75									
NEW	WPCF EQ Pond Cleaning				100									

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
NEW	WPCF North Vacuator Restoration/Improvements	1,760			160	1,600								
NEW	WPCF Digester #1 Cleaning and Dome Rehabilitation	500			500									
NEW	WPCF Aging Field Grading & Lime Treatment				1,750									
TBD	WPCF Levee Road Replacement					131	1,050	1,050						
TBD	WPCF Final Clarifiers Mechanisms Replacement	1,800						1,800						
	UNSCHEDULED													
07560	Storage Pond Evaluation and Rehabilitation	4,500												
	TOTAL PROJECT COSTS			28,240	12,328	7,106	5,945	7,715	4,865	4,865	4,865	4,865	4,865	4,865
	Transfer to Fund 612 for New WPCF Operations Building (Project 07568) and WPCF Administration Building Renovation (Project 07506) ($4M @ 3% for 20 years through 2035)			270	270	270	270	270	270	270	270	270	270	270
	TOTAL EXPENDITURES			28,510	12,598	7,376	6,215	7,985	5,135	5,135	5,135	5,135	5,135	5,135
	REVENUES:													
	Interest			280	115	158	125	129	86	84	83	81	79	78
	Proceeds from SRF Loan for WPCF Phase II Improvements (Various Projects) (Repayment not currently reflected)				14,000									
	EPA Grant			459										
	Harder Road Sewer Impact Fee			155										
	REVENUE SUBTOTAL:			894	14,115	158	125	129	86	84	83	81	79	78
	TRANSFERS IN FROM:													
	Fund 610			4,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
	TRANSFERS SUBTOTAL:			4,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
	REVENUE TOTALS:			4,894	19,115	5,158	5,125	5,129	5,086	5,084	5,083	5,081	5,079	5,078
	BEGINNING FUND BALANCE:			26,184	2,568	9,085	6,867	5,777	2,921	2,872	2,821	2,769	2,715	2,659
	ENDING FUND BALANCE:			2,568	9,085	6,867	5,777	2,921	2,872	2,821	2,769	2,715	2,659	2,602

SEWER IMPROVEMENT - FUND 612

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY27	FY28	FY29
07508	Co-Generation System	12,240	12,240										
	PG&E Rebate	*2,736*	*2,247*	*245*	*244*								
	Fund 610	*6,179*	*6,179*										
	Fund 611	*4,988*	*4,988*										
07514	GIS Conversion/Migration (Sewer System Share)	150	75	75									
07519	Utilities Laboratory Information Management & Data Entry	40			40								
07542	WPCF Energy Management	50	50										
07561	Operational Evaluation of WPCF Blowers												
07507	Recycled Water Storage and Distribution System	27,811	4,016	23,795									
	SRF Loan	*21,269*		*21,269*									
	SWRCB Grant	*5,831*	*24*	*5,807*									
07523	Project Predesign Services	165	15	15	15	15	15	15	15	15	15	15	15
07555	Upgrade Valle Vista Station Discharge	200		200									
07679	Cogeneration System Maintenance	2,200	153	247	200	200	200	200	200	200	200	200	200
07699	Arc Flash Survey - Sewer Share												
07709	Recycled Water Facilities Plan Update	500		500									
7,710	Recycled Water Treatment Facility - Phase I	2,300	139	2,161									
07711	Feasibility Study of Using WPCF Bio-Gas to Fuel City's CNG Vehicles	50		50									
07716	27 Inch Force Main Bypass Pumping - I-880/Industrial	600		60	540								
07717	Sewer Main Installation - I-880/Willimet	500		500									
	WPCF IMPROVEMENT PROJECTS												
07530	WPCF Solar Power Design and Construction Phase II - Two MW	6,300	112	6,188									
	Loan from Fund 604	*3,500*			*3,500*								
07506	WPCF Administration Building Renovation and Addition	4,500	154	4,346									
07534	WPCF Headworks Hydraulic Forcemain Improvement	665		665									
07566	WPCF Digester Sludge Mixing Tank	4,915	4,206	709									
07565	WPCF Digester Piping and Gas Metering Optimization	12	12										
07566	WPCF Digester Sludge Mixing Tank	4,699	4,699										
07567	WPCF Headworks Bar Screens	4,030		2,370	1,660								
07568	WPCF New Operations Building	5,600		5,600									
07556	WPCF Chlorine Disinfection System Improvements	7,200				7,200							
07701	WPCF Mechanical Sludge Dewatering Facility	2,600				2,600							
07718	WPCF Aeration Blower	85		85									
07559	WPCF Solids Pumping Improvements	300		300									
07680	WPCF Sluice Gate Repair/Replacement & Actuation	460	72	388									
07681	WPCF Fats, Oils, and Grease Receiving Station Improvements												
07682	WPCF Polymer Relocation and New Solids Line	60		60									
07683	WPCF Snail Bin Relocation	180		180									

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY27	FY28	FY29
07684	WPCF Reclaimed Water System Expansion	115	115										
07696	WPCF Stormwater and Site Grading Improvements	530		530									
07697	WPCF Maintenance Building Improvements	150		150									
07702	WPCF Security Improvements	15		15									
07698	WPCF High Pressure Gas Storage Vessel Inspection and Coating	100		100									
07712	WPCF Grit Removal System	3,675			3,675								
07703	WPCF Final Clarifier No. 1 & 2 Equipment Coatings	976		976									
07704	WPCF Final Clarifier No. 1 Structure Repairs	620		620									
07705	WPCF Gravity Belt Thickener Sludge Blending Tank Coatings	175		175									
07719	WPCF Old Cogen Building Repurpose	400		400									
07706	WPCF Sludge Pipeline from Equalization Pond to Site Waste PS	160		160									
07707	WPCF MCC 5 & 19 Replacement	500		500									
07708	WPCF Tertiary Treated Near Shore Discharge Feasibility Study and Facilities Plan	500		500									
07713	WPCF Pond No. 7 Outlet Pipe	120		20	100								
07714	WPCF Headworks Channel Actuators	150		150									
07715	WPCF Equalization Pond Liner	300		30	270								
TBD	WPCF Primary Effluent Flow Equalization	2,500						300	2,200				
TBD	WPCF New Biofilter for Gravity Belt Thickener Building	975						100	875				
TBD	WPCF Roofing for Heating and Mixing Building No. 1				100								
	UNSCHEDULED:												
	WPCF New Final Clarifier	7,900											
	Fund 611	*1,975*											
	Recycled Water Treatment Facility & Distribution Pipeline Expansion - Phase II	9,831											
	Nutrient Management	80,000											
	Fund 611	*40,000*											
	WPCF Co-Generation Engine #2	2,000											
	WPCF New Digester Gas Storage	2,850											
	WPCF Expansion of Cogen System Gas Conditioning Skid System	3,800											
	TOTAL PROJECT COSTS	74,630		52,820	6,600	10,015	215	615	3,290	215	215	215	215
	Debt Service State Revolving Fund-WPCF Improvements (Phase I) -50% of total Debt Service for 20 years to 2028	27,000	10,800	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	
	Debt Service California Energy Commission Loan for Solar Project ($2.45 million @ 3% for 11 years to 2022) (Project 07505)	2,860	1,300	259	260	260	260						
	Debt Service State Revolving Fund for Recycled Water Project ($21.26 million @ 1% for 30 years to 2050) (Project 07507)	24,611			693	825	825	825	825	825	825	825	825
	Debt Service SRF Loan for Phase II WPCF Improvement Projects ($11 million @ 1% for 30 years to 2050) (Various Project)	12,750				425	425	425	425	425	425	425	425

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY27	FY28	FY29
	Transfer to Water Improvement Fund 604 for Repayment of Loan for Additional Solar Project ($3.5 million @ 3% for 10 years to 2027) (Project 07530)	4,100	410			410	410	410	410	410	410	410	410
	TOTAL EXPENDITURES			54,609	9,083	13,465	3,665	3,805	6,480	3,405	3,405	3,405	1,875
	REVENUES:												
	Connection Fee			3,000	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500
	Interest			133	50	130	45	55	37	22	54	71	103
	LAVWMA Buy-In Fee			1,509									
	Proceeds of SRF Loan for Recycled Water Project (Project 07507)			21,269									
	Proceeds of USBR Grant for Recycled Water Project (Project 07507)			5,807									
	PG&E Rebate for Co-Generation Project (assumes 1134kW for $2.7M rebate) (Project 07508)		2,247	245	244								
	Proceeds of New SRF Loan for Phase II WPCF Improvement Projects (Various Projects)				11,000								
	REVENUE SUBTOTAL:			31,963	14,794	3,630	3,545	3,555	3,537	3,522	3,554	3,571	3,603
	TRANSFERS IN FROM:												
	Fund 730 for CAD/RMS Replacement Loan ($2.25 million)		2,046										
	WPCF Replacement Fund 611 for 50% of City Cost of Co-Generation ($11.47 million less $2.7 million PG&E grant (Project 07508)		4,650										
	Water Improvement Fund 604 for 50% of Recycled Water Debt Service ($12.306 million @ 1% for 30 years to 2049) (Project 07507)		755	117	230	413	413	413	413	413	413	413	413
	Fund 611 for New WPCF Operations Building (Project 07568) and WPCF Administration Building Renovation (07506) ($4M @ 3% for 20 years through 2035)			270	270	270	270	270	270	270	270	270	270
	Water System Improvement Fund 604 for Solar Project Phase II (Project 07530)				3,500								
	TRANSFERS SUBTOTAL:			387	4,000	683	683	683	683	683	683	683	683
	REVENUE TOTALS:			32,350	18,794	4,313	4,228	4,238	4,220	4,205	4,237	4,254	4,286
	BEGINNING FUND BALANCE:			23,680	1,421	11,132	1,980	2,543	2,976	716	2,332	3,164	4,013
	ENDING FUND BALANCE:			1,421	11,132	1,980	2,543	2,976	716	1,516	3,164	4,013	6,424

AIRPORT CAPITAL - FUND 621

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
06805	Project Predesign Services	385	55	30	30	30	30	30	30	30	30	30	30	30
06806	Consultant Predesign Services	125	14	11	10	10	10	10	10	10	10	10	10	10
06814	Sulphur Creek Mitigation - Design + Construction	4,200	97	444	3,659									
	(AIP 20) FAA	*3,693*		*180*	*3,513*									
	(State Matching Grant of 5%)	*176*			*176*									
06816	Sulphur Creek 10-Year Monitoring	164	141	23										
06818	Airport Pavement Management Program Update	242	67	35		35		35		35		35		35
06819	Taxiway Foxtrot and Zulu Pavement Rehabilitation	1,066	114	1	951									
06823	Perimeter Fence Replacement	132	82	20	10	10	10							
06826	T-Hangar Improvements	3,151	1		450	100	150	200	250	300	350	400	450	500
06827	LED Lighting Retrofit	50		24	26									
06829	Hangar Condition Assessment	75		75										
06828	Tower Renovations	100	57		43									
	FAA Reimbursement for HVAC	*7*	*7*											
06830	CCTV Upgrade	60		60										
06831	Realignment of Taxiway Zulu Design/Construction	4,924				489	4,435							
	(AIP 21) FAA	*4,432*				*440*	*3,992*							
	State Matching Grant of 5%	*222*				*22*	*200*							
06891	Miscellaneous Pavement/Building/Grounds Repairs	1,569	124	175	145	125	125	125	125	125	125	125	125	125
06898	Noise Monitoring	1,198	703	45	45	*45*	45	45	45	45	45	45	45	45
NEW	Pavement Improvements	2,800		50	425	950	600	475	50	50	50	50	50	50
NEW	View Park	90			90									
TBD	Golf Course Modifications/Road Relocation Design/ Construction	5,514						241	5,273					
	(AIP 23) FAA	*4,962*						*217*	*4,745*					
	State Matching Grant of 5%	*248*						*11*	*237*					
TBD	EMAS Runway Safety Area Improvements Design/Construction	8,994						392	8,602					
	(AIP 22) FAA	*8,096*						*353*	*7,743*					
	State Matching Grant of 5%	*404*						*17*	*387*					
TBD	Pavement Rehab of TWY Alpha & TWY Delta Intersections Design/Construction	603								64	539			
	(AIP 24) FAA	*543*								*58*	*485*			
	State Matching Grant of 5%	*24*									*24*			
TBD	Airport Pavement Management Program	3,975							300	725	750	700	750	750
	TOTAL PROJECT COSTS			993	5,884	1,794	5,405	1,553	14,685	1,384	1,899	1,395	1,460	1,545
	TOTAL EXPENDITURES			993	5,884	1,794	5,405	1,553	14,685	1,384	1,899	1,395	1,460	1,545

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	REVENUES:													
	Interest			14	9	1	1	5	5	1	—	1	1	1
	Reimbursements (FAA)	21,726	1,162	180	3,513	440	3,992	570	12,488	58	485			
	State Matching Grant of 5%	1,074			176	22	200	28	624		24			
	REVENUE SUBTOTAL:			194	3,698	463	4,193	603	13,117	59	509	1	1	1
	TRANSFERS IN FROM:													
	Fund 620 (Airport Operation Fund)	14,700		1,125	1,375	1,325	1,225	1,225	1,275	1,325	1,375	1,425	1,475	1,525
	TRANSFERS SUBTOTAL:			1,125	1,375	1,325	1,225	1,225	1,275	1,325	1,375	1,425	1,475	1,525
	REVENUE TOTALS:			1,319	5,073	1,788	5,418	1,828	14,392	1,384	1,884	1,426	1,476	1,526
	BEGINNING FUND BALANCE:			521	847	36	30	43	318	25	25	10	41	57
	ENDING FUND BALANCE:			847	36	30	43	318	25	25	10	41	57	38

FACILITY MANAGEMENT CAPITAL - FUND 726

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07201	HVAC Replacement	785	255				200	200	130					
07202	Flooring Replacement	947	726	121	100									
07203	Roof Repair/Replacement	871	281			200		115				250	25	
07209	Emergency Generator Replacement	445	150							145	150			
07210	Window Covering Replacement	142	42			50	50							
07215	City Hall Camera System (Equipment/Storage)	191	138	53										
07216	Fire Alarm/Smoke Detector Replacement	55	55											
07217	Exterior Painting of City Facilities	498	43		50	115			90	100		100		
07218	Animal Control Facility Update	285	40	20	100								125	
07220	City Hall Furniture Replacement	126	90	36										
07221	Interior Painting of City Facilities	50	30										20	
07222	City Facility Update	661	66	20		100	100	100	100	100			75	
07223	City Hall Moat	15		15										
07224	HPD Facility Update	100		100										
07225	Enterprise Security Measure	239	114	125										
07226	Old City Hall Update	20	20											
07227	Facility Security Infrastructure	650			200	50	50	50	50	50	50	50	50	50
07228	New City Center Parking	51	51											
07229	Facility Condition Assessment and Software	99	19	80										
07230	Emergency Generator Panel	50		50										
07231	HPD Records Remodel	120		120										
07232	Workplace Reconfiguration /Remodel	1,100		100	100	100	100	100	100	100	100	100	100	100
NEW	ADA Upgrades and Improvements	50			50									
TBD	Elevator Overhaul (City Hall and PD)	320							50	100				170
	TOTAL PROJECT COSTS			331	840	600	615	500	565	520	595	300	500	395
	TOTAL EXPENDITURES			840	600	615	500	565	520	595	300	500	395	320
	REVENUES:													
	Interest			1	1	1	1	1	1	1	1	1	1	1
	REVENUE SUBTOTAL:			1	1	1	1	1	1	1	1	1	1	1
	TRANSFERS IN FROM:													
	Internal Service Fund Charges	4,251	785	300	300	300	300	300	300	300	300	300	300	300
	Transfers from General Fund			280	360	260	260	260	260	260	160	160	160	160
	TRANSFERS SUBTOTAL:			580	660	560	560	560	560	560	460	460	460	460
	REVENUE TOTALS:			581	661	561	561	561	561	561	461	461	461	461
	BEGINNING FUND BALANCE:			285	26	87	33	94	90	131	97	258	258	219
	ENDING FUND BALANCE:			26	87	33	94	90	131	97	258	219	324	360

INFORMATION TECHNOLOGY CAPITAL - FUND 731

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07253	Desktop Computer Replacement Program	4,755	1,721	214	200	200	200	200	200	200	200	200	200	200
07254	CAD/RMS Replacement	4,004	3,349	275										
07255	Enterprise Resource Planning (ERP) System	5,983	4,253	107			250	250	250	250				
07256	Public Safety Mobile Replacement Project	3,223	1,556	526	125	50	50	50	50	50	50	50	50	50
07259	Geographic Information System Improvements	514	79	93	25	25	25	25	25	25	25	25	25	25
07260	Enterprise Content Management	79	79											
07262	Security Camera Pilot Project	355	155	45										
07266	Council Chambers Technology Upgrade (Interdepartmental Transfer)	2,639	929	31									750	
07267	Online Permitting	190		190										
07268	Security Assessment and Improvement	492	121	135										
07269	Inspection/Weed Abatement Software	571	74	76	68	68	68	68						
07270	Fiber Optic Run to Fire Station 7	75		75										
07271	CAD Enterprise Upgrade	400		400										
07272	Body Worn Camera Equipment for HPD	240		40	20	20	20	20	20	20	20	20	20	20
07273	City Hall Conference Room Audio Video Upgrade	171	35	65										
07274	Telestaff Upgrade for HPD	81	3	72										
07275	Highspeed Hayward	3,507	19	3,488										
	EDA Grant	*2,745*		*345*										
07276	Fiber Optic Maintenance and Repair	501		51	50	50	50	50	50	50	50	50	50	50
07277	EBRCS Subscription	3,917		501	343	350	357	364	371	378	386	394	402	410
NEW	Rotunda AV				75									
NEW	Public Safety Legacy Systems Data Migration	100			100									
	NETWORK REPLACEMENT PROJECTS													
07257	Network Server Replacement Project	3,755	1,053	161	150	150	150	150	150	150	150	150	150	150
07263	Network Infrastructure Replacement - Police Dept	1,197	244	174			60	60	60	60	60	60	60	60
07264	Network Infrastructure Replacement	7,038	1,923	371	140	140	410	410	410	410	410	140	140	140
	TOTAL PROJECT COSTS			7,089	1,296	1,053	1,640	1,647	1,586	1,593	1,351	1,089	1,847	1,105
	TOTAL EXPENDITURES			7,089	1,296	1,053	1,640	1,647	1,586	1,593	1,351	1,089	1,847	1,105

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
	REVENUES:													
	Interest					4	6	3	1	1	3	10	12	14
	Cell Tower Lease Revenue			18	18	18	18	18	18	18	18	18	18	18
	EDA Grant for Highspeed Hayward			345										
	REVENUE SUBTOTAL:			363	18	22	24	21	19	19	21	28	30	32
	TRANSFERS IN FROM:													
	General Fund	11,674	3,602	1,028	585	575	650	700	750	750	750	750	750	750
	Fund 220 for Highspeed Hayward	638		96	96									
	Information Technology Charges from Fund 730	7,965	780	630	756	756	800	800	800	800	800	800	800	800
	TRANSFERS SUBTOTAL:			1,754	1,437	1,331	1,450	1,500	1,550	1,550	1,550	1,550	1,550	1,550
	REVENUE TOTALS:			2,117	1,455	1,353	1,474	1,521	1,569	1,569	1,571	1,578	1,580	1,582
	BEGINNING FUND BALANCE:			4,873	(99)	61	361	196	70	53	29	249	738	471
	ENDING FUND BALANCE:			(99)	61	361	196	70	53	29	249	738	471	949

FLEET MANAGEMENT CAPITAL - FUND 736 (VEHICLE AND EQUIPMENT ACQUISITION - GF/ISF)

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07301	Equipment - Fire Dept	26,170	9,508	1,269	1,482	1,464	1,180	962	1,078	1,099	1,771	1,526	1,116	1,149
07302	Equipment - Misc GF/ISF Dept	11,895	3,636	876	1,230	607	455	638	590	407	480	617	568	475
07303	Equipment - Police Dept	18,967	4,946	1,304	950	979	1,008	1,038	1,069	1,101	1,134	1,168	1,203	1,240
	TOTAL PROJECT COSTS	57,032	18,090	3,449	3,662	3,050	2,643	2,638	2,737	2,607	3,385	3,311	2,887	2,864
	TOTAL EXPENDITURES	57,032	18,090	3,449	3,662	3,050	2,643	2,638	2,737	2,607	3,385	3,311	2,887	2,864
	REVENUES:													
	Interest	155	45	20	2	3	3	3	10	15	3	3	12	8
	Other Revenues	61	61											
	Auction	260	133	10	10	5	5	5	5	5	5	5	5	5
	Insurance Claim	1,009	565	150										
	FFPD			670										
	Fire Mutual Aid - Fleet Reimb Portion	593	593											
	REVENUE SUBTOTAL:	1,134	718	106	8	8	8	8	8	8	8	8	8	8
	TRANSFERS IN FROM:													
	Bank Loan	8,193	8,193											
	Transfer from Fleet Op (735)	800	800											
	Fire Transfer from General Fund (100)	1,041	791											
	Fire Funding from CIP (405)	105	60											
	Police Transfer from General Fund (100)	404	202											
	Police Transfer from Measure C (101)	213	213											
	MY Transfer													
	Measure C (406)			400										
	Internal Service Fund Charges/GF Transfer	36,391	7,533	2,113	3,100	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
	TRANSFERS SUBTOTAL:	46,552	16,897	2,513	3,100	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
	REVENUE TOTALS:	47,686	17,615	3,363	3,112	3,008	3,008	3,008	3,015	3,020	3,008	3,008	3,017	3,013
	BEGINNING FUND BALANCE:			686	600	50	8	373	743	1,021	1,434	1,057	1,057	754
	ENDING FUND BALANCE:			600	50	8	373	743	1,021	1,434	1,057	754	1,187	903

FLEET MANAGEMENT CAPITAL - FUND 737 (VEHICLE AND EQUIPMENT ACQUISITION - EF)

PROJ. NO.	PRODUCT DESCRIPTION	PROJ TOTAL	PRIOR YEARS	EST FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
07350	Vehicle Replacement Needs - Airport	1,009	403	7		371			52	30	56	57	33	
07351	Vehicle Replacement Needs - Stormwater	4,528	1,602	340	350	371		394	406	418		177		470
07352	Vehicle Replacement Needs - Sewer	4,651	2,105	270	170	547	229	478	81			139		632
07353	Vehicle Replacement Needs - Water	4,727	1,701	155	67	456	366	135	193	161	215	532	746	
	TOTAL PROJECT COSTS	14,915	5,811	772	587	1,745	595	1,007	732	609	271	905	779	1,102
	TOTAL EXPENDITURES	14,915	5,811	772	587	1,745	595	1,007	732	609	271	905	779	1,102
	REVENUES:													
	Interest	138	42	10	10	4	4	3	4	5	7	7	7	4
	Other Revenues	112	112											
	Auction	166	166											
	Citation Revenue for Sweeper Replacement	2,568	512	175	205	205	205	205	205	205	175	175	175	175
	REVENUE SUBTOTAL:	2,984	832	185	215	209	209	208	209	210	182	182	182	179
	TRANSFERS IN FROM:													
	Note: Annual fund contributions begain in FY 2011.													
	Vehicle Capital Charges from Fund 621 (Airport)	1,280	499	71	71	71	71	71	71	71	71	71	71	71
	Vehicle Capital Charges from Fund 615 (Stormwater)	1,529	594	85	85	85	85	85	85	85	85	85	85	85
	One-Time Capital Contribution (Stormwater)	70	70											
	Vehicle Capital Charges from Fund 610 (Sewer)	3,995	1,630	215	215	215	215	215	215	215	215	215	215	215
	One-Time Capital Contribution (Water)	750	750											
	Vehicle Capital Charges from Fund 605 (Water)	3,770	1,790	180	180	180	180	180	180	180	180	180	180	180
	TRANSFERS SUBTOTAL:	11,394	5,333	551	551	551	551	551	551	551	551	551	551	551
	REVENUE TOTALS:			736	766	760	760	759	760	761	733	733	733	730
	BEGINNING FUND BALANCE:			1,372	1,336	1,515	530	695	447	475	627	1,089	917	871
	ENDING FUND BALANCE:			1,336	1,515	530	695	447	475	627	1,089	917	871	499

File #: PH 19-030

DATE: May 9, 2019

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposed Commercial Cannabis Retail Dispensary at 1004 B Street (Assessor Parcel No. 428-0061-056-00) by Siavash Afshar on Behalf of Hayward Station (Applicant); Alfred J Antonini (Property Owner), Requiring Approval of Conditional Use Permit Application No. 201806005.

RECOMMENDATION

That the Planning Commission recommend that the City Council approve the Conditional Use Permit application for the proposed commercial cannabis retail dispensary, based on the analysis set forth in this report and the required Findings (Attachment II), and subject to the Conditions of Approval (Attachment III).

SUMMARY

Hayward Station is seeking Conditional Use Permit approval to establish a boutique, commercial cannabis retail dispensary within a vacant, dilapidated historic building in Downtown Hayward. The proposed retail dispensary would provide cannabis and cannabis-related products to the members of the public that are 21 years and older for recreational use, and 18 years and older for medical use. The proposed project includes a security plan, odor control plan and would include improvements to the retail tenant space and adjacent parking lot.

Activation of the space with a retail use and proposed façade and site improvements would energize the B Street commercial corridor, provided that the applicant treats the storefront appropriately, as conditioned.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Project Plans
Attachment V	Neighbor Outreach Summary

Attachment VI Correspondence Related to Project

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Activation of the space with a retail use and proposed façade and site improvements would energize the B Street commercial corridor, provided that the applicant treats the storefront appropriately, as conditioned.

BACKGROUND

In 2015, the State of California enacted a comprehensive regulatory framework (AB 243, AB 266, SB 643) for the licensing and enforcement of cultivation, manufacturing, retail sale, transportation, storage, delivery and testing of medicinal cannabis in California. The legislation was collectively known as the Medical Cannabis Regulation and Safety Act (MCRSA).

On November 8, 2016, the voters of the state adopted Proposition 64, the Adult Use of Marijuana Act (AUMA), which legalized adult cannabis use, possession and cultivation for non-medicinal purposes and created a regulatory framework for non-medicinal cannabis businesses. The intent of MCRSA and AUMA was to establish a comprehensive regulatory system for cultivation, production and sale of cannabis and cannabis products, thereby weakening the illicit market for cannabis.

On June 15, 2017, the State enacted Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), which consolidated provisions of MCRSA into the regulatory framework of the AUMA, thereby creating a unified regulatory scheme for medicinal and adult use cannabis. MAUCRSA specifically authorizes local jurisdictions to adopt and enforce local ordinances to regulate cannabis businesses licensed pursuant to state law, including local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to second hand smoke, or to completely prohibit the establishment or operation of one or more types of businesses licensed pursuant to MAUCRSA.

On October 30, 2017 [1] and November 28, 2017[2], respectively, the City Council enacted regulatory and land use ordinances authorizing cannabis businesses within the City of Hayward subject to compliance with local and state regulations. At their October meeting, the Council also established a request for proposal process by which the City will select commercial cannabis businesses. The process involved four stages to help differentiate applicants who meet the City's desired set of qualifications. These stages include:

1. Criminal Background Investigation
2. Competitive Scoring and Ranking
3. Proposer Interviews
4. City Council Approval

The RFP process commenced on December 8, 2017, with applications due on January 12, 2018. At that time, the City received 77 total applications for commercial cannabis companies. Four of these applications did not meet the background check requirements of the City's cannabis program; however, 73 applications were then sent to a neutral, third party reviewer hired by the City to evaluate and score the proposals. Following an independent review by the outside consultants and interviews by key City staff, the City Manager recommended to City Council the award of commercial cannabis licenses to eleven commercial operators for land use activities that include cultivation, manufacturing, distribution, testing labs, delivery and retail. Once selected, applicants had six months to file their land use applications. The applicant, Hayward Station, was one of the eleven companies selected for a commercial cannabis permit and is the first retail dispensary to file for license review and approval in the City.

On March 19, 2019, the City Council adopted Ordinance Nos. 19-06 and 19-07, reducing the overconcentration buffer between retail dispensaries from 1,000 feet to 500 feet; and, providing the Planning Commission the ability to waive or reduce the 600-foot buffer between commercial cannabis uses and sensitive uses, subject to special findings. It is

[1] October 30, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=570110&GUID=1F62F795-56FA-4667-9BD1-E5FDA22CB8C5&Options=info&Search=

[2] November 28, 2017 City Council Minutes
https://hayward.legistar.com/MeetingDetail.aspx?ID=573134&GUID=C82D348A-0412-4741-854C-23697F2AE444&Options=info&Search=

essential to note that the reduction in overconcentration did not amend the regulations related to the total number of retail dispensaries permitted within the City, which is set at a maximum of three pursuant to City Council Resolution No. 17-158. Rather, the regulations were intended to relax distance requirements in the Downtown area where lots are smaller and uses are closer to each other by design.

Public Outreach. On November 16, 2018, an initial Notice of Application Receipt for the project application was sent to 244 addresses including property owners, residents, and businesses within a 300-foot radius of the project site. Following that notice, City staff received a letter from Ginny Cox Delaney stating opposition to the project (Attachment VI).

Between November 16 and December 3, 2018, following submittal of the CUP application, the applicant walked the area around the project site to introduce the proposed project. A description of the applicant's outreach efforts is included as Attachment V to this report.

On April 26, 2019, a Notice of Public Hearing for the Planning Commission meeting was sent to property owners, residents, and businesses within 300-feet of the project site and published in The Daily Review newspaper.

PROJECT DESCRIPTION

Existing Conditions. The proposed project would occupy a portion of the ground floor of an existing 8,253 square foot commercial building at the corner of B Street and Main Street in Downtown Hayward. The building was constructed in 1927 as a commercial bank building in a classical revival architectural style with fluted columns at the building corners, terra cotta detailing around the entrance, substantial glazing along both building frontages separated by pilasters, and a decorative cornice along the roofline. The main entrance to the ground floor tenant space is on B Street with secondary entrances on Main Street.

The site is currently vacant and underutilized. According to business license records, the Ashanti Actovese Aesthetic Arts Academy filed a business license application at the tenant space in June 2017; however, it does not appear that the use was established. Surrounding land uses include a combination of ground floor commercial and service uses including nail salons, retail uses, restaurants, bars, cafes and vacant tenant spaces, with second and third floor office and residential uses along B and Main streets.

Several of the uses in the vicinity of the projects site would be classified as youth centers or sensitive uses according to State Law including High Scores Arcade, located approximately 290 feet to the east of the project site on B Street and Stellar Prep, a tutoring center for high school aged children, located approximately 400 feet west of the project site on B Street. The main branch of the Hayward Public Library is identified as a sensitive use in the City's Municipal Code and is located approximately 750 feet southwest of the project site on Mission Boulevard. Team Brewer Karate and Fitness, which provides classes for children and adults is located within 400 feet of the subject site but is not considered a sensitive use per State Law or the City's Ordinance.

The proposed project includes improvements to the adjacent approximately 6,064 square foot property (22564 Main Street, APN 428-0061-057-00), which is currently being used as a parking lot. The parking lot property and subject property are under the same ownership although they are separate parcels. The parking lot is currently being used as a parking for the Funky Monkey bar located at 22540 Main Street.

Proposed Project. The proposed project includes establishment of a cannabis retail dispensary in approximately 3,429 square feet of the ground floor of the subject retail building. The proposed retail dispensary would specialize in organic, local, and boutique cannabis and cannabis related products such as edibles, oils and concentrates for recreational and medical use. The business would operate 9 a.m. to 9 p.m. Monday through Saturday, and 10 a.m. to 8 p.m. on Sundays. Staffing may fluctuate within the first year of operations, but the current estimate is that there will be 12 staff members on-site including a manager, a buyer, inventory control staff, sales people, administrative staff and two security guards (see Security Plan below for additional information). All staff would be required to attend a five-day training course including compliance, security, point-of-sale software, operation protocol, position training and shadowing prior to starting work. In addition, the business will have a single point of contact for all neighborhood and community concerns from loitering to odor control.

The retail dispensary would occupy approximately 3,429 square feet, which is the ground floor of the project site. Approximately two-thirds of the tenant space would be open to the public, and the rear third of the tenant space would be utilized as an inventory control room, vendor meeting room, and office and storage. The public entrance would be located on the south side of the building (along B Street), and the vendor entrance would be located on the west side of the building (along Main Street). According to the proposed floor plan for the retail area, there would be a front check in desk set back from the entrance, and a combination of four and six-foot-tall display cases would be placed to minimize visibility of the products from the entrance and windows, and a new cornice supported by columns would be constructed within the building to frame the sales area and the first floor of the building.

Proposed exterior modifications to the historic building include installation of a new ADA compliant entrance doors; removal of exterior wood paneling, ATM and bank equipment and replacement with matching glazing; repainting; installation of a new mural on the rear wall of the building; and signage for the new business. According to a memo prepared by an architectural historian, the minor proposed modifications would not compromise the integrity of the historic building provided that the applicant follow the recommendations set forth in the memo. See additional information under Environmental Review below.

Proposed parking lot improvements include restriping to create 18 parking spaces (with two ADA-compliant parking spaces); installation of new lighting; and, construction of a new trash enclosure. According to the project plans, four of the 18 parking spaces would be reserved for future tenants of the third-floor offices.

Security Plan. The applicant submitted a detailed security plan to ensure public and product safety. According to the security plan, two security guards would be on site at all times. One

security guard would be stationed at the main entrance to check identification cards for all individuals entering the establishment to ensure that they are 21 years or older (and 18 years or older with a medical marijuana card), and one security guard would be stationed at the Main Street vendor entrance to escort vendors to and from the parking lot, and to ensure safe product delivery.

Other proposed security measures include a CCTV system with approximately 20 cameras covering the building entrance, vendor entrance, parking lot and interior areas (both front and back of house); an alarm system; a set of operational security procedures related to opening and closing, shipping and receiving, product storage and money/cash handling.

Odor Control Plan. Although the proposed business does not include cultivation and manufacturing, there is a potential for odors from cannabis products. The odor mitigation plan would organize the rooms into separate, insulated areas and connect the rooms to ducting with high Minimum Efficiency Rating Value (MERV) commercial standard and carbon filters prescheduled to filter the air in each room on 15-minute intervals. Conditions of approval would require that the proposed duct work and filtration system be included in the building permit application submittal along with submittal of Standard Operating Procedures such as staff training on the system, maintenance and other operational components.

Community Benefits. As part of the RFP review and selection criteria, the applicant committed to provide a community benefit component as part of their commercial cannabis license proposal. Although providing community benefits is not typically a required component of the land use entitlement process, the community benefit component for cannabis operators was a part of the business plan submitted to the City and did impact the screening and scoring criteria when selected. As such, staff has included a condition of approval that requires the applicant provide more specific details of their Community Benefits program and to coordinate the implementation of the Community Benefits program with City staff within six months from use permit approval.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The project site is designated City Center – Retail and Office Commercial (CC-ROC) in the *Hayward 2040 General Plan*[3]. The CC-ROC land use designation applies to the Downtown core where development would generally include rehabilitation of historic buildings, development of infill and mixed-use development, rehabilitation of underutilized properties, and streetscape improvements to help transform Downtown into a vibrant, transit-oriented, mixed-use city center. Allowable uses include retail, dining and service uses, entertainment and recreational uses and office and residential uses above ground floor commercial uses. As a retail use, commercial cannabis dispensaries would be consistent with the allowable uses in the CC-ROC land use designation.

[3] Hayward 2040 General Plan
https://www.hayward2040generalplan.com/

The following General Plan Policies apply to the subject site, and to the establishment of such businesses in Hayward:

- *Land Use Policy LU-2.1, Downtown Arts and Entertainment.* The City shall encourage private-sector investment in Downtown to transform it into a safe, vibrant, and prosperous arts and entertainment district that offers enhanced shopping, dining, recreational, and cultural experiences and events for residents, families, college students, and visitors.
- *Land Use Policy LU-2.2, Downtown Activities and Functions.* The City shall maintain the Downtown as a center for shopping and commerce, social and cultural activities, and political and civic functions.
- *Land Use Policy LU-2.3, Downtown Pedestrian Environment.* The City shall strive to create a safe, comfortable, and enjoyable pedestrian environment in the Downtown to encourage walking, sidewalk dining, window shopping, and social interaction.
- *Land Use Policy LU-2.4, Downtown Retail Frontages.* The City shall require retail frontages and storefront entrances on new and renovated buildings within the "retail core" of Downtown Hayward, which includes properties along B Street between Watkins Street and Foothill Boulevard, and Main Street between A Street and C Street. This policy does not apply to historic building originally designed without retail frontage or storefronts.
- *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward including:
    - Restaurants and cafes;
    - Art studios and galleries;
    - Entertainment and cultural venues;
    - Housing and live-work units;
    - Exercise and physical fitness facilities;
    - Office space and business incubators; and
    - Community-operated workspaces where people with common interests can meet, collaborate, and develop their business ideas and products.

- *Economic Development Goal ED-1.* Diversify the economic base of Hayward to support a robust and stable economy with a diverse range of employment, shopping, and cultural opportunities for local residents.
- *Economic Development Policy ED-1.4*. The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.
- *Economic Development Goal ED-2*. Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Further discussion of the consistency between the proposed use and policies related to Downtown retail is included in the Staff Analysis section below and in Attachment II, Findings.

Downtown Specific Plan (DTSP). On April 30, 2019, the City Council approved the Downtown Specific Plan and Regulating Plan (DTSP), and it is expected to take effect in late May 2019. The subject site is designated *Downtown Core* in the Downtown Specific Plan. The Vision of the Downtown Core is that the development be primarily pedestrian-oriented and include a variety of retail, restaurant and entertainment options.

According to Chapter 6, Development Code of the DTSP, the site will be zoned Downtown Main Street with a Required Shop Frontage. In compliance with the Downtown Core Specific Plan designation, the Downtown Main Street zone is intended to support a walkable, vibrant, urban main street with commercial, retail, entertainment, civic and public uses. Buildings with the "Required Shop Frontage" designation (DTSP Section 3.4.110 Shopfront) shall have substantial glazing between the shopfront base and the ground floor ceiling and may include an awning that overlaps the sidewalk. In the Downtown Main Street zone, Commercial Cannabis Retail Dispensaries are subject to Conditional Use Permit approval (DTSP Table 2.3.010.A).

Further discussion of the consistency between the proposed cannabis retail use and requirements for a transparent shop frontage is explored in the Staff Analysis section below and in Attachment II, Findings.

Zoning Ordinance. The project site is located within the CC-C (Central City-Commercial) District and CC-P (Central City-Plaza) District where a Commercial Cannabis Retail Dispensary is permitted subject to approval of a Conditional Use Permit[4]. As noted above, the project is also subject to the performance and operational criteria of the adopted Cannabis land use ordinance and the regulatory framework of the Business, Professions and Trades section of the Hayward Municipal Code for Commercial Cannabis Businesses[5].

In addition to the general findings in the City's Zoning Ordinance for Use Permits, the project is subject to four additional cannabis-specific findings, which were adopted as part of the Cannabis Ordinance. The findings are intended to provide site-specific evaluation of locations and business operations and provide greater direction on mitigating potential impacts. The findings include:

1. The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted; and
2. Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation; and

[4] Conditional Use Permit
https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.1600INDII_S10-1.1620COPEUS

[5] Commercial Cannabis Businesses
https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH6BUPRTR_ART14COCABU

3. The cannabis operation is designed to be safe, secure and aesthetically compatible with the surrounding area; and
4. The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.

Further analysis related to the cannabis findings is included in Staff Analysis below and in Attachment II, Findings.

Mandatory Buffers. Pursuant to HMC Section 10-1.3607(c)(1), to avoid overconcentration of commercial cannabis retail dispensaries, such business shall be a minimum of 500 feet from any other such business. The proposed location satisfies this minimum distance requirement from other proposed cannabis dispensaries proposed within the Downtown area.

Sensitive Uses. Pursuant to HMC Section 10-1.3603(B), commercial cannabis businesses are subject to a minimum 600-foot minimum setback from sensitive land uses, including kindergarten, schools (grades 1 through 12), day care centers, youth/recreation centers, and parks which contain a children's playground. As noted above, there are three such uses that are located within 600 feet of the project site. Pursuant to the HMC, the buffer may be reduced as part of a Conditional Use Permit approval if it is found that the public convenience and necessity will be served by an alternate distance requirement and that alternative measures to assure public health and safety are in place with respect to the proposed commercial cannabis business.

Further analysis and discussion of the reduction of distance between the proposed use and nearby sensitive uses is included in Staff Analysis below and in Attachment II, Findings.

Parking. Pursuant to HMC Section 10-2.400(b), additional parking is not required when a new use is established in the Central Parking District (Downtown Hayward). The application includes improvement of an adjacent lot with restriping and installation of ADA-accessible parking as well as a new trash enclosure to serve the subject building.

Commercial Cannabis Permits. As part of the regulatory framework approved by the City, cannabis operators are required to obtain multiple approvals through a two-step process at the local level in addition to State licensing. First, an applicant is required to obtain approval of a Commercial Cannabis Business Permit by the City to assure that all regulatory requirements are met. The applicant has satisfied this task.

Second, the applicant is required to obtain the necessary land use entitlements, that consider the location, size and types of proposed uses allowed, consistent with the Zoning Ordinance standards, which is the subject of this application. Following local land use entitlement, the applicant shall also obtain a cannabis license from the State. Failure to obtain the State license would be grounds for revoking the City's permit.

Commercial Cannabis Permits issued by the City are good for one year and must be renewed annually following the completion of a mandatory safety inspection and demonstrated

compliance with all local and State regulations, including any conditions of approval adopted as part of a Use Permit process.

STAFF ANALYSIS

Staff believes that the Planning Commission can make the required Findings to recommend City Council approval of the Conditional Use Permit application to allow for the establishment of a commercial cannabis retail dispensary at the proposed site and to reduce the minimum distances required, subject to conditions of approval as outlined below.

Staff believes that establishment of a cannabis retail dispensary at the subject site would be beneficial in that the site has been vacant and underutilized for years. The building's prominent location at the corner of B and Main streets, arguably in the heart of the Downtown commercial core, the building's relatively large size and the state of disrepair has resulted in a disproportionate impact on the surrounding neighborhood and signaled a lack of investment in Downtown. The proposed façade and site improvements at the adjacent parking lot as well as establishment of a new, unique retail use in the vacant building will improve the appearance of the building and activate that corner which will likely have a positive impact on the adjacent properties and Downtown neighborhood, in general.

Despite the growing demand for such products, there are relatively few locations that provide boutique cannabis and cannabis related products in the immediate area. The nearest cannabis retailers are Garden of Eden and We Are Hemp, both located in unincorporated Alameda County and approximately 1.3 miles and 1.6 miles from the project site, respectively. North of Hayward there are retailers in San Leandro, Oakland, Berkeley and San Francisco, but the nearest cannabis retailer south of Hayward is in San Jose. Cannabis retail sales are a burgeoning retail category that would contribute positively to the sales tax base in Hayward and attract a regional clientele to the area. Establishment of a cannabis retailer in Downtown Hayward would bring retail consumers to not only shop at Hayward Station but also patronize surrounding businesses and restaurants, which would contribute further to the sense of activation of the commercial core.

Retail uses, such as a cannabis retail dispensary, are consistent with the CC-ROC land use and Downtown Core designations; however, cannabis is only available to individuals that are 21 and older (and 18 years or older with a medical marijuana card) and is a highly sensitive material due to its recent legalization. Therefore, the display of cannabis products in a prominent manner and in a traditional storefront setting is not appropriate. Thus, there is a tension in making the findings related to impairing the integrity of the zoning district and General Plan policies that call for vibrant, interesting pedestrian-oriented storefronts and the desire for discretion due to the sensitivity of the use. To address the disconnect between the required open shopfront and the sensitive nature of the use, the applicant is proposing to add etched or decorative glass decorated with a branded symbol that would extend approximately eight feet from grade. Etched or decorative glass would provide opacity while allowing light to filter into and out of the space while placing an interesting design element at eye level for pedestrians. To balance the opacity of the lower level of the storefront, staff recommends that the etched or decorative glass only extend to seven feet above grade, that the windows be

kept clear of materials, or tinting above the etching and that all of the display cases be located and sized to minimize their view from the sidewalk (proposed Condition of Approval Nos. 24-27). The etched or decorative glass design element will result in an exclusive and high-end look to the ground floor retail while retaining the tall, open glazing that is a major characteristic of the building.

This is the first of three proposed cannabis retail dispensaries anticipated in the Downtown area. Downtown Hayward is characterized by a vibrant commercial core along B Street and perpendicular streets, small lots with buildings built to the street edge. Thus, by design the businesses within Downtown are located in close proximity to each other making it difficult to maintain minimum distances between cannabis businesses and between cannabis businesses and other uses which may not be compatible. However, the attraction of cities is rooted in mixing a variety of uses that appeal to all ages, demographics and desires, and in the unpredictability and excitement of those uses and individuals connecting in the public realm. As noted above, there are two sensitive uses that serve youth within 600 feet of the project site including High Scores Arcade, an interactive museum of classic arcade games and Stellar Prep, a tutoring center/school for high school aged children. The main branch of the Hayward Library is outside of the 600-foot buffer. Per HMC Section 10-1.3603(B), the deciding authority may waive the minimum setbacks provided that public convenience and necessity will be served by an alternative distance requirement and provided that adequate safety controls are in place to assure public health and safety. As noted above, an alternative distance requirement is necessary because of the nature of Downtown development to place a variety of uses in close proximity to each other. As conditioned, staff believes that the on-site security guards, numerous cameras at the entrances and parking lot, and the etched or decorative glass design along storefronts would assure public health and safety.

In addition to the consultant review of the business plan, the Hayward Police Department, Code Enforcement Division and Fire Department have reviewed the project proposal with the Planning Division staff to ensure the use can be operated in a safe manner. Conditions of Approval are included to ensure that the proposed use and operations of the cannabis business will provide a safe and secure environment for the surrounding neighborhood and mitigate potential impacts to adjacent properties. Specifically, proposed Conditions of Approval (5 through 21) would require the applicant adhere to the approved business plan, security plan, and odor minimization measures as part of normal operational protocols.

As part of the regulatory toolkit established by the State of California and the land use ordinances adopted by the City in 2017, staff believes that physical and operational safeguards are in place to ensure this cannabis retail dispensary can operate at the proposed location without impacts to other properties. As part of the initial RFP process, the applicant's business plan and the specific location under consideration with this use permit was reviewed and scored by an independent, outside consultant who determined this operator would meet several of the City's objectives related to best practices for the cannabis industry. Further, according to the proposed Conditions of Approval and by Ordinance, cannabis permits shall be renewed annually providing the City with an opportunity to determine if the use is causing disproportionate impacts to City services or operating in a manner that is unsafe or out of

compliance with the approved business plan. Thus, the applicant has an interest in complying with Conditions of Approval and maintaining a safe, high quality establishment.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Existing Facilities, in that the prosed use would occupy an existing commercial structure that was designed to accommodate retail uses.

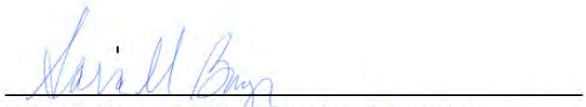
In addition to the proposed use, the proposed project includes exterior modifications to a structure that is identified as an individual local historic resource listed on the California Register and which appears eligible for listing on the National Register. According to a memo prepared by an architectural historian and conditions assessment specialist with Garavaglia Architecture, dated October 29, 2018, the proposed alterations which include removal and replacement of doors to ensure ADA-compliance, removal and replacement of ATMs and replacement with glazing to match the existing building, and miscellaneous repairs to damaged areas of the building would not alter or damage the surrounding historic and features of the building. In conformance with the recommendations of the report, the final building permit plan set, will be reviewed for compliance with the City's local Historic Resource Ordinance and the Secretary of the Interior Standards prior to the approval of building permits (proposed Condition of Approval 23). Therefore, the proposed exterior modifications to the existing building would be exempt from CEQA pursuant to Section 15331 (Class 31), Historical Resource/Rehabilitation, and no further environmental review is necessary.

NEXT STEPS

Pursuant to HMC Section 10-1.3250(a), the Planning Commission may refer a Conditional Use Permit application to the City Council with or without a recommendation. Given the unique and sensitive nature of the use and location, staff recommends that the Planning Commission recommend approval of the project, subject to the attached conditions of approval, and refer the application to the City Council for a final decision.

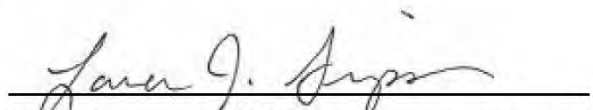
Prepared by: Leigha Schmidt, AICP, Senior Planner

Approved by:



Sara Buizer, AICP, Planning Manager

Approved by:



Laura Simpson, AICP, Development Services Director

CITY OF HAYWARD PLANNING DIVISION
PROPOSED CANNABIS RETAIL DISPENSARY
HAYWARD STATION, 1004 B STREET
CONDITIONAL USE PERMIT APPLICATION NO. 201806005

FINDINGS FOR APPROVAL

Conditional Use Permit
Pursuant to Hayward Municipal Code Section 10-1.3200, The Planning Commission or other approving authority may approve or conditionally approve an application when all the following findings are made:

1. *The proposed use is desirable for the public convenience or welfare;*

The proposed retail cannabis dispensary is desirable for the public convenience and welfare in that it would result in establishment of a cannabis retail dispensary in a currently vacant and underutilized commercial space in Downtown Hayward. Cannabis retail sales are a burgeoning retail category that would contribute positively to the sales tax base in Hayward and attract a regional clientele to the area. Despite the growing demand for these products, there are relatively few locations that provide boutique cannabis and cannabis related products in the immediate area. Establishment of a cannabis retailer in a prominent historic building in Downtown Hayward would bring retail consumers to not only shop at Hayward Station, but also patronize surrounding businesses and restaurants, which would contribute further to the sense of activation of the commercial core thus benefitting the City and neighborhood.

2. *The proposed use will not impair the character and integrity of the zoning district and surrounding area;*

The proposed commercial cannabis dispensary will occupy an existing building that has been vacant and underutilized for years. The subject building's relatively large size and prominent location at a major intersection in Downtown Hayward and the lack of basic maintenance and investment of the site and adjacent parking lot has resulted in a significant, negative impact on the surrounding neighborhood. Occupation of the currently vacant structure and proposed façade and site improvements at the adjacent parking lot would signal increased investment in Downtown Hayward. Further, establishment of a new, unique retail use in the vacant building will activate the corner likely resulting in increased pedestrian traffic and patrons to the area and a positive impact on the adjacent properties and Downtown neighborhood, in general.

While the proposed retail use would result in activation of a vacant space with a retail use, it would be inappropriate to display the age-restricted cannabis products in a retail storefront as called for in the applicable CC-C (City Center – Commercial) and CC-P (City Center – Plaza) districts and future Downtown Main Street with Required Shop Frontage Downtown Specific Plan designations. To ensure that the proposed use would not impair the character and integrity of the applicable zoning districts, specific conditions of approval would require that

etched glass be utilized to obscure street level views into the retail space and that all areas above the etched glass be kept clear and transparent to allow in light and views into the upper windows of the tenant space thus displaying the prominent interiors and a view into the well-designed historic building. In addition, the proposed commercial use would meet the applicable parking standards for commercial uses in the applicable districts if a reciprocal parking agreement is recorded to allow for exclusive parking on the adjacent parking lot, and if the parking lot improvements include resurfacing, repainting and lighting.

3. *The proposed use will not be detrimental to the public health, safety, or general welfare; and*

The proposed cannabis manufacturing use will not be detrimental to the public health, safety or general welfare in that the facility, as conditioned, will operate within the permit requirements and regulations established by State, County and local laws. The applicant has provided an Odor Plan to ensure that cannabis odors cannot be detected outside of the building, and a detailed Security Plan that includes installation of security cameras inside and outside of the building; positioning of security guards at all entrance; use of ID scanners to verify patron age; robust commercial locks on all points of ingress and egress and alarm system; compliance with a State-mandated track and trace program to prevent diversion of cannabis; a records retention program; and identification of a local contact to handle all safety and security issues in an immediate manner.

The proposed dispensary is also subject to the City's Cannabis Ordinance, which contains operating and performance standards for establishments that handle cannabis and cannabis related products. The applicant's Business and Security Plan were reviewed and evaluated by an independent consultant and determined to include procedures and protocols to ensure public safety and those security measures were incorporated into the conditions of approval for the project. Further, the applicant and all employees associated with the business are subject to an extensive background check by the City's Police Department.

4. *The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved.*

Retail uses, such as a cannabis retail dispensary, are consistent with the *Central City – Retail and Office Commercial* land use and Downtown Core land use designations. While the proposed use would contribute positively to the tax base and would attract a regional clientele to the Downtown area thus meeting Economic Development Goals and Policies, the display of cannabis products in a prominent manner and in a traditional storefront setting is not appropriate in that cannabis and related products are highly sensitive due to their recent legalization, and in that it is only available for purchase by individuals that are 21 and older (18 and older with a medical marijuana card).

To address inconsistencies between General Plan policies requiring open shopfront displays and the sensitive nature of the use, the proposed business would incorporate design solutions including installation of etched glass that would extend seven feet above the sidewalk to limit

views of products from the street, and the areas above the etched glass would be kept free to coverings, tinting or display cases to ensure views into the upper windows of the tenant space. With these design solutions, the storefront will have an exclusive and high-end look to the ground floor retail while retaining the tall, open glazing that is a major characteristic of the historic building thus ensuring compliance with the following General Plan Goals and Policies:

- *Land Use Policy LU-2.1, Downtown Arts and Entertainment.* The City shall encourage private-sector investment in Downtown to transform it into a safe, vibrant, and prosperous arts and entertainment district that offers enhanced shopping, dining, recreational, and cultural experiences and events for residents, families, college students, and visitors.
- *Land Use Policy LU-2.2, Downtown Activities and Functions.* The City shall maintain the Downtown as a center for shopping and commerce, social and cultural activities, and political and civic functions.
- *Land Use Policy LU-2.3, Downtown Pedestrian Environment.* The City shall strive to create a safe, comfortable, and enjoyable pedestrian environment in the Downtown to encourage walking, sidewalk dining, window shopping, and social interaction.
- *Land Use Policy LU-2.4, Downtown Retail Frontages.* The City shall require retail frontages and storefront entrances on new and renovated buildings within the "retail core" of Downtown Hayward, which includes properties along B Street between Watkins Street and Foothill Boulevard, and Main Street between A Street and C Street. This policy does not apply to historic building originally designed without retail frontage or storefronts.
- *Land Use Policy LU-2.16, Uses to Attract the Creative Class.* The City shall encourage the development of uses and amenities to attract creative-class professionals and businesses to Hayward including:
    - Restaurants and cafes;
    - Art studios and galleries;
    - Entertainment and cultural venues;
    - Housing and live-work units;
    - Exercise and physical fitness facilities;
    - Office space and business incubators; and
    - Community-operated workspaces where people with common interests can meet, collaborate, and develop their business ideas and products.

- *Economic Development Goal ED-1.* Diversify the economic base of Hayward to support a robust and stable economy with a diverse range of employment, shopping, and cultural opportunities for local residents.
- *Economic Development Policy ED-1.4*. The City shall establish business attraction efforts that focus on small and medium-sized businesses within emerging and growing business sectors.

- *Economic Development Goal ED-2*. Cultivate a culture of entrepreneurship to encourage and support local business start-ups.

Cannabis Ordinance

In addition to the required findings contained in Section 10-1.3125 (Conditional Use Permit), every land use application requiring discretionary review for cannabis and cannabis products shall be required to make the following findings prior to issuance:

1. *The proposed cannabis use will not be detrimental to the public health, safety, or general welfare in that the cannabis operation is situated in an appropriate location where sensitive land uses will not be adversely impacted;*

The proposed commercial cannabis dispensary will not be detrimental to the public health, safety or general welfare in that the facility, as conditioned, will operate within the permit requirements established by the City and to obtain the necessary State permits. The proposed project site is a vacant commercial building in Downtown Hayward which is the only geographic area in Hayward where commercial cannabis dispensaries are permitted with a use permit. Establishment of a cannabis retailer in a prominent historic building in Downtown Hayward would bring retail consumers to not only shop at Hayward Station but also patronize surrounding businesses and restaurants, which would contribute further to the City's tax base and to a sense of activation of the commercial core.

By design, the structures and businesses within Downtown Hayward are located in close proximity to each other and may result in location of incompatible uses or sensitive uses within the minimum distance buffers. However, as described in the accompanying staff report and, in the finding related to alternative distances below, the proposed project would incorporate a robust Safety and Security Plan including but not limited to on-site security guards, cameras at the entrances and parking lot, employee background checks, a limitation on loitering and nuisances, and the etched design along storefronts to assure public health and safety within the vicinity of the subject site.

2. *Appropriate measures have been taken to address nuisances related to odor, noise, exhaust, and waste related to the cannabis operation;*

Physical and operational safeguards are in place to ensure this cannabis retail dispensary will operate at the proposed location without impacts to other properties. The proposed project includes an Odor Mitigation Plan and robust Security Plan including but not limited to installation of cameras inside and outside of the building and in the parking lot, provision for on-site security guards, ID scanners, and employee background checks among other safety and security measures.

As part of the initial RFP process, the applicant's business plan and the specific location under consideration with this use permit was reviewed and scored by an independent, outside consultant who determined this operator would meet the City's objectives related to best practices for the cannabis industry. Further, according to the proposed Conditions of Approval and by Ordinance, cannabis permits shall be renewed annually providing the City

with an opportunity to determine if the use is causing disproportionate impacts to City services or operating in a manner that is unsafe or out of compliance with the approved business plan or the approved conditions of approval for the project.

3. *The cannabis operation is designed to be safe, secure and aesthetically compatible with the surrounding area; and*

The proposed commercial cannabis dispensary will occupy an existing building that has been vacant and underutilized for years. The subject building's relatively large size and prominent location at a major intersection in Downtown Hayward and the lack of basic maintenance and investment resulted in a significant, negative impact on the surrounding neighborhood and immediately adjacent properties. Occupation of the currently vacant structure and façade and site improvements at the adjacent parking lot would signal increased investment in Downtown Hayward. Further, establishment of a new, unique retail use in the vacant building will activate the corner likely resulting in increased pedestrian traffic and patrons to the area and a positive impact on the adjacent properties and Downtown neighborhood, in general.

To ensure that the proposed use is designed to be aesthetically compatible with the surrounding area, specific conditions of approval would require that etched glass be utilized to obscure street level views into the retail space and that all areas above the etched glass be kept clear and transparent to allow in light and views into the upper windows of the tenant space displaying the prominent interiors and providing a view into the well-designed historic building. In addition, the adjacent commercial parking lot would be resurfaced, restriped and lighting would be installed to ensure safety and aesthetic compatibility with the upgraded development.

4. *The cannabis operation will not place a burden on the provision of public services disproportionate to other industrial or commercial uses.*

The applicant is proposing to lease a currently vacant, dilapidated commercial space in Downtown Hayward. It is likely that sales of cannabis and cannabis related products to the public will result in some impact on public services but that those impacts can be minimized and managed by strong and present on-site management, adherence to the comprehensive Security and Safety Plan and conditions of approval prohibiting loitering and on-site consumption. In addition, the applicant is subject to an annual review and inspection of the proposed manufacturing use by the City's Code Enforcement Division, Police Department and Fire Department as part of the cannabis permit renewal. Further, as conditioned, any excessive calls for service, including nuisance and code violations, may result in the revocation of the commercial cannabis permit and/or the conditional use permit.

5. *The required 600-foot setback for sensitive uses may be reduced if it is found that the public convenience and necessity will be served by an alternate distance requirement, and that alternative measures to assure public health and safety are in place with respect to the commercial cannabis business.*

It is essential to note when considering appropriate locations for commercial cannabis dispensaries that Downtown Hayward is the only area within the city limits where these uses may be permitted with an approved use permit and a total of three dispensaries may be established. There are sensitive uses that serve youth within 600 feet of the project site including High Scores Arcade, an interactive museum of classic arcade games approximately 290 feet east of the project site; and Stellar Prep, a tutoring center for high school aged children approximately 400 feet west of the project site. By design, the structures and businesses within Downtown are located in close proximity to each other making it difficult to maintain minimum distances between cannabis businesses and between cannabis businesses and sensitive uses. Allowing flexibility in the minimum distance requirement between the subject business and the nearby sensitive uses is warranted in this instance to ensure that the subject building, which has been vacant and dilapidated for years, will be cleaned up, improved and activated which will have positive impacts by attracting a regional clientele who will visit Hayward Station and patronize surrounding businesses. As conditioned, staff believes that the alternative measures outlined in the Safety and Security Plan and the design measures to obscure views of the cannabis and cannabis products would assure public health and safety.

Environmental Review

1. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Existing Facilities, in that the prosed use would occupy an existing commercial structure that was designed to accommodate retail uses. As proposed and conditioned, the proposed use will not result in any significant effects related to traffic, noise, air quality and water quality.

   The proposed project includes exterior modifications to a structure that is identified as an individual local historic resource listed on the California Register and which appears eligible for listing on the National Register. According to a memo prepared by an architectural historian and conditions assessment specialist with Garavaglia Architecture, dated October 29, 2018, the proposed alterations which include removal and replacement of doors to ensure ADA-compliance, removal and replacement of ATMs and replacement with glazing to match the existing building, and miscellaneous repairs to damaged areas of the building would not alter or damage the surrounding historic and features of the building. In conformance with the recommendations of the report, the final building permit plan set, will be reviewed for compliance with the City's local Historic Resource Ordinance and the Secretary of the Interior Standards prior to the approval of building permits. Therefore, the proposed exterior modifications to the existing building would be exempt from CEQA pursuant to Section 15331 (Class 31), Historical Resource/Rehabilitation, and no further environmental review is necessary.

GENERAL

1. The applicant shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

2. The applicant, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.

3. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City and agreed to by the applicant, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City' s requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project. The applicant acknowledges that the conditions set forth in this approval are not intended to supersede any obligations imposed pursuant to Chapter 6, Article 14 of the Hayward Municipal Code related to commercial cannabis permits, as it may be amended from time to time.

4. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.

Cannabis Dispensary Use & Operations

5. The applicant shall take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding a permitted facility. Such conditions include but are not limited to: smoking; creating a noise disturbance; loitering; littering; and graffiti. Graffiti must be removed from property and parking lots under the control of the permittee within 72 hours of discovery.

6. The cannabis retail dispensary may operate between 9 a.m. and 9 p.m. daily.

7. Cannabis and cannabis-related product consumption is prohibited at the business and in the associated parking lot.

8. The cannabis dispensary shall operate according to these conditions of approval and the business plan included as part of the use permit application, received February 5, 2019, including the hours of operation, intensity of use and mode/character of the proposed dispensary operation. Any future change or modification of the operational plan and/or any expansion of the approved use may require the submittal of a new use permit application and commercial cannabis permit and shall be subject to additional review and approval by the City prior to any change, modification or expansion.

9. The applicant shall provide a detailed Community Benefits program and coordinate the implementation of the proposed Community Benefits program with City staff within six months from use permit approval. The applicant will be subject to annual review and verification on the implementation of the approved Community Benefits program prior to permit renewal.

10. Permittees shall employ only persons at least 21 years of age at any permitted facility within the City of Hayward. Employee records shall be kept and maintained, and proof of age shall be provided to the City upon request.

11. Permittees shall have an on-site manager at each permitted facility within the City of Hayward who is responsible for overall operation during times that employees are conducting operations and shall provide the City with contact information for all such persons, including telephone number and email address. Permittees shall also provide the City with the name and contact information including phone number of at least one manager that can be reached 24-hours a day.

12. The proposed cannabis use shall operate in a manner to prevent possible diversion of cannabis and shall promptly comply with any track and trace program established by the State.

13. No outdoor storage or uses permitted. All cannabis related activities are to be conducted indoors.

14. The applicant shall notify the City if it intends to transfer ownership or operational control of a Commercial Cannabis Business. The transferee shall be responsible for complying with all applicable local and state licensing requirements. Any conditions imposed upon the transferor by the original use permit shall be binding upon any subsequent transferees. Any transfer of ownership or operational control of a Commercial Cannabis Business which results in a lapse of normal operations for a period of six months or more shall be required to obtain a new use permit and/or commercial cannabis permit, consistent with Hayward Municipal Code Sections 10-1.3170 or 10-1.3270, as applicable.

15. Cannabis or cannabis products, whether for medicinal or adult recreational use, shall only be sold to individuals authorized by state law to purchase such cannabis or cannabis products.

16. No person who is younger than the minimum age established by state law for the purchase, possession or consumption of cannabis and cannabis-related products shall be allowed on the premises of a permitted Commercial Cannabis Business.

17. Subject to Section 10-1.3607 of the Hayward Municipal Code, consumption or ingestion of cannabis or cannabis products on the premises of a permittee, including outdoor areas and parking lots, is prohibited.

Security

18. The proposed cannabis use shall provide adequate security on the premises, including any on-site security, lighting and alarms, to insure the public safety and the safety of persons within the facility and to protect the premises from theft. Additionally, all Commercial Cannabis Businesses and Cannabis Operators shall include a security and safety plan that includes the following minimum requirements:

    a. *Security Cameras*. Security surveillance IP video cameras shall be installed at the public and vendor entrances, in the parking lot and throughout the building in accordance with the Security Room Diagram provided in the Conditional Use Permit Application. All cameras and shall be maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and exterior areas where Cannabis is dispensed. The cameras shall allow for remote access to be provided to the Hayward Police Department. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. IP cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for ninety (90) days.

    b. *Building Security*. All points of ingress and egress to the proposed use shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. All heating, ventilating, air-conditioning and service openings shall be secured with steel bars and/or metal grating.

    c. *Security Guards.* The applicant shall provide at least two uniformed security guard licensed by the State of California. The security guards shall be stationed at each entrance when in use. The security guard(s) shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby resident(s). Said personnel shall carry his/her Guard Card on their person at all times and present it to any Peace

Officer upon demand. Said personnel shall be clothed in such a manner as to be readily identifiable.

d. *ID Scanners*. Security guards shall use an ID scanner to verify authenticity of IDs for all patrons who enter the business.

e. *Alarm System*. A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. The applicant shall keep the name and contact information of the alarm system installation and monitoring company as part of the Commercial Cannabis Business's onsite books and records.

f. *Secure Storage and Waste*. Commercial Cannabis products and associated product distribution and dispensing waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.

g. *Transportation.* The proposed use shall implement procedures for safe and secure transportation and delivery of Commercial Medical and Non-Medical Cannabis, including all Cannabis products and currency, in accordance with local and state law. None of the vehicles associated with commercial use shall have markings or advertising that indicates the presence of cannabis on-site.

h. *Emergency Access*. Security measures shall be designed to ensure emergency access is provided to the Hayward Police Department and Hayward Fire Department for all areas on the premises in the case of an emergency.

i. *Background Checks*. All employees working in conjunction with the cannabis retail use shall be subject to background/LiveScan checks. Additionally, all employees shall furnish the Hayward Police Department a state or federal registered Identification Card, upon request.

j. *Inspections*. During regular business hours, the building premises shall be accessible, upon request, to an identified Hayward Police Department, Building Division or Code Enforcement employee for random and/or unannounced inspections.

k. *Records Retention*. A licensed retailer must maintain financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all sales for seven years. All records must be made available to the Hayward Police Department upon request

a. *Local Contact*. Cannabis Operators shall also identify a local contact who will be responsible for addressing security and safety issues and shall provide and keep current that contact information to the Hayward Police Department as part of the permitting process.

Odor Control

19. No cannabis odors shall be detectable outside of the facility. The applicant shall incorporate and maintain adequate on-site odor control measures such that the odors resulting from cannabis stored and sold on-site cannot be readily detected from outside of the structure in which the Business operates or from other non-cannabis businesses adjoining the Commercial Cannabis Business.

20. The building permit applicant shall include duct work, filters and other recommendations included in the Odor Mitigation Plan and shall be certified by a professional engineer or industrial hygienist. The Odor Mitigation Plan submittal shall include the following:

    a. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;

    b. Staff training procedures; and

    c. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources. All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

Commercial Cannabis Permit

21. The applicant shall obtain and maintain a valid Commercial Cannabis Permit from the City, including any other applicable State and local permits. Commercial Cannabis Permit applications and renewals are subject to the requirements of HMC Section 6-14.15. **Commercial Cannabis Permits are valid for a period of one year from the date that the permittee received land use approval and shall be renewed annually.** The permit is invalid if the term has expired and the annual fee, as established in the City of Hayward Master Fee schedule, has not been timely paid in full. Non-payment will result in a violation penalty fee in accordance with the Master Fee Schedule for Cannabis uses. Additionally, the City may invalidate or suspend a Commercial Cannabis Permit for excessive calls for service or nuisance citations.

22. The proposed commercial cannabis use shall not commence operations until the Business can demonstrate compliance with all necessary state and local licenses

(dual licensing) and agency permits. Failure to demonstrate dual licensing in accordance with the Hayward Municipal Code shall be grounds for revocation of a City approved permit. Revocation of a local permit and/or a state license shall terminate the ability of the Commercial Cannabis Business to operate until a new permit and/or state license is obtained.

23. The applicant shall maintain books, records, accounts, public safety calls for service, and all data and information relevant to its operations of the commercial cannabis use, including the implementation of the proposed community benefits component, and allow the City access to such records for purposes of conducting an audit or examination to determine compliance with the Hayward Municipal Code, and other local regulations, including compliance with local tax obligations. Prior to the applicant's commercial cannabis permit renewal each year, the applicant shall provide these records to the City for review to verify compliance.

Interior and Exterior Building Design

24. The building colors and materials shown on the building permit plans shall match those shown on the plans and renderings date stamped February 5, 2019, except as modified in these conditions of approval. Any revision to the approved colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.

25. In accordance with the Memorandum prepared by Garavaglia Architecture, dated October 29, 2018, the building permit application shall be reviewed by an Architectural Historian for compliance with the Secretary of the Interior Standards and Hayward Municipal Code Chapter 10, Article 11, Historic Preservation Ordinance, and the building permit plans shall be accompanied by documentation detailing compliance with the standards. The building permit application plans shall show all exterior modifications to the building including but not limited to removal and replacement of entry doors, replacement of wood paneling and exterior ATM equipment with glazing to match existing, and repair of damaged granite. In general, exterior work shall not destroy or significantly alter the historic character or historic features of the building, and all exterior historic elements shall be repaired before being replaced and replacement shall be done in-kind when necessary.

26. Storefront windows shall be screened through a decorative etched or decorative glass design that extends seven feet up from sidewalk (exterior grade). Above seven feet in height, storefront windows shall be kept clear and free of all interior or exterior obstructions including but not limited to display cases, curtains, black out windows, and other methods of obscuring light and views into the store.

27. Interior fixtures and structures including but not limited to the proposed interior cornice shall not block windows and shall not be placed in a manner to be visible from the sidewalk or entries. Interior fixtures shall be sized and/or placed in a manner to ensure that cannabis is not visible from the public right-of-way.

28. Windows shall not be blacked out or covered with interior shutters or curtains in a manner to block views into the tenant space.

29. All vents gutters, downspouts, flashings, electrical conduits, and other utilitarian fixtures shall be painted to match the color of the adjacent material unless specifically designed as an architectural element.

30. All lighting fixtures affixed to the building shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls, patios or balconies shall be recessed/shielded to minimize visual impacts.

31. All exterior and rooftop mechanical equipment shall be screened or located away from public view. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and other equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit.

32. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of any permits.

Signage

33. No signs are approved with this project. Any signs placed on-site or off-site shall be reviewed and approved by the Planning Division and a separate Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.

34. The final design, location and size of the proposed mural on the rear wall shall be reviewed and approved by the Planning Director and shall be installed prior to the issuance of the Certificate of Occupancy for the building.

Expiration & Revocation

35. This Use Permit approval is void 36 months after the effective date of approval unless:

    a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or a time extension of the approval has been granted by the Planning Director.

b. If a building permit is issued for construction of improvements authorized by the use permit approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the conditional use permit approval. A request for an extension must be submitted in writing to the Planning Division at least 30 days prior to the above date.

c. Business operations have commenced in accordance with all applicable conditions of approval.

d. If this conditionally/administratively permitted use cease operation for a period of more than six consecutive months, it shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new use permit.

36. The Planning Commission may require modification, discontinuance or revocation of this Conditional Use Permit if its determined that the use is operated or maintained in a manner that it:

a. Adversely affects the health, peace or safety of persons living or working in the surrounding area;

b. Contributes to a public nuisance; or

c. Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of commercial cannabis or commercial cannabis products, public intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or

d. Violates any provision of the Hayward Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order, including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.

CODE ENFORCEMENT DIVISION

37. All tenant improvements and modifications and/or demolition require approval of a building permit prior to the start of the work. Verified violations of the California Building Code Section 105.1 are subject to a penalty fee of 205% of the required permit fees in addition to the regular Building Division fees in accordance with the City of Hayward Master Fee Schedule.

38. The Commercial Cannabis establishment shall maintain and visibly post valid copies of all required State, Local, and Municipal permits, including but not limited to the State of California Cannabis Bureau license, the Hayward Cannabis license, City of Hayward business license, and other pertinent permits and licenses according to the specific cannabis use.

39. Every owner of real property within the City is required to manage the property in a manner so as not to violate the provisions of the Cannabis Ordinance and/or any State and Municipal regulations. The property owner remains ultimately liable for all penalties and fees as a result of violation of any of the requirements for the Commercial Cannabis operation thereof regardless of any contract or tenant agreement or other third parties.

BUILDING DIVISION

40. The project will require a building permit application and the associated plan review process. During the building permit review stage, detailed comments will be provided.

41. For the building permit submittal drawings, a lighting plan and T-24 energy report shall be included in the set.

PUBLIC WORKS ENGINEERING AND TRANSPORTATION

42. The parking lot located on the adjacent lot at 22564 Main Street (APN 428-0061-057-00) proposed to be used for parking for the retail and office building located at 1004 B Street shall be resurfaced and restriped prior to the issuance of Certificate of Occupancy for the cannabis dispensary.

43. Applicant shall submit On-Site and Off-Site Signing and Striping plans in conjunction with the building permit submittal. The Signing and Striping Plans shall show Vendor Entry Door and indicate the location where distributors are expected to park during deliveries. The On-Site and Off-Site Signing and Striping plans shall be reviewed and approved by the City Engineer prior to the issuance of building permits.

44. Applicant shall submit on-site and off-site outdoor lighting and photometric analysis plan in conjunction with the building permit submittal. The photometric site lighting plan shall include fixtures, mounting heights, light wattage and that demonstrates adequate site and off-site lighting without excessive glare, off-site impacts or "hot spots." All lighting shall be reviewed and approved by the City Engineer, Planning Division and Hayward Police Department prior to issuance of building permits.

45. Lighting within the parking lot shall be provided and be maintained at a minimum of one foot-candle. Exterior lighting and parking lot lighting shall be provided in

accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.

UTILITIES AND ENVIRONMENTAL SERVICES

46. Building permit plans shall show the size and locations all existing (if any) and proposed RP backflow prevention assembly on each proposed domestic and irrigation water meter, per City Standard Detail 202 (SD-202).

47. Building permit plans shall include an "existing" floor plan of the building. All existing water fixtures, even if the areas are not in the scope of work, shall be clearly marked on the plans.

48. Building permit plan submittal shall clarify intended use of the third floor.

49. Building permit submittal shall include an Industrial & Commercial Sanitary Sewer Capacity form. The form shall indicate the estimated number of employees that will be at the facility on an average operating day, and shall indicate in the "Description of Business" box, if there will be public bathrooms.

SOLID WASTE

50. All trash enclosures must adhere to all the basic design guidelines provided in Section 3 of the City's Standard Design Requirements for Collection & Storage of Trash, Recyclables and Organics for Commercial Projects. All trash enclosures shall be adequately screened from view, utilizing a decorative wood or masonry wall or combination thereof and incorporate a roof, and doors which are compatible with the design of the primary building on site. The building permit submittal shall include a detailed set of plans that show the design details of the enclosures, including the location of all bins and label each bin with the capacity (ex: three cubic yards, four cubic yards, etc.) as well as the type of waste trash, recyclables, organics).

51. Construction & Demolition Debris: The City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of the Debris Recycling Statement will be required at the time of your building permit. The form can also be found at http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal. You may also visit Hayward's Green Halo webpage and create a waste management plan instead of filling in the Debris Recycling Statement.

HAYWARD FIRE DEPARTMENT

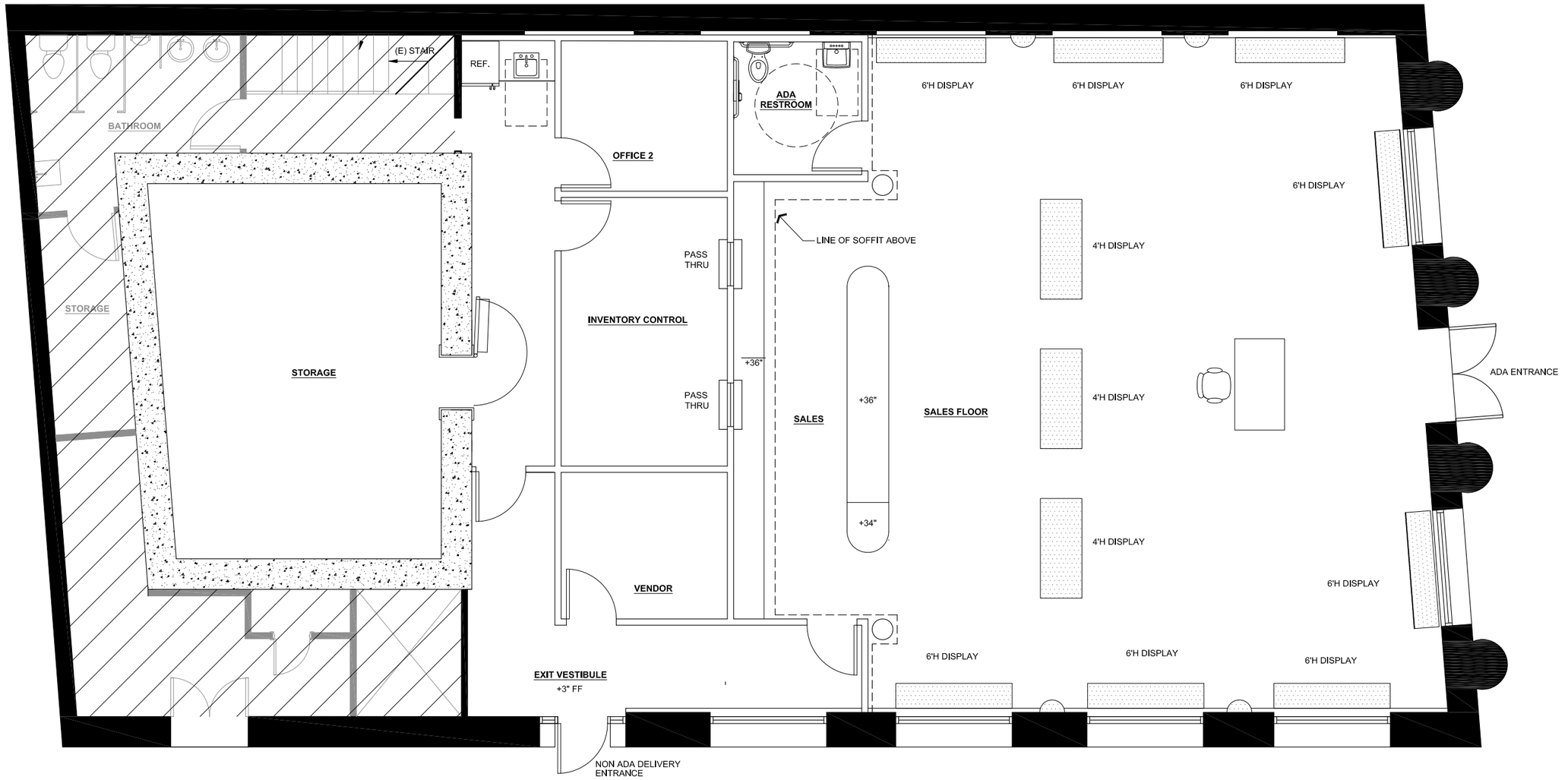
52. A building permit is required for the installation of storage racks greater than six feet in height. A Fire Department Annual Operational Permit is required for any combustible storage (floor and/or rack) which exceeds 12 feet in height (Class I-IV type commodities), AND/OR any high hazard storage which includes commodities such as hazardous materials, flammable liquids, plastics, foam and rubber products, or any other classified commodity as dictated by the California Fire Code (CFC) and NFPA 13 Standards, which exceeds six feet in height.

53. All building units shall have approved address numbers, building numbers. Address identification of shall be placed in a position that is plainly legible and visible from the street or road fronting the property.

54. Duct smoke detectors that are installed within the HVAC system (AHU's and Smoke Dampers) shall meet the California Mechanical Code for installation and the California Fire Code. Such detectors shall be interconnected to the building's main fire alarm control panel and zoned separately.

55. 2A:10BC type fire extinguishers are required throughout the building for every 75 feet of travel or every 3,000 square feet of space.

Attachment IV



HAYWARD STATION FLOOR PLAN

LushDesignStudio
WILLIAM LUSHBAUGH AIA ARCHITECT
17191 CITRON IRVINE, CALIFORNIA 92612
949-584-2166 blushbaugh@aol.com

HAYWARD STATION
CANNABIS RETAIL DISPENSARY
TENANT IMPROVEMENTS
1004 B STREET HAYWARD, CA. 94541

STAMP

LICENSED ARCHITECT
WILLIAM LUSHBAUGH
NO. C24867
REN.
STATE OF CALIFORNIA

REVISIONS:

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6	
7	
8	

DATE:	2/4/19
JOB NO:	1/8"=1'-0"
DRAWN BY:	B. L.
CHECKED BY:	
SCALE:	
SHEET NO:	D0

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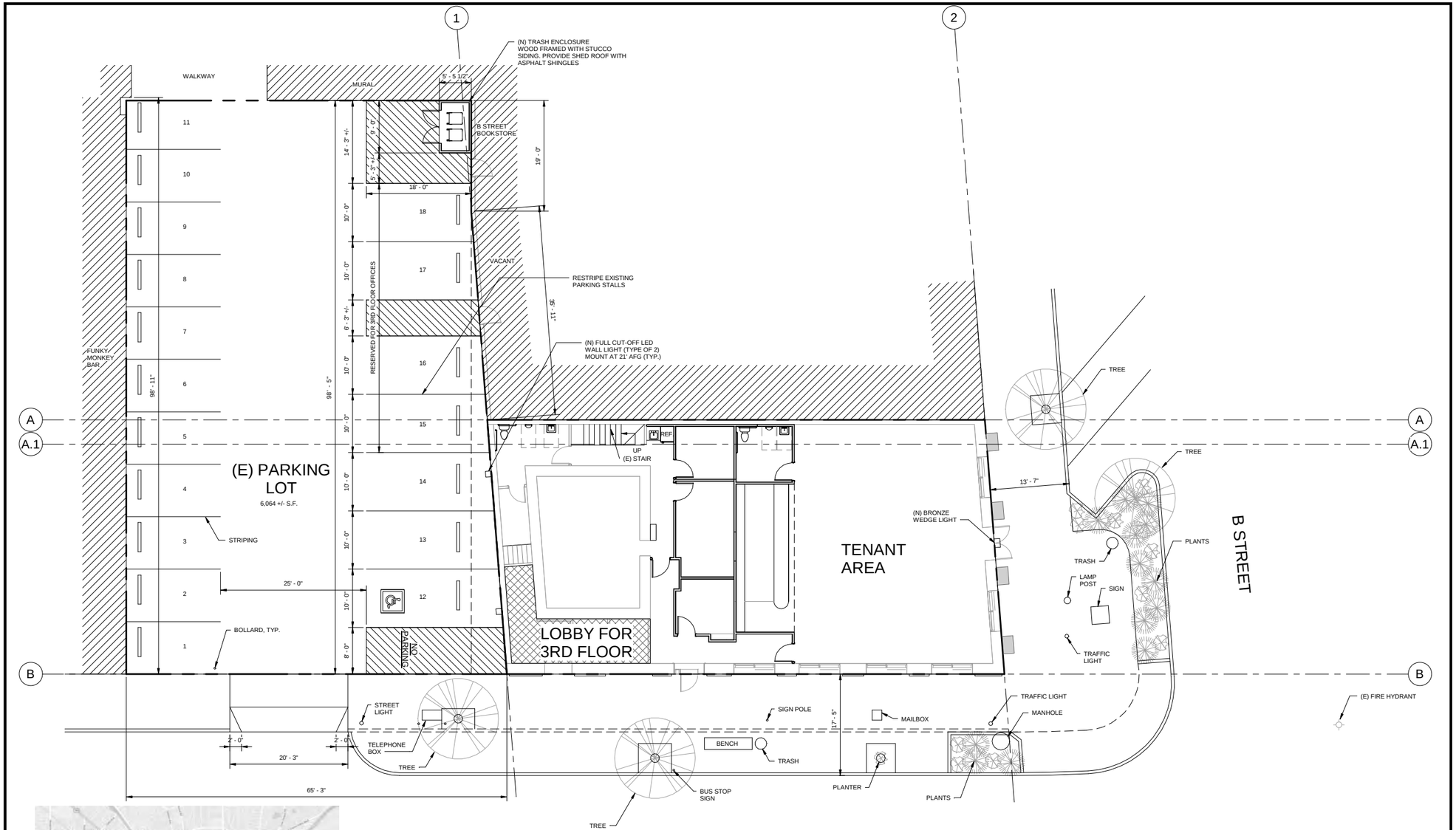

VICINITY MAP

North

SCOPE OF WORK

1. INTERIOR TENANT IMPROVEMENTS TO MAIN FLOOR OF EXISTING BUILDING ONLY. NO IMPROVEEMNT TO OTHER FLOORS ARE PROPOSED.
2. NEW DISABLED PARKING STALL
3. NEW TRASH ENCLOSURE
4. MINOR MODIFICATIONS TO EXTERIOR DOORS

BUILDING SUMMARY

OCCUPANCY:	M
CONSTRUCTION TYPE:	III
SPRINKLERED:	NO

PLANNING AND ZONING

ZONING:	CENTRAL CITY COMMERCIAL (CCC)
LOT AREA:	3,721 +/- SF
PARKING RATIO:	1 SPACE PER 315 SF
REQUIRED PARKING FOR TENANT SPACE:	3,429 SF/ 315 = 11 SPACES
PROVIDED PARKING:	18 SPACES (4 RESERVED FOR 3RD FLOOR OFFICE = 14 SPACES AVAILABLE - OK)

PROJECT DATA

Name	Level	Area
3RD FLOOR LOBBY	1st Flr Level	292 SF
TENANT AREA	1st Flr Level	3,429 SF
		3,721 SF
STORAGE	2nd Flr Level	1,074 SF
		1,074 SF
3RD FLOOR OFFICES	3rd Flr Level	3,458 SF
		3,458 SF
TOTAL		8,253 SF

(E) FIRE HYDRANT

North

0 4' 8' 16'

SCALE: 1/8" = 1'-0"

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-2772 Fax: 510-581-6913 www.greenwoodmoore.com

No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/21/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

SITE PLAN - PROPOSED

CHECKED BY	JM
DRAWN BY	KH
SCALE	1/8" = 1'-0"
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A080

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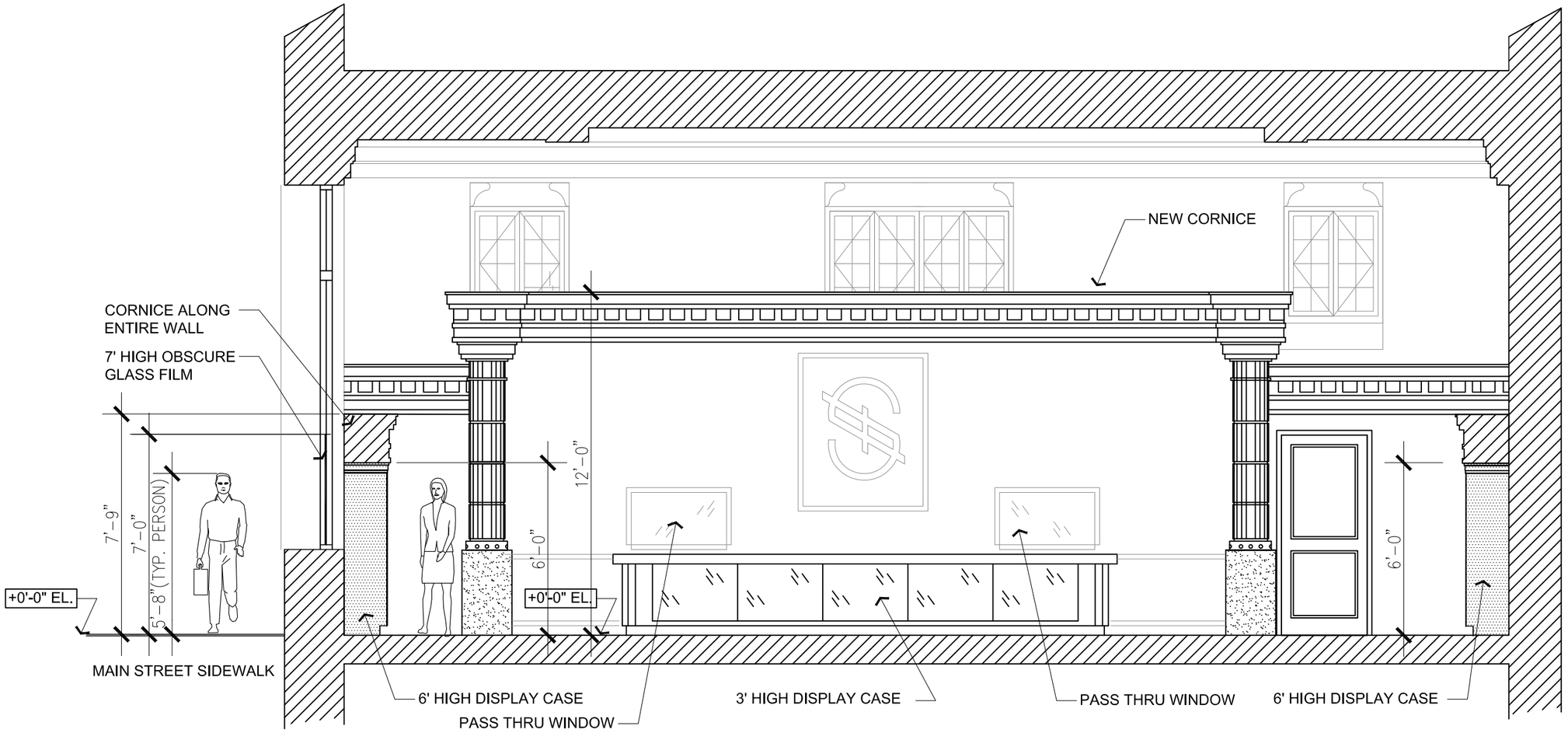


NORTH INTERIOR VIEW SALES AREA

LushDesignStudio
WILLIAM LUSHBAUGH AIA ARCHITECT
17191 CITRON IRVINE, CALIFORNIA 92612
949-584-2166 blushbaugh@aol.com

HAYWARD STATION
CANNABIS RETAIL DISPENSARY
TENANT IMPROVEMENTS
1004 B STREET HAYWARD, CA. 94541

STAMP

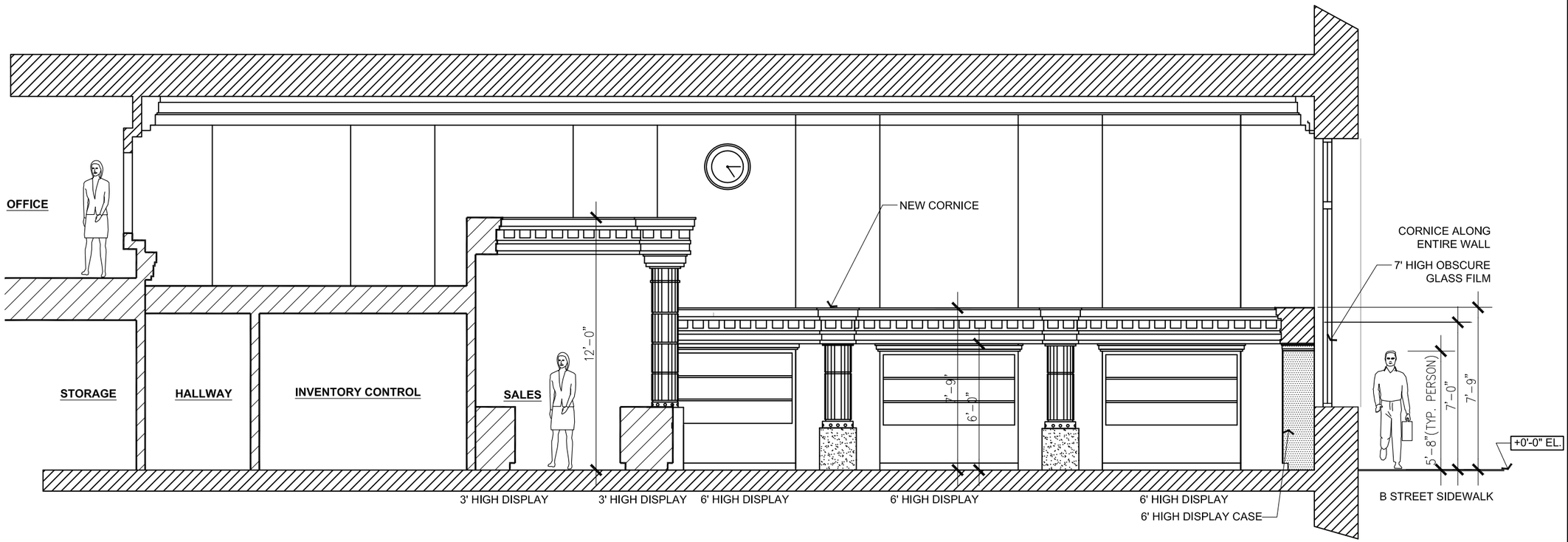
LICENSED ARCHITECT
WILLIAM LUSHBAUGH
NO. C24867
REN.
STATE OF CALIFORNIA

REVISIONS:

1	
2	
4	
5	
6	
7	
8	

DATE:	2/4/19
JOB NO:	1/8"=1'-0"
DRAWN BY:	B. L.
CHECKED BY:	
SCALE:	
SHEET NO:	D1

Attachment IV



WEST INTERIOR VIEW SALES AREA

LushDesignStudio
WILLIAM LUSHBAUGH AIA ARCHITECT
17191 CITRON IRVINE, CALIFORNIA 92612
949-584-2166 blushbaugh@aol.com

HAYWARD STATION
CANNABIS RETAIL DISPENSARY
TENANT IMPROVEMENTS
1004 B STREET HAYWARD, CA. 94541

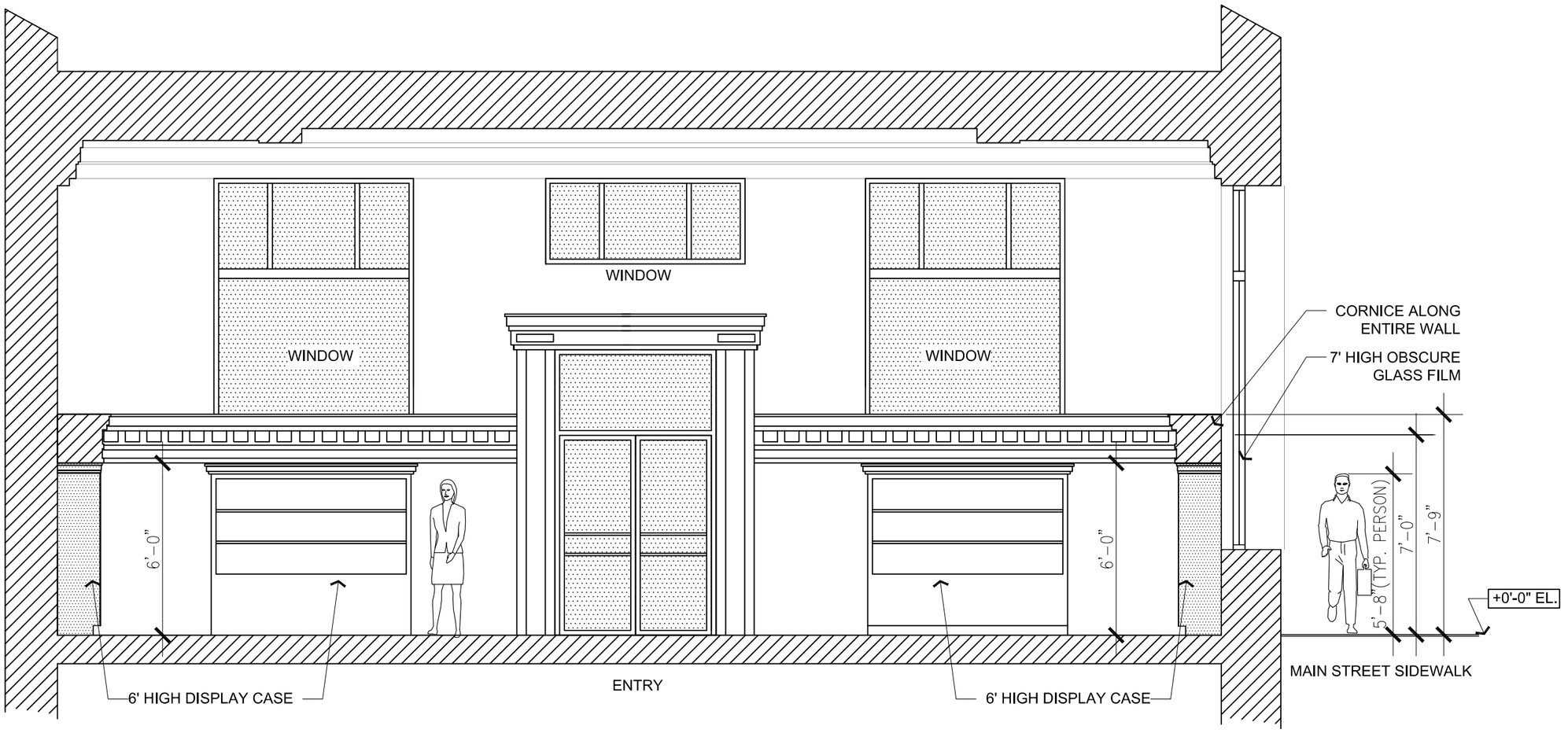
STAMP

LICENSED ARCHITECT
WILLIAM LUSHBAUGH
NO. C24867
REN.____
STATE OF CALIFORNIA

REVISIONS:

1	
2	
4	
5	
6	
7	
8	

DATE: 2/4/19
JOB NO: 1/8"=1'-0"
DRAWN BY: B. L.
CHECKED BY:
SCALE:
SHEET NO:
D2



SOUTH INTERIOR VIEW SALES AREA

LushDesignStudio
WILLIAM LUSHBAUGH AIA ARCHITECT
17191 CITRON IRVINE, CALIFORNIA 92612
949-584-2166 blushbaugh@aol.com

HAYWARD STATION
CANNABIS RETAIL DISPENSARY
TENANT IMPROVEMENTS
1004 B STREET HAYWARD, CA. 94541

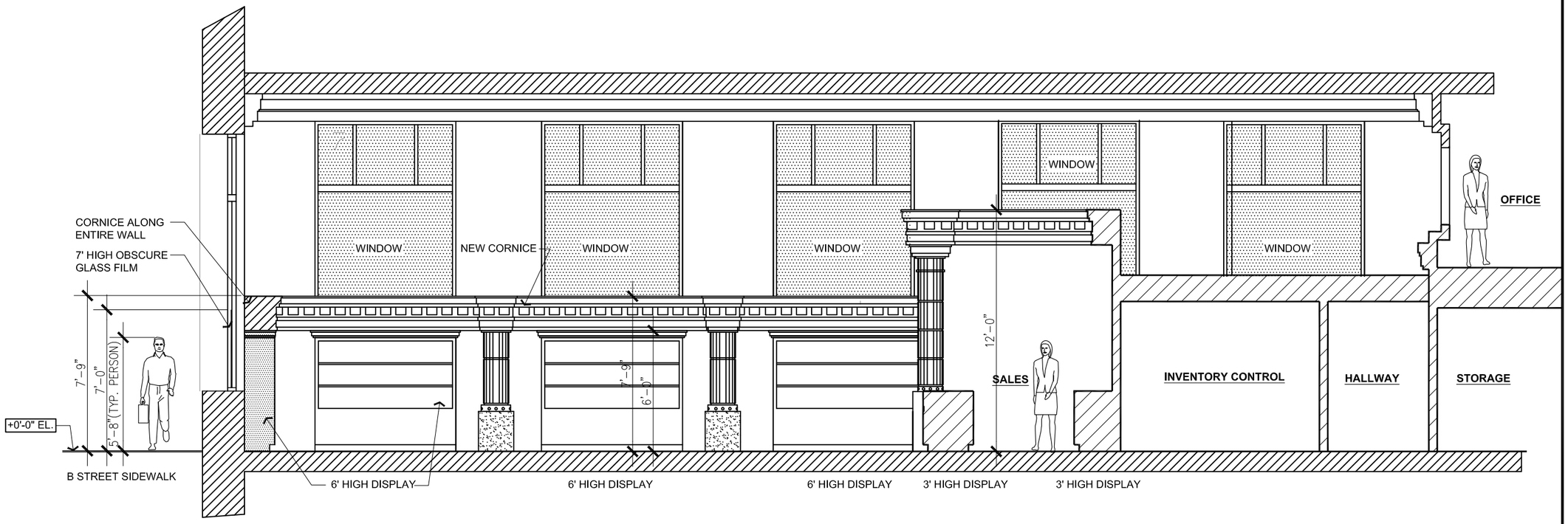
STAMP

LICENSED ARCHITECT
WILLIAM LUSHBAUGH
NO. C24867
REN.
STATE OF CALIFORNIA

REVISIONS:

1	
2	
4	
5	
6	
7	
8	

DATE: 2/4/19
JOB NO: 1/8"=1'-0"
DRAWN BY: B. L.
CHECKED BY:
SCALE:
SHEET NO:
D3



EAST INTERIOR VIEW SALES AREA

LushDesignStudio
WILLIAM LUSHBAUGH AIA ARCHITECT
17191 CITRON IRVINE, CALIFORNIA 92612
949-584-2166 blushbaugh@aol.com

HAYWARD STATION
CANNABIS RETAIL DISPENSARY
TENANT IMPROVEMENTS
1004 B STREET HAYWARD, CA. 94541

STAMP

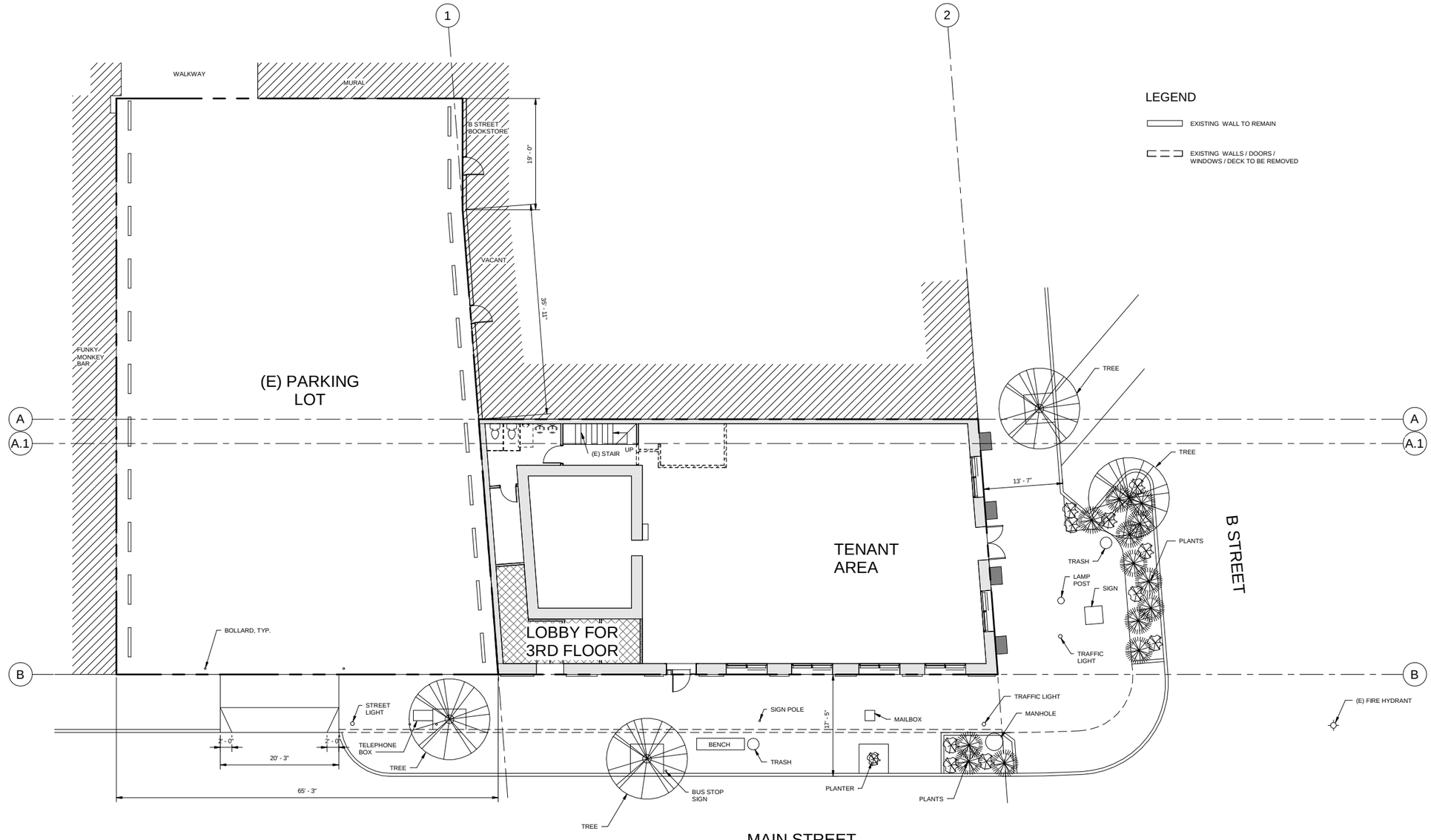
LICENSED ARCHITECT
WILLIAM LUSHBAUGH
NO. C24867
REN.
STATE OF CALIFORNIA

REVISIONS:

1
2
3
4
5
6
7
8

DATE: 2/4/19
JOB NO: 1/8"=1'-0"
DRAWN BY: B. L.
CHECKED BY:
SCALE:
SHEET NO: D4

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND SHALL BE THE PROPERTY OF THIS OFFICE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF GREENWOOD & MOORE, INC. CIVIL ENGINEERS • DESIGNERS • LAND SURVEYORS • PLANNERS. ALL TITLES AND RIGHTS IN THE ELECTRONIC DATA OR DIGITAL FILES OF THIS DRAWING ARE RESERVED TO GREENWOOD & MOORE, INC. CIVIL ENGINEERS • DESIGNERS • LAND SURVEYORS • PLANNERS. ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS, SHOP DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON THE ITEMS SO NOTED.



LEGEND

EXISTING WALL TO REMAIN

EXISTING WALLS / DOORS / WINDOWS / DECK TO BE REMOVED

GREENWOOD & MOORE, INC
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No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

SITE PLAN - EXISTING

CHECKED BY	JM
DRAWN BY	KH
SCALE	As indicated
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A082

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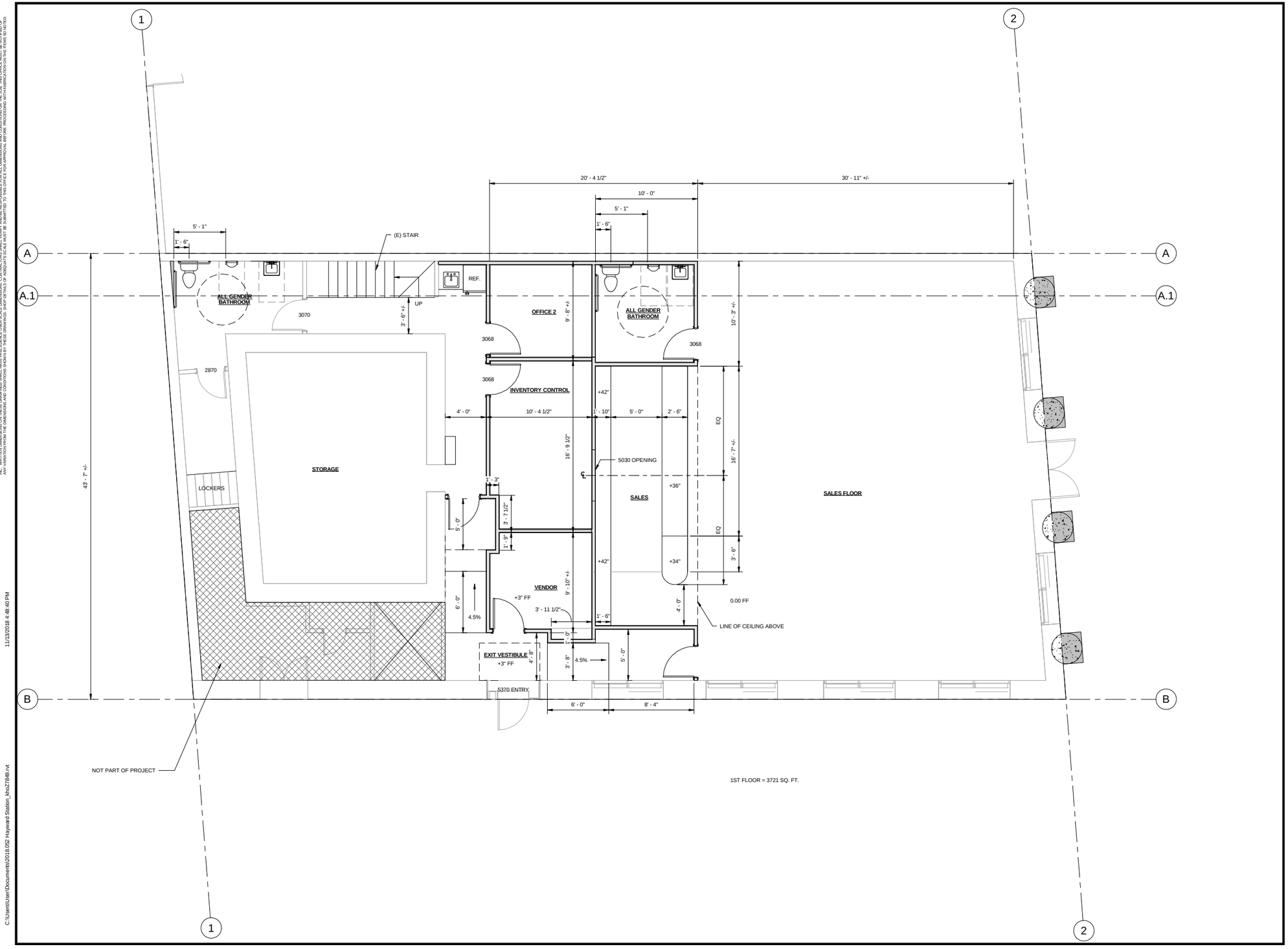

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No.	Description	Date

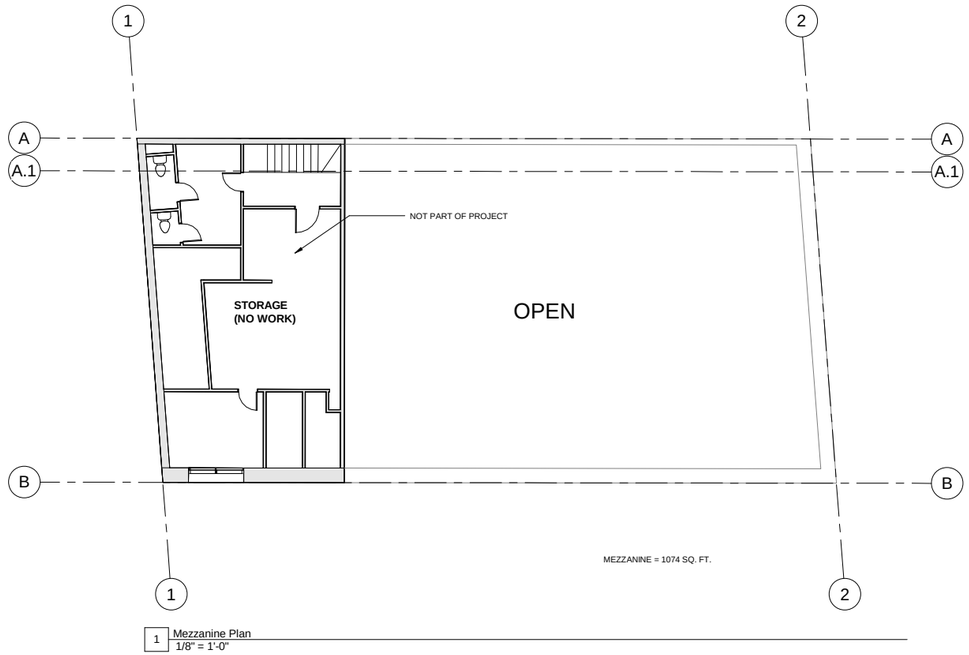
REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

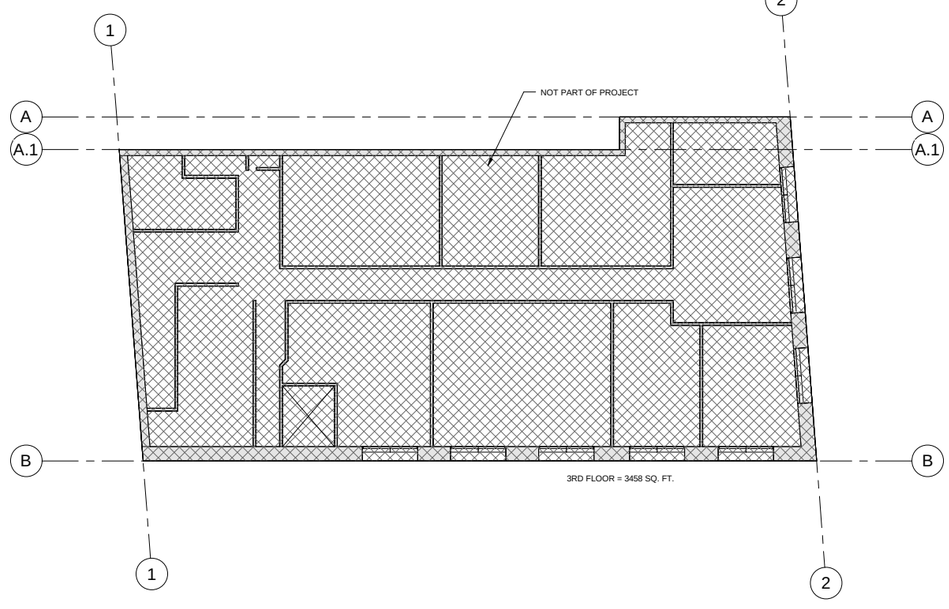
1ST FLOOR PLAN B

CHECKED BY	JM
DRAWN BY	KH
SCALE	1/4" = 1'-0"
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A210B

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND SHALL REMAIN THE PROPERTY OF THE OFFICE WHERE THEY WERE CREATED, EVEN IF THE PROJECT IS NOT EXECUTED. THEY ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY PROJECT NOT EXECUTED WITH THE SPECIFIED OFFICE. THEY ARE NOT TO BE LOANED, COPIED OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF GREENWOOD & MOORE, INC. VISUAL CONTACT WITH THESE DRAWINGS OR ANY PART THEREOF SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS. ANY UNAUTHORIZED USE SHALL BE AT THE RECIPIENT'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO GREENWOOD & MOORE, INC. ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS, SHOP DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON THE ITEMS SO NOTED.



1 Mezzanine Plan
1/8" = 1'-0"



2 3rd Floor Plan
1/8" = 1'-0"

2' 4' 8'
SCALE: 1/4" = 1'-0"

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No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

2ND FLOOR PLAN

CHECKED BY	JM
DRAWN BY	KH
SCALE	1/8" = 1'-0"
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A220

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND SHALL BE THE PROPERTY OF THE OFFICE OF GREENWOOD & MOORE, INC. AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND SHALL NOT BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, EXCEPT BY AGREEMENT WITH AND WRITTEN PERMISSION OF GREENWOOD & MOORE, INC. ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHT, TO THIS DRAWING SHALL BE RETAINED BY THE ARCHITECT. VISUAL CONTACT WITH THESE DRAWINGS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS. ANY MODIFICATIONS MADE TO THESE DRAWINGS WITHOUT THE PRIOR WRITTEN CONSENT OF GREENWOOD & MOORE, INC. WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO GREENWOOD & MOORE, INC. AND THE USER SHALL INDEMNIFY AND HOLD HARMLESS GREENWOOD & MOORE, INC. FROM ALL CLAIMS, DAMAGES AND EXPENSES, INCLUDING ATTORNEY'S FEES AND COURT COSTS, ARISING OUT OF OR RESULTING FROM ANY SUCH MODIFICATIONS. ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS SHOP DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON THE ITEMS SO NOTED.

1 B STREET

2 REAR ELEVATION

3 FRONT DOOR - EXISTING

GREENWOOD & MOORE, INC
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3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-2772 Fax: 510-581-6913 www.greenwoodmoore.com

No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

FRONT AND REAR ELEVATIONS

CHECKED BY	JM
DRAWN BY	KH
SCALE	3" = 1'-0"
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A500

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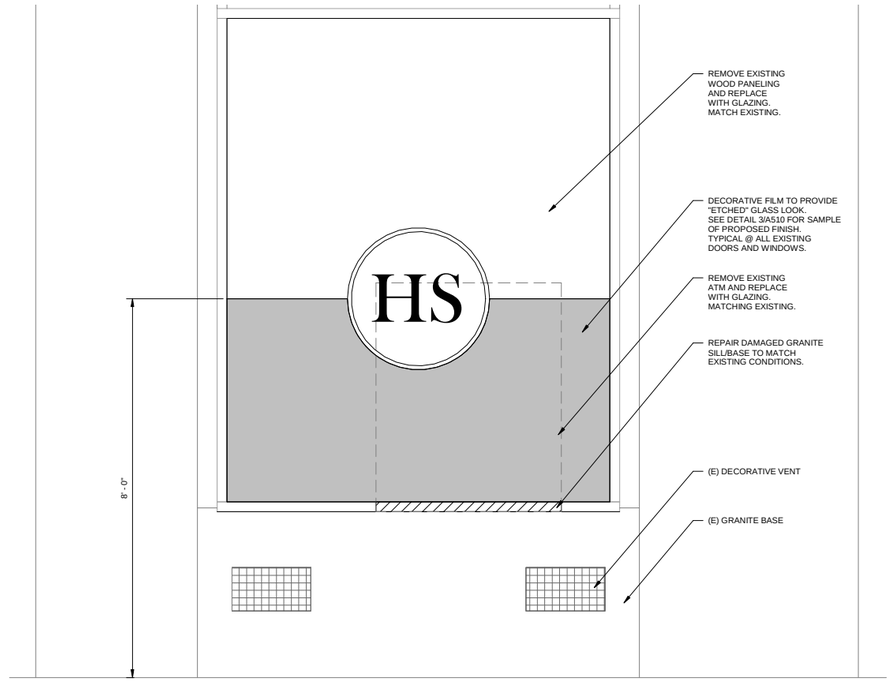
PAINT EXISTING WINDOW PANELS AND FRAMES (TYP)

REMOVE EXISTING WOOD PANELING AND REPLACE WITH GLAZING. MATCH EXISTING. SEE 2/A510

REMOVE EXISTING ATM AND REPLACE WITH GLAZING. MATCHING EXISTING. SEE 2/A510

DECORATIVE FILM TO PROVIDE "ETCHED" GLASS LOOK. SEE DETAIL 3/A510 FOR SAMPLE OF PROPOSED FINISH. TYPICAL @ ALL EXISTING DOORS AND WINDOWS.

1 MAIN STREET



2 ATM - PROPOSED & TYPICAL WINDOW
3/4" = 1'-0"

3 "ETCHED GLASS" CONCEPT
1" = 1'-0"

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C:\Users\User\Documents\2018.052 Hayward Station_khnZ7849.rvt

GREENWOOD & MOORE, INC
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Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-2772 Fax: 510-581-6913 www.greenwoodmoore.com

No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

LEFT ELEVATIONS

CHECKED BY	JM
DRAWN BY	KH
SCALE	As indicated
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A510

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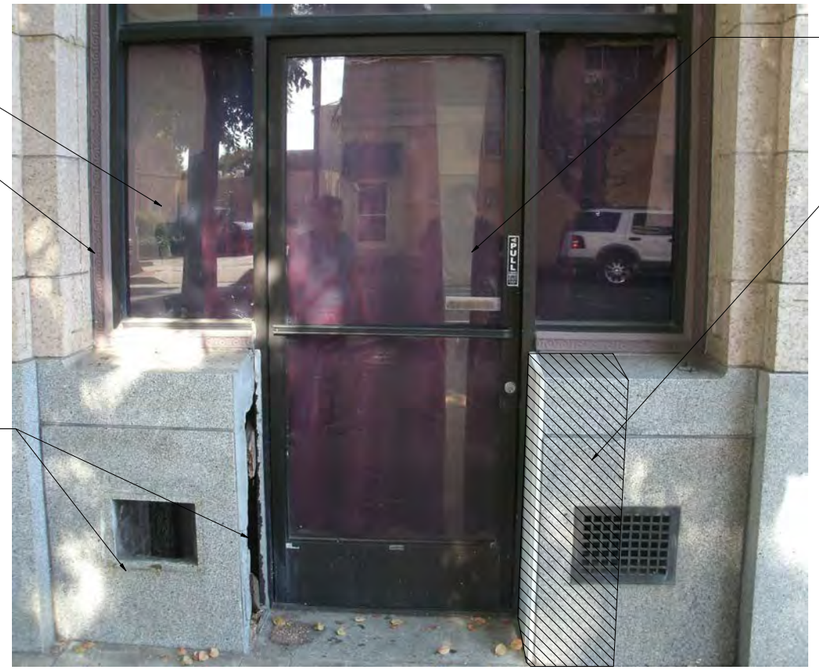
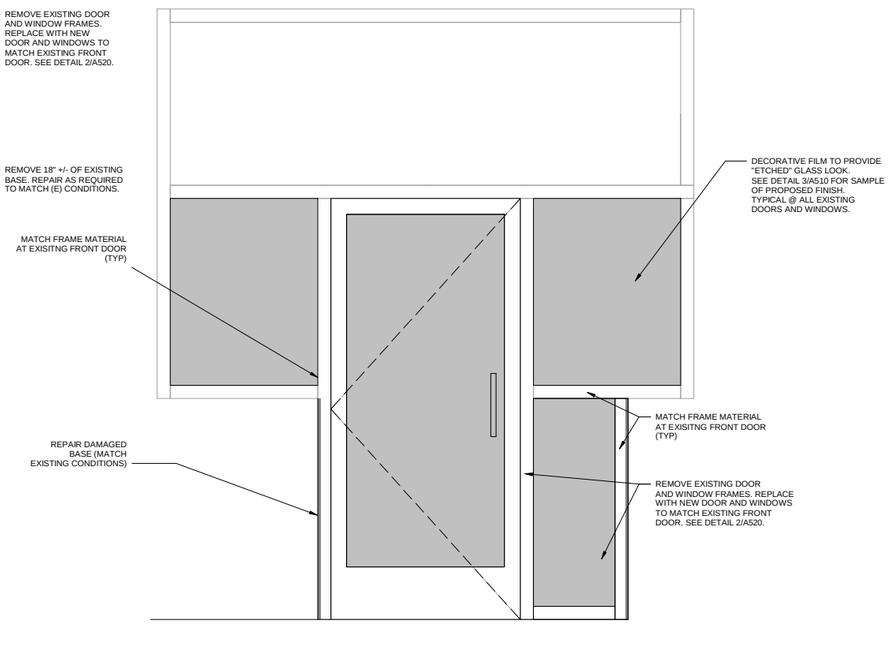


1 SIDE DOOR -EXISTING CONDITIONS
3" = 1'-0"



2 SIDE DOOR - PROPOSED
1" = 1'-0"

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
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No.	Description	Date

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2020
Civil
STATE OF CALIFORNIA

HAYWARD STATION
1004 B. STREET
HAYWARD, CA 94541

SIDE DOOR DETAILS

CHECKED BY	JM
DRAWN BY	KH
SCALE	As indicated
DATE	11/13/2018
PROJECT NO.	2018.052
PHASE NO.	
SHEET NO.	A520

11/13/2018 4:51:49 PM
C:\Users\User\Documents\2018.052 Hayward Station_khcZ78dB.rvt

THE STATION

HAYWARD

A Modern Hayward Retail Experience, Inspired By Its Historic Home, And The Art Deco Era

THE
STATION

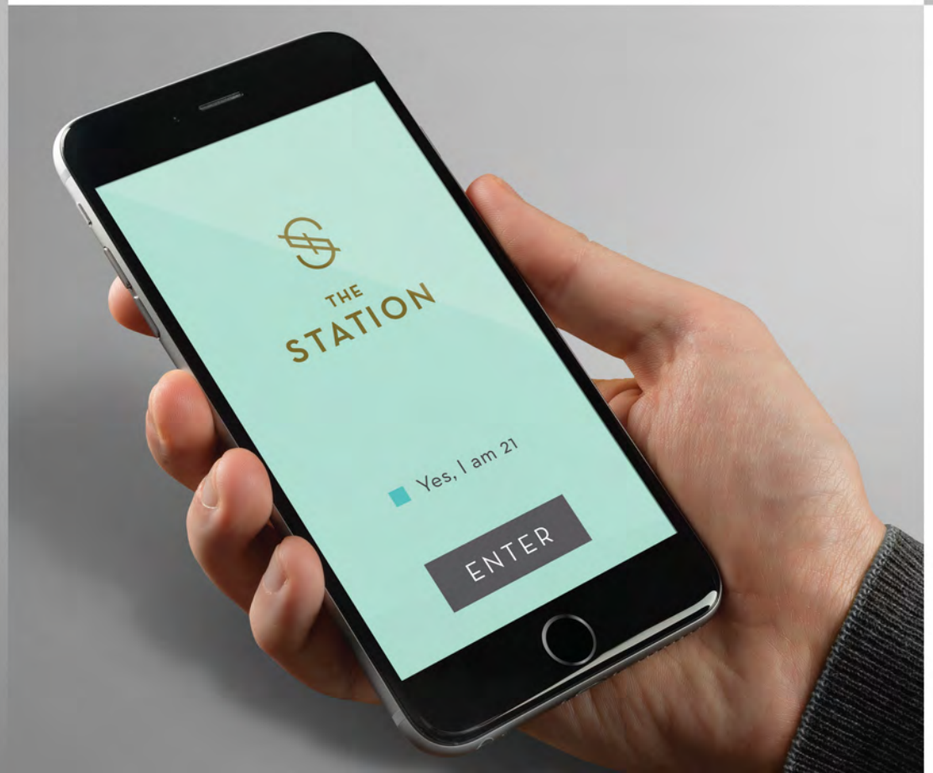
THE
STATION

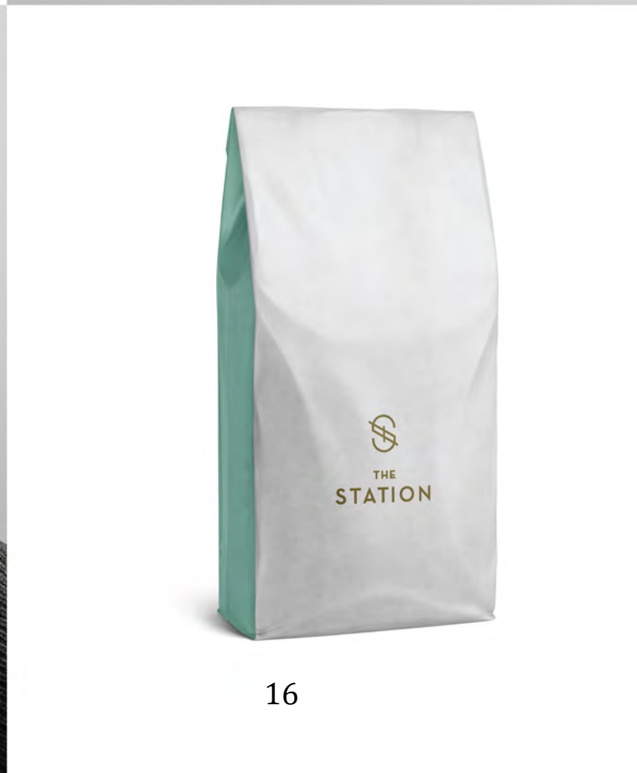
NuetraFace Demi

ABCDEFGHIJKLM
nopqrstuvqxyz
0123456789!%&

PAT DOHERTY
DIRECTOR
1004 B STREET
HAYWARD, CA 94541
555.123.4567
pat@haywardstation.com
www.haywardstation.com
THE
STATION

THE
STATION


THE
STATION
Yes, I am 21
ENTER


THE
STATION

THE
STATION

THE
STATION
California
Orange Marigold
INDICA
THC 21.4%
$55/Eighth

B STREET
1004
THE
STATION
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STATION

THE
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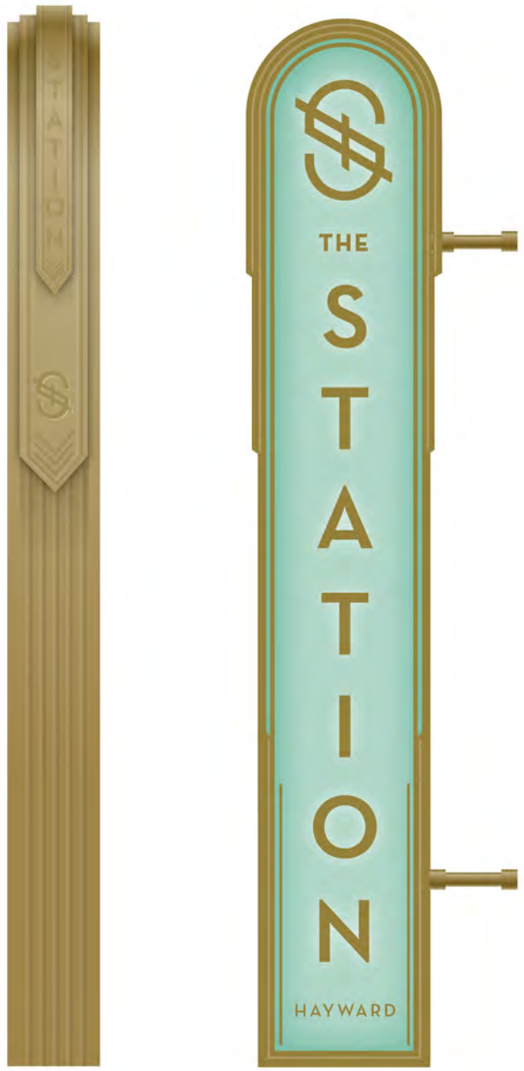
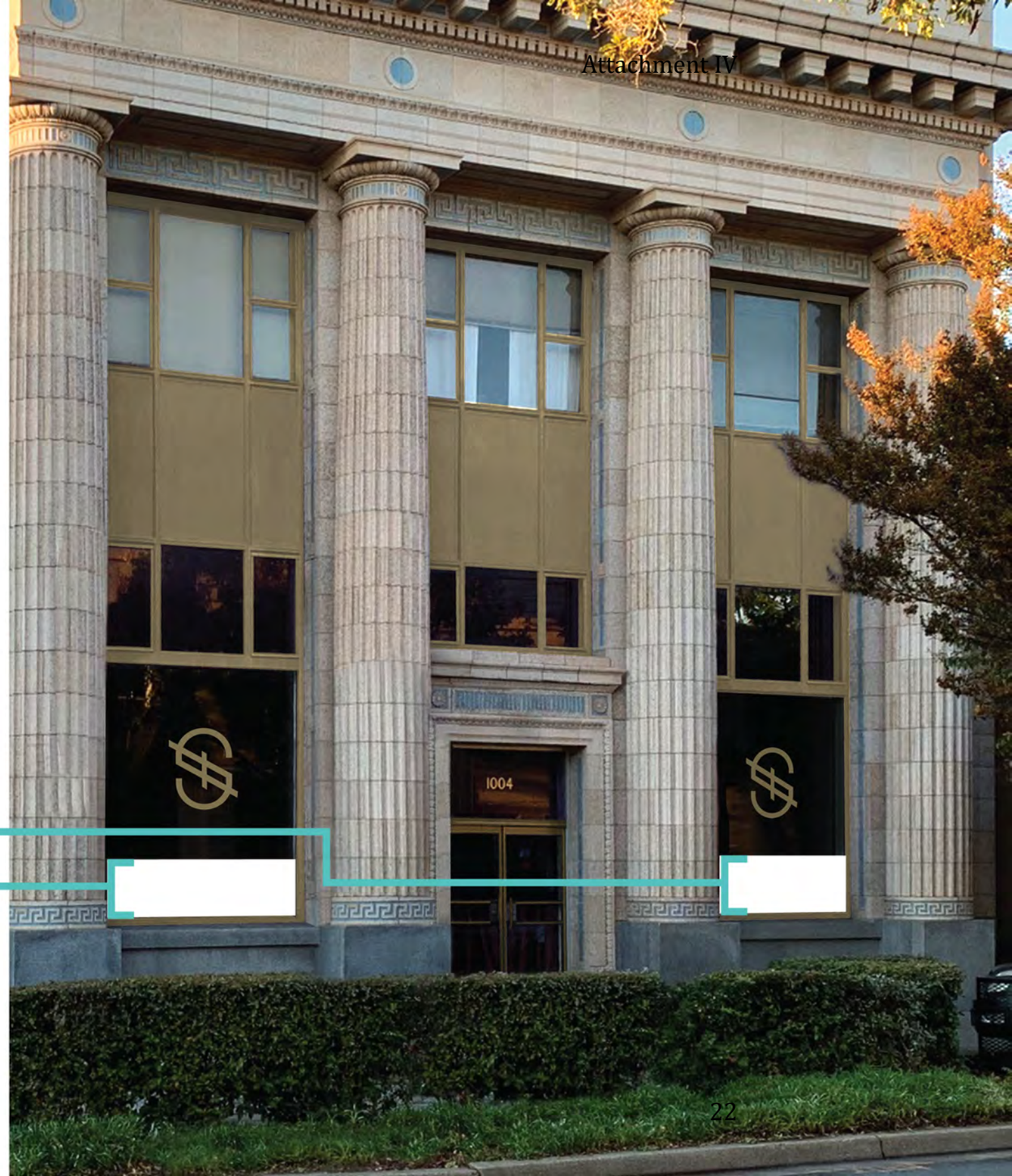
THE
STATION

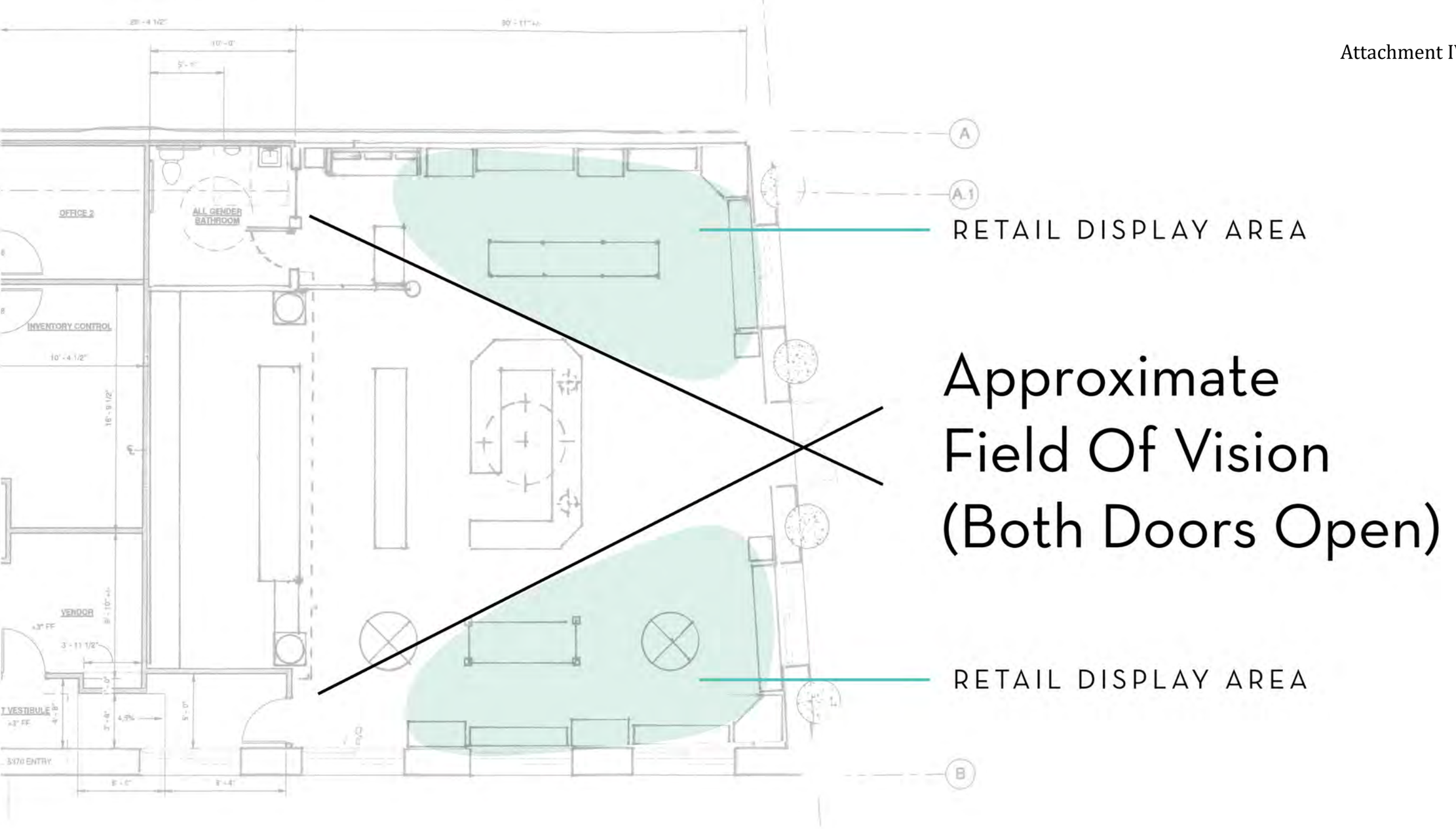


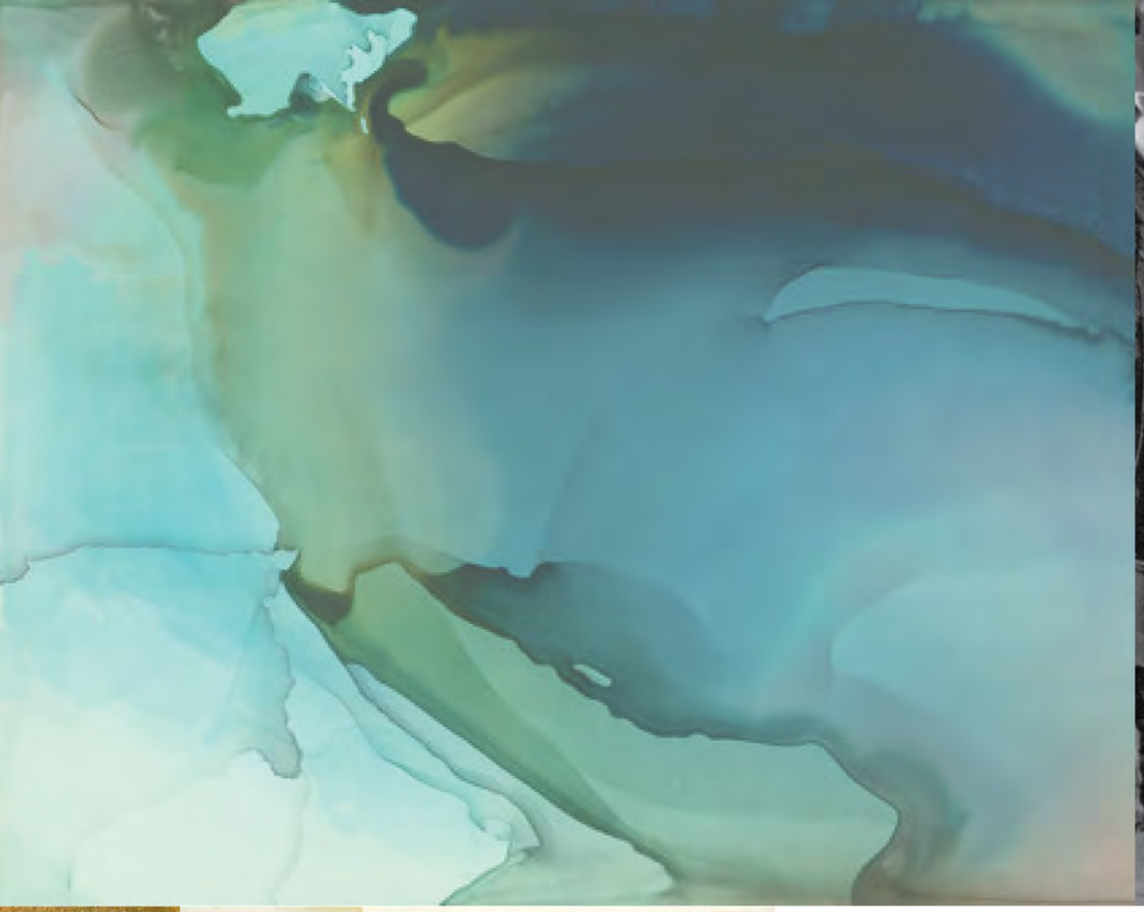
Exterior Blade Signage 14' H X 30" W 12' D

Obscured Glass Area
Up To 7.0’ on All
Exterior Windows

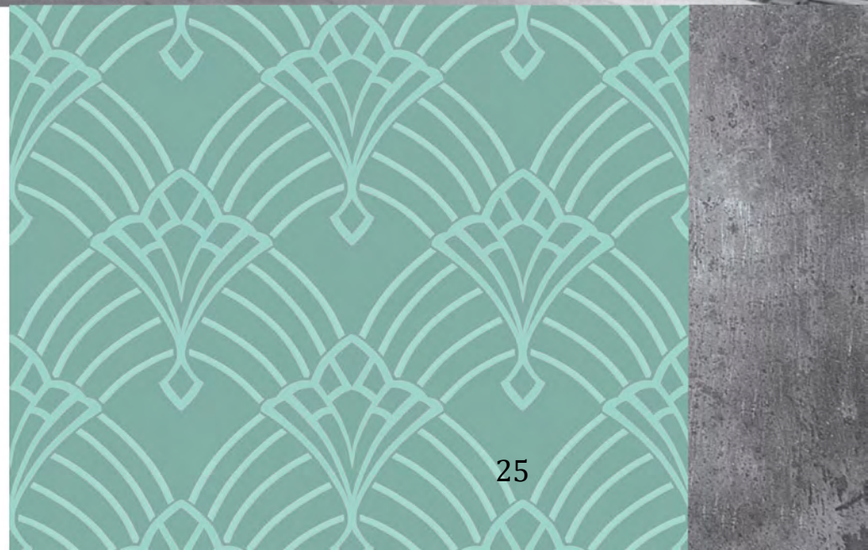


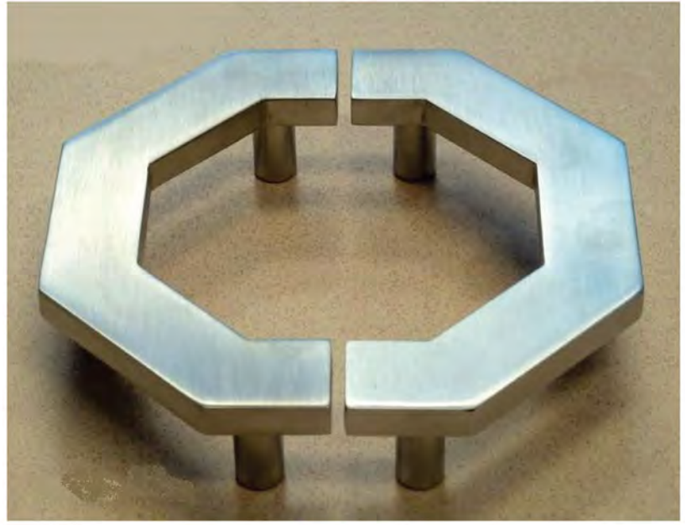
1004


OFFICE 2
ALL GENDER BATHROOM
INVENTORY CONTROL
VENDOR
A
A.1
B
RETAIL DISPLAY AREA
RETAIL DISPLAY AREA
Approximate
Field Of Vision
(Both Doors Open)

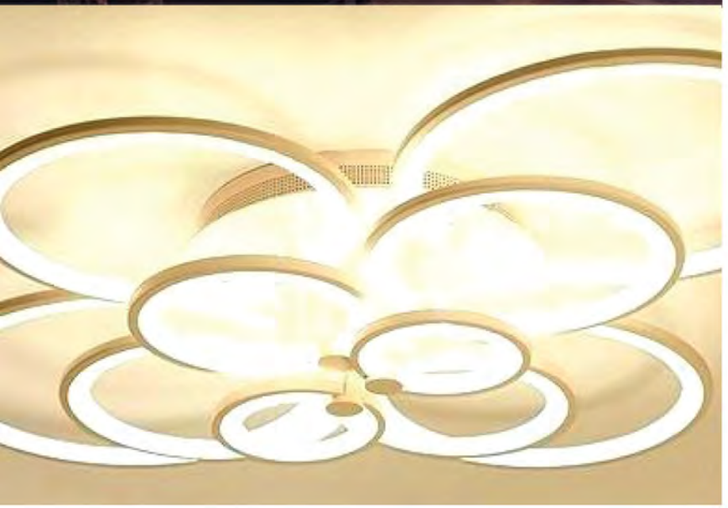


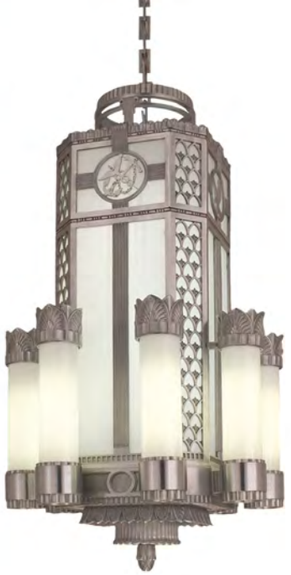
Wall Art Style

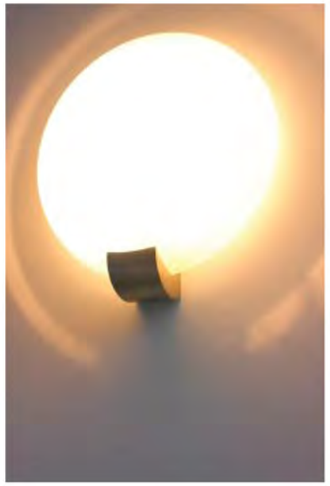




Furniture Style







Lighting Style

THANK YOU

9. Community Outreach (in response to City Comment 9)

We have engaged in extensive community outreach. When we realized there was a good chance we would be approved for a dispensary license, our Executive Director Pat Doherty intensified our search for a location using the City website's cannabis permissible area map. As a 40+ year resident of Hayward, he was able to quickly determine exactly where dispensaries were permissible. He then spent days driving and walking the permissible area dictating & writing notes of, at least, 75 to 100 different locations in the "dispensary allowable zone" of downtown as well as the few spots outside of downtown. He talked to many people and received, at worst, curiosity & a few questions of how we might impact existing businesses. Other than that, we are happy to report overwhelming welcome & support. Once we submitted our CUP application Pat went out on Nov 16 & Dec 3, 2018, and walked the area around 1004 B St, our proposed location, in an attempt to contact as many of our neighbors as possible and introduce Hayward Station & himself. When we receive our business license we intend to have a mailing service send out our business announcement/information along with invitations to our Grand Opening. We have begun, and intend to continue, reaching out attempting to cross promote with our neighbors who are interested. We have talked to Kim at Hayward's Chamber of Commerce and intend to join after receiving our business license. Below are some of Pat's notes from Nov 16th & Dec 3rd:

Next Door – 1010 B - A vacant storefront. I was in B St Books getting the bank key from Renee and met Ken, who owns the vacant property next to us, in between us & B St Books. I had a good, long conversation with him in B St Books and then he showed me his place – he would like to get a restaurant business there and is somewhat set up for it. His interior is pretty much ready for someone to locate a business there. Ken lives in the Hayward hills and had some concerns about how we will affect him. I did my best to alleviate any concerns about a "crazy hippie" type bringing weed next door and I think he ended up supporting (or at least not opposing) our use. We will be bringing a Whole Foods-like clientele, and I don't think he will have concerns with us. We might help him with all the customers we expect.

B St Books – 1914 B (two doors up) - I met Renee, the owner, when picking up the keys for the bank. (It turns out that Renee is a neighbor of friends of mine as well as being the niece of another friend.) She is very friendly. I have had a few good conversations with her.

Buffalo Bills – 1082 B - I went in and talked to the doorman. The owners name is Jeff. He said the owner was out at the moment but is usually in. Come back and see him sometime.

Yogurt Hill – 1081 B – I stopped by and talked to the owner, Ali. He did not seem to have a concerns with us.

At Cricket - 1087 B (next door to Yogurt Hill) I said hello and dropped off my card and told him about our plans.

Metro Taquero, 1063 B St, I introduced myself and dropped off my card.

Brews and Brats – 1061 B ST – Right next to Metro Taquero, they were very excited about our plans. Tom, the manager/owner, gave me a menu to put up.

Rockit Char Grill Burgers & Beers – 1057 B - They were very happy about our plans. I left a card.

Charlotte's Café – 1049 B – I've known the owner, Ron, for 30 years plus. He welcomes us.

Antique Store, next to Vintage Alley, I dropped off a card - Seemed very positive towards us.

Vintage Alley, I talked to Alfred who seemed very positive towards us.

Hadley's Massage - 1029 B St – Grand Opening; I dropped off a card, I was well received.

California Acupuncture Center – 1025 B St - Acupuncture Therapeutic Massage Herbal Care; I dropped off a card and I was welcomed to the neighborhood.

Tea for You - 1033 B – I met the owner/manager Jimmy who welcomed us to the neighborhood while his employee at the counter tried to apply for a job with us.

Tree House & Kin (two apparently separate businesses) 1019 B – restaurant & play area. I dropped cards off at both businesses. The restaurant people very happy, they welcomed us and so did the Kin people who were employees but said they would give my card to the boss.

Aqua E Farina restaurant 22622 Main St – I spoke with Emiliano "E". He was very nice, very happy about us and welcoming. He will be a customer and a friend, I believe. He did voice concern over possible "spillover" of an undesirable sort in front of his restaurant. I said we would have security and would work with him if there were any problems.

Police Station - 22701 Main St – As I was searching for an open/front door a police officer parked his car and headed in so I introduced myself and our business but I failed to make a note of his name. He was very nice, said thanks and that he would let them know inside - I responded that we were looking forward to working with them. I left him a card.

Splash Exclusive Boutique - In the back of 969 B – Antonio runs Splash and spoke with Jimmy, who lives in the building. Both loved us and will be customers & friends.

The Finishing Touch hair & nail salon 965 B - Nancy, the owner, was very interested.

Eden Jewelry &Loan Co – Pawn shop at 22620 Mission (corner Of B & Mission) I asked for the owner and introduced myself to Allen. We had a good conversation and he was welcoming. He seems very up on all the local info including city hall. He introduced me to his big security guard and said that the guard would possibly be available to pick up extra work. He invited me to Snappy's coffee shop, on A St, on the Thursday morning following Thanksgiving to meet Councilman Mark Salinas. Apparently Mark as an informal meet & greet on some Thursdays.

(I did meet Councilman Salinas on 11/29/18 at Snappy's. I introduced myself and chatted with him for a short while. I thought it was good to let him know who we are and what are plans are. He seemed to support a nice, high end establishment like ours.)

Erik's Deli – 971 B – I met Brian, the manager/owner. He used to work in a Cannabis dispensary and we had a good chat. He supports us but said we should be careful with how we run the business which I told him we, of course, would be. He was welcoming and friendly.

Rehab Medical Supply - 826 B – I met Shauna who was every excited about our business. I left a card.

Pete's Coffee 878 B – I met Andrew, the manager/owner. He was warm towards us and welcomed us to the neighborhood.

Dirty Bird Lounge - 926 B –I went in and met Chris, who was opening up. He was friendly and welcoming.

Coffee Bar in the lobby of Dirty Bird - 926 B – Mark is opening here soon. He likes us, welcomed us and will be a customer.

Music Depot – 944 B St – I dropped off a card. He seemed welcoming.

Leather Odyssey – 952 B – I introduced myself to Glen, the owner who was very nice & welcoming. He introduced me to another Glen next door at the Pizza House.

Pizza House – 954 B - Glen, from Brazil, owns the Pizza House. He is planning to move across the street to the old Smith Building. He introduced me to Timothy, who is living above the Pizza House. Timothy is all about the distillates. He is manufacturing and gave me his whole story very quickly. They were both very friendly and welcoming.

L'Amour Shoppe – 22533 Main - Cassandra, the owner/manager, was very friendly & welcoming. She asked about free samples.

Goodyear Tire - 1015 A St – On the corner of A & Main – I talked to the owner. He was very pleasant. Seemed surprised that we could sell marijuana – he didn't seem to know what cannabis was. He was fine with us, he said he did not care what business went in there.

Americana Pizza - 22530 Main – Owner/manager was very pleasant, shook my hand, welcomed me and took my card.

Main St Alterations & Repairs - 22540 Main – Lady hesitantly opened up, smiled at me and took my card. (I'm not sure she understood me.)

Sweet Cupcake Shoppe - 22521 Main St – I introduced myself to the young man & woman who welcomed us and hoped we would keep them in mind for catering any events like our grand opening. Apparently their mother is the boss. They will tell her. I left my card.

Domino's Pizza - 22527 Main – I left my card with the guy working. He was very nice. He will tell the owner.

Funky Monkey – 22554 Main – next to our parking lot. I introduced myself to Jo, the owner, who had heard rumors of us moving in. We chatted for a few minutes. She is primarily concerned about her continuing lease of parking space's from our building owner. I told her we would work with her.

I went into CopyMat & Pacific Copy – both on the corner of Foothill & B across the street from each other. Both were very friendly and were looking for our future printing business needs. I chatted and left cards at both spots. I recall writing notes here as well as other locations. Many businesses were closed and I intend to revisit all of them in the future.

10. Transportation (in response to Public Works Comments 1a-d)

Please find ATTACHED the traffic memorandum requested by the City.

11. Day-to-Day Operations (in response to City Comments from the Hayward Police Department)

How many security guards will your employ and will any of them be armed? At what locations of the business will they be placed? Will the business be hiring these security guards directly or going through a third party?

- We will be hiring our security guards through a third party. We do this for easier compliance with the State of California. We will have 2 NON-armed guards during all operating hours. One guard will always be posted at the customer entrance on the south end of the building. He will be checking ID's of all entering customers as well as monitoring security for the retail lobby and the front of the building. The other guard will be posted mainly on the west side of the building near the Vendor Entrance. He/She will be responsible for monitoring the west side of the building, the private parking lot on the north end of the building as well as escorting distributors to and from their appointments with the Buyer.

Will this business be allowing the sale of medicinal cannabis?

- Yes, we will be selling cannabis to medical patients that have verified medical recommendations.

How will the business ensure all patrons are over the age of 21?

- All customers will have their ID's checked by the front security guard before entering the facility, to ensure they are over the age of 21. Once inside their ID's will be checked a 2nd time by the administrative staff, when they are queued into our POS system.

Will there be a maximum number of patrons allowed in the dispensary at any given time?

Ginny Delaney, Ph.D.
Vice Chair of the Keep Hayward
Clean & Green Taskforce
22716 4th Street
Hayward, CA 94541

Leigha Schmidt, AICP, Senior Planner
City of Hayward, Planning Division
777 B Street, Hayward, CA 94541-5007

Dear Ms. Schmidt,

I'm writing to state my strenuous opposition to the Conditional Use Permit application to allow operation of a retail cannabis dispensary at 1004 B Street in Hayward. In my opinion, dispensaries belong in areas where families are less likely to walk by and adolescents are less exposed to cannabis.

As a program officer at the California Tobacco-Related Disease Research Program, I'm aware of some of the public health impacts of legalizing recreational cannabis. Scientists have shown that adolescents' (10-19 years old) use of cannabis impairs brain development[1]. Adolescents' brains are developing at a rapid pace and the use of drugs of abuse, including cannabis, can derail healthy development leading to cognitive issues for life. The San Francisco Department of Public Health summarized the impact of dispensary location on adolescents,

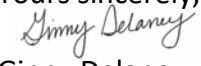
> *"The scientific literature examining the impacts of cannabis retailers and medical cannabis dispensaries (MCDs) is extremely limited, provides mixed findings, and focuses predominantly on MCDs. Studies examining MCD and retailer impacts have found that, similar to the impacts of alcohol and tobacco outlets, their proximity to and/or density within communities is positively associated with current cannabis use, recent cannabis use by certain adolescents groups (8th and 10th graders), lower age of cannabis use onset, cannabis use disorder hospitalizations and frequency of child physical abuse.[2]"*

Because of the dangers of adolescent cannabis use, and the correlation between location of dispensaries and adolescent cannabis use, a cannabis dispensary in downtown Hayward is not aligned with the other family-friendly businesses in downtown such as Century Theater, High Scores, Books on B, or our new 21st Century Library.

While not the focus on this Conditional Use Permit, I would like to point out that Vapor Zone and Novelty at 943 C St. also poses a public health risk to adolescents. It is located just a block from the new 21st Century Library, half mile from Bret Harte Middle School, and just under a mile from Hayward High School. Given the high number of adolescents who have taken up using e-cigarettes/Juuls in the past two years, it is more critical than ever to remove e-cigarette outlets from spaces where adolescents can easily access them.

I urge the City of Hayward to decline approval of this Conditional Use Permit to allow operation of a retail cannabis dispensary at 1004 B Street in Hayward. Citizens and city officials have worked hard to move development of downtown to a more family-friendly environment inclusive of all ages and ethnicities. Introducing a dispensary would be counter to this effort.

Yours sincerely,



Ginny Delaney, Ph.D.
Hayward Resident and Vice Chair Keep Hayward Clean and Green Task Force

[1] https://www.drugabuse.gov/publications/research-reports/marijuana/what-are-marijuanas-long-term-effects-brain accessed on November 25, 2018

[2] "Cannabis Legalization in San Francisco A Health Impact Assessment" https://www.sfdph.org/dph/files/opp/SFDPH-CannabisReport-ExecutiveSummary-Fall2017.pdf accessed on November 25, 2018

File #: PH 19-043

DATE: May 9, 2019

TO: Planning Commission

FROM: Planning Manager

SUBJECT

Proposal to subdivide an existing 8.88 acre parcel into 22 parcels to allow the construction of 19 single-family residences with common open space areas and related site improvements at 29080 Fairway Avenue (APN 085A-6428-002-00) by Erik Hayden of Hayden Land Company, LLC (Applicant) on behalf of Carrie Aitken (Owner) Requiring a Tentative Tract Map, Planned Development (PD) Rezone, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) Application No. 201603891.

RECOMMENDATION

That the Planning Commission recommend approval of Tentative Tract Map No. 8353, the PD Rezone Application No. 201603891, and adoption of a Mitigated Negative Declaration (MND) with a Mitigation Monitoring and Reporting Program (MMRP) to the City Council and recommend adoption of a proposed map amendment of the Official Zoning Map of the City of Hayward for certain properties, based on the analysis set forth in this report and the attached Findings (Attachment II) and subject to the Conditions of Approval (Attachment III).

SUMMARY

The applicant is requesting approval of Tentative Tract Map No. 8353, Planned Development Rezone (Application No. 201603891), and the adoption of a Mitigated Negative Declaration (MND) with a Mitigation and Monitoring Reporting Program (MMRP) and amendments to the Official Zoning Map to reflect new land use designation being proposed by the project, which would subdivide an 8.88-acre parcel into 22 parcels to allow the construction of 19 single-family homes with common open space areas and private streets located off Carden Lane and has a physical address of 29080 Fairview Avenue. The project site is currently zoned AB106A (Agriculture & Combining District B) District and is designated SDR (Suburban Density Residential) in the *Hayward 2040 General Plan*. The project site is subject to the *Walpert Ridge Specific Plan* and the Hillside Urban/Wildland Interface Guidelines to establish policy guidelines and development standards for hillside development.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Findings
Attachment III	Conditions of Approval
Attachment IV	Project Plans
Attachment V	Conceptual Architecture
Attachment VI	Initial Study & Mitigated Negative Declaration
Attachment VII	Mitigation Monitoring & Reporting Program
Attachment VIII	Responses to Comments
Attachment IX	Applicant's Statement of Justification

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BACKGROUND

The project site is currently undeveloped and at one time, used as grazing area for horses. The site contains hilly topography with some hillside slopes ranging from 10% to 30% and a majority of the site is grassy with some existing mature trees scattered throughout. The Stonebrae Planned Development community surrounds the development site and the Stonebrae Elementary School is located to the west of the proposed main access point into the

parcel. The Bailey Ranch and Prominence residential developments are also adjacent to the proposed Cavallo Highland's site.

Public Outreach. Following receipt of application, staff conducted the following public outreach:

- A Notice of Receipt of Application was sent to all property owners and interested stakeholders within 300 feet of the subject property for a "preliminary meeting" that was held on August 25, 2019, to discuss the development request. Neighbors and other interested parties either attended the meeting, shared their thoughts about the project, or forwarded comments regarding the project to the City for consideration.

- On March 22, 2019, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) and Notice of Public Hearing were posted at City Hall and delivered to the Weekes branch library. Copies of the NOI and Notice of Public Hearing were also sent to interested parties and property owners within 300 feet of the project site and published in the Daily Review newspaper for a public comment period on the project that ran from March 22, 2019 to April 22, 2019. Several public comments were received during the comment period and addressed via a "Responses to Comments" document that will be available for the May 9, 2019 Planning Commission meeting.

The applicant has conducted several community meetings over the past couple of years inviting residents from Stonebrae, Bailey Ranch, and Prominence to speak with the Cavallo Highland's development team about the project. This allowed for an opportunity for residents and stakeholders to provide comments and feedback related to the project, including those related to increased traffic, potential impacts to viewsheds and neighborhood compatibility.

PROJECT DESCRIPTION

Existing Conditions. The 8.88-acre project site is located on one parcel which is relatively hilly throughout the site. The site is undeveloped and contains a total of 78 trees, which are protected by the City's Tree Preservation Ordinance, including an additional seven trees located off-site. The primary access to the site has been from Carden Lane, which also provides access to adjacent parcels. Single-family homes are located to the north and east of the project site; Stonebrae Elementary School is located to the west of the project site and designated open space areas within the Stonebrae development are located to the south of the project site.

The site is also known as the "Carden site" in the *Walpert Ridge Specific Plan,* which allows for residential development within the "Urban Development Area" of the Plan. The Urban Development Areas of the Plan are currently undeveloped, grassy ridgeland areas within one mile of Fairview Avenue. The project site is currently zoned AB106A (Agriculture & Combining District B) District and designated as SDR (Suburban Density Residential) in the *Hayward 2040 General Plan*.

Project Overview. The project proposes a rezoning and subdivision of the existing 8.88-acre parcel into 22 parcels to allow the construction of 19 single-family detached homes with

designated common open space areas and private streets that provide vehicular access from Carden Lane. A zone change from AB106A to PD, Planned Development, is required to allow for exceptions to the development standards for the single-family parcels to reduce the lot frontage and lot size. The proposed single-family lots range in size between 7,915 and 19,280 square feet. Additionally, the applicant is proposing several open spaces areas and water quality control basins throughout the site for stormwater treatment and retention. The project will also require upgrades to the water supply and sewer utilities.

Building Architecture. The proposed two-story, single-family homes would be located on each site consistent with the policies of the *Walpert Ridge Specific Plan* and sized to be compatible with other homes of nearby developments, including Stonebrae, Bailey Ranch and Prominence, with houses ranging in size from 3,891 to 4,204 square feet.

There are four architectural styles proposed and three different floor plans available for the development, which include, Italian Revival, Spanish Colonial, Prairie, and Craftsman elevations. Plan 1 homes contain 5 bedrooms, 4½ bathrooms, a bonus room, and a den; Plan 2 homes contain 5 bedrooms, 4½ bathrooms, and a bonus room; and Plan 3 homes contain 5 bedrooms, 4½ bathrooms, a bonus room, a game room/flex space, and a den. Proposed exterior building materials consist of slate concrete roof tiles, exterior stucco and stucco over foam for most wall planes, wood corbels, pot shelfs with wrought iron railings, white vinyl windows, tile and stone accent features, shutters, and wood fascia boards. Each home design proposes an architectural style similar to adjacent neighborhoods. All proposed building elevations are uniformly treated with no blank wall planes. The proposed homes reflect a varied color palette, each designed to highlight various features of the building architecture.

Parking and Circulation. Each home contains a garage for parking in either a two-car, three-car tandem, or a three-car tandem along with a separate one car compact space. Access to the site will be provided from Carden Lane via a 20-foot wide private road (Via Del Corso) and each home will be served by a larger 36-foot wide, private street (Calle Cervo) with cul-de-sacs at each end. The private streets are proposed to be maintained by the HOA and the 36-foot wide street will afford enough room to accommodate on-street parking for guests. Also, adequate turnaround space has been incorporated into the site design for fire and emergency vehicle apparatus.

Landscaping and Open Space. The project's preliminary landscaping and open space plans focus on the project entry road, proposed front yard landscaping for each home, a mini park space at the end of the northern Calle Cervo cul-de-sac, and strategic landscaping in other passive open spaces of the site. The applicant intends to plant 73 new trees on the project site. Along with these new trees will be a varied pallet of shrubs and various ground covers.

During the Precise Plan phase of the project, the applicant will be required to refine the plans and submit the final landscape and tree removal plans for all other areas of the development site. All proposed landscaping and irrigation will meet the City's landscape water efficiency standards. Additionally, the project will treat storm water run-off on-site with a new bioretention treatment area.

Tree Removals. A total of 78 trees are proposed for removal on the project site and the applicant is proposing to mitigate that loss with the planting of 73 new trees of various sizes

and species. Additionally, there are seven trees located immediately adjacent to the project site, which are proposed for preservation. Pursuant to HMC Chapter 10, Article 15, the City's Tree Preservation Ordinance[1] requires mitigation equal in value to the total appraised value of all protected trees to be removed through replacement trees or alternative forms of mitigation acceptable to the City's Landscape Architect. A final tree mitigation and replanting plan will need to be prepared for the project once final grading plans have been produced. This will likely occur during the Precise Plan phase of the project. At that time, the City's Landscape Architect will review final landscape plans to confirm that proposed mitigation costs match or exceeds the appraised value of all proposed trees scheduled for removal prior to the issuance of a building permit for the project.

PD Amenities. The project requires a PD Rezone to provide flexibility in the site layout, given that the proposed development is located on the site with challenging topographic features. PD Rezoning requests also allow for exceptions to certain development standards related to lot size and lot frontage. Any requested exceptions to development regulations or policies must be adequately offset or compensated for by providing amenities not otherwise required or exceeding required development standards.[2] As such, the project is proposing to include the following amenities as part of the 19-unit project:

- EV Charging Stations available at all units
- All homes complete with solar panel installation (not only pre-wire)
- On-site open space "park" with panoramic views, seating, pathways, landscape.
- Shade providing and oxygen sequestering trees
- Pervious pavers
- Low flush toilets
- No invasive plant species
- Native and drought tolerant plant species (WELO compliant)
- Wildlife friendly planting
- Water efficient drip irrigation system (WELO compliant)
- Low energy LED light fixates
- Attractive "good-neighbor" fences
- Energy efficient appliances
- Insulated windows and walls
- Efficient heating and air conditioning systems

Additionally, the applicant is proposing "green features" to serve as amenities through the incorporation of sustainable building designs and sustainable building practices that make the community a better place for current and future residents.

Homeowners Association. As part of the standard conditions of approval, the project is required to form a new Homeowners' Association (HOA) with required Covenants, Conditions and Restrictions (CC&R's) to ensure the future homeowners will be responsible

[1] Tree Preservation Ordinance: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART15TRPR

[2] Planned Development Findings: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2500PLDEDIPD_S10-1.2535FIRE

for maintaining all the project components, including the private street, street lights, utilities, and other privately owned common areas and facilities on the site, including the bio-retention areas, landscaped areas, preservation and replacement of trees, and decorative paving. The CC&R's will also contain a standard condition that if the HOA fails to maintain the common areas, private streets, lights and utilities, the City of Hayward will have the right to enter the subdivision and perform the necessary work to maintain these areas and special assessment and/or lien the properties for their proportionate share of the costs.

Utilities and Street Improvements. Most utilities will be brought to the site from Carden Lane, except for the sanitary sewer connection, which will come from the existing sewer line located within Country Club Drive. The proposed site utilities include sanitary sewer, water, and storm drain systems. Each necessary utility has sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within new public utility easements within the project site and connect to the existing utilities located within Carden Lane or Country Club Drive. As previously discussed, the project will be served by new private streets or roads. It should be noted that existing surrounding roadways have sufficient capacity to accommodate the additional traffic generated from the project.

Sustainability Features. The project will be required to meet the CALGreen and 2016 California Energy Code standards for energy efficiency as well as meet the City's requirements with respect to water efficient landscaping. Additionally, the project will comply with the City standards for recycling of waste during construction and operation and will comply with the Municipal Regional Stormwater requirements for storm water runoff prevention and treatment.

POLICY CONTEXT AND CODE COMPLIANCE

Hayward 2040 General Plan. The site is designated as SDR (Suburban Density Residential)[3] in the *Hayward 2040 General Plan*. Density under this land use designation is 1.0 to 4.3 dwelling units per acre Project plans show the project density at 2.5 dwelling units per net acres well within the range of the General Plan designation for the development site. The project is consistent with the following policies of the General Plan:

- *H-3.1 Diversity of Housing Types*: The City shall 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.
- *H-3.4 Residential Uses Close to Services:* The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- *Land Use Policy LU-1.3 Growth and Infill Development:* The City shall direct local population and employment growth toward infill development sites within the city,

[3] General Plan Suburban Density Residential Land Use: https://www.hayward2040generalplan.com/land-use/residential

especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.

Zoning Ordinance. The project site is currently zoned AB106A (Agriculture & Combining District B) District[4] and the applicant is requesting to rezone the site to PD District to allow for modified development standards related to lot size and lot frontage. On Page 58 of the *Walpert Ridge Specific Plan*, Neighborhood Design (Standards and Guidelines) apply to single-family lots proposed within the Walpert Ridge area. The following provision applies to exceptions to the standards:

> *Exceptions from these standards may be allowed by the City Council on a case-by-case basis based on specific site conditions, grading constraints, or design considerations.*

As it related to "padded lots", the proposed project would not meet the 80-foot minimum lot frontage requirement or the minimum cul-de-sac frontage on most of the proposed lots. The most appropriate location on the development site for the 19 homes is in the middle of the parcel requiring minimal grading for padded lots, accommodating home construction. Major grading on the site to accommodate or flatten the site more would be contrary to the main objectives of the *Walpert Ridge Specific Plan*, which is to respect the existing topography of land within the Plan area. City staff supports the exception and believes the City Council can make the necessary findings to the lot frontage requirement.

As it pertains to the minimum lot size requirement of 9,000 square feet, there are two proposed lots (Lots 18 and 19) that fall below this minimum standard. Due to the existing terrain and other site constraints that limit buildable areas, staff believes the exception may be warranted. It should be noted that the *Walpert Ridge Specific Plan* allows for 20 units to be developed on the site, however, the applicant is proposing just 19 home sites which fit with the existing site terrain better. Squeezing an additional lot on this site would create noncompliance with other applicable design standards and guidelines called out in the Specific Plan.

Per Section 10-1.2535 of the HMC, the following findings are required for a Planned Development rezone for the project:

- The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies;
- Streets and utilities, existing or proposed, are adequate to serve the development;
- In the case of a residential development, that the development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development;
- In the case of nonresidential uses, that such development will be in conformity with applicable performance standards, will be appropriate in size, location, and overall

[4] Agricultural District, Zoning Ordinance: https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2000AGDIA

planning for the purpose intended, will create an environment of sustained desirability and stability through the design and development standards, and will have no substantial adverse effect upon surrounding development;

- In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule; and
- Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.

Walpert Ridge Specific Plan. The project site is located within the *Walpert Ridge Specific Plan* area, which was adopted in 1998. The Specific Plan incorporates specific development standards and design guidelines for future development within the Plan area. This Plan was developed because many sites within the Plan area offer expansive scenic views of open space and the surrounding Bay Area." Specifically, the Plan Area provides a "prime opportunity to develop upscale single-family housing as well as provide a prime open space and recreational amenity for the community." The Specific Plan is in conformance with the *Hayward 2040 General Plan* and defines more specific policies and standards for the area, provides an important tool for facilitating the review of individual development proposals". The project, as proposed, is consistent with the Walpert Ridge Specific Plan policies including, but not limited to, the following:

- Encourage the density of housing pursuant to this Specific Plan will result in housing density consistent with the General Policies Plan Map, which designates Walpert Ridge Development Area for Residential, Suburban Density and Residential, Low Density.
- The containment of housing within the defined Urban Development Area pursuant to this Specific Plan will minimize environmental impacts on the rural serenity of the Garin Regional Park.
- The Urban Development Area also corresponds to the Urban Limit Line, as defined in the Growth Management Element, and is intended to focus the location of the urban development and conserve open space and habitat resources in the Specific Plan area.
- The development of housing pursuant to this Specific Plan will promote significant goals in the Housing Element, including but not limited to policies which encourage the development of a balanced housing supply, particularly housing oriented towards above moderate-income households.
- The development of housing pursuant to this Specific Plan will promote the public health, safety, and general welfare of the City and future Walpert Ridge residents by requiring that all housing be located within 1.5 mile service area of Fire Station No. 5 (or 1.6 miles as allowed by Development Policy I, A.3)
- This Specific Plan requires, as a condition of approval of specific development proposals, the incorporation of mitigation measures which either substantially reduce or fully mitigate the significant adverse environmental impacts of the development

The Specific Plan also contains policies that are intended to "protect the public health, safety, and welfare" of all residents living within the Plan area and provide for "an optimal balance

between residential and open space uses". Specifically, the Plan has policies that encourage a balance of both housing and open space in this part of Hayward including the following:

- Increase the regional supply of excess housing ranging from larger estate lots to smaller lots that could accommodate "empty -nester" and smaller households which would, in turn, alleviate the demand for this type of housing. It would also place on the general market more moderately priced homes as households purchase the "move-up housing" that is expected to be offered on Walpert Ridge.
- Reduce the development pressure on alternate and more remote locations within the region by providing housing at a central location in the Bay Area that is closer to primary employment areas.
- Provide a more balanced housing supply in the City of Hayward by providing housing for a portion of the population that is presently underserved.
- Strengthen the local economy by improving and expanding the market base in Hayward for businesses, services, and employment opportunities that depend on an adequate supply of above-moderate income households.

Per the Specific Plan, Planned Development Districts are referenced in the following:

- The Planned Development (PD) Zoning District offers a level of flexibility for responding to specific site constraints and for minimizing adverse environmental effects. Because the specific constraints associated with development on Walpert Ridge, processing development applications as Planned Developments has been determined to be in the best interest of the City and property owners/developers for implementing this Specific Plan. Therefore, it is the policy of this Plan to process future development proposals through a PD District pursuant to the Zoning Ordinance.
- Subsequent or concurrent development approvals that will be required for a project, including but not limited to tentative and final maps, parcel maps, and grading permits shall conform to approved development plans and conditions for the applicable PD District.

As previously mentioned, staff believes the development meets a majority of the *Walpert Ridge Specific Plan* policies and objectives listed above.

Hillside and Urban Wildlife Interface Guidelines. The project is located on a hillside parcel that is subject to the design standards of the Hillside and Urban Wildlife Interface Guidelines[5]. The purpose of the Hillside and Urban Wildlife Interface Guidelines is to seek to identify elements of good design that will enhance the appearance of the city and make the neighborhood more livable, while being conscious of the natural topographies and slopes. In conjunction with the *Walpert Ridge Specific Plan* design guidelines, staff believes the proposed development has been designed to minimize impacts to the existing hillside and will be attractively designed to minimize visual impacts from adjacent properties and the street frontages.

Tentative Tract Map. The project proposes to create a total of 22 new parcels, including 19 single-family home parcels and 3 parcels that contain open space, bioretention areas, common

[5] Hillside Design and Urban/Wildland Interface Guidelines: https://www.hayward-ca.gov/sites/default/files/COH%20Hillside%20Design%20Urban-Wildland%20Interface%20Guidelines.pdf

areas space, landscaping, and private streets. Pursuant to Section 10-3.010 of the HMC, the purpose of the Subdivision Ordinance is to ensure that all proposed subdivisions are consistent with the procedures, policies, and programs of the *Hayward 2040 General Plan*, underlying zoning district, and Subdivision Map Act.[6] Per Section 10-3.150 of the HMC, the following Tentative Tract Map findings are required for the project:

- The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;
- The proposed subdivision meets the requirements of the City Zoning Ordinance; and
- No approval of variances or other exceptions are required for the approval of the subdivision.

If approved, the applicant will be required to submit a Final Map and improvement plans to the City for review. The City Engineer must determine that the Final Map and improvement plans are in substantial compliance with the approved Tentative Tract Map prior to approving the Tract Map. Prior to approval of the Tract Map, the developer shall enter into a Subdivision Agreement and post bonds with the City at which time the map can be recorded with the Alameda County Recorder's Office and commence construction activities. In accordance with HMC Section 10-3.246, approval of this Tentative Tract Map shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act. A copy of the Tentative Tract Map is included within the Project Plans (Attachment III).

Affordable Housing Ordinance. The project is subject to the City's Affordable Housing Ordinance (AHO), which allows residential development projects either provide affordable units on site or pay an affordable housing in-lieu fee. The applicant is proposing to pay the in-lieu fee, which would support the creation of new affordable housing units that are transit proximate versus providing units in a more rural area of the City.

Strategic Initiatives. The project supports several of the City's Strategic Initiatives, including Complete Communities and Complete Streets. The purpose of the Complete Communities strategy is to create and support services and amenities that provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work and play for all. The purpose of the Complete Streets Strategic Initiative is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. The project, as proposed, will create new housing opportunities near public transit stops and provide a mix of housing in the City. The project will require the construction of new private streets that will meet City standards and be designed to safety accommodate vehicles, pedestrians and bicyclists. As such, the project supports the following Strategic Initiative goals and objectives that were established by the City Council:

Complete Communities

[6] Subdivision Ordinance; https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART3SUOR_S10-3.010PU

- Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.
- Objective 4: Create resilient and sustainable neighborhoods.
- Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.
- Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations.

STAFF ANALYSIS

As referenced above and pursuant to the required findings for a Tentative Tract Map and PD Rezone included in Attachment II, staff believes the project complies with the intent of City development policies and regulations, including the *Hayward 2040 General Plan*, the Zoning Ordinance, and the Subdivision Ordinance; and is consistent with intent and development guidelines of the Walpert Ridge Specific Plan. Staff's analysis regarding the key features of the project is discussed below.

Land Use Compatibility. The project would be compatible with the land uses and developmental pattern of the existing neighborhood, which consists of large lot, well-designed single-family home within the Stonebrae, Bailey Ranch and Prominence neighborhoods located adjacent to or close to the development site. The project proposes lots similar to what's been develop throughout the Plan area. Home sites are also proposed on areas of the site that have slopes between 16 to 25%, thus it will be a little more difficult to locate new residences on parts of the site. As proposed, the applicant has located the new homes on areas of the site with lesser grades. Additionally, the proposed density is consistent with other single-family developments in the vicinity and the project provides an architectural style similar to what is currently found in the surrounding neighborhoods. Also, as previously discussed, the project is also consistent with the policies and strategies contained in the *Walpert Ridge Specific Plan*.

Building Architecture. Overall, the preliminary home designs are attractively designed and compatible with the existing character of adjacent neighborhoods. The development will be asked during the Precise Plan phase of the project to provide varied and rich building colors and materials to provide a diverse and interesting street scene. The new homes incorporate building façade architecture, or elevations, that have enough articulation to provide visual interest from all sides of each home, especially the front elevations, which incorporate recesses and projections that breaks up the building mass.

Vehicular and Pedestrian Circulation. The project circulation will be integrated into the existing neighborhood with a connection to Carden Lane. The private street network provides vehicular and pedestrian access to each home within the development and the new private streets will be designed to meet the City's street standards. The project also provides ample street parking adjacent or near each of the 19 new single-family residences to accommodate the vehicles of guests and help to minimize street parking on Carden Lane.

PD Amenities. Staff believes the project amenities offset the requested exceptions. The list of project amenities is generally consistent with amenities proposed for similarly sized developments. All final review of the details related to the proposed amenities will be considered during the Precise Plan phase of the project.

Overall, staff believes the project is well-designed and appropriate for the neighborhood. The project is considered an in-fill development and will replace a vacant and underutilized site with attractive single-family homes to complement the existing neighborhood.

ENVIRONMENTAL REVIEW

Pursuant to CEQA Guidelines Section 15220, an Initial Study was prepared by David J. Powers and Associates on behalf of the City of Hayward (Lead Agency) for this project with the finding that a Mitigated Negative Declaration (MND) was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures. The Initial Study found that the project would result in potential impacts to Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Tribal Cultural Resources, and Mandatory Findings of Significance. With mitigation, any potential impacts would be reduced to a level of less than significant.

A Notice of Intent (NOI) to adopt the Mitigated Negative Declaration (MND) with Mitigation and Monitoring Reporting Plan (MMRP) were posted at City Hall and delivered to the Hayward's Meeks library, and copies of the NOI were sent to interested parties and property owners within 300 feet of the project site on March 22, 2019. The NOI was also filed with the Alameda County Clerk on March 22, 2019. The public comment period for the MND was March 22, 2019 thru April 22, 2019, and the City received several public comments on the project related to site aesthetics, impacts to property values, biological and traffic impacts, and emergency vehicular access. The comments were formally responded to by David J. Powers and Associates on behalf of the City, and responses are contained in a "Responses to Comments" document that is Attachment VII of the staff report.

As part of the formal consultation process established by California Assembly Bill 52 (AB 52), the City of Hayward has invited the Ione Band of Miwok Indians to provide written comments related to the development request. The City did not receive any comments on the project from the Ione Band of Miwok Indians or a request for a consultation. Copies of the MND and MMRP are included as Attachments VI and VII.

NEXT STEPS

Following the Planning Commission hearing, the City Council will consider the proposed project, along with the Planning Commission's recommendation, at a noticed public hearing, tentatively scheduled for June 4, 2019. If the project is approved by the City Council, the applicant may proceed with submitting a Precise Development Plan, Final Tract Map and improvement plans to the City for review and approval.

The City Engineer must find that the Map and site improvement plans are in substantial compliance with the approved Tentative Tract Map and recommend to the City Council for approval and recordation with the Alameda County Recorder's Office. Once the Precise

Plan, Final Map and improvement plans are approved by the City, the applicant may then proceed with obtaining building permits.

Prepared by: Damon Golubics, Senior Planner

Approved by:

Sara Buizer, AICP, Planning Manager

Approved by:

Laura Simpson, AICP, Development Services Director

CITY OF HAYWARD PLANNING DIVISION
APPLICATION NO. 201603891
TENTATIVE TRACT MAP 8353, PD REZONE AND MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PROGRAM
DRAFT FINDINGS OF APPROVAL

May 9, 2019

TENTATIVE TRACT MAP FINDINGS

Pursuant to Section 10-3.150 of the Hayward Municipal Code (HMC), the City Council may conditionally approve a Tentative Tract Map application when all the following findings are met:

A. **The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;**

The site is designated as SDR (Suburban Density Residential) in the *Hayward 2040 General Plan*. Density under this land use designation is 1.0 to 4.3 dwelling units per acre project plans show the project density at 2.5 dwelling units per net acres well within the range of the General Plan designation for the development site. The project is also consistent with applicable General Plan policies in that it will increase the housing inventory for the City of Hayward and is considered an in-fill development that will result in a more complete neighborhood. The project is also consistent with the following General Plan policies:

- H-3.1 Diversity of Housing Types: *The City shall 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.*
  The project will subdivide an existing parcel into 22 lots and allow for 19 new single-family homes, which provides additional housing opportunities in the City.

- H-3.4 Residential Uses Close to Services: *The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.*
  The project is located in an established neighborhood in Hayward and is directly adjacent to Stonebrae Elementary School. Furthermore, the development site is close to Garin Regional Park that provides for recreational opportunities close to the development site.

- Land Use Policy LU-1.3 Growth and Infill Development: *The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*
  The project is surrounded by development on all sides, including other single-family homes. As such, the project is considered an in-fill project, which is appropriate for new housing development.

In addition, the project is located within the *Walpert Ridge Specific Plan* and is consistent with relevant policies with exceptions granted by the City Council. Therefore, the proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans with exceptions granted by the City Council allowable pursuant to the Plan.

B. **The proposed subdivision meets the requirements of the City Zoning Ordinance; and**

The project requires a Planned Development (PD) Rezone to provide flexibility in the site layout and allow for exceptions to certain development standards related to minimum lot frontage, including cul-de-sac frontage, and minimum lot size as identified in the *Walpert Ridge Specific Plan*. With the PD Rezone and City Council allowance of Plan design exceptions, the proposed subdivision will provide modified development standards of the new PD District related to minimum lot frontage, minimum cul-de-sac frontage and minimum lot size. The subdivision will allow the construction of 19 new single-family homes, which is permitted by the PD rezone.

C. **No approval of variances or other exceptions are required for the approval of the subdivision.**

The City Council can grant exceptions to the *Walpert Ridge Specific Plan* because such exceptions granted will be in keeping with the with the purpose and intent of the Plan. Staff believes that Council will support the proposed exceptions to the Plan since the exceptions are based on specific site conditions, grading constraints, or design considerations. As proposed, the new Planned Development district would establish the zoning development standards for this project where Plan exceptions granted by the Council will be part of the PD rezoning approval. In addition, the project will also meet the requirements of the Subdivision Ordinance. Therefore, the project will not require a formal variance request or any other exceptions from the requirements of the Hayward Municipal Code.

PLANNED DEVELOPMENT REZONE FINDINGS

Pursuant to Section 10-1.2535 of the HMC, the City Council may conditionally approve a Planned Development Rezone application when all the following findings are met:

A. **The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies;**

The project is considered an in-fill development and will complement the existing neighborhood, which primarily consists of other existing single-family residential developments in the vicinity of the proposed development site. The project is compatible with the surrounding neighborhood. Additionally, the project is consistent with the SDR land use designation and policies in the *Hayward 2040 General Plan*. The proposed density is within the density range allowed by the SDR land use designations and compatible with the overall density of the surrounding residential neighborhood. The project also conforms to the *Walpert Ridge Specific Plan,* which affords a unique opportunity to offer housing that has expansive scenic views of open space and the surrounding Bay Area. Because of this exceptional site features, a prime opportunity exists to develop upscale single-family housing as well

as provide a prime open space and recreational amenity for the community through this project.

B. **Streets and utilities, existing or proposed, are adequate to serve the development;**
The existing utilities that serve the project site, including sanitary sewer, water, and storm drain systems, have sufficient capacity to adequately serve the proposed development. On-site sewer and water utilities will be installed within new public utility easements within the project site and the project will be served by new private streets.

C. **In the case of a residential development, that the development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development;**
The project is considered an in-fill development and will replace a vacant, underutilized site with attractive new single-family homes to complete the neighborhood. The scale and design of the single-family homes are compatible with the existing neighborhood. The homes will also be served by private open space within the development. The development will also be well-integrated into the existing neighborhood since it will be served by new private streets with street parking near each new home.

D. **In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule; and**
The project will be developed in one phase, ensuring that the infrastructure, facilities, and services will be available to all future residents in a timely manner.

E. **Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.**
The project requires a PD Rezone to provide flexibility in the site layout and allow for exceptions to certain development standards related to minimum lot size, minimum lot frontage, and minimum cul-de-sac frontage. To offset these requested exceptions, the project proposes the following amenities:

- EV Charging Stations available at all units
- All homes complete with solar panel installation (not only pre-wire)
- On-site open space “park” with panoramic views, seating, pathways, landscape.
- Shade providing and oxygen sequestering trees
- Pervious pavers
- Low flush toilets

- No invasive plant species
- Native and drought tolerant plant species (WELO compliant)
- Wildlife friendly planting
- Water efficient drip irrigation system (WELO compliant)
- Low energy LED light fixates
- Attractive "good-neighbor" fences
- Energy efficient appliances
- Insulated windows and walls
- Efficient heating and air conditioning systems

The proposed project amenities and offsets are unique and will contribute to making this development a desirable place to live for many years to come.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15220, an Initial Study was prepared for this project with the finding that a Mitigated Negative Declaration was appropriate because all potential impacts could be mitigated to a level of less than significant with the implementation of mitigation measures.

B. The proposed MND was prepared by David J. Powers and Associates on behalf of the applicant and the MND was circulated to the State, all interested parties, and posted in the newspaper with a minimum 30-day public review period between March 22, 2019 and April 22, 2019.

C. The proposed MND was independently reviewed, considered and analyzed by the Planning Commission and reflects the independent judgement of the Planning Commission; such independent judgement is based on substantial evidence in the record (even though there may be differences between or among the different sources of information and opinions offered in the documents, testimony, public comments and such responses that make up the proposed MND and the administrative record as a whole); the Planning Commission recommends the City Council adopt the proposed MND and its findings and conclusions as its source of environmental information; and the proposed MND is legally adequate and was completed in compliance with CEQA.

D. The proposed MND identified all potential adverse impacts and based on the MND and the whole record before the Planning Commission, there is no substantial evidence that the Project, with mitigation measures incorporated, will have a significant effect on the environment.

E. The project complies with CEQA, and the proposed MND was presented to the Planning Commission, which reviewed and considered the information contained therein prior to recommending approval of the Project. The custodian of the record of proceedings upon which this decision is based is the Development Services Department of the City of Hayward located at 777 B Street, Hayward, CA 94544.

CITY OF HAYWARD PLANNING DIVISION
PLANNING COMMISSION
APPLICATION NO. 201603891
TENTATIVE TRACT MAP 8353, PD REZONE AND MITIGATED NEGATIVE DECLARATION WITH MITIGATION MONITORING AND REPORTING PROGRAM
DRAFT CONDITIONS OF APPROVAL

May 9, 2019

Proposed Tentative Tract Map, Planned Development (PD) Rezone, and Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) to subdivide an existing parcel approximately 8.88-acres into 22 parcels to allow the construction of 19 single-family residences with common open space areas and related site improvements on a site located at 29080 Fairway Avenue (APN 085A-6428-002-00). Application No. 201603891; Erik Hayden of Hayden Land Company, LLC (Applicant) on behalf of Carrie Aitken (Owner).

General

1. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

2. Tentative Tract Map (TTM) 8353 and Planned Development (PD) Rezoning Review application are approved subject to the tentative tract map and project plans date stamped January 8, 2019, except as modified by the conditions listed below.

3. The approval of Subdivision Application No. 201603891 – Tentative Tract Map 8353 shall be to allow the subdivision of a parcel into 22 parcels to construct 19 single-family homes located at 29080 Fairway Avenue (APN 085A-6428-002-00) within the Planned Development (PD) zoning district. The proposed subdivision shall be in accordance with the Tentative Tract Map and Conditions of Approval on file with the Planning Division identified as "Exhibit A".

4. Modifications to the approved Tentative Tract Map, scope of work, or use may require an additional submittal and public noticing.

5. Unless otherwise stated, all necessary easements and street rights-of-way shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

6. All public improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, Caltrans Standard Specifications and Hayward Standard Details.

7. Any new structures or improvements shall be subject to the California Building Code and Uniform Fire Code as adopted by the City of Hayward.

8. In accordance with Hayward Municipal Code (HMC) Section 10-3.246, approval of TTM 8353 and the Planned Development (PD) Rezoning Review application shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act.

9. All permit charges accrued in the processing of TTM 8353 and the Planned Development (PD) Rezoning Review application shall be paid in full prior to consideration of a request for approval extensions and/or submittal of building permits for the development.

10. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward.

11. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.

12. Prior to final inspection, all pertinent conditions of approval and all other improvements shall be completed to the satisfaction of the Planning Director.

13. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City' s requirement for full compliance may require minor corrections and/ or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project.

14. Affordable housing in-lieu fees shall be paid either prior to issuance of a building permit or prior to approval of a final inspection or issuance of an occupancy permit. Regardless of the option chosen, no final inspection will be approved and no occupancy permit will be issued for any dwelling unit unless all required affordable housing impact fees have been paid in full. The applicant shall pay the affordable housing in-lieu fees in effect at that time the application was deemed complete. That date was October 31, 2018.

15. The applicant shall be responsible for adhering to the Mitigation Monitoring and Reporting Program (MMRP) for the adopted Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA) Guidelines. The applicant shall provide a copy of the adopted MMRP with the building permit submittal.

16. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft. Approved address numbers shall be at least four inches in height on a contrasting background. Font strokes shall be of sufficient width such that they are legible to the public from the street fronting the property.

17. Property addresses will be assigned by the Development Services Department prior to issuance of a building permit.

Mitigation Measures

18. **Mitigation Measure AQ-1.1:**
During any construction period which causes ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. All Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked

by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

19. **Mitigation Measure AQ-2.1:**

The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 78 percent reduction in DPM exhaust emissions. One feasible plan to achieve this reduction would include the following:

- All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may include the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.
  - The project shall be required to implement the measures listed above as conditions of approval. These measures shall be placed on project plan documents prior to issuance of any building permits for the project. The proposed project, therefore, would not result in a significant air quality impact due to construction dust emissions.

20. **Mitigation Measure BIO-1.1:**

A qualified biologist will conduct an environmental education program for all persons employed or otherwise working on the project site before they perform any work. The program shall consist of a presentation from the biologist that includes a discussion of the biology and general behavior of special-status species on or near the site; information about the distribution and habitat needs of the species; sensitivity of the species to human activities; the status of the species pursuant to the Federal Endangered Species Act, the California Endangered Species Act, and the California Fish and Game Code including legal protection; recovery efforts; penalties for violations; and any project-specific protective measures described in this document or any subsequent documents such as an Incidental Take Permit and/or Biological Opinion. Interpretation shall be provided for non English speaking workers, and the same instruction shall be provided for any new workers before their performing work on the site. The biologist shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry on the site. Upon completion of the program, employees shall sign a form stating

they attended the program and understand all the protection measures. Copies of the form shall be provided for the City.

A qualified biologist will be on the site daily to monitor initial vegetation clearing and ground disturbing activities.

21. **Mitigation Measure BIO-2.1:**

Information on white-tailed kites and other protected migratory birds shall be included in the environmental education program, as detailed in Mitigation Measure MM BIO – 1.1.

22. **Mitigation Measure BIO-2.2:**

If feasible, construction activities shall occur during the non-breeding season (September 1 - January 31). If such activities are scheduled during the breeding season, a qualified biologist shall conduct a preconstruction nest survey of all trees and shrubs and other suitable nesting habitat in and within 300 feet of the limits of work. The survey shall be conducted not more than five (5) days prior to the start of work. If the survey indicates the potential presence of nesting white-tailed kites or other birds, the biologist shall determine an appropriately sized buffer around the nest and no work will be allowed in this buffer until the young have successfully fledged. The size of the nest buffer will be determined by a qualified biologist in consultation with CDFW and will be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 300 feet for raptors and 50 feet for other birds would prevent disturbance, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

23. **Mitigation Measure BIO-3.1:**

Pre-demolition Bat Survey. A qualified bat biologist shall conduct a bat survey, no more than 14 days prior to the removal of any buildings or structures, to determine if bats are present. No activities that would result in disturbance to an active roost shall proceed prior to completion of the survey. If no active roosts are observed, then no further action shall be warranted. If a maternity root is present, a qualified biologist shall determine the extent of a construction-free buffer zone around the active nurseries located during the survey. CDFW shall be notified of any active nurseries within the demolition/construction zone. No demolition or construction activities shall occur within the construction-free buffer zone between March 1 and August 31 to avoid construction disturbance to the maternity roost, as determined by the bat biologist. After August 31, roosting bats shall be safely evicted by a qualified bat biologist. A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the City Planning Department prior to the start of any demolition or grading activity.

24. **Mitigation Measure BIO-4.1:**

Information on the San Francisco dusky-footed woodrat shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1.

25. **Mitigation Measure BIO-4.2:**

A qualified biologist shall conduct a preconstruction survey for San Francisco dusky footed woodrat houses within 14 days prior to any tree removal or ground-disturbing activities. Any woodrat houses shall be identified and their locations mapped and flagged to be avoided during construction activities. No work shall occur within a 20-foot buffer of any woodrat houses. If it is not possible to avoid a woodrat house, a qualified biologist shall develop a relocation plan. The relocation plan shall be submitted to CDFW for approval and then implemented as necessary. Copies of the relocation plan shall be provided to the City.

26. **Mitigation Measure BIO-5.1:**

Information on the Alameda striped racer shall be included in the environmental education program, as detailed in Mitigation Measure BIO **–** 1.1.

27. **Mitigation Measure BIO-5.2:**

A qualified biologist shall survey for Alameda striped racer during all initial ground disturbing activities on the site. If an Alameda striped racer is found, it shall be captured and relocated away from the construction area by a qualified biologist in accordance with an approved relocation plan in compliance with all applicable regulations and guidelines. The biologist shall submit the results of the survey (and capture/relocation plan if applicable) to CDFW and USFWS for review and approval.

28. **Mitigation Measure BIO-5.3:**

Unless alternative (equivalent or more effective) measures are recommended by the qualified biologist and approved by the Director of Development Services the project applicant shall install a solid fence to deter Alameda striped racers from entering the work site. The snake exclusion fence shall be constructed as follows:

- Plywood sheets at least three feet in height, above ground. Heavy duty geotextile fabric or other materials approved by USFWS and CDFW may also be used for the snake exclusion fence;
- Buried four (4) to (six) 6 inches into the ground;
- Soil back-filled against the plywood fence to create a solid barrier at the ground;
- Plywood sheets maintained in an upright position with t-posts or stakes;
- Ends of plywood sheets overlapped with no gaps to ensure a complete barrier;
- Escape funnels installed in the fence every 200 linear feet; and
- Work site shall be completely enclosed by the exclusion fence or approved traps shall be installed at the ends of exclusion fence segments to allow capture and

relocation of Alameda striped racer away from the construction area by a permitted biologist.

- The location and design of the proposed exclusion fence shall be submitted for review and approval by CDFW, USFWS, and Director of Development Services and be included on plans for all construction-related permits. If permits obtained through the implementation of Mitigation Measure BIO-5.6 require an alternate design or approach, those requirements will take precedence.

29. **Mitigation Measure BIO-5.4:**

The project applicant shall comply with the requirements in the above sections during construction activities. The approved protocol from Mitigation Measure BIO – 5.2 above shall be followed in the event an Alameda striped racer is encountered. The snake exclusion fence from Mitigation Measure BIO – 5.3 shall be installed and remain in place throughout the construction period. All construction activities and equipment/materials/ debris storage shall take place on the project side of the exclusion fence.

30. **Mitigation Measure BIO-5.5:**

To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential Alameda striped racer habitat, the project applicant shall purchase 8.2 acres of Alameda striped racer credits from a CDFW-approved mitigation or conservation bank(s) or other approved site. Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction.

31. **Mitigation Measure BIO-5.6:**

The applicant shall obtain the appropriate permits from USFWS and CDFW agencies or shall obtain concurrence from these agencies that no permits are required prior to initiation of construction activities and implement all conditions stipulated in the permits.

32. **Mitigation Measure BIO-6.1:**

Information on the California redlegged frog shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1.

33. **Mitigation Measure GEO-6.2:**

No more than 24 hours prior to the date of initial ground disturbance, a preconstruction survey for the California red-legged frog shall be conducted by a USFWS-approved biologist at the project site. The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of the species. The USFWS approved biologist shall investigate all potential areas that could be used by the California red-legged frog for feeding, breeding, sheltering, movement, and other essential behaviors. This includes an adequate examination of

mammal burrows. If any California red-legged frogs are found, the USFWS-approved biologist shall contact the USFWS to determine if moving any of the individuals is appropriate. In making this determination the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, the applicant shall ensure that the USFWS-approved biologist is given sufficient time to move the animals from the work site before ground disturbance is initiated. Only USFWS approved biologists shall capture, handle, and monitor the California red-legged frog.

34. **Mitigation Measure BIO-6.3:**

To the extent practicable, initial ground-disturbing activities will be avoided between November 1 and March 31, when California redlegged frogs are most likely to be moving through upland areas. When ground-disturbing activities must take place between November 1 and March 31, the applicant shall ensure that daily monitoring by the USFWS-approved biologist is completed for the California red-legged frog.

35. **Mitigation Measure BIO-6.4:**

The applicant shall obtain the appropriate permit from USFWS and implement all conditions stipulated in the permit, or shall obtain concurrence that no permit is required prior to initiation of construction activities.

36. **Mitigation Measure BIO-6.5:**

To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential California red-legged frog upland habitat, the project applicant shall purchase 8.2 acres of California redlegged frog credits from a USFWS-approved mitigation or conservation bank(s). Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction. If a permit issued by the USFWS has differing requirements, those requirements shall take precedence.

37. **Mitigation Measure BIO-7.1:**

The project will compensate for impacts to all areas delineated as jurisdictional on the site. The impacted feature shall be mitigated at a 1:1 ratio consistent with the Corps "no net loss" policy. The project applicant will obtain the necessary permits from the Corps, Regional Water Quality Control Board, and CDFW for any fill of jurisdictional areas. All terms of the permits shall be implemented as a condition of the project.

38. **Mitigation Measure BIO-8.1:**

All applicable requirements shall be followed and all permits obtained as required by the City's Tree Ordinance (HMC Chapter 10, Article 15). Per that ordinance, every effort shall be made to preserve the character of the area and the more

valuable tree specimens on site to the greatest extent practicable. Final landscape plans shall be reviewed and approved by the City of Hayward Landscape Architect prior to issuance of any grading, trenching, encroachment, demolition, or building permit for development. Final landscape plans shall clearly identify all "protected trees," as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specify the species of all replacement trees.

39. **Mitigation Measure BIO-8.2:**

The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:

- *Tree Avoidance.* The project plan shall avoid protected trees adjacent to the project site. The project plan shall incorporate placement of Tree Protection Fencing (TPF) outside the drip line of the off-site protected trees. The location of the TPF shall be shown on the project plans.

- *Excavation.* Within the dripline of retained trees, digging should be done with low impact machinery and hand tools. If the roots of retained trees become exposed during construction and need to be removed to allow construction to proceed, these roots must be cut cleanly with a sharp saw blade. Tree roots shall not be pulled or torn.

- *Tree Protection Fencing.* Prior to the start of construction, TPF shall be installed at the drip line of protected trees to be retained. The TPF should be maintained during the construction process to prevent direct damage to trees and their growing environment. The TPF should consist of high density polyethylene fencing with 3.5 inch by 1.5 inch openings (orange warning barrier fence) supported by metal "T-post" fence posts.

- *Use of Heavy Equipment.* Heavy machinery should not be staged or operated within the drip line of retained trees.

- *Incidental Damage to Retained Trees.* The attachment of wires, signs, and ropes to any retained tree should be prohibited. Injury to trees must be avoided.

- *Trimming.* The pruning of retained trees shall comply with the guidelines established by the International Society of Arboriculture; BMP; tree pruning and any special conditions as determined by a certified arborist.

40. **Mitigation Measure CUL-1.1:**

Unique Paleontological and/or Geologic Features and Reporting. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within

25 feet shall cease and the City Director of Development Services notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

41. **Mitigation Measure CUL-1.2:**

Undiscovered Archaeological Resources. If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Community Development Director shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Community Development Director shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

42. **Mitigation Measure CUL-1.3:**

Report of Archaeological Resources. If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Community Development Director prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

43. **Mitigation Measure CUL-1.4:**

Human Remains. If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Community Development Director and the Alameda County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified

within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

44. **Mitigation Measure GEO-1.1:**

Buildings shall be designed and constructed in accordance with a final design-level geotechnical investigation to be completed for the project by a qualified professional and submitted to the Development Services Department. The final design-level geotechnical investigation shall identify requirement for the placement of fill on the project site and building foundations.

45. **Mitigation Measure HAZ-1.1:**

The project would be designed, constructed, and maintained consistent with the City's Urban/Wildland Interface Guidelines including the incorporation of fire-resistant building materials, fire resistant design features, and a fuel management program in the CC&Rs of the Homeowners' Association. The final measures to be incorporated in the project would be reviewed and approved by the Fire Marshall prior to the issuance of a building permit.

46. **Mitigation Measure NV-1.1:**

The project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
  - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
  - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
  - Locate stationary equipment to minimize noise impacts on the community;
  - Minimize backing movements of equipment;
- Use quiet construction equipment whenever possible;
- Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise

associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible;
- Prohibit unnecessary idling of internal combustion engines; and
- Select routes for movement of construction related vehicles and equipment in conjunction with the Hayward Economic and Development Services and Public Works Department so that noise-sensitive areas, including residences and schools, are avoided as much as possible.
- The project sponsor shall designate a "disturbance coordinator" for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
- The construction contractor shall send advance notice to neighborhood residents within 300 feet of the project site as well as the Stonebrae Elementary School administrator regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site. Copies of the advance notice of construction activity shall be provided to the City.

Precise Plan Submittal

47. In accordance with Section 10-1.2550 of the Hayward Municipal Code (HMC) and prior to submitting a building permit application, a Precise Development Plan shall be submitted for review and approval.

48. The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan and incorporate conditions herein, and shall be submitted in advance of or in conjunction with the subdivision improvement plans and Final Map.

49. The project approval includes the following project amenities to support the finding required to be made that "any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards".

    - EV Charging Stations available at all units
    - All homes complete with solar panel installation (not only pre-wire)
    - On-site open space "park" with panoramic views, seating, pathways, landscape.
    - Shade providing and oxygen sequestering trees
    - Pervious pavers
    - Low flush toilets
    - No invasive plant species
    - Native and drought tolerant plant species (WELO compliant)

- Wildlife friendly planting
- Water efficient drip irrigation system (WELO compliant)
- Low energy LED light fixates
- Attractive "good-neighbor" fences
- Energy efficient appliances
- Insulated windows and walls
- Efficient heating and air conditioning systems

The applicant shall submit all details and specifications related to the approved project amenities during the Precise Plan phase of the project and prior to the submission of any building permit for the project.

50. The Precise Development Plan shall include the following information and/or details:

A. A copy of these conditions of approval shall be included on a full-sized sheet(s).

B. Proposed location for construction staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for vanpooling construction workers or having them use transit to access the site, provisions for noise and dust control, and common area landscaping.

C. Details of address numbers shall be provided. Address numbers shall be decorative and comply with the size requirements of the Fire Department.

D. Proposed locations, heights, materials and colors of all walls and fences.

E. A minimum of one exterior hose bib shall be provided for each residential unit.

F. Proposed pavement materials for all drive aisles, parking areas, and pedestrian paths. All surfaces should be enhanced with decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials.

G. Proposed mailbox design and locations, subject to Post Office approval. All mailboxes shall be locking mailboxes.

H. A final lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. The final lighting plan shall incorporate pedestrian scale lighting along the sidewalk within and adjacent to the development (4th Street, B Street, and Chestnut Street). All lighting shall be erected and maintained so that adequate lighting is provided along the private street. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.

I. All air conditioners and utility connections for air conditioners shall be located behind solid board fences or walls and shall not exceed the height of the fence or wall, unless otherwise approved. Infrastructure for air conditioning systems is required to be installed as a standard feature.

J. Proposed color and materials board for all buildings, fences and walls. No changes to colors shall be made after construction unless approved by the Planning Director.

K. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen.

L. No mechanical equipment, other than solar panels, shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by building code. Roof apparatus, such as vents, shall be painted to match the roof color.

M. Large expanses of blank wall shall not be allowed. Articulate or otherwise treat such expanses to avoid bulkiness.

N. An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars. As an alternative, an area within the fenced side yard may be used for the garbage and recycling containers but shall be shown.

O. All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All two car garages shall have minimum interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.

P. If there is a desire to install security gates as part of the project, all details related to this aspect of the project shall be submitted during the Precise Plan phase of the project. Security gate details must also be shown on the Improvement Plans for the project. Lastly, any proposed security gate design shall comply with Section 10-14.202 (Single-Family Communities) of the Hayward Municipal Code.

51. Any proposal for alterations to the proposed site plan and/or design which does not require a variance to any zoning ordinance standard must be approved by the Development Services Director or his/her designee, prior to implementation.

52. Details of all project amenities shall be submitted for review and approval by the Planning Director during the Precise Plan phase of the project.

53. The project shall comply with the provisions of the 2016 California Energy Code section 110.10.

Development Services – Planning Division

54. The applicant shall submit final details related to all open space areas during the Precise Plan phase of the project.

55. The applicant shall submit final grading plans, specifically those details related to the redistribution of soils from where the 19 single-family homes will be located. Redistributed soil on the site shall not impact any existing trees adjacent to the project site per the applicant's tree removal plan dated January 8, 2019.

56. All proposed open space areas shall be deed restricted as "undevelopable" as shown on the Tentative Tract Map (Tact 8353). "Undevelopable" shall be defined as no new dwelling units, vehicle parking areas, or new private vehicle roadways within the project development site.

57. Any minor changes to the project may be considered by the Development Services Director. Any suggested major changes to the project must be considered by the City Council.

58. The applicant shall submit final architectural details related to all 19 single-family homes as part of the Precise Plan application process. Also, a final materials and color sample board shall be submitted to Planning staff during the Precise Plan phase of the project.

Development Services – Building Division

The Building Division requires the following conditions be met:

59. The project will likely be submitted for a building permit application in 2017. This is a code cycle change year and there will be a new building code on January 1, 2017. The project will need to comply with the new 2016 CRC (California Residential Code) and the 2016 California Energy Code if the building permit application is submitted on or after January 1. As you begin the construction documents, please make sure that the design team reviews the upcoming codes for significant changes.

60. The project will need to meet the mandatory measures in the 2016 California Energy Code. Based on the number of units in the development, this project will need to comply with "Solar Ready" provisions outlined in the Standards. We recommend that the design team review Ch. 7 of the 2016 Residential Compliance Manual with your energy consultant. This document can be found on the website of the California Energy Commission.

Development Review Services Engineering / Public Works Engineering

Public Works Engineering staff recommended conditions of approval and comments for the subject Development Application are as follows:

Site Improvements:

61. Plans prepared by the State licensed and qualified professionals for the project required grading, earth retaining structures, drainage, utility service connections, improvements in the street right-of-way and their related engineering studies and design documents shall be approved by the City Engineer before any building permit is issued. Subject plans shall comply with the current (2017) City Standard Details, available on-line at: https://www.hayward-ca.gov/sites/default/files/documents/ET_STANDARD%20DETAILS_V042117.pdf

62. The final improvement and building plans shall include a statement from a qualified State licensed geotechnical consultant confirming compliance with the recommended measures for the project development, slopes exceeding five feet in heights, site grading exceeding 300 cubic yards, foundation designs, sub-drainage, etc.

63. All lots shall be served with underground utility services for electrical, gas and tele-communication; public sewer collection; public water supply and drainage collection and discharge to an existing public drainage system.

64. Permits for all on-site and public street improvements shall be secured before requesting any building permit.

65. Combustible material shall not be brought on-site until all-weather access for emergency service vehicles and fire protection required water supply is available.

66. All on-site and public street improvements shall be complete and approved by the City Engineer's Office before any building occupancy permit is requested.

67. Construction Noise Management Plan shall be prepared and implemented. Such plan must be approved by the City prior to issuance of any construction permit and shall contain, at minimum, a listing of construction operations hours complying with the City approved construction hours and construction noise reduction measures.

68. Air pollution mitigation plan, approved by the Bay Area Air Quality Management District (BAAQMD), shall be secured before the start of any construction, grading or material hauling to or from the project site. Requirements of the approved plan shall be implemented throughout the duration of construction or grading activity. The dust mitigation plan must specify practices which would ensure that no equipment or operation emits dust and air pollutants exceeding the permitted limits.

69. The property owner/developer shall secure all necessary regulatory agency permits required for the project development.

70. Any work beyond the Tract Map property or connection to any facility not owned by the property owner shall require prior written permit and shall be per plans approved by the entity.

71. Public infrastructure improvements, including sewer collection mains, water mains and meter boxes, water service laterals from water main and meter box and fire hydrant assemblies shall be offered to the City for its maintenance shall be shown on plans separate from plans for other infrastructure and site improvements.

72. The improvements intended for the City's maintenance shall comply with the City standards. Public infrastructure improvements intended for the City's maintenance shall be constructed within existing public street rights-of-way or new easements acceptable to the City shall be offered for the City's acceptance on the Final Map.

Street Improvements

73. On-site streets shall be designed to comply with the City's standards for residential streets with sidewalks connected to existing public street sidewalks to comply with the Complete Streets Policy. Provide accessibility compliant sidewalk ramps and driveways. On-street parking shall be provided fronting residential lots.

74. Via Del Corso shall have an accessibility compliant walkway connecting on-site sidewalks to Garden Lane sidewalk.

75. Private Street (drive) rights-of-way shall include non-exclusive easements for the City's water and sewer systems, public utilities and emergency vehicle access. On-site public utility facilities in the private street shall be placed in underground conduits and vaults.

76. Private Street with length exceeding 150-ft. require a 40-ft. radius vehicular turn-around at the end as per the City of Hayward Standard Details SD-103 Sheet 1 of 2. Alternately and with approval of the City's Fire Department, the turn-around may be as per the City of Hayward Standard Details SD-103 Sheet 2 of 2.

Grading and Land Disturbance

77. Any land disturbing activity shall comply with plans approved by the City Engineer. The soil erosion and dust/sediment control plans must comply with the local and regional regulations and must include one or more provisions addressing each of the following topics:
    a) Track-out prevention and control measures.
    b) Dust Control for the construction site and staging areas.
    c) Spill control and cleanup plan for earth moving activities.
    d) Post construction stabilization of disturbed grounds.
    e) Staging area
    f) Monitoring and reporting frequencies

78. Effective measures for adjacent property protection, storm water pollution prevention and dust control must be in-place during construction or land disturbing activity. The construction plans shall include details for soil erosion and dust/sediment control during and after construction periods until ground cover is re-established.

79. A grading permit will be required for ground surface alteration exceeding 5 feet or cut and fill total quantity exceeding 300 cubic yards. The City's grading permit can be secured after approval of the plans prepared by a State licensed engineer and approved by the City Engineer and the project geotechnical engineer. Grading plans shall be submitted together with the related geotechnical and engineering reports and plans for retaining structures and soil erosion/sediment control.

80. Prior to the issuance of a grading permit and/or the beginning of any on-site construction activity, the applicant shall submit a completed Development Building Application Form Information comprising of: 1) Impervious Material Form, and 2) Operation and Maintenance Information Form.

81. Grading plans shall include details for existing and finished lot grades, retaining walls, storm water pollution prevention measures and slope protection measures.

82. Each lot shall drain towards the Private Street or Court. Drainage shall not be allowed across back and side property lines of the proposed lots or over the street sidewalk.

83. Cut, fill or land disturbing one acre or larger area shall require A *Notice of Intent* (NOI) and *Storm Water Pollution Prevention Plan* (SWPPP) to be submitted to the City and the State for review/approval.

84. The SWPPP and its required improvements shall be completed as per the plans prepared by a Qualified SWPPP Developer (QSD) and approved by a Qualified SWPPP Practitioner (QSP) in compliance with the Regional Water Quality Control Board regulations. All plans and improvements shall also be approved by the City Engineer.

85. The certification page of the SWPPP shall be signed by the owner/developer and the person who prepared the report. The SWPPP and *Storm Water Management Plan* (SWMP) reports are to be submitted to the State and City in bound form. The Soil Report and SWMP shall be wet-stamped and signed by the project QSD/QSP.

<u>Storm Drain System</u>

86. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all of area tributary to the project site. The developer is required to mitigate augmented runoffs with on-site improvements, including but not limited to on-site

detention or ground percolation to control site discharge rate to pre-existing level.

87. New storm drain inlets must be labeled "No Dumping - Drains to Bay" using the City approved specifications.

88. The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be reviewed and approved by the City Engineer.

89. A detailed drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the City Engineer.

90. On-site collector storm drains shall be not less than 12-inch in diameter to minimize potential for blockages.

91. The on-site storm drains and storm water treatment systems shall be owned and maintained by the property owners' association. Any natural or mechanical storm water filtration systems shall be designed as part of the on-site storm drain system.

Storm Water Quality Requirements

92. The following materials related to the Storm Water Pollution Prevention and treatment facility requirements shall be submitted with the grading permit application:
    a. Best Management Practices (BMPs) appropriate to the activities conducted on-site to limit the entry of pollutants into storm water runoff to the maximum extent practicable.
    b. The proposed BMPs and storm water pollution prevention measures shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3 of the Alameda County Clean Water Program (ACCWP) NPDES permit (page 30). In addition, the California Stormwater Quality Association's Stormwater best Management Practice Handbook New Development and Redevelopment, Subsection 5.5 on pages 5-12 has a section titled "BMP Design Criteria for Flow and Volume". These materials are available on the internet at www.cabmphandbooks.com
    c. The Storm Water Pollution Prevention Program required improvements shall be completed as per the plans approved by the City Engineer.
    d. The City's standard "Stormwater Treatment Measures Maintenance Agreement" (as prepared by the City) shall be executed by the property owner or the property owners' association. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure future maintenance of storm water treatment measures.

93. The following documents shall be completed and submitted with the improvement

and/or grading plans:

i. Stormwater Requirements Checklist corresponding to MRP Permit issued in November 2015
ii. Hydromodification Management Worksheet;
iii. Development and Building Application Information Impervious Surface information form;
iv. Updated Stormwater Requirements Checklist;
v. Numeric Sizing Criteria used for storm water treatment (Calculations).

94. The developer shall ensure that the project construction personnel are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.

Final Map

95. Before requesting approval of the Final Map, the subdivider shall submit copies of documents filed in the County's public records defining easement rights for use of property adjacent to Tract 8353 for water line, emergency vehicle access, sanitary sewer and public services. Additional easements shall be provided for common use and public service facilities in formats approved by the City Engineer.

96. Subdivider shall provide for the City's review and approval the Final Map prepared substantially in compliance with the Conditionally Approved and unexpired Tentative map, Hayward Municipal Code and the State Subdivision Map Act.

97. Final Map shall clearly show exterior boundaries and dimensions of each proposed lot, public street right-of-way and public utilities easement dedications; easements and rights-of-way to be vacated, retained and created; and other details required by the State Subdivision Map Act and Hayward Municipal Code Section 10-3.

98. Provide all map calculations, copies of grant deeds, property ownership records, title report(s) and geo-technical study report(s).

99. Documents defining ownership rights, responsibilities and financial arrangements for needed repairs, maintenance, construction and reconstruction of common use areas and common use improvements shall be submitted for the City Engineer's review and approval concurrently with the Final Map submittal.

100. The common use area improvements shall include but are not limited to the paved vehicular roadways, accessibility compliant walkways; lighting and landscape improvements; sanitary sewer mains; water distribution mains and their laterals up to and including water meters; fire hydrants; storm drains and storm water pollution prevention measures etc.

101. Before requesting the City Council approval of the Final Map, all improvements required by the condition of the Tentative Map approval shall be complete or the subdivider must execute an improvement agreement with the City and post improvement securities in the amounts and forms approved by the City Engineer.

102. Final Map shall be filed in the County's public records after the City's approval concurrently with the ownership and maintenance documents for common use areas and improvements as approved by the City.

Public Works Utilities and Environmental Services

Water

103. The development's proposed water main and valves shall be public, owned and maintained by the City. If the water mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide easement shall be granted to the City.

104. All public water mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Water Mains and Fire Hydrants," latest revision at the time of permit approval (available on the City's website at https://www.hayward-ca.gov/your-government/departments/engineering-division).

105. All water mains must be looped. Dead end water mains will not be allowed. Water mains must be connected to other water mains.

106. All connections to existing water mains shall be performed by City Water Distribution Personnel at the applicant's/developer's expense.

107. All water services from existing water mains shall be installed by City Water Distribution Personnel at the applicant's/developer's expense. The developer may only construct new services in conjunction with their construction of new water mains.

108. Domestic & Fire Services

A. **Domestic**: Each residential unit shall have an individual domestic water meter. Facilities fees for residential connections are based on the domestic demand for the home. A larger water meter may be installed if the service is combined with a private fire service. The developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces.

B. **Fire**: Each structure shall have its own fire service, sized per the requirements of the Fire Department. Fire services shall have an above

ground Double Check Valve Assembly, per City Standards SD-201 and SD-204.

C. **Combined Residential Services**: The development could use combined residential domestic and fire services for each residence. Residential combined domestic and fire services are allowed, per City Standard SD-216. The minimum size for a residential fire service connection is 1 inch (combined or not) and the maximum size for combined services is 2 inches. If the calculated fire demand exceeds 160 GPM, a separate fire service will be required. Note that, per CBC 2010 R313, flow-through or multipurpose systems may not require a backflow device (SD-216 is attached). Also note that combined services must connect directly to the water main (manifold layouts are not allowed).

109. Irrigation: It is anticipated that one or more separate irrigation water meters and services shall be installed for development landscaping. The applicant/developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per SD-202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.

110. Water meters and services are to be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218. Water meter boxes in driveway aisle areas shall have steel H20 rated lids.

111. Water mains and services, including the meters, must be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade (i.e., pressure) piping materials.

Sewer

112. The development's sanitary sewer mains and manholes shall be public, owned and maintained by the City. If the sewer mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide easement shall be granted to the City.

113. All sewer mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Sewer Mains and Appurtenances (12" Diameter or Less)," latest revision at the time of permit approval (available on the City's website at http://user.govoutreach.com/hayward/faq.php?cid=11188). Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to

exceed100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.

114. Each SFR shall have an individual sanitary sewer lateral. Each sanitary sewer lateral shall have at least one cleanout and be constructed per SD-312.

115. The developer is responsible for payment of sewer connection fees at the current rates at the time the application for building permits are submitted.

116. Easement for the sanitary sewer main shall be obtained from Stonebrae, L.P., and shall be dedicated to the City. The easement shall be 10' wide sanitary sewer line easement (SLE).

Solid Waste

117. The applicant shall ensure the side yards or garages offer enough room for residents to store recycling, garbage, and organics carts, and walk down side yard alley, see attached for details.

118. The applicant shall ensure the planned streets offer sufficient turn-around space for waste collection vehicles.

119. Construction & Demolition Debris: The City requires that construction and demolition debris be recycled per certain ordinance requirements. At the time of your building permit, submittal of the Debris Recycling Statement will be required. The form can also be found at http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal.

Planning Division - Landscape

The following conditions shall be addressed in the Improvement Plan phase of the project:

120. All trees shall be planted a minimum of five feet away from any underground utilities, a minimum seven feet from the edge of a fire hydrant, a minimum of fifteen feet from a light pole, and a minimum thirty feet from the face of a traffic signal, or as otherwise specified by the city. Trees shall be planted according to the City Standard Detail SD-122 and the detail shall be included in the landscape plans.

121. Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven of pavement or buildings, and as directed by the landscape architect. The length of the barrier shall be as recommended by the manufacturer.

122. Plant palette shall provide the proposed plant spacing. Plant spacing shall not be closer the minimum spread provided in the reference books in the Ordinance.

Additional acceptable reference books are Landscape Plants for California Gardens by Robert Perry and California Native Plants by Caroline.

123. Erosion control jute netting, compost blanket or combination of compost sock and jute netting in addition to appropriate groundcover and other vegetation shall be provided on all slopes that exceed 3:1. Adequate erosion prevention measure shall be proposed for slopes equal or exceed 2:1. All disturbed slopes on each lot shall be re-vegetated.

124. Bio-treatment area shall be irrigated with matched precipitation rotator type, or as efficient overhead spray irrigation system when the area is wider than ten feet on a separate valve.

125. Minimum twelve inches wide band of Noiya Cobblestone shall be provided around overflow catch basin or bubble up basin.

126. Three inches deep mulch requirement shall be installed in bio-treatment areas as well as all planting areas except turf/lawn areas.

127. Backflow prevention device shall conform to the City Standard Detail SD-202 and the detail shall be incorporated into irrigation detail plan.

<u>Standard Landscape Conditions for Residential Development</u>

128. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.

129. Prior to the approval of improvement plans or submittal of the first building permit, detailed landscape and irrigation plans shall be reviewed and approved by the City and shall be a part of approved improvement plans and the building permit submittal. The plans shall be prepared by a licensed landscape architect on an accurately surveyed base plan showing all above and underground utilities and shall comply with the City's *Tree Preservation Ordinance*, *Bay-Friendly Water Efficient Landscape Ordinance*, *Hayward Environmentally Friendly Landscape Guidelines and Checklist for the landscape professional, and Municipal Codes*. Dripline of the existing trees to be saved shall be shown on the plan.

130. Mylar of the approved landscape and irrigation improvement plans shall be submitted to the Engineering Department. The size of Mylar shall be twenty-two inches by thirty-four inches without an exception. A four inches wide by four inches high blank signing block shall be provided in the low right side on each sheet of Mylar. The signing block shall contain two signature lines and dates for City of Hayward, Landscape Architect and City Engineer. Upon completion of installation, As-built/Record Mylar shall be submitted to the Engineering Department by the developer.

131. A tree removal permit in addition to grading permit is required prior to the removal of any existing trees.

132. A tree preservation bond will be required for all trees that are to remain to the equal value to the appraised value. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value.

133. Prior to the issuance of a grading or building permit, a tree preservation bond, surety or deposit, equal in value to the trees to be preserved, shall be provided by the developer. The bond, surety or deposit shall be returned when the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer shall provide an arborist's report evaluating the conditions of the trees.

134. Grading and improvement plans shall include tree preservation and protection measures, as required by the City Landscape Architect. Trees shall be fenced at the drip line throughout.

135. Planting in Bio-Retention Area: Trees and shrubs shall not be planted in the flow line. Wider planting areas shall be provided when lack of planting areas prevents required trees to be planted. This area shall be irrigated on a separate valve.

136. The trees should be twenty feet from the street corner, a minimum of five feet away from any underground utilities, a minimum of fifteen feet from a light pole, and a minimum thirty feet from the face of a traffic signal, or as otherwise specified by the city.

137. Trees shall be planted according to the City Standard Detail SD-122. The detail shall be provided in the planting detail plan.

138. Backflow prevention device shall conform to the City Standard Detail SD-202 and the detail shall be provided in the irrigation detail plan.

139. A separate irrigation meter shall be provided for all landscape improvements except for private rear yards defined by fencing.

140. For Model Homes: Municipal Code Article 12, Section 10-12.17 Public Education, Model Homes: All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this Article.

    - Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.

- Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

141. Inspection for Models: Landscape inspection shall be required prior to issuance of TCO, and another inspection prior to issuance of Certificate of Occupancy at the time of converting the model for sale. The project landscape architect shall inspect and accept the installation prior to requesting an inspection from City Landscape Architect. The project landscape architect shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.

142. Irrigation Audit: Municipal Code Article 12, Section 10-12.11: In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of one (1) in seven (7) lots or approximately fifteen percent (15 %) will satisfy this requirement. All landscape irrigation audits shall be conducted by a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.

143. Children's playground equipment certification: Health and Safety Code in Chapter 4 titled "Safe Recreational Land Use (115725 – 115800)" calls for compliance with standard of ASTM and federal Consumer Protection and Safety Commission. Playground equipment is required an inspection by a certified playground safety inspector by the National Playground Safety Institute, and the certification letter shall be submitted City Landscape Architect prior to the final inspection and issuance of Certificate of Occupancy.

144. Landscape and tree improvements shall be installed according to the approved plans prior to the occupancy of each building. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.

145. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be completed in accordance to the approved plan and accepted by the project landscape architect prior to submitting a Certificate of Completion. The final acceptance form must be submitted prior to requesting an inspection to the City Landscape Architect. An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.

146. Prior to the sale of any individual unit/lot, or prior to the acceptance of tract improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping and open space amenities. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair.

147. A covenant or deed restriction requiring formation of HOA and shall be recorded requiring HOA to properly maintain the front yard landscaping and street trees, and replace any dead or dying plant material.

148. Landscaping except private rear yard defined with fencing shall be maintained by HOA and shall be in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color, and the depth shall be maintained at three inches deep. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole. All trees planted as a part of the development as shown on the approved landscape plans shall be "Protected" and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect. Any damaged or removed trees without a permit shall be replaced in accordance with Tree Preservation Ordinance or as determined by City Landscape Architect within the timeframe established by the City and pursuant to the Municipal Code. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programed seasonally; irrigation system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.

Public Works Transportation

149. The applicant shall construct sidewalk on the east side of Carden Lane between the project driveway and Stone Brae Elementary School driveway.

150. The applicant shall construct two curb ramps on the east side of Carden lane across Stone Brae Elementary School driveway.

151. The applicant shall stripe two crosswalks, install pedestrian warning signage and striping and stripe "keep clear" pavement marking at the intersection of Carden Lane / Stonebrae Elementary School driveway.

152. The applicant shall submit a signing and striping plan which shall be approved by Public Works-Transportation and the City Engineer prior to issuance of occupancy permits.

Fire Department

Access:

153. Fire apparatus access roads shall be designed and maintained to support the imposed load of fire apparatus 75,000 lbs. and shall be surfaced so as to provide all-weather driving capability.

154. Fire apparatus access roads 20 to 26 feet wide shall be posted on both sides as a fire lane, 26 feet to 32 feet shall be posted on one side of the road as a fire lane. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.

Water Supply:

155. Provide water/fire flow test data information on the plan, including static pressure, residual pressure, pitot pressure, test flow, calculated available water flow at 20psi and test date. The data should be less than 5 years old. This information may be available for Hayward Public Works Department. A new flow test should be requested if update water data is not available.

156. The required fire flow shall not be less than 1,500gpm @ 20 PSI.

157. Underground fire service line shall be installed in accordance with NFPA 24.

158. New fire hydrants shall be double steamer type equipped with (2) 4-1/2" outlets and (1) 2-1/2" outlet. Blue reflective fire hydrant blue dot markers shall be installed on the roadways indicating the location of the fire hydrants. Vehicular protection may be required for the fire hydrants.

Fire Protection:

159. Each new structure shall be protected with an Automatic Fire Sprinkler system in accordance with NFPA 13D Standards. (Deferred Submittal)

160. According to the requirement of Hayward Public Works Department, a static pressure of 80 PSI should be used when a water test data indicates a higher pressure. The residual pressure should be adjusted accordingly.

161. Underground fire service line that serving NFPA 13D system connection to the city main shall be installed in accordance with the Hayward Public Work Department ***SD-216.*** Water meter shall be minimum one-inch in diameter.

162. An audible alarm bell (device) shall be installed on the fire sprinkler system riser.

163. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity.

164. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup. Installation shall conform to the California Building Code (CBC).

165. CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.

166. All building units shall have approved address numbers, building numbers. Address identification of shall be placed in a position that is plainly legible and visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

167. A minimum 4" self-illuminated address shall be installed on the front of the dwelling in a location so as to be visible from the street. Otherwise, a minimum 6" address shall be installed on a contrasting background and shall be in a location approved by the Fire Department.

168. The building is located within the City of Hayward Wildland/Urban Interface Area, and shall meet the construction requirements (as reflected on the approved plans) as stated in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, which includes Class A roofing materials and exterior non-combustible siding materials (stucco), double-pane windows. Do not use wood shake or treated wood shake roofs. The building construction shall comply with the requirements contained in the 2013 California Residential Code Section R327.

<u>Hazardous Materials:</u>

169. Submit a phase 1 Environmental assessment and any other records regarding site contamination, investigation, remediation, or clearances form other regulatory agencies. Submit final clearance shall be obtained from either the California Regional Water Quality Control Board or Department of Toxic Substance Control to ensure that the property meets residential development investigation and cleanup standards. Allowance may be granted for some grading activities if necessary to ensure environmental clearances.

170. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials or associated structures are

discovered during demolition or during grading. These shall include, but shall not be limited to: actual/suspected hazardous materials, underground tanks, or other vessels that may have contained hazardous materials.

171. If hazardous materials storage and/or use are to be a part of the facility's permanent operations then a Chemical Inventory Packet shall be prepared and submittal with building plans to the City of Hayward Fire Department at the time of application for construction permits.

172. Prior to grading: Structures and their contents shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure hazards posed to development construction workers, the environment, future residents and other persons are mitigated.

173. Discovery of Potentially Hazardous Materials or Vessels/Containers shall be reported to the Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials are discovered during demolition or during grading. These shall include, but shall not be limited to, actual/suspected hazardous materials, underground tanks, vessels that contain or may have contained hazardous materials.

174. Use of Hazardous Materials or Generation of Hazardous Waste – During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.

ATTACHMENT IV

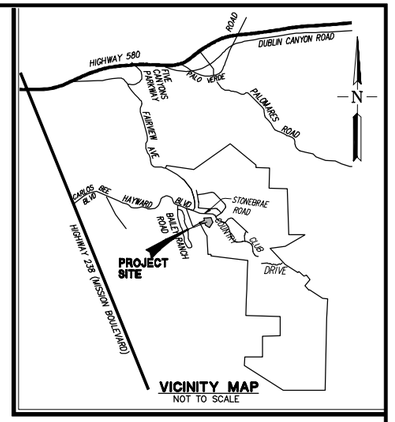
VESTING TENTATIVE MAP
TRACT 8353 - CAVALLO HIGHLANDS
CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

BENCHMARK:
STREET MONUMENT LOCATED 256± EAST OF THE INTERSECTION OF ARBUTUS COURT AND FAIRVIEW AVENUE, CITY OF HAYWARD
BENCHMARK B.M. J-21
ELEVATION: 1018.966 FEET

LEGEND

PROPOSED	DESCRIPTION	EXISTING
	TRACT BOUNDARY	
	LOT LINE	
	RIGHT OF WAY	
	CENTER LINE	
	MATCH LINE	
	RETAINING WALL	
	EASEMENT LINE	
12"SD	STORM DRAIN	EX 12"SD
8"SS	SANITARY SEWER	EX 12"SS
12"W	POTABLE WATER	EX 12"W
8"W(R)	RECYCLED WATER	EX 8"W(R)
	CURB & GUTTER	EX FC
	SAWCUT	
	SIDEWALK	
	EARTH OR GRASS SWALE	
	VALLEY GUTTER	
	STORM WATER INLET	
	DROP INLET	
	AREA DRAIN	
	BUBBLE UP	
	MANHOLE	
	SANITARY SEWER CLEAN OUT	
	SANITARY SEWER LATERAL	
	FIRE HYDRANT	
	BLOW OFF	
	WATER SERVICE WITH METER BOX	
	BACKFLOW DEVICE	
	WATER VALVE	
	AIR RELEASE VALVE	
	POST INDICATOR VALVE	
	FIRE DEPARTMENT CONNECTION	
	SINGLE ARM STREET LIGHT	
	DOUBLE ARM STREET LIGHT	
	POST TOP LIGHT	
	PEDESTRIAN LIGHT	
	MONUMENT	
	TRAFFIC SIGN	
	STREET NAME SIGN	
	FENCE	
	BARRICADE	
	CURB RAMP	
130	CONTOUR ELEVATIONS	130
x 525.2	SPOT ELEVATION	×525.2
	NEW ASPHALT PAVEMENT	
	IRRIGATION SLEEVE	

LOCATION MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

ABBREVIATIONS

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
ARV	AIR RELEASE VALVE
BC	BEGINNING OF CURVE
BO	BLOWOFF
BW	BOTTOM OF WALL
CL	CENTER LINE
COMM	COMMUNICATION
DI	DROP INLET
DIP	DUCTILE IRON PIPE
DW	DOMESTIC WATER
EAE	EMERGENCY ACCESS EASEMENT
EC	END OF CURVE
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FC	FACE OF CURB
FG	FINISHED GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FS	FIRE SERVICE
FW	FIRE WATER
GE	GARAGE ELEVATION
GB	GRADE BREAK
HDPE	HIGH-DENSITY POLYETHYLENE PIPE
HP	HIGH POINT
HM	HYDROMODIFICATION
INV	INVERT ELEVATION
LF	LINEAR FOOT
LP	LOW POINT
MAX	MAXIMUM
ME	MAINTENANCE EASEMENT
MH	MANHOLE
MIN	MINIMUM
P	PAD ELEVATION
PAE	PUBLIC ACCESS EASEMENT
PAV	PAVEMENT
PCC	POINT OF COMPOUND CURVATURE
PIV	POST INDICATOR VALVE
PL	PROPERTY LINE
PMAE	PRIVATE MAINTENANCE ACCESS EASEMENT
PPAE	PRIVATE PEDESTRIAN ACCESS EASEMENT
PRC	POINT OF REVERSE CURVE
PRUE	PRIVATE SERVICES AND UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
PSE	PUBLIC SERVICE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PVAE	PRIVATE VEHICLE ACCESS EASEMENT
PVC	POLYVINYL CHLORIDE PIPE
PWLE	PRIVATE WATER LINE EASEMENT
RCP	REINFORCED CONCRETE PIPE
RET	CURB RETURN
RW	RIGHT OF WAY
SD	STORM DRAIN
SS	SANITARY SEWER
SNS	STREET NAME SIGN
SL	STREET LIGHT
STA	STATION
STD	STANDARD
SWI	STORM WATER INLET
SWK	SIDEWALK
SLE	SANITARY SEWER LINE EASEMENT
TC	TOP OF CURB
TFC	TOP OF FLUSH CURB
TG	TOP OF GRATE
TMC	TOP OF MOUNTABLE CURB
TRW	TOP OF RETAINING WALL
TW	TOP OF WALL
TYP	TYPICAL
W(R)	RECYCLED WATER
W	WATER LINE
WLE	WATER LINE EASEMENT

SHEET INDEX

SHEET NO.	DESCRIPTION
C1.0	COVER SHEET
C2.0	EXISTING CONDITIONS PLAN
C2.1	SLOPE CLASSIFICATION MAP
C3.0	PROPOSED LOTTING PLAN
C4.0	PRELIMINARY GRADING AND DRAINAGE PLAN
C5.0	PRELIMINARY UTILITY PLAN
C6.0	PRELIMINARY STORMWATER TREATMENT PLAN

ALTERNATIVE STREET NAMES

1. CALLE TRAMONTO
2. CALLE PENDIO

GENERAL NOTES

1. OWNER:	CARRIE AITKEN C/O ERIK HAYDEN HAYDEN LAND COMPANY, LLC 15732 LOS GATOS BLVD, #101 LOS GATOS, CA 95032 (408) 348-5679
2. APPLICANT:	CARRIE AITKEN C/O ERIK HAYDEN HAYDEN LAND COMPANY, LLC 15732 LOS GATOS BLVD, #101 LOS GATOS, CA 95032 (408) 348-5679
3. CIVIL ENGINEER:	RUGGERI-JENSEN-AZAR 4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588 (925) 227-9100 CONTACT: JOSEPH AZAR R.C.E # 44628
4. GEOTECHNICAL ENGINEER:	ENGEO INCORPORATED 2010 CROW CANYON PLACE, SUITE 250 SAN RAMON, CA 94583 (925) 866-9000 CONTACT: KELSEY GERHART
5. LEGAL DESCRIPTION:	THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF HAYWARD, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEASTERN CORNER OF THE RANCHO SAN LORENZO, THENCE ALONG THE EASTERN BOUNDARY LINE THEREOF TO THE TRUE POINT OF BEGINNING. THENCE ALONG THE PARCEL OF LAND DESCRIBED IN THE DEED BY A.C. SILVA TO ARTHUR M. CARDEN AND AGNES D. CARDEN, DATED APRIL 30, 1940, RECORDED OCTOBER 14, 1940, AND TRACT OF LAND DESCRIBED IN THE DEED, DATED JUNE 21, 1931, RECORDED FEBRUARY 16, 1932, IN BOOK 2728 OF OFFICIAL RECORDS OF ALAMEDA COUNTY, AND JANUARY 27, 1938, RECORDED DECEMBER 1, 1938, IN BOOK 3710 OF OFFICIAL RECORDS OF ALAMEDA COUNTY.
6. ASSESSOR'S PARCEL NUMBER:	085A-6428-002
7. CURRENT USE:	RESIDENTIAL
8. PROPOSED USE:	RESIDENTIAL
9. EXISTING ZONING:	AGRICULTURAL B160A
10. PROPOSED ZONING:	SDR (1-4.3 UNITS/ACRE)
11. GROSS SITE AREA:	8.9± ACRES
12. NET AREA:	7.5± ACRES
13. TOTAL NUMBER OF PROPOSED LOTS:	19 LOTS
14. OPEN SPACE:	LOT A & B(OWNED AND MAINTAINED BY HOA)
15. PRIVATE STREET:	LOT C (OWNED AND MAINTAINED BY HOA)
16. DEVELOPMENT DENSITY:	2.5 DWELLING UNITS/NET ACRES
17. UTILITIES	
a. WATER:	CITY OF HAYWARD
b. SANITARY SEWER:	CITY OF HAYWARD
c. STORM DRAIN:	CITY OF HAYWARD
d. FIRE	CITY OF HAYWARD
e. GAS AND ELECTRIC:	PG&E
f. TELEPHONE:	AT&T
g. CABLE TV:	COMCAST

18. THIS PROPERTY LIES WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN IN FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 06001C0294G, DATED AUGUST 3, 2009.

19. ALL EROSION CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF HAYWARD.

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DATE: JANUARY 7, 2019 JOB NO. 111044TM

C1.0

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EXISTING CONDITIONS PLAN
TRACT 8353 - CAVALLO HIGHLANDS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

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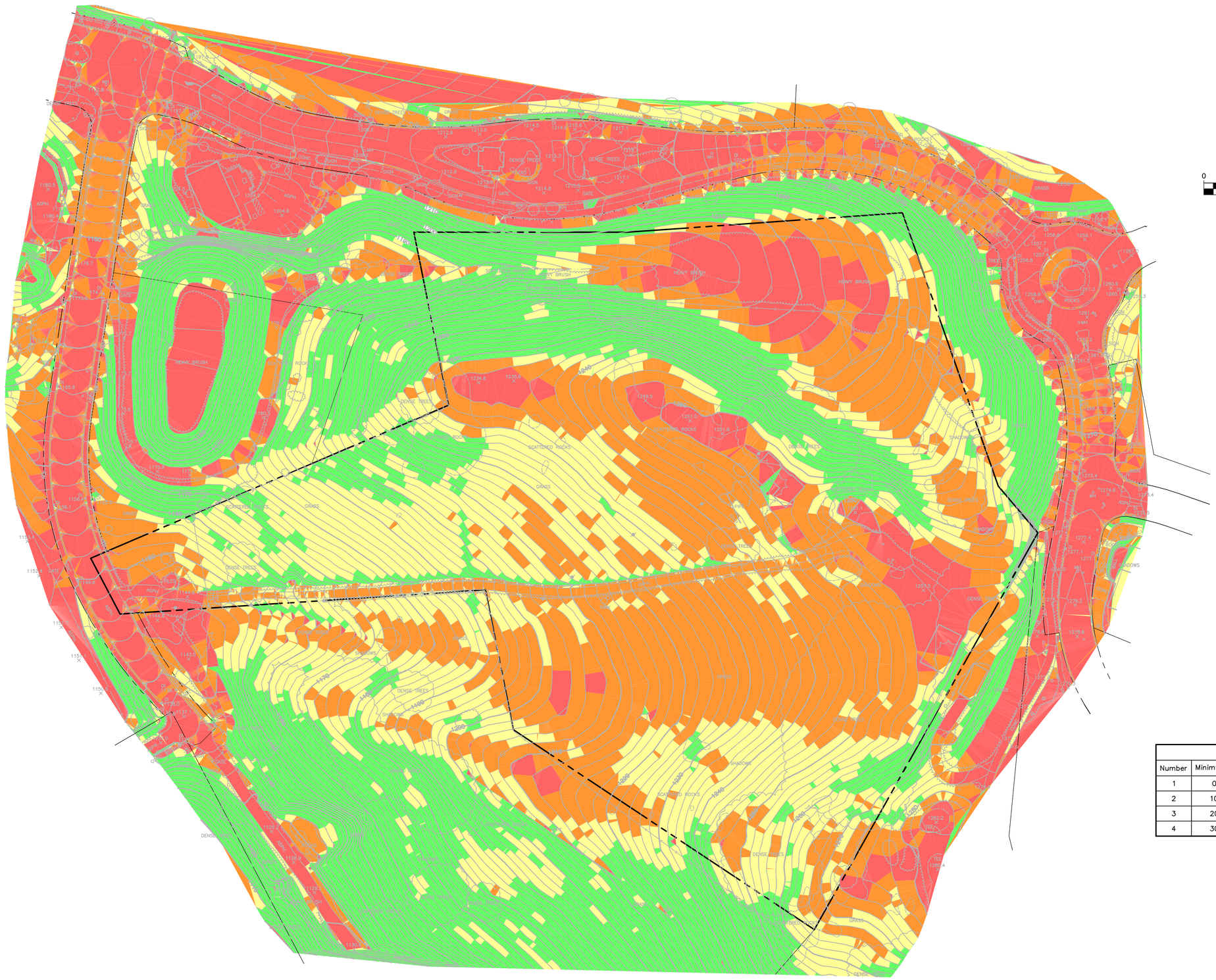

Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	20.00%	
3	20.00%	30.00%	
4	30.00%	> 30.00%	

SLOPE CLASSIFICATION MAP
TRACT 8353 - CAVALLO HIGHLANDS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

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DATE: MARCH 5, 2018 JOB NO. 1110447M

C2.1

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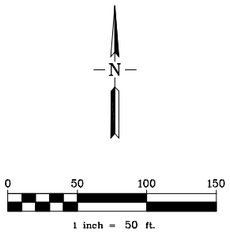


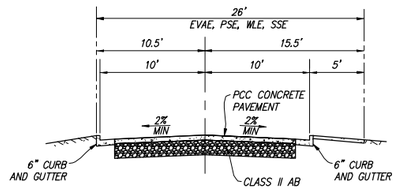
LOT AREA TABLE

LOT	AREA (SF)
1	19,280
2	13,790
3	11,420
4	11,353
5	11,353
6	10,804
7	12,554
8	9,017
9	10,913
10	15,202
11	11,018
12	11,377
13	11,736
14	12,138
15	15,534
16	9,885
17	10,662
18	8,804
19	7,915

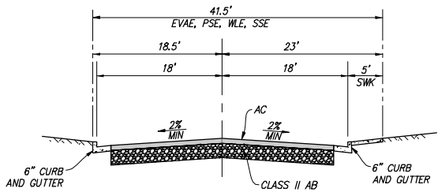
LOT	AREA (SF)
A	56,684
B	42,071
C	6.3,390
TOTAL	386,900
AVG (LOTS 1–19)	11,829

LOT NOTES:

1. LOT C, SHALL BE DESIGNATED AS PRIVATE STREET AREA TO BE MAINTAINED BY HOA.
2. LOTS A & B SHALL BE DESIGNATED AS OPEN SPACE AREA TO BE OWNED AND MAINTAINED BY HOA.
3. LOTS 1–19 SHALL BE DESIGNATED AS RESIDENTIAL LOTS.



VIA DEL CORSO
NOT TO SCALE



CALLE CERVO
NOTE TO SCALE

NOTE:

1. INSTALL PCC VALLEY GUTTER AND APRON PER CITY STD SD-110A ALONG GARDEN LANE AT STREET "A" ENTRANCE.

PROPOSED LOTTING PLAN
TRACT 8353 - CAVALLO HIGHLANDS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

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DATE: JANUARY 7, 2019 JOB NO. 111044TM

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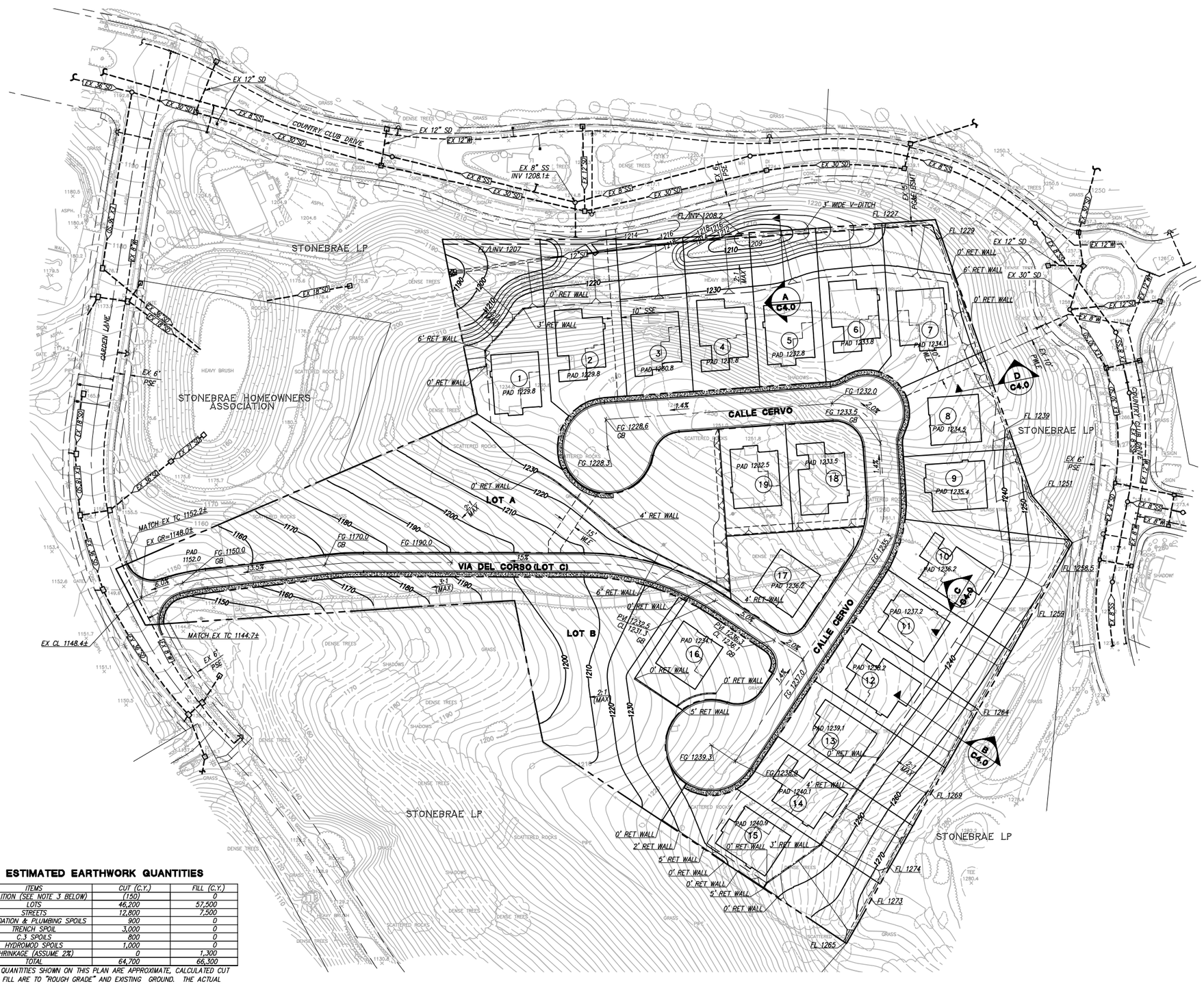
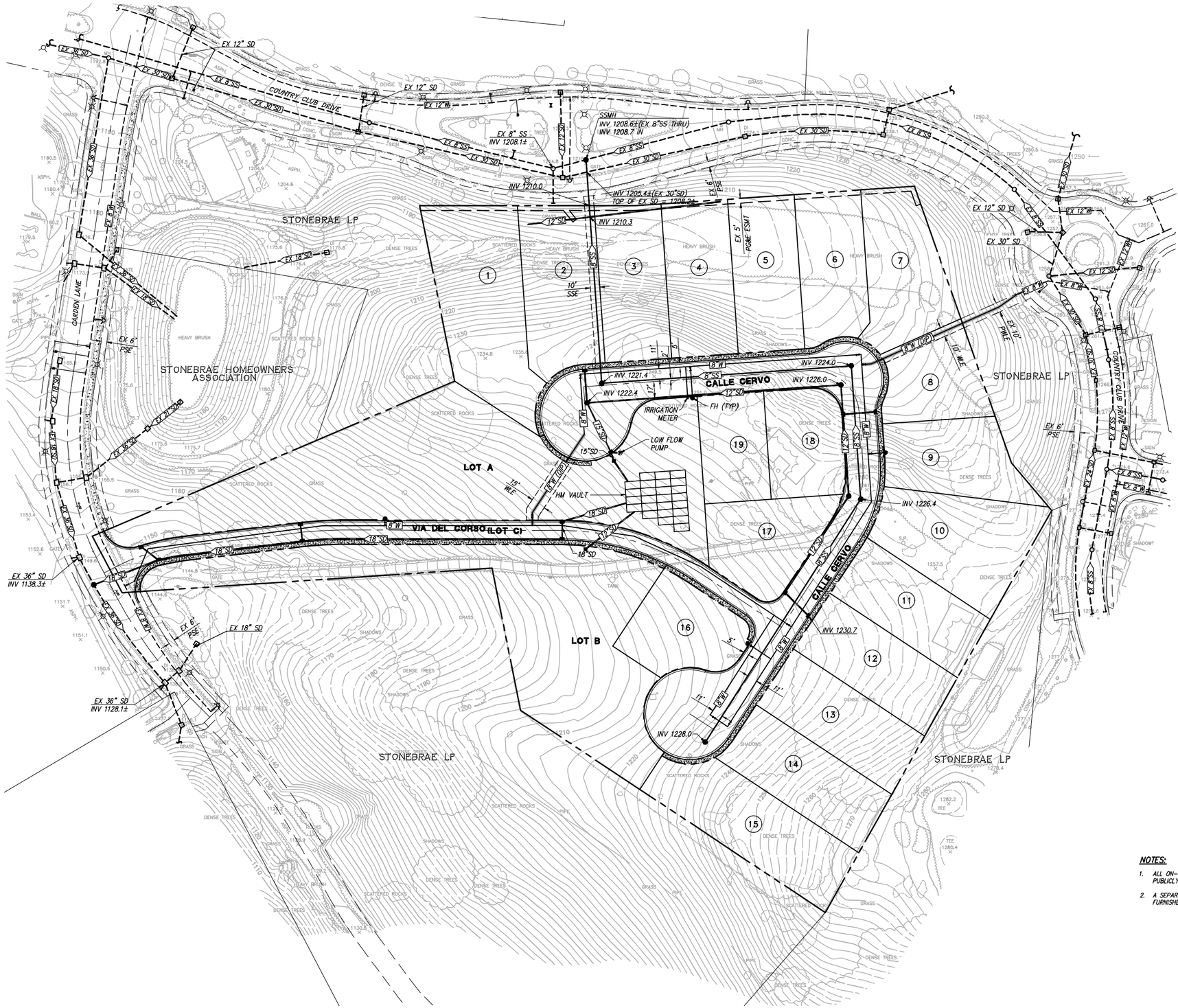
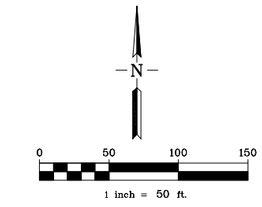
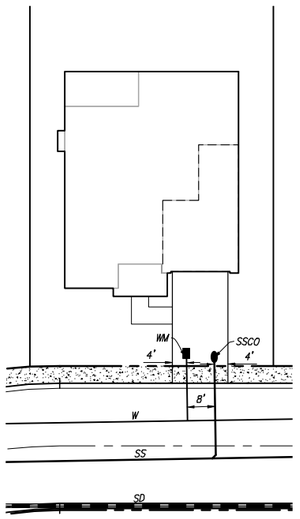

EX 12" SD
EX 16" SD
EX 30" SD
EX 8" SS
COUNTRY CLUB DRIVE
EX 8" SS
INV 1208.1±
EX 12" W
EX 12" SD
EX 30" SD
EX 8" SS
EX 30" SD
EX 12" SD
EX 8" SS
EX 30" SD
EX 8" SS
EX 8" W
EX 8" W
EX 8" W
EX 18" SD
EX 8" W
EX 8" W
GARDEN LANE
EX 6" PSE
EX 21" SD
EX 18" SD
EX 8" W
EX 8" W
EX 8" W







DETAIL 1 - TYPICAL UTILITY LAYOUT

NOT TO SCALE

NOTES:

1. *ALL ON-SITE SANITARY SEWER & WATER LINES WILL BE PUBLICLY OWNED AND MAINTAINED BY THE CITY OF HAYWARD.*
2. *A SEPARATE IRRIGATION METER AND SERVICE SHALL BE FURNISHED FOR COMMON AREA LANDSCAPING.*

PRELIMINARY UTILITY PLAN
TRACT 8353 - CAVALLO HIGHLANDS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

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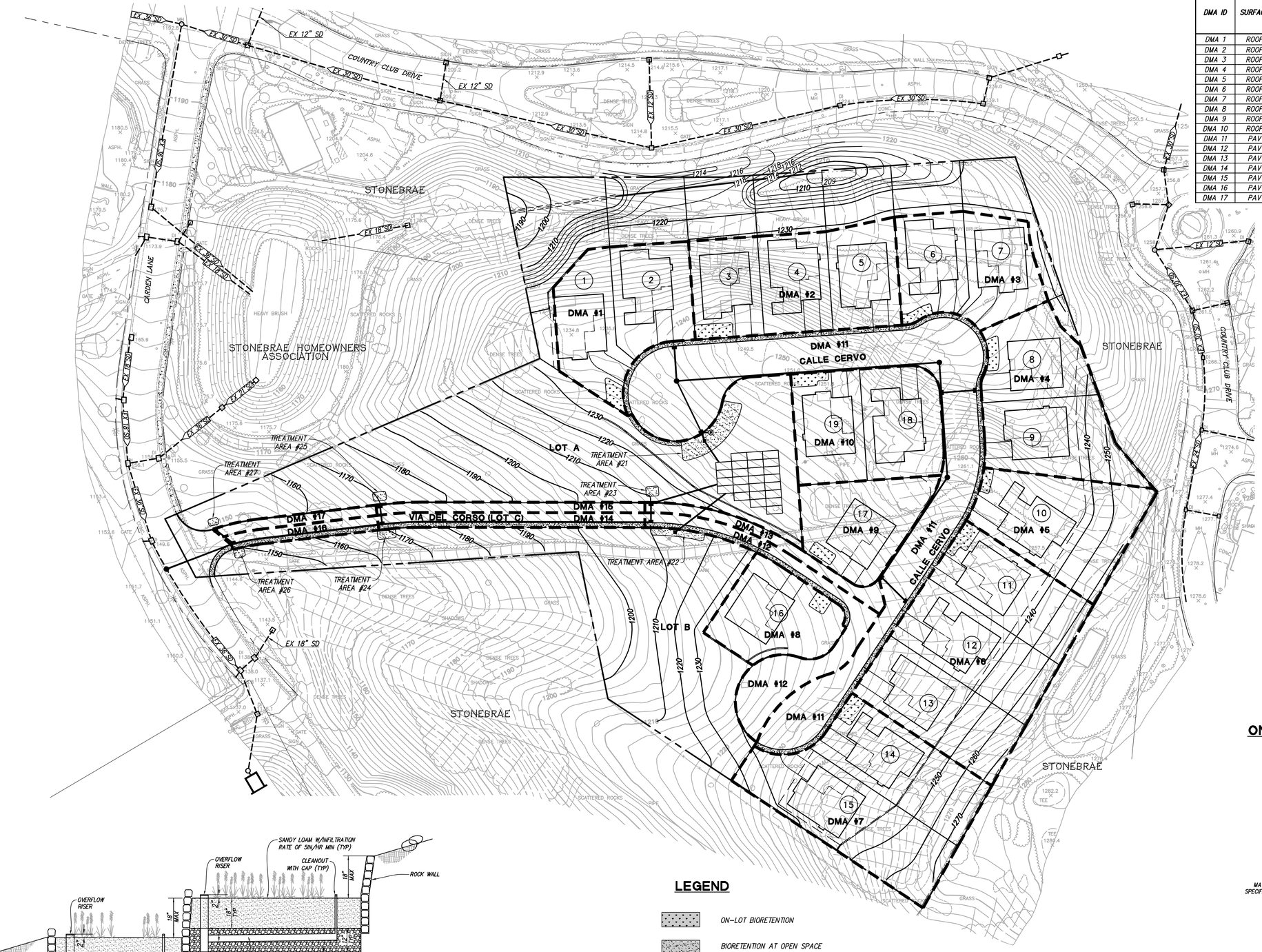
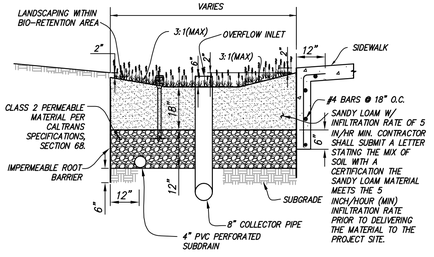
STORMWATER TREATMENT CALCULATION

DMA ID	SURFACE	IMPERVIOUS AREA (SF)	REDUCTION IN IMPERVIOUS AREA (TREE CREDIT)	EFFECTIVE LANDSCAPE AREA (SF)	TOTAL EFFECTIVE IMPERVIOUS AREA	BMP USED	SIZING FACTOR	REQUIRED AREA (SF)	SURFACE AREA AS PROVIDED (SF)
DMA 1	ROOF	11,028	0	698	11,726	BIORETENTION	0.04	469	470
DMA 2	ROOF	13,432	0	777	14,209	BIORETENTION	0.04	568	569
DMA 3	ROOF	8,728	350	540	8,918	BIORETENTION	0.04	357	359
DMA 4	ROOF	9,434	925	980	9,489	BIORETENTION	0.04	380	382
DMA 5	ROOF	5,330	0	995	6,325	BIORETENTION	0.04	253	254
DMA 6	ROOF	13,451	1,975	2,087	13,563	BIORETENTION	0.04	543	549
DMA 7	ROOF	10,285	0	1,755	12,040	BIORETENTION	0.04	482	485
DMA 8	ROOF	7,026	0	344	7,370	BIORETENTION	0.04	295	295
DMA 9	ROOF	7,240	0	353	7,593	BIORETENTION	0.04	304	304
DMA 10	ROOF	10,909	150	608	11,367	BIORETENTION	0.04	455	459
DMA 11	PAV	38,000	0	0	38,000	BIORETENTION	0.04	1,520	1520
DMA 12	PAV	9,419	0	0	9,419	BIORETENTION	0.04	377	378
DMA 13	PAV	3,100	0	0	3,100	BIORETENTION	0.04	124	124
DMA 14	PAV	4,061	0	0	4,061	BIORETENTION	0.04	162	164
DMA 15	PAV	2,900	0	0	2,900	BIORETENTION	0.04	116	117
DMA 16	PAV	2,296	0	0	2,296	BIORETENTION	0.04	92	93
DMA 17	PAV	1,700	0	0	1,700	BIORETENTION	0.04	68	69

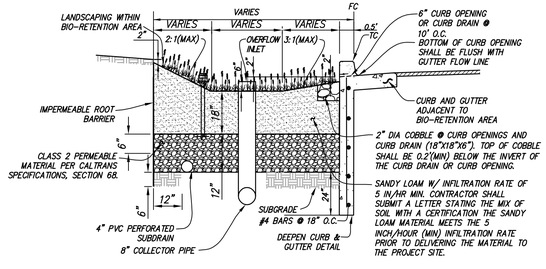


NOTES:

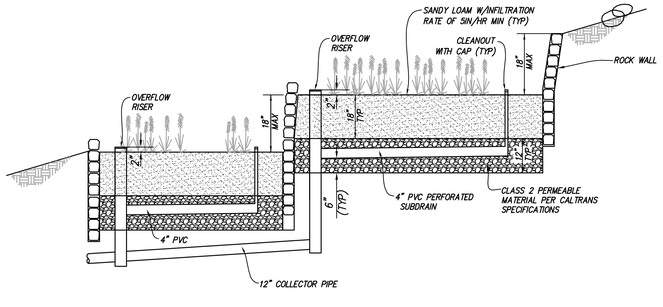
1. THE ABOVE CALCULATIONS ARE BASED ON THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM, C.3 STORMWATER TECHNICAL GUIDANCE, DATED JANUARY 1, 2015, AND THE FOLLOWING CRITERIA:
   a. EFFECTIVE IMPERVIOUS AREA = IMPERVIOUS AREA + 10% OF PERVIOUS AREA
   b. 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% OF EFFECTIVE IMPERVIOUS AREA.
   c. SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
2. SIZING FACTOR OF 0.04 NOTED ABOVE IS CALCULATED BASED ON THE FOLLOWING CRITERIA:
   a. SIZING FACTOR=(0.2 IN/HR)/(5 IN/HR)=0.04
3. SITE HAS A TOTAL OF 34 DECIDUOUS TREES. THIS ALLOWS FOR A 3,400 REDUCTION IN IMPERVIOUS AREA



ON-LOT BIO-RETENTION (ADJACENT TO SIDEWALK)
NOT TO SCALE



BIORETENTION AT OPEN SPACE
NOT TO SCALE



BIORETENTION AREAS FOR DMA #12-17
NOT TO SCALE

LEGEND

ON-LOT BIORETENTION

BIORETENTION AT OPEN SPACE

PRELIMINARY STORMWATER TREATMENT PLAN

TRACT 8353 - CAVALLO HIGHLANDS

CITY OF HAYWARD, ALAMEDA COUNTY, CALIFORNIA

N

0 50 100 150

1 inch = 50 ft.

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GRAPHIC SCALE

40 0 20 40 80 160

(In Feet)

1 inch = 40 feet

EXISTING TREE SUMMARY	
TOTAL TREES TO REMAIN "OFF SITE"	7
TOTAL TREES TO BE REMOVED "ON SITE"	78
TOTAL EXISTING TREES ON SITE	78

TREE PROTECTION LEGEND	
DESCRIPTION	SYMBOL
TREE (ON SITE) TO BE REMOVED	✕#
TREE (OFF SITE) TO REMAIN/PROTECT	●#

NOTES:

1. SEE SHEET L1.2 FOR TREE MITIGATION SUMMARY CHART.
2. SEE SHEET L1.3 FOR TREE INVENTORY AND TREE PROTECTION NOTES.
3. TREE MITIGATION SHALL COMPLY WITH CITY OF HAYWARD TREE PRESERVATION ORDINANCE REQUIREMENTS, MUNICIPAL CODE CHAPTER 10, ARTICLE 15.

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance

1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

NO	DATE	DESCRIPTION

PROJECT NO:	4795.00
CAD DWG FILE:	479500CL.DWG
DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	1" = 40'

© HMH

TREE REMOVAL PLAN

L1.1

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PLOTTED: 1/8/2019 2:05 PM

LSA
TIM MILLIKEN
CERTIFIED ARBORIST WE5539A

CAVALLO HIGHLANDS
TREE EVALUATION MATRIX
AUGUST 2016

Tree #	Species	Common Name	Nursery Group	Multi-stem	Total DBH (inches)	Species Rating	Estimated Height (feet)	Crown Radius (feet)	Condition Rating	Site Rating	Contribution Rating	Location Rating	Protected Tree Trunk Area (square inches)	Adjusted Trunk Area (square inches)	Replacement Tree Trunk Area (square inches)	Replacement Size Basic Price Per Trunk Area	Installed Tree Cost	Approximate Tree Trunk Increase	Average Regional Tree Cost	Unit Tree Cost	Difference Between Appraised Tree Increase and Replacement Tree Size	Basic Tree Cost	Appraised Tree Value	TO BE REMOVED
1701	*Pinus halepensis*	Aleppo pine	3	no	16	50%	20	15	100%	50%	40%	50%	201	201	3.8	$45.46	$345.46	197	172.73	$45	$8,961.96	$9,307.42	$ 2,326.85	YES
1702	*Pinus halepensis*	Aleppo pine	3	no	22	50%	20	15	100%	50%	40%	50%	380	380	3.8	$45.46	$345.46	376	172.73	$45	$17,097.54	$17,443.00	$ 4,360.75	YES
1703	*Pinus halepensis*	Aleppo pine	3	no	28	50%	20	15	100%	50%	50%	50%	615	615	3.8	$45.46	$345.46	612	172.73	$45	$27,802.26	$28,147.72	$ 7,036.93	YES
1704	*Quercus agrifolia*	Coast live oak	1	no	4	90%	20	15	100%	50%	30%	50%	13	13	2.09	$82.82	$345.46	10	172.73	$83	$865.30	$1,210.76	$ 544.84	NO
1705	*Quercus agrifolia*	Coast live oak	1	no	5	0%	20	15	100%	50%	30%	50%	20	20	2.09	$82.82	$345.46	18	172.73	$83	$1,449.20	$1,794.66	$ -	NO
1706	*Quercus agrifolia*	Coast live oak	1	no	5	90%	20	15	100%	50%	30%	50%	20	20	2.09	$82.82	$345.46	18	172.73	$83	$1,449.20	$1,794.66	$ 807.60	NO
1707	*Quercus agrifolia*	Coast live oak	1	no	9	0%	20	15	100%	50%	30%	50%	64	64	2.09	$82.82	$345.46	61	172.73	$83	$5,082.31	$5,427.77	$ -	NO
1708	*Quercus agrifolia*	Coast live oak	1	no	10	90%	20	15	100%	50%	30%	50%	79	79	2.09	$82.82	$345.46	76	172.73	$83	$6,314.98	$6,660.44	$ 2,997.20	NO
1709	*Umbellularia californica*	California bay	1	yes	100	70%	30	30	100%	50%	50%	50%	7,850	2,493	2.09	$82.82	$345.46	2,491	172.73	$83	$205,863.58	$206,209.04	$ 72,173.16	YES
1710	*Umbellularia californica*	California bay	1	yes	60	70%	30	25	100%	50%	50%	50%	2,826	1,865	2.09	$82.82	$345.46	1,863	172.73	$83	$153,961.94	$154,307.40	$ 54,007.59	YES
1711	*Umbellularia californica*	California bay	1	yes	60	70%	30	20	100%	50%	50%	50%	2,826	1,865	2.09	$82.82	$345.46	1,863	172.73	$83	$153,961.94	$154,307.40	$ 54,007.59	YES
1712	*Umbellularia californica*	California bay	1	yes	90	70%	30	15	94%	50%	50%	50%	6,359	2,437	2.09	$82.82	$345.46	2,434	172.73	$83	$201,194.09	$201,539.55	$ 66,130.16	YES
1713	*Umbellularia californica*	California bay	1	no	48	70%	30	20	97%	50%	50%	50%	1,809	1,468	2.09	$82.82	$345.46	1,465	172.73	$83	$121,115.14	$121,460.60	$ 41,182.72	YES
1714	*Umbellularia californica*	California bay	1	no	48	70%	30	20	100%	50%	50%	50%	1,809	1,468	2.09	$82.82	$345.46	1,465	172.73	$83	$121,115.14	$121,460.60	$ 42,511.21	YES
1715	*Quercus agrifolia*	Coast live oak	1	no	15	90%	20	15	100%	50%	40%	50%	177	177	2.09	$82.82	$345.46	175	172.73	$83	$14,424.61	$14,770.07	$ 6,646.53	NO
1716	*Eucalyptus globulus*	Blue gum	5	no	52	10%	100	30	97%	50%	50%	50%	2,123	1,611	4.75	$36.36	$345.46	1,606	172.73	$36	$58,401.29	$58,746.75	$ 2,845.55	YES
1717	*Eucalyptus globulus*	Blue gum	5	no	24	10%	60	30	84%	50%	50%	50%	452	452	4.75	$36.36	$345.46	447	172.73	$36	$16,269.71	$16,615.17	$ 700.95	YES
1718	*Eucalyptus globulus*	Blue gum	5	no	20	10%	75	30	84%	50%	40%	50%	314	314	4.75	$36.36	$345.46	309	172.73	$36	$11,245.63	$11,591.09	$ 489.00	YES
1719	*Eucalyptus globulus*	Blue gum	5	no	32	10%	60	30	84%	50%	50%	50%	804	788	4.75	$36.36	$345.46	783	172.73	$36	$28,466.27	$28,811.73	$ 1,215.49	YES
1720	*Eucalyptus globulus*	Blue gum	5	no	48	10%	80	30	81%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,175.04	YES
1721	*Eucalyptus globulus*	Blue gum	5	no	24	10%	80	30	81%	50%	50%	50%	452	452	4.75	$36.36	$345.46	447	172.73	$36	$16,269.71	$16,615.17	$ 674.99	YES
1722	*Eucalyptus globulus*	Blue gum	5	no	14	10%	60	30	78%	50%	40%	50%	154	154	4.75	$36.36	$345.46	149	172.73	$36	$5,422.27	$5,767.73	$ 225.30	YES
1723	*Eucalyptus globulus*	Blue gum	5	no	16	10%	55	30	78%	50%	40%	50%	201	201	4.75	$36.36	$345.46	196	172.73	$36	$7,135.02	$7,480.48	$ 292.21	YES
1724	*Eucalyptus globulus*	Blue gum	5	no	16	10%	50	30	81%	50%	40%	50%	201	201	4.75	$36.36	$345.46	196	172.73	$36	$7,135.02	$7,480.48	$ 303.89	YES
1725	*Eucalyptus globulus*	Blue gum	5	no	16	10%	35	30	81%	50%	40%	50%	201	201	4.75	$36.36	$345.46	196	172.73	$36	$7,135.02	$7,480.48	$ 303.89	YES
1726	*Eucalyptus globulus*	Blue gum	5	no	16	10%	60	30	81%	50%	40%	50%	201	201	4.75	$36.36	$345.46	196	172.73	$36	$7,135.02	$7,480.48	$ 303.89	YES
1727	*Eucalyptus globulus*	Blue gum	5	no	48	10%	60	30	81%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,175.04	YES
1728	*Eucalyptus globulus*	Blue gum	5	no	22	10%	60	30	81%	50%	40%	50%	380	380	4.75	$36.36	$345.46	375	172.73	$36	$13,643.49	$13,988.95	$ 568.30	YES
1729	*Eucalyptus globulus*	Blue gum	5	no	28	10%	80	30	81%	50%	50%	50%	615	615	4.75	$36.36	$345.46	611	172.73	$36	$22,207.26	$22,552.72	$ 916.20	YES
1730	*Eucalyptus globulus*	Blue gum	5	no	12	10%	45	30	81%	50%	30%	50%	113	113	4.75	$36.36	$345.46	108	172.73	$36	$3,937.88	$4,283.34	$ 174.01	YES
1731	*Eucalyptus globulus*	Blue gum	5	no	20	10%	30	30	81%	50%	40%	50%	314	314	4.75	$36.36	$345.46	309	172.73	$36	$11,245.63	$11,591.09	$ 470.89	YES
1732	*Eucalyptus globulus*	Blue gum	5	no	48	10%	80	30	81%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,175.04	YES
1733	*Eucalyptus globulus*	Blue gum	5	no	10	10%	35	30	81%	50%	30%	50%	79	79	4.75	$36.36	$345.46	74	172.73	$36	$2,681.86	$3,027.32	$ 122.98	YES
1734	*Eucalyptus globulus*	Blue gum	5	no	6	10%	30	30	69%	50%	30%	50%	28	28	4.75	$36.36	$345.46	24	172.73	$36	$854.92	$1,200.38	$ -	YES
1735	*Eucalyptus globulus*	Blue gum	5	no	18	10%	75	30	81%	50%	40%	50%	254	254	4.75	$36.36	$345.46	250	172.73	$36	$9,076.14	$9,421.60	$ 382.75	YES
1736	*Eucalyptus globulus*	Blue gum	5	no	42	10%	90	30	81%	50%	50%	50%	1,385	1,233	4.75	$36.36	$345.46	1,228	172.73	$36	$44,651.98	$44,997.44	$ 1,828.02	YES
1737	*Eucalyptus globulus*	Blue gum	5	no	23	10%	80	30	81%	50%	40%	50%	415	415	4.75	$36.36	$345.46	411	172.73	$36	$14,928.05	$15,273.51	$ 620.49	YES
1738	*Eucalyptus globulus*	Blue gum	5	no	22	10%	80	30	81%	50%	40%	50%	380	380	4.75	$36.36	$345.46	375	172.73	$36	$13,643.49	$13,988.95	$ 568.30	YES
1739	*Eucalyptus globulus*	Blue gum	5	yes	18	10%	35	30	69%	50%	40%	50%	254	254	4.75	$36.36	$345.46	250	172.73	$36	$9,076.14	$9,421.60	$ 323.87	YES
1740	*Eucalyptus globulus*	Blue gum	5	no	28	10%	40	30	69%	50%	50%	50%	615	615	4.75	$36.36	$345.46	611	172.73	$36	$22,207.26	$22,552.72	$ 775.25	YES
1741	*Eucalyptus globulus*	Blue gum	5	no	19	10%	60	30	81%	50%	40%	50%	283	283	4.75	$36.36	$345.46	279	172.73	$36	$10,132.34	$10,477.80	$ 425.66	YES
1742	*Eucalyptus globulus*	Blue gum	5	no	50	10%	90	30	78%	50%	50%	50%	1,963	1,541	4.75	$36.36	$345.46	1,536	172.73	$36	$55,846.34	$56,191.80	$ 2,194.99	YES

Tree #	Species	Common Name	Nursery Group	Multi-stem	Total DBH (inches)	Species Rating	Estimated Height (feet)	Crown Radius (feet)	Condition Rating	Site Rating	Contribution Rating	Location Rating	Protected Tree Trunk Area (square inches)	Adjusted Trunk Area (square inches)	Replacement Tree Trunk Area (square inches)	Replacement Size Basic Price Per Trunk Area	Installed Tree Cost	Approximate Tree Trunk Increase	Average Regional Tree Cost	Unit Tree Cost	Difference Between Appraised Tree Increase and Replacement Tree Size	Basic Tree Cost	Appraised Tree Value	TO BE REMOVED
1743	*Eucalyptus globulus*	Blue gum	5	no	19	10%	25	30	78%	50%	40%	50%	283	283	4.75	$36.36	$345.46	279	172.73	$36	$10,132.34	$10,477.80	$ 409.29	YES
1744	*Eucalyptus globulus*	Blue gum	5	no	72	10%	100	30	78%	50%	50%	50%	4,069	2,166	4.75	$36.36	$345.46	2,161	172.73	$36	$78,590.70	$78,936.16	$ 3,083.44	YES
1745	*Eucalyptus globulus*	Blue gum	5	no	12	10%	30	30	63%	50%	30%	50%	113	113	4.75	$36.36	$345.46	108	172.73	$36	$3,937.88	$4,283.34	$ 133.85	YES
1746	*Eucalyptus globulus*	Blue gum	5	no	36	10%	60	30	81%	50%	50%	50%	1,017	974	4.75	$36.36	$345.46	969	172.73	$36	$35,232.92	$35,578.38	$ 1,445.37	YES
1747	*Eucalyptus globulus*	Blue gum	5	no	30	10%	65	30	78%	50%	50%	50%	707	707	4.75	$36.36	$345.46	702	172.73	$36	$25,518.58	$25,864.04	$ 1,010.31	YES
1748	*Eucalyptus globulus*	Blue gum	5	no	6	0%	25	30	78%	50%	30%	50%	28	28	4.75	$36.36	$345.46	24	172.73	$36	$854.92	$1,200.38	$ -	YES
1749	*Eucalyptus globulus*	Blue gum	5	yes	32	10%	60	30	69%	50%	50%	50%	804	788	4.75	$36.36	$345.46	783	172.73	$36	$28,466.27	$28,811.73	$ 990.40	YES
1750	*Eucalyptus globulus*	Blue gum	5	no	36	10%	100	30	78%	50%	50%	50%	1,017	974	4.75	$36.36	$345.46	969	172.73	$36	$35,232.92	$35,578.38	$ 1,389.78	YES
1751	*Eucalyptus globulus*	Blue gum	5	no	48	10%	45	30	78%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,091.38	YES
1752	*Eucalyptus globulus*	Blue gum	5	yes	36	10%	100	30	69%	50%	50%	50%	1,017	974	4.75	$36.36	$345.46	969	172.73	$36	$35,232.92	$35,578.38	$ 1,223.01	YES
1753	*Eucalyptus globulus*	Blue gum	5	no	8	10%	35	30	81%	50%	30%	50%	50	50	4.75	$36.36	$345.46	45	172.73	$36	$1,654.21	$1,999.67	$ 81.24	YES
1754	*Eucalyptus globulus*	Blue gum	5	no	28	10%	25	30	78%	50%	50%	50%	615	615	4.75	$36.36	$345.46	611	172.73	$36	$22,207.26	$22,552.72	$ 880.97	YES
1755	*Eucalyptus globulus*	Blue gum	5	no	20	10%	60	30	78%	50%	50%	50%	314	314	4.75	$36.36	$345.46	309	172.73	$36	$11,245.63	$11,591.09	$ 452.78	YES
1756	*Eucalyptus globulus*	Blue gum	5	yes	26	10%	60	30	78%	50%	50%	50%	531	531	4.75	$36.36	$345.46	526	172.73	$36	$19,124.30	$19,469.76	$ 760.54	YES
1757	*Eucalyptus globulus*	Blue gum	5	yes	48	10%	90	30	78%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,091.38	YES
1758	*Eucalyptus globulus*	Blue gum	5	yes	26	10%	80	30	78%	50%	50%	50%	531	531	4.75	$36.36	$345.46	526	172.73	$36	$19,124.30	$19,469.76	$ 760.54	YES
1759	*Eucalyptus globulus*	Blue gum	5	yes	36	10%	100	30	81%	50%	50%	50%	1,017	974	4.75	$36.36	$345.46	969	172.73	$36	$35,232.92	$35,578.38	$ 1,445.37	YES
1760	*Eucalyptus globulus*	Blue gum	5	no	46	10%	100	30	78%	50%	50%	50%	1,661	1,392	4.75	$36.36	$345.46	1,387	172.73	$36	$50,444.07	$50,789.53	$ 1,983.97	YES
1761	*Eucalyptus globulus*	Blue gum	5	no	48	10%	100	30	78%	50%	50%	50%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 2,091.38	YES
1762	*Eucalyptus globulus*	Blue gum	5	no	26	10%	60	30	78%	50%	50%	50%	531	531	4.75	$36.36	$345.46	526	172.73	$36	$19,124.30	$19,469.76	$ 760.54	YES
1763	*Eucalyptus globulus*	Blue gum	5	no	28	10%	80	30	78%	50%	50%	50%	615	615	4.75	$36.36	$345.46	611	172.73	$36	$22,207.26	$22,552.72	$ 880.97	YES
1764	*Eucalyptus globulus*	Blue gum	5	no	30	10%	70	30	78%	50%	50%	50%	707	707	4.75	$36.36	$345.46	702	172.73	$36	$25,518.58	$25,864.04	$ 1,010.31	YES
1765	*Eucalyptus globulus*	Blue gum	5	no	100	10%	90	30	81%	50%	50%	50%	7,850	2,493	4.75	$36.36	$345.46	2,488	172.73	$36	$90,483.25	$90,828.71	$ 3,689.92	YES
1766	*Prunus cerasifera*	Plum	3	yes	8	30%	10	88	81%	50%	30%	50%	50	50	3.8	$45.46	$345.46	46	172.73	$45	$2,110.94	$2,456.40	$ 299.37	YES
1767	*Prunus cerasifera*	Plum	3	yes	24	30%	12	12	75%	50%	40%	50%	452	452	3.8	$45.46	$345.46	448	172.73	$45	$20,380.32	$20,725.78	$ 2,331.65	YES
1768	*Eucalyptus globulus*	Blue gum	5	no	15	10%	55	30	84%	50%	40%	50%	177	177	4.75	$36.36	$345.46	172	172.73	$36	$6,250.10	$6,595.56	$ 278.25	YES
1769	*Pinus palustris*	Longleaf pine	2	yes	44	70%	80	20	81%	50%	50%	60%	1,520	1,314	2.24	$77.04	$345.46	1,311	172.73	$77	$101,124.16	$101,469.62	$ 34,626.51	YES
1770	*Salix laevigata*	Red willow	2	no	8	70%	10	12	100%	50%	30%	60%	50	50	2.24	$77.04	$345.46	48	172.73	$77	$3,701.36	$4,046.82	$ 1,699.66	YES
1771	*Quercus agrifolia*	Coast live oak	1	no	7	90%	10	10	100%	50%	30%	60%	38	38	2.09	$82.82	$345.46	36	172.73	$83	$3,006.25	$3,351.71	$ 1,809.92	YES
1772	*Oleo europeaea*	Olive	2	no	16	20%	20	12	100%	50%	40%	70%	201	201	2.24	$77.04	$345.46	199	172.73	$77	$15,323.62	$15,669.08	$ 2,193.67	YES
1773	*Cedrus deodora*	Deodar cedar	1	no	54	90%	75	25	100%	50%	50%	70%	2,289	1,678	2.09	$82.82	$345.46	1,676	172.73	$83	$138,535.25	$138,880.71	$ 87,494.84	YES
1774	*Acacia melanoxylon*	Blackwood acacia	4	no	40	20%	30	25	84%	50%	50%	70%	1,256	1,149	4.75	$36.36	$345.46	1,144	172.73	$36	$41,609.75	$41,955.21	$ 4,955.96	YES
1775	*Prunus cerasifera*	Plum	3	no	16	30%	15	15	69%	50%	40%	70%	201	201	3.8	$45.46	$345.46	197	172.73	$45	$8,961.96	$9,307.42	$ 1,343.76	YES
1776	*Eucalyptus globulus*	Blue gum	5	no	48	10%	90	30	81%	50%	50%	70%	1,809	1,468	4.75	$36.36	$345.46	1,463	172.73	$36	$53,193.93	$53,539.39	$ 3,045.05	YES
1777	*Eucalyptus globulus*	Blue gum	5	no	72	10%	100	30	84%	50%	50%	70%	4,069	2,166	4.75	$36.36	$345.46	2,161	172.73	$36	$78,590.70	$78,936.16	$ 4,662.17	YES
1778	*Eucalyptus globulus*	Blue gum	5	no	15	10%	40	30	84%	50%	40%	70%	177	177	4.75	$36.36	$345.46	172	172.73	$36	$6,250.10	$6,595.56	$ 389.55	YES
1779	*Eucalyptus globulus*	Blue gum	5	no	11	10%	50	30	81%	50%	30%	70%	95	95	4.75	$36.36	$345.46	90	172.73	$36	$3,281.32	$3,626.78	$ 206.27	YES
1780	*Eucalyptus globulus*	Blue gum	5	no	19	10%	75	30	84%	50%	40%	70%	283	283	4.75	$36.36	$345.46	279	172.73	$36	$10,132.34	$10,477.80	$ 618.85	YES
1781	*Quercus agrifolia*	Coast live oak	1	no	42	90%	35	35	100%	50%	50%	70%	1,385	1,233	2.09	$82.82	$345.46	1,231	172.73	$83	$101,701.61	$102,047.07	$ 64,289.65	YES
1782	*Quercus agrifolia*	Coast live oak	1	no	40	90%	2	30	81%	50%	50%	70%	1,256	1,149	2.09	$82.82	$345.46	1,147	172.73	$83	$94,787.45	$95,132.91	$ 48,696.16	YES
1783	*Acer macrophyllum*	Bigleaf maple	4	no	52	30%	25	25	69%	50%	50%	50%	2,123	1,611	4.75	$36.36	$345.46	1,606	172.73	$36	$58,401.29	$58,746.75	$ 6,058.26	YES
1784	*Quercus agrifolia*	Coast live oak	1	yes	27	90%	15	20	100%	50%	50%	50%	572	572	2.09	$82.82	$345.46	570	172.73	$83	$47,122.64	$47,468.10	$ 21,360.65	YES
1785	*Quercus agrifolia*	Coast live oak	1	yes	51	0%	25	20	100%	50%	50%	50%	2,042	1,576	2.09	$82.82	$345.46	1,574	172.73	$83	$130,074.37	$130,419.83	$ -	NO
																					Total Tree Appraisal Evaluation		$ 693,012.09	

VALUE OF TREES TO BE REMOVED: $682,015.92

Proposed Required Trees		
	Quantity	Sizes
Required Street Trees	54	24" BOX
Required Alley Accent Tree	0	15 GALLON
Required Group Open Space	1	15 GALLON
Required Front Setback Tree	18	24" BOX
Required Evergreen Screening	0	15 GALLON
Required Parking Bay	0	15 GALLON
Total Trees Planted (Required)	73	24" BOX
	0	15 Gallon
Total	73	

TREE MITIGATION MEASURES CHART

COST OF MATERIALS - PERMEABLE PAVERS

	STANDARD CONCRETE	PROPOSED PERMEABLE PAVER	IMPROVEMENT COST	S.F.	COST OF IMPROVEMENT
DRIVE & WALKWAYS	$3.00	$16.00	$13.00	11500	$149,500

TOTAL MATERIAL UPGRADES **$149,500**

COST OF LABOR - PERMEABLE PAVER

	STANDARD CONCRETE	PROPOSED PORUS CONCRETE	IMPROVEMENT COST	S.F.	COST OF IMPROVEMENT
DRIVE & WALKWAYS	$3.00	$18.50	$15.50	11500	$178,250

TOTAL LABOR UPGRADES **$178,250**

TOTAL UPGRADES **$327,750**

COST OF MATERIALS - TREE UPGRADES

	15 GALLON	24" BOX	IMPROVEMENT COST
ADDITIONAL TREES BEYOND REQUIRED	$0.00	45 X $250 = $11,250	$11,250
REPLACE (1 OPEN SPACE) 15 GALLON TREE WITH 24" BOX TREE		1 X $250 = $250	$250

TOTAL MATERIAL UPGRADES **$11,500**

COST OF LABOR - TREE UPGRADES

	15 GALLON	24" BOX	IMPROVEMENT COST
REQUIRED	$0.00	45 X $50 = $2250	$2,250
REPLACE (1 OPEN SPACE) 15 GALLON TREE WITH 24" BOX TREE		1 X $50 = $50	$50

TOTAL MATERIAL UPGRADES **$2,300**

TOTAL UPGRADES **$13,800**

Mitigation Summary	
Permeable Paver Mitigation Value	$327,750.00
Tree Upgrade Mitigation Value	$13,800.00
Total Mitigation	$341,550.00

Total Value of Trees to be Removed	$682,015.92
Total Value to Mitigate	$340,465.92

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

NO	DATE	DESCRIPTION

PROJECT NO:	4795.00
CAD DWG FILE:	479500CL.DWG
DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	NONE

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TREE MITIGATION SUMMARY CHART

L1.2

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PLOTTED: 1/8/2019 2:05 PM

TREE PROTECTION NOTES

SECTION I
SITE PREPARATION: ALL EXISTING TREES SHALL BE FENCED OFF WITHIN, AT OR OUTSIDE THE DRIP LINE (FOLIAR SPREAD) OF THE TREE USING THE FOLLOWING FORMULA: TWELVE INCHES IN DISTANCE FROM THE TRUNK FOR EVERY INCH IN TRUNK DIAMETER, MEASURED 2.0 FEET ABOVE THE AVERAGE GROUND LEVEL. EXAMPLE: A 24 INCH DIAMETER TREE WOULD HAVE A FENCE ERECTED 24 FEET FROM THE BASE OF THE TREE (24 X 12 = 288 / 12 = 24). THE FENCE SHOULD BE A MINIMUM OF SIX FEET HIGH, MADE OF WIRE WITH STEEL STAKES, SUCH AS CYCLONE FENCING. IF THE FENCE IS WITHIN THE DRIP LINE OF THE TREES, EVERY ATTEMPT SHOULD BE MADE TO RELOCATE THE FENCE OUTSIDE THE DRIPLINE OF THE TREE. IF NOT POSSIBLE, THE TREE SHALL BE PRUNED TO REDUCE THE CHANCE OF LIMB BREAKAGE FROM CONSTRUCTION EQUIPMENT ENCROACHING WITHIN THE DRIP LINE. ALL CONTRACTORS, SUBCONTRACTORS AND OTHER PERSONNEL SHALL BE WARNED THAT ENCROACHMENT WITHIN THE FENCED AREA IS FORBIDDEN WITHOUT THE CONSENT OF THE CERTIFIED ARBORIST ON THE JOB. THIS INCLUDES, BUT IS NOT LIMITED TO, STORAGE OF LUMBER AND OTHER MATERIALS, DISPOSAL OF PAINTS, SOLVENTS OR OTHER NOXIOUS MATERIALS, PARKED CARS, GRADING EQUIPMENT OR OTHER HEAVY EQUIPMENT. PENALTIES, BASED ON THE COST OF REMEDIAL REPAIRS AND THE EVALUATION GUIDE PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE, SHALL BE ASSESSED FOR DAMAGES TO THE TREES.

SECTION II
GRADING/EXCAVATING: ALL GRADING PLANS THAT SPECIFY GRADING WITHIN THE DRIP LINE OF ANY TREE, OR WITHIN THE DISTANCE FROM THE TRUNK AS OUTLINED IN SECTION I WHEN SAID DISTANCE IS OUTSIDE THE DRIP LINE, SHALL FIRST BE REVIEWED BY THE CERTIFIED ARBORIST. PROVISIONS FOR AERATION, DRAINAGE, PRUNING, TUNNELING BENEATH ROOTS, ROOT PRUNING OR OTHER NECESSARY ACTIONS TO PROTECT THE TREES SHALL BE OUTLINED BY THE ARBORIST. IF TRENCHING IS NECESSARY WITHIN THE AREA AS DESCRIBED ABOVE, SAID TRENCHING SHALL BE UNDERTAKEN BY HAND LABOR. ALL ROOTS 2 INCHES OR LARGER SHALL BE TUNNELED UNDER AND OTHER ROOTS SHALL BE CUT SMOOTHLY TO THE TRUNK SIDE OF THE TRENCH. THE TRUNK SIDE SHOULD BE DRAPED IMMEDIATELY WITH TWO LAYERS OF UNTREATED BURLAP TO A DEPTH OF 3 FEET FROM THE SURFACE. THE BURLAP SHALL BE SOAKED NIGHTLY AND LEFT IN PLACE UNTIL THE TRENCH IS BACK FILLED TO THE ORIGINAL LEVEL. THE ARBORIST SHALL EXAMINE THE TRENCH PRIOR TO BACK FILLING TO ASCERTAIN THE NUMBER AND SIZE OF ROOTS CUT, SO AS TO SUGGEST THE NECESSARY REMEDIAL REPAIRS.

SECTION III
REMEDIAL REPAIRS: THE ARBORIST ON THE JOB SHALL HAVE THE RESPONSIBILITY OF OBSERVING ALL ONGOING ACTIVITIES THAT MAY AFFECT THE TREES, AND PRESCRIBING NECESSARY REMEDIAL WORK TO INSURE THE HEALTH AND STABILITY OF SAID TREES. THIS INCLUDES, BUT IS NOT LIMITED TO, ALL ARBORIST ACTIVITIES BROUGHT OUT IN SECTIONS I AND II. IN ADDITION, PRUNING, AS OUTLINED IN THE "PRUNING STANDARDS" OF THE WESTERN CHAPTER OF THE INTERNATIONAL SOCIETY OF ARBORICULTURE, SHALL BE PRESCRIBED AS NECESSARY. FERTILIZING, AERATION, IRRIGATION, PEST CONTROL AND OTHER ACTIVITIES SHALL BE PRESCRIBED ACCORDING TO THE TREE NEEDS, LOCAL SITE REQUIREMENTS, AND STATE AGRICULTURAL PEST CONTROL LAWS. ALL SPECIFICATIONS SHALL BE IN WRITING. FOR PEST CONTROL OPERATIONS, CONSULT THE LOCAL COUNTY AGRICULTURAL COMMISSIONERS OFFICE FOR INDIVIDUALS LICENSED AS PEST CONTROL ADVISORS OR PEST CONTROL OPERATORS.

SECTION IV
FINAL INSPECTION: UPON COMPLETION OF THE PROJECT, THE ARBORIST SHALL REVIEW ALL WORK UNDERTAKEN THAT MAY IMPACT THE EXISTING TREES. SPECIAL ATTENTION SHALL BE GIVEN TO CUTS AND FILLS, COMPACTING, DRAINAGE, PRUNING AND FUTURE REMEDIAL WORK. THE ARBORIST SHOULD SUBMIT A FINAL REPORT IN WRITING OUTLINING THE ONGOING REMEDIAL CARE FOLLOWING THE FINAL INSPECTION.

SECTION V
TREE RELOCATION:

- TREES TO BE RELOCATED SHALL BE RELOCATED DURING THE FALL MONTHS. FOR DECIDUOUS TREES, RELOCATION SHALL OCCUR AFTER LEAF DROP.
- THE SOIL BENEATH THE DRIPLINE OF TREES TO BE RELOCATED SHALL BE WATERED 72 HOURS PRIOR TO RELOCATION SO THE SOIL IS MOIST, BUT NOT SATURATED AT THE TIME OF RELOCATION.
- LANDSCAPE ARCHITECT OR ARBORIST SHALL SUPERVISE THE RELOCATION SO TREE CAN BE TRANSPLANTED IN A OPTIMAL ORIENTATION.
- ROOT BALL EXCAVATION SHALL BE NO LESS THAN 30 INCHES DEEP. THE ROOT BALL EXCAVATION DIAMETER SHALL BE NO LESS THAN 10 INCHES PER 1 INCH OF TRUNK DIAMETER. ROOTBALL SHALL BE SUPPORTED DURING TRANSPORT AND WRAPPED IN WIRE OR BURLAP.
- ALL TREES SHALL BE TRANSPLANTED WITHIN 48 HOURS OF EXCAVATION.
- TRANSPLANT HOLE SHALL BE PREPARED AND TWO TIMES THE DIAMETER OF THE ROOTBALL, BUT NO DEEPER THAN THE DEPTH OF THE ROOTBALL.
- TRIMMING AND PRUNING OF RELOCATED TREE SHALL BE LIMITED TO DISEASED OR DAMAGED LIMBS FOR THE YEAR FOLLOWING THE TRANSPLANT.

Tree #	Common Name (*Species Name*)	DBH (inches)	Health Condition	Notes
1749	Blue gum (*Eucalyptus globulus*)	32	Poor	3 stem. Poor form.
1750	Blue gum (*Eucalyptus globulus*)	36	Fair	Moderately good form considering other trees in grove.
1751	Blue gum (*Eucalyptus globulus*)	48	Fair	
1752	Blue gum (*Eucalyptus globulus*)	36	Poor.	3 stems. Broken top.
1753	Blue gum (*Eucalyptus globulus*)	8	Fair	Moderately good form considering other trees in grove.
1754	Blue gum (*Eucalyptus globulus*)	28	Fair	Poor form, rotten trunk.
1755	Blue gum (*Eucalyptus globulus*)	20	Fair	Poor form.
1756	Blue gum (*Eucalyptus globulus*)	26	Fair	2 stems. Poor form.
1757	Blue gum (*Eucalyptus globulus*)	48	Fair	2 stems.
1758	Blue gum (*Eucalyptus globulus*)	26	Fair	2 stems. Poor form.
1759	Blue gum (*Eucalyptus globulus*)	36	Fair	3 stems. Significant rot in main stem.
1760	Blue gum (*Eucalyptus globulus*)	46	Fair	Moderately good form considering other trees in grove.
1761	Blue gum (*Eucalyptus globulus*)	48	Fair	Moderately good form considering other trees in grove.
1762	Blue gum (*Eucalyptus globulus*)	26	Fair	Moderately good form considering other trees in grove.
1763	Blue gum (*Eucalyptus globulus*)	28	Fair	Moderately good form considering other trees in grove.
1764	Blue gum (*Eucalyptus globulus*)	30	Fair	Cankers.
1765	Blue gum (*Eucalyptus globulus*)	100	Fair	Multiple upright stems.
1766	Plum (*Prunus x domestica*)	8	Poor	Multiple stems, 2 are greater than 4 inches.
1767	Plum (*Prunus x domestica*)	24	Poor	Multiple stems, 2 are greater than 4 inches.
1768	Blue gum (*Eucalyptus globulus*)	15	Fair	Moderately good form considering other trees in grove.
1769	Pine (*Pinus* sp.)	44	Fair	2 co-dominant stems.
1770	Red willow (*Salix laevigata*)	8	Good	Multiple stems. Tree typical of species.
1771	Coast live oak (*Quercus agrifolia*)	7	Good	In rock outcrop. Tree typical of species.
1772	Olive (*Olea europaea*)	16	Good	
1773	Deodar cedar (*Cedrus deodara*)	54	Good	
1774	Blackwood acacia (*Acacia melanoxylon*)	40	Fair	

Tree #	Common Name (*Species Name*)	DBH (inches)	Health Condition	Notes
1775	Plum (*Prunus x domestica*)	16	Poor	Poor form. Half of tree dead.
1776	Blue gum (*Eucalyptus globulus*)	48	Fair	
1777	Blue gum (*Eucalyptus globulus*)	72	Fair	
1778	Blue gum (*Eucalyptus globulus*)	15	Fair	
1779	Blue gum (*Eucalyptus globulus*)	11	Fair	
1780	Blue gum (*Eucalyptus globulus*)	19	Fair	
1781	Coast live oak (*Quercus agrifolia*)	42	Good	Nice specimen tree.
1782	Coast live oak (*Quercus agrifolia*)	40	Good	Tree has fallen over but is still alive.
1783	Big leaf maple (*Acer macrophyllum*)	52	Poor	Tree is half dead.
1784	Coast live oak (*Quercus agrifolia*)	27	Good	3 stems. Nice tree.
1785	Coast live oak (*Quercus agrifolia*)	51	Good	3 stems. Tree is on knoll outside of property boundary.

* TREE EVALUATION TABLES PREPARED BY: **TIMOTHY MILLIKEN** CERTIFIED ARBORIST AT LSA ASSOCIATES INC. ON JUNE 1, 2016.

Table B: Protected Tree Table – Aitken Property

Tree #	Common Name (*Species Name*)	DBH (inches)	Health Condition	Notes
1701	Aleppo pine (*Pinus halepensis*)	16	Good	One of three in grove.
1702	Aleppo pine (*Pinus halepensis*)	22	Good	One of three in grove.
1703	Aleppo pine (*Pinus halepensis*)	28	Good	One of three in grove.
1704	Coast live oak (*Quercus agrifolia*)	4	Good	On the fence line.
1705	Coast live oak (*Quercus agrifolia*)	5	Good	On other side of fence.
1706	Coast live oak (*Quercus agrifolia*)	5	Good	On the fence line.
1707	Coast live oak (*Quercus agrifolia*)	9	Good	On other side of fence.
1708	Coast live oak (*Quercus agrifolia*)	10	Good	On the fence line.
1709	California bay (*Umbellularia californica*)	200	Good	8 stems. Fairly typical for a wildland tree. Part of larger grove of bays growing in and around rock outcrop. Full canopy.
1710	California bay (*Umbellularia californica*)	60	Good	7 stems.
1711	California bay (*Umbellularia californica*)	60	Good	8 stems. Fairly typical for a wildland tree. Part of larger grove of bays growing in and around rock outcrop. Full canopy.
1712	California bay (*Umbellularia californica*)	90	Good	Many stems. One broken branch.
1713	California bay (*Umbellularia californica*)	48	Good	Giant tree with full canopy. Some rot in branches. These bays are irreplaceable and are a great asset to the property.
1714	California bay (*Umbellularia californica*)	48	Good	Asymmetric canopy normal for tree in grove setting. All trees bay trees are dependent on one another.
1715	Coast live oak (*Quercus agrifolia*)	15	Good	On other side of fence.
1716	Blue gum (*Eucalyptus globulus*)	52	Fair	Large tree with asymmetric canopy.
1717	Blue gum (*Eucalyptus globulus*)	24	Fair	Suppressed tree with rot in trunk.
1718	Blue gum (*Eucalyptus globulus*)	20	Fair	Dead top.
1719	Blue gum (*Eucalyptus globulus*)	32	Fair	Suppressed tree with rot in trunk.
1720	Blue gum (*Eucalyptus globulus*)	48	Fair	Large tree is typical of all trees in grove; asymmetric crown.
1721	Blue gum (*Eucalyptus globulus*)	24	Fair	
1722	Blue gum (*Eucalyptus globulus*)	14	Fair	Cavity in trunk.

6/23/16 (\\ptr11\projects\HLC1601 Aitken\Tree Inventory\Draft Aitken Tree Inventory (06-23-16).docx)

Tree #	Common Name (*Species Name*)	DBH (inches)	Health Condition	Notes
1723	Blue gum (*Eucalyptus globulus*)	16	Fair	Cavity in trunk.
1724	Blue gum (*Eucalyptus globulus*)	16	Fair	
1725	Blue gum (*Eucalyptus globulus*)	16	Fair	
1726	Blue gum (*Eucalyptus globulus*)	16	Fair	
1727	Blue gum (*Eucalyptus globulus*)	48	Fair	
1728	Blue gum (*Eucalyptus globulus*)	22	Fair	
1729	Blue gum (*Eucalyptus globulus*)	28	Fair	
1730	Blue gum (*Eucalyptus globulus*)	12	Fair	
1731	Blue gum (*Eucalyptus globulus*)	20	Fair	
1732	Blue gum (*Eucalyptus globulus*)	48	Fair	
1733	Blue gum (*Eucalyptus globulus*)	10	Fair	
1734	Blue gum (*Eucalyptus globulus*)	6	Poor	**Not protected**, DBH < 8 inches. Most of trunk rotten.
1735	Blue gum (*Eucalyptus globulus*)	18	Fair	Moderately good form considering other trees in grove.
1736	Blue gum (*Eucalyptus globulus*)	42	Fair	Moderately good form considering other trees in grove.
1737	Blue gum (*Eucalyptus globulus*)	23	Fair	
1738	Blue gum (*Eucalyptus globulus*)	22	Fair	
1739	Blue gum (*Eucalyptus globulus*)	18	Poor	2 stems. Poor form. Half of tree dead.
1740	Blue gum (*Eucalyptus globulus*)	28	Poor	Leans.
1741	Blue gum (*Eucalyptus globulus*)	19	Fair	
1742	Blue gum (*Eucalyptus globulus*)	50	Fair	Leans.
1743	Blue gum (*Eucalyptus globulus*)	19	Fair	Broken top.
1744	Blue gum (*Eucalyptus globulus*)	72	Fair	2 stems. Poor form. Half of tree dead.
1745	Blue gum (*Eucalyptus globulus*)	12	Poor	Poor form. Leans.
1746	Blue gum (*Eucalyptus globulus*)	36	Fair	
1747	Blue gum (*Eucalyptus globulus*)	30	Fair	
1748	Blue gum (*Eucalyptus globulus*)	6	Fair	**Not protected**, DBH < 8 inches.

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CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

NO	DATE	DESCRIPTION
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CAD DWG FILE:	479500CL.DWG
DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
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SCALE:	AS SHOWN

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TREE INVENTORY AND TREE PROTECTION NOTES

L1.3

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ALL DISTURBED HILLSIDES SHALL BE REVEGETATED WITH A COMBINATION OF:
- PRIVATE ENCLOSED REAR YARDS - HYDROSEEDED (NON IRRIGATED)
- HOA MAINTAINED HILLSIDE
  - HYDROSEEDED (NON IRRIGATED)
  - PLUS ADDITIONAL 1 GALLON PLANTS (APROXIMATELY COVERING 10% OF THE AREA)
    - PLANTS SHALL BE PLACED IN NATURAL LOOKING GROUPINGS (LOCATED IN FIELD BY PROJECT LANDSCAPE ARCHITECT)
    - PLANT SPACING SHALL BE RANDOM WITH NO DISTINCTIVE PATTERN.
    - IN ADDITION JUTE NETTING OR COMPOST BLANKET SHALL BE PROVIDED ON ALL SLOPES EXCEEDING 3:1.

3'-0" TALL DECORATIVE STONE WALL, TYPICAL

6'-0" TALL PERIMETER FENCE, TYPICAL

ENTRY GATE WITH PILASTERS AND MEDIAN PLANTER.

6'-0" TALL ENTRY MONUMENT SIGN, TYPICAL

PROPOSED HILLSIDE PLANTING CLUSTERS, TYPICAL

MAINTENANCE BAND, TYPICAL

STONE PILASTER, TYPICAL

GOOD NEIGHBOR FENCE, TYPICAL

VIEW FENCE ON RETAINING WALL, TYPICAL

"DRY COBBLE SWALE", TYPICAL
SEE SHEET L7.2 FOR CONCEPT IMAGE

EXISTING TREE TO REMAIN, TYPICAL

LIMIT OF WORK

LIMIT OF WORK

COVERED RAIN CATCHMENT DEVICE PER CITY REQUIREMENT, TYPICAL

VEHICULAR RATED CONCRETE PAVERS IN DRIVEWAY, TYPICAL

PEDESTRIAN RATED CONCRETE PAVERS IN FRONT WALK, TYPICAL

STREET TREE, TYPICAL

RETAINING WALL PER CIVIL ENGINEER, TYPICAL

SIDEWALK PER CIVIL ENGINEER, TYPICAL

1783 1785 1784 1701 1702 1704 1705 1706 1707 1708

CALLE CERVO

VIA DEL CORSO

CARDEN LANE

MATCHLINE, SEE SHEET L2.2

MATCHLINE, SEE SHEET L2.3

MATCHLINE, SEE SHEET L2.3

GRAPHIC SCALE
20 0 10 20 40 80
(In Feet)
1 inch = 20 feet

NOTES:
1. LANDSCAPE STATEMENT: "I HAVE COMPLIED WITH THE CRITERIA OF CITY OF HAYWARD BAY-FRIENDLY WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN."
2. FRONT YARD LANDSCAPE SHALL BE MAINTAINED BY HOME OWNERS ASSOCIATION. REAR ENCLOSED YARDS SHALL BE MAINTAINED BY THE HOMEOWNER.
3. MINIMUM 12" WIDE BAND OF NOIYA COBBLESTONE SHALL BE PROVIDED AROUND OVERFLOW CATCH BASIN OR BUBBLE UP BASIN.
4. ROOT BARRIERS SHALL BE INSTALLED LINEARLY AGAINST THE PAVING EDGE IN ALL INSTANCES WHERE A TREE IS PLANTED WITHIN 7' OF PAVEMENT OR BUILDINGS, AND AS DIRECTED BY THE LANDSCAPE ARCHITECT.
5. SEE SHEET L3.1 FOR PLANT LEGEND AND NOTES.
6. SEE SHEET L3.2 - L3.3 FOR PLANTING DETAILS.
7. SEE SHEET L4.1 FOR HYDORZONE PLAN.
8. SEE SHEET L5.1 IRRIGATION DETAILS.

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LANDSCAPE PLAN

L2.1

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GRAPHIC SCALE
20 0 10 20 40 80
(In Feet)
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LANDSCAPE PLAN

L2.2

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SIDEWALK PER CIVIL ENGINEER, TYPICAL

PROPOSED HILLSIDE PLANTING CLUSTERS, TYPICAL.

"DRY COBBLE SWALE", TYPICAL
SEE SHEET L7.2 FOR CONCEPT IMAGE

MATCHLINE, SEE SHEET L2.1

MATCHLINE, SEE SHEET L2.2

MATCHLINE, SEE SHEET L2.2

VIA DEL CORSO

CALLE CERVO

LIMIT OF WORK

LIMIT OF WORK

LIMIT OF WORK

STREET TREE, TYPICAL

PERIMETER FENCE, TYPICAL

ALL DISTURBED HILLSIDES SHALL BE REVEGETATED WITH A COMBINATION OF:
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- HOA MAINTAINED HILLSIDE
  - HYDROSEEDED (NON IRRIGATED)
  - PLUS ADDITIONAL 1 GALLON PLANTS (APROXIMATELY COVERING 10% OF THE AREA)
    - PLANTS SHALL BE PLACED IN NATURAL LOOKING GROUPINGS (LOCATED IN FIELD BY PROJECT LANDSCAPE ARCHITECT)
    - PLANT SPACING SHALL BE RANDOM WITH NO DISTINCTIVE PATTERN.
    - IN ADDITION JUTE NETTING OR COMPOST BLANKET SHALL BE PROVIDED ON ALL SLOPES EXCEEDING 3:1.

PEDESTRIAN RATED CONCRETE PAVERS IN FRONT WALK, TYPICAL

VEHICULAR RATED CONCRETE PAVERS IN DRIVEWAY, TYPICAL

RETAINING WALL PER CIVIL ENGINEER, TYPICAL

GOOD NEIGHBOR FENCE, TYPICAL

COVERED RAIN CATCHMENT DEVICE PER CITY REQUIREMENT, TYPICAL

EXISTING TREE TO REMAIN, TYPICAL

GRAPHIC SCALE
20 0 10 20 40 80
(In Feet)
1 inch = 20 feet

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2. FRONT YARD LANDSCAPE SHALL BE MAINTAINED BY HOME OWNERS ASSOCIATION. REAR ENCLOSED YARDS SHALL BE MAINTAINED BY THE HOMEOWNER.
3. MINIMUM 12" WIDE BAND OF NOIYA COBBLESTONE SHALL BE PROVIDED AROUND OVERFLOW CATCH BASIN OR BUBBLE UP BASIN.
4. ROOT BARRIERS SHALL BE INSTALLED LINEARLY AGAINST THE PAVING EDGE IN ALL INSTANCES WHERE A TREE IS PLANTED WITHIN 7' OF PAVEMENT OR BUILDINGS, AND AS DIRECTED BY THE LANDSCAPE ARCHITECT.
5. SEE SHEET L3.1 FOR PLANT LEGEND AND NOTES.
6. SEE SHEET L3.2 - L3.3 FOR PLANTING DETAILS.
7. SEE SHEET L4.1 FOR HYDORZONE PLAN.
8. SEE SHEET L5.1 IRRIGATION DETAILS.

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LANDSCAPE PLAN

L2.3

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PLANTING PLAN NOTES

CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO FURNISH AND INSTALL PLANT MATERIAL AS SHOWN ON THE DRAWINGS AND AS DESCRIBED IN THE SPECIFICATIONS.

UNLESS DESIGNATED ON THE DRAWINGS OTHERWISE, STRUCTURAL IMPROVEMENTS AND HARDSCAPE SHALL BE INSTALLED PRIOR TO PLANTING OPERATIONS.

PLANT LIST ON THE DRAWINGS SHALL BE USED AS A GUIDE ONLY. CONTRACTOR SHALL TAKEOFF AND VERIFY SIZES AND QUANTITIES BY PLAN CHECK.

A SOIL MANAGEMENT REPORT SHALL BE PROVIDED BY LANDSCAPE CONTRACTOR AND SOIL AMENDMENTS SHALL BE FOLLOWED PER THE REPORT. PHYSICAL COPIES OF THE SOIL MANAGEMENT REPORT SHALL BE PROVIDED TO THE CLIENT, PROJECT LANDSCAPE ARCHITECT AND LOCAL AGENCY AS REQUIRED. THE SOIL MANAGEMENT REPORT SHALL CONFORM TO STATE AB1881 WATER EFFICIENT LANDSCAPE ORDINANCE (WELO) OR LOCAL AGENCY ADOPTED WELO. CONTRACTOR SHALL OBTAIN A SOILS MANAGEMENT REPORT AFTER GRADING OPERATIONS AND PRIOR TO PLANT INSTALLATION.

SAMPLES OF FERTILIZERS, ORGANIC AMENDMENT, SOIL CONDITIONERS, AND SEED SHALL BE SUBMITTED PRIOR TO INCORPORATION. CONTRACTOR SHALL FURNISH TO THE OWNER'S AUTHORIZED REPRESENTATIVE A CERTIFICATE OF COMPLIANCE FOR SUCH FURNISHED MATERIALS.

ALL WORK ON THE IRRIGATION SYSTEM, INCLUDING HYDROSTATIC, COVERAGE, AND OPERATIONAL TESTS AND THE BACKFILLING AND COMPACTION OF TRENCHES SHALL BE PERFORMED PRIOR TO PLANTING OPERATIONS.

LOCATIONS OF PLANT MATERIAL SHALL BE REVIEWED ON SITE BY THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION.

TREES SHALL BE PLANTED NO CLOSER THAN TEN FEET (10') FROM UTILITIES.

ROOT BARRIERS SHALL BE LOCATED LINEARLY AGAINST THE PAVING EDGE IN ALL INSTANCES WHERE A TREE IS PLANTED WITHIN SEVEN FEET OF PAVEMENT OR BUILDINGS AS DIRECTD BY LANDSCAPE ARCHITECT.

ALL PLANTING AREAS TO RECEIVE 3" THICK BARK MULCH LAYER. BARK MULCH SHALL BE LYNGSO SMALL FIR BARK (3/4" TO 1-1/2") OR APPROVED EQUAL.

ALL PLANT MATERIAL SHALL BE SELECTED IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1) FOR STANDARD FORM TREES, CALIPER SIZE SHALL BE MEASURED 6" ABOVE THE SOIL LINE FOR CALIPERS EQUAL TO OR LESS THAN 4" FOR CALIPERS GREATER THAN 4", CALIPER SHALL BE MEASURES 12" ABOVE THE SOIL LINE. FOR MULTI-TRUNK TREES THE CALIPER SHALL BE ESTABLISHED BY TAKING THE AVERAGE OF THE CALIPER OF THE TWO LARGEST TRUNKS. CALIPER IS MEASURED 6" ABOVE ORIGINATION POINT OF THE SECOND LARGEST TRUNK OR 6" ABOVE GROUND IF ALL TRUNKS ORIGINATE FROM THE SOIL.

CALIPER SIZES STANDARDS:
15 GALLON: 0.75-1.25"
24" BOX: 1.25-2"
36" BOX: 2-3.5"
48" BOX: 3.5-5"
60" BOX: 4-6"

WATER NEEDS CATEGORY BASED ON WUCOLS IV (JANUARY 2014) LANDSCAPE COEFFICIENT METHOD:

CATEGORY	*PERCENTAGE OF ETo*
(H) HIGH:	0.7-0.9
(M) MEDIUM:	0.4-0.6
(L) LOW:	0.1-0.3
(VL) VERY LOW:	<0.1

*PLANTS SELECTED FOR HILLSIDE PLANTING WITH TEMPORARY IRRIGATION.

PROPOSED PLANT PALETTE

	SYMBOL		BOTANICAL NAME	COMMON NAME	MINIMUM CONTAINER SIZE	HxW	WUCOLS WATER USE
TREES							
		M	ACER FREEMANII X 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE	24" BOX	60' X 40'	M
		L	ARBUTUS 'MARINA'	STRAWBERRY TREE	24" BOX	40' X 40'	L
		L	ARBUTUS UNEDO	STRAWBERRY TREE	24" BOX	12 X 12'	L
		VL	CERCIS OCCIDENTALIS	WESTERN REDBUD	24" BOX	20' X 20'	VL
		VL	OLEA EUROPAEA 'WILSONII'	FRUITLESS OLIVE	24" BOX	30' X 25'	VL
		M	PRUNUS CERASIFERA 'PURPLE PONY'	PURPLE PONY CHERRY PLUM	24" BOX	12' X 12'	M
		VL	QUERCUS DOUGLASII	BLUE OAK	24" BOX	45' X 40'	VL
SHRUBS AND GRASSES							
SYMBOLS REPRESENTING LARGE SHRUBS (48" - 60")			ANIGOZANTHOS 'YELLOW GEM'	YELLOW RED KANGAROO PAW	1 GALLON	3' X 3'	L
		*	ARBUTUS UNEDO 'COMPACTA'	COMPACT STRAWBERRY TREE	1 GALLON	8' X 8'	L
			BERBERIS THUNBERGII	JAPANESE BARBERRY	1 GALLON	5' X 5'	M
			BUXUS JAPONICA 'GREEN BEAUTY'	GREEN BEAUTY BOXWOOD	1 GALLON	5' X 5'	M
			CARPENTERIA CALIFORNICA	BUSH ANEMONE	5 GALLON	5' X 7'	M
		*	CEANOTHUS 'DARK STAR'	DARK STAR CEANOTHUS	1 GALLON	5' X 6'	L
			CISTUS X HYBRIDUS	WHITE ROCKROSE	1 GALLON	5' X 5'	L
SYMBOLS REPRESENTING MEDIUM SHRUBS (24" - 48")			DIETES BICOLOR	FORTNIGHT LILY	1 GALLON	2' X 2'	L
			ECHINACEA PURPUREA	PURPLE CONEFLOWER	1 GALLON	4' X 2'	M
			HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GALLON	2' X 2'	L
			LAVANDULA ANGUSTIFOLIA 'MISS MUFFET'	ENGLISH LAVANDER 'MISS MUFFET'	1 GALLON	3' X 3'	L
			LEUCADENDRON DISCOLOR	CONE BUSH	1 GALLON	6' X 6'	L
		*	PHLOMIS FRUTICOSA	JERUSALEM SAGE	1 GALLON	4' X 4'	L
SYMBOLS REPRESENTING SMALL SHRUBS (18" - 24")			PHORMIUM 'ED CARMEN'	NEW ZEALAND FLAX	1 GALLON	3' X 3'	L
			POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GALLON	3' X 3'	M
		*	ROSMARINUS OFFICINALIS	ROSEMARY	1 GALLON	4' X 4'	L
		*	SALVIA PACHYPHYLLA	BLUE SAGE	1 GALLON	3' X 3'	L
		*	SALVIA SPATHACEA	HUMMINGBIRD SAGE	1 GALLON	2' X 4'	L
		*	STIPA PULCHRA	PURPLE NEEDLE GRASS	1 GALLON	3' X 2'	VL
GROUNDCOVER						HxW (SPACING)	
		*	ARCTOSTAPHYLOS	'EMERALD CARPET' - CARPET MANZANITA	1 GALLON	1' X 5' (SPACED 4' O.C.)	M
		*	CEANOTHUS 'CENTENNIAL'	CENTENNIAL CEANOTHUS	1 GALLON	2' X 10' (SPACED 8' O.C.)	L
			ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	1 GALLON	1' X 3' (SPACED 3' O.C.)	L
			JUNIPERUS HOTIZONTALIS' BLUE CHIP'	CREEPING JUNIPER	1 GALLON	1' X 8' (SPACED 7' O.C.)	L
			LANTANA MONTEVIDENSIS	TRAILING LANTANA	1 GALLON	1' X 5' (SPACED 4' O.C.)	L
			LAVANDULA ANGUSTIFOLIA	ENGLISH LAVANDER	1 GALLON	2' X 2' (SPACED 2' O.C.)	L
BIO-TREATMENT							
			CHONDROPETALUM TECTORUM	SMALL CAPE RUSH	1 GALLON	3' X 3'	L
			FESTUCA CALIFORNIA	CALIFORNIA FESCUE	1 GALLON	3' X 2'	L
			JUNCUS PATENS	BLUE RUSH	1 GALLON	2' X 2' (SPACED 4' O.C.)	L
			SALVIA CLEVELANDII	BLUE SAGE	1 GALLON	5' X 5'	L

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CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

NO	DATE	DESCRIPTION

PROJECT NO:	4795.00
CAD DWG FILE:	479500CL.DWG
DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	NOT TO SCALE

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PLANTING LEGEND AND NOTES

L3.1

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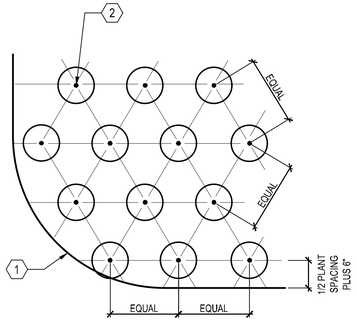
NOTES:
1. ALL PLANTS TO BE PLANTED AT EQUAL SPACING "TRIANGULATED" UNLESS OTHERWISE INDICATED ON PLANS.
2. INFILL PLANTS AS REQUIRED TO MAINTAIN SPACING AT IRREGULAR EDGES.

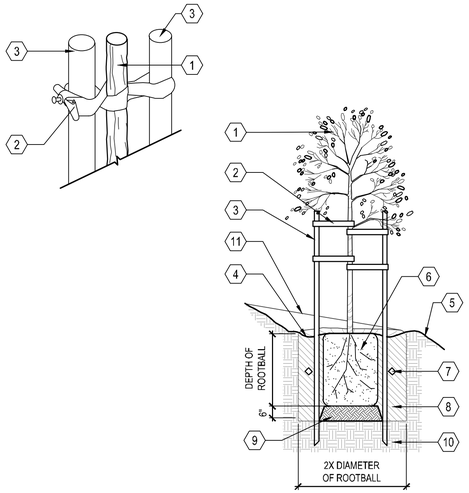
1. EDGE OF PLANTING AREA
2. TYPICAL PLANT SPACING VARIES SEE PLANTING LEGEND AND PLANS.



E GROUNDCOVER SPACING
SCALE: N.T.S.

NOTES:
1. SEE PLANTING SPECIFCATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.
2. THIS DETAIL APPLIES TO 15 GALLON, 24" AND 36" BOX TREES.
3. ROOTBALL CROWN TO EXTEND 1" ABOVE FINISH GRADE.
4. TREES INSTALLED WITHIN TURF AREAS SHALL BE INSTALLED WITH 'ARBOR-GARD' AT BASE OF TRUNK.

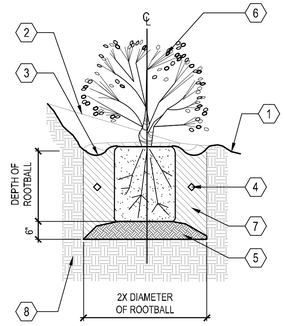
1. TREE-SEE PLAN FOR SIZE AND TYPE
2. CINCH TIE OR APPROVED EQUAL
3. 2" DIAMETER TREATED LODGE POLE PINE STAKE PLACED ON WINDWARD SIDES OF TREE, AND OUTSIDE OF ROOTBALL
4. A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE. TREES PLANTED IN TURF SHALL NOT HAVE BASINS.
5. FINISH GRADE
6. ROOTBALL
7. AGRIFORM PLANT TABLETS 3 PER 15 GALLON, 6 PER 24" BOX AND 8 FOR 36" BOX
8. APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION. PUDDLE AND SETTLE PRIOR TO PLANTING TREE.
9. FOOT TAMP BASE
10. NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE
11. EDGE OF SLOPE BEYOND



F TREE STAKING SLOPE (DOUBLE)
SCALE: N.T.S.

NOTES:
1. SEE PLANTING SPECIFCATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.
2. ROOTBALL CROWN TO BE 1" ABOVE FINISH GRADE.

1. FINISH GRADE
2. EDGE OF SLOPE BEYOND
3. A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE
4. AGRIFORM PLANT TABLETS 2 PER 1 GALLON, 3 PER 5 AND 15 GALLON
5. FOOT TAMP BASE
6. SHRUB-SEE PLAN AND LEGEND FOR SIZE AND TYPE
7. APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION
8. NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE



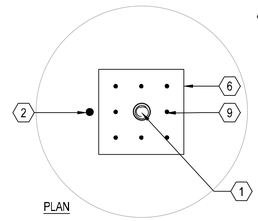
C SHRUB PLANTING ON SLOPE
SCALE: N.T.S.

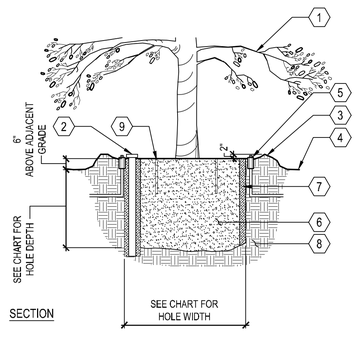
NOTES:
1. SEE PLANTING SPECIFCATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.

HOLE SIZING CHART

BOX SIZE	24"	36"	48"	54"	60"
HOLE DEPTH	23"	34"	43"	44"	44"
HOLE WIDTH	36"	48"	60"	66"	72"

1. TREE-SEE PLAN FOR SIZE AND TYPE
2. 4" DIAMETER PLASTIC DRAIN PIPE WITH REMOVABLE CAP FOR MAINTENANCE CHECK. PIPE TO BE SET 1" ABOVE GRADE
3. A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL.
4. FINISH GRADE
5. IRRIGATION HEAD (TYPICAL) SEE IRRIGATION PLAN FOR QUANTITY
6. ROOTBALL
7. NATIVE BACKFILL AROUND ROOTBALL. RUN WATER INTO PLANTING HOLE WHILE BACKFILLING TO HELP SETTLE THE BACKVILL AND AVOID VOIDS OR AIR POCKETS. TAMP FREQUENTLY.
8. NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE
9. 2"-3" DIAMETER HOLES, 3/4 THE DEPTH OF THE CONTAINER. FILL HOLES WITH COARSE SAND AND OSMOCOTE 15-9-10 @ 20 POUNDS PER CUBIC YARD. *4 HOLES FOR A 6" DIAMETER TREE TRUNK *8 HOLES FOR A 6-12" OR LARGER DIAMETER TREE TRUNK



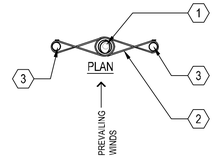


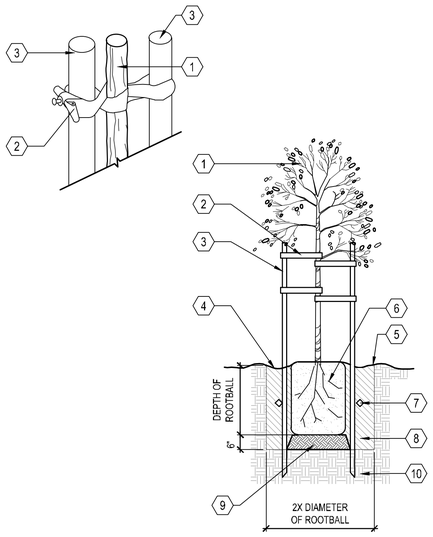
SECTION

D OLIVE TREE PLANTING
SCALE: N.T.S.

NOTES:
1. SEE PLANTING SPECIFCATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.
2. THIS DETAIL APPLIES TO 15 GALLON AND 24" BOX TREES.
3. ROOTBALL CROWN TO EXTEND 1" ABOVE FINISH GRADE.
4. TREES INSTALLED WITHIN TURF AREAS SHALL BE INSTALLED WITH 'ARBOR-GARD' AT BASE OF TRUNK.

1. TREE-SEE PLAN FOR SIZE AND TYPE
2. CINCH TIE OR APPROVED EQUAL
3. 2" DIAMETER TREATED LODGE POLE PINE STAKE PLACED ON WINDWARD SIDES OF TREE, AND OUTSIDE OF ROOTBALL
4. A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE. TREES PLANTED IN TURF SHALL NOT HAVE BASINS.
5. FINISH GRADE
6. ROOTBALL
7. AGRIFORM PLANT TABLETS 3 PER 15 GALLON, 6 PER 24" BOX AND 8 FOR 36" BOX
8. APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION. PUDDLE AND SETTLE PRIOR TO PLANTING TREE.
9. FOOT TAMP BASE
10. NATIVE GRADE

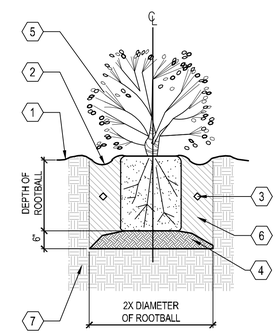




A TREE STAKING (DOUBLE)
SCALE: N.T.S.

NOTES:
1. SEE PLANTING SPECIFCATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.
2. ROOTBALL CROWN TO BE 1" ABOVE FINISH GRADE.

1. FINISH GRADE
2. A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE
3. AGRIFORM PLANT TABLETS 2 PER 1 GALLON, 3 PER 5 AND 15 GALLON
4. FOOT TAMP BASE
5. SHRUB-SEE PLAN AND LEGEND FOR SIZE AND TYPE
6. APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION
7. NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE



B SHRUB PLANTING
SCALE: N.T.S.

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CAVALLO HIGHLANDS
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NO	DATE	DESCRIPTION

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DRAWN BY:	JH
CHECKED BY:	BG
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PLANTING DETAILS

L3.2

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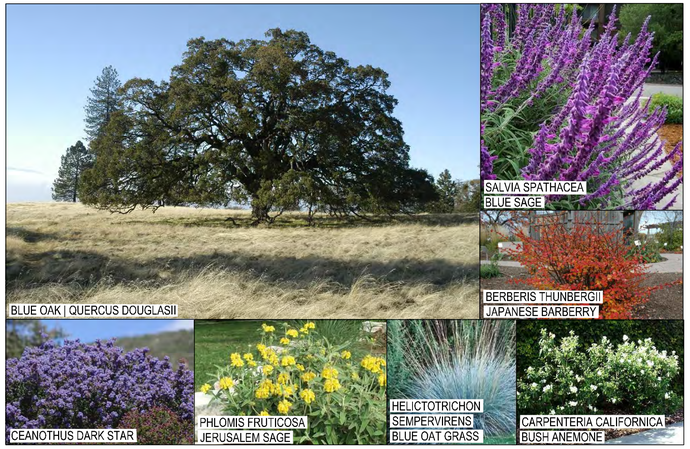
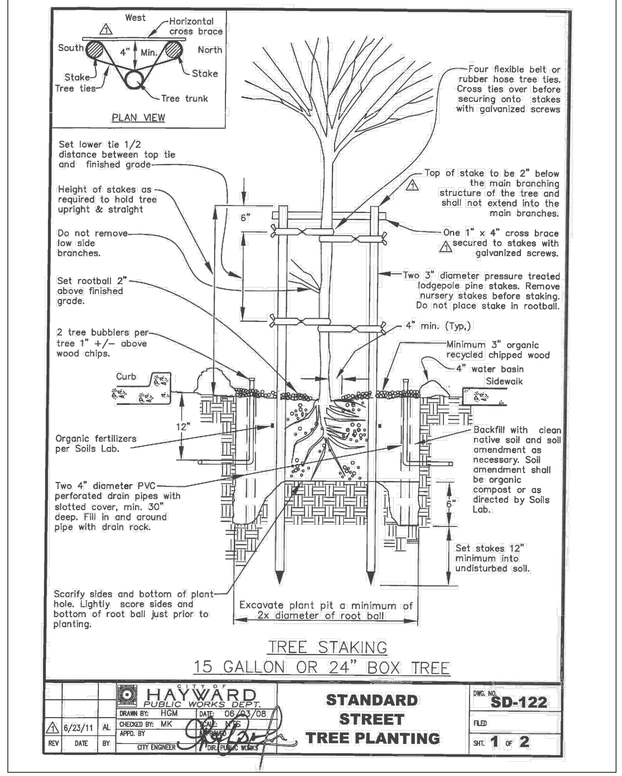


E HILLSIDE PLANTING CLUSTER
NTS

B MULTI TRUNK FRUITLESS OLIVE TREE
NTS

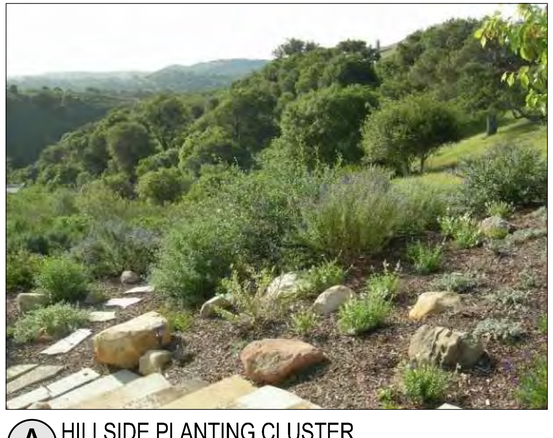


F BIOTREATMENT PLANTING
NTS

C LAVENDER MASS PLANTING
NTS

F HILLSIDE PLANTING WITH TEMPORARY IRRIGATION
NTS

D BLUE OAK TREE
NTS



A HILLSIDE PLANTING CLUSTER
NTS

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PLANTING DETAILS

L3.3

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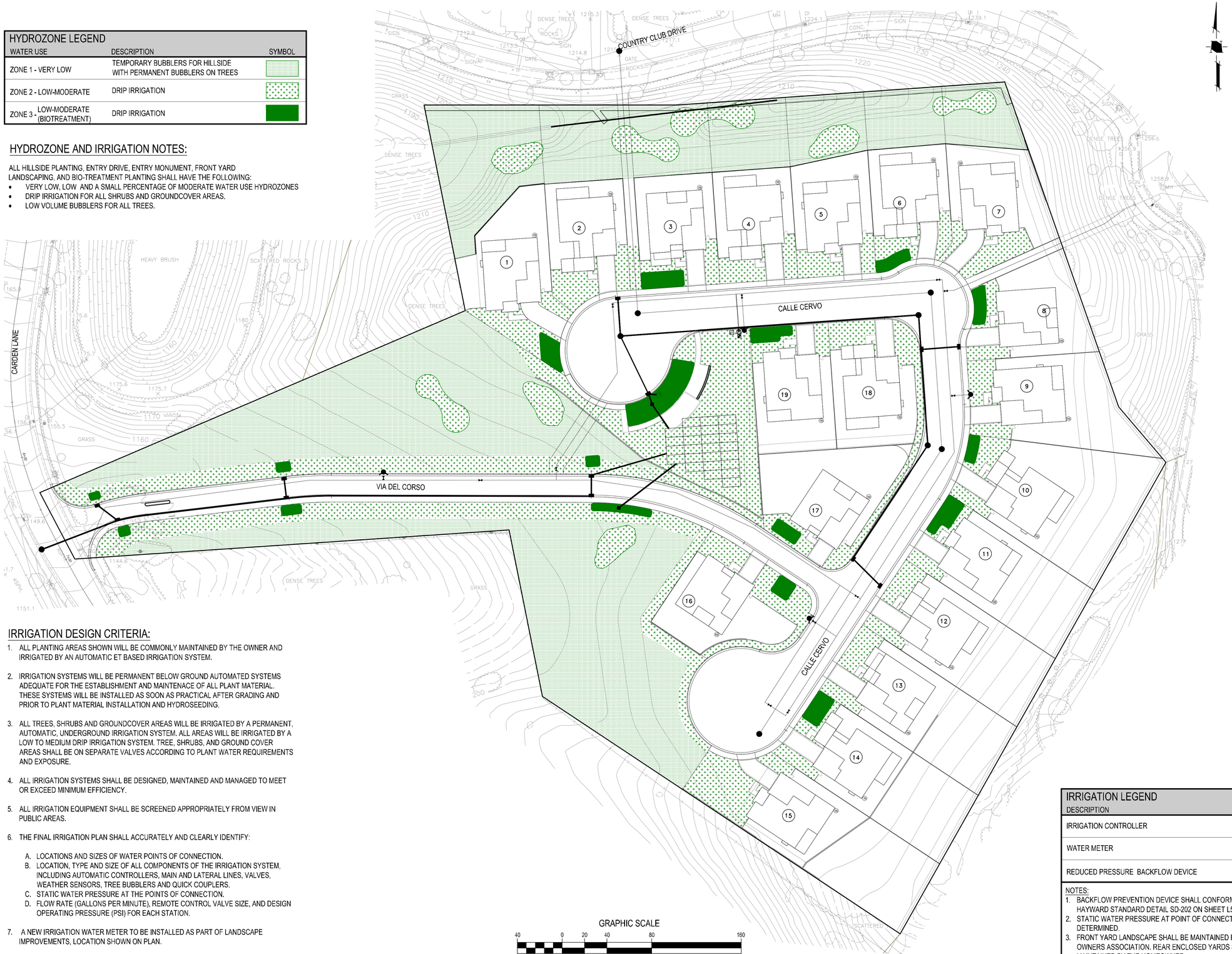
HYDROZONE LEGEND		
WATER USE	DESCRIPTION	SYMBOL
ZONE 1 - VERY LOW	TEMPORARY BUBBLERS FOR HILLSIDE WITH PERMANENT BUBBLERS ON TREES	
ZONE 2 - LOW-MODERATE	DRIP IRRIGATION	
ZONE 3 - LOW-MODERATE (BIOTREATMENT)	DRIP IRRIGATION	

HYDROZONE AND IRRIGATION NOTES:

ALL HILLSIDE PLANTING, ENTRY DRIVE, ENTRY MONUMENT, FRONT YARD LANDSCAPING, AND BIO-TREATMENT PLANTING SHALL HAVE THE FOLLOWING:

- VERY LOW, LOW AND A SMALL PERCENTAGE OF MODERATE WATER USE HYDROZONES
- DRIP IRRIGATION FOR ALL SHRUBS AND GROUNDCOVER AREAS.
- LOW VOLUME BUBBLERS FOR ALL TREES.



IRRIGATION DESIGN CRITERIA:

1. ALL PLANTING AREAS SHOWN WILL BE COMMONLY MAINTAINED BY THE OWNER AND IRRIGATED BY AN AUTOMATIC ET BASED IRRIGATION SYSTEM.
2. IRRIGATION SYSTEMS WILL BE PERMANENT BELOW GROUND AUTOMATED SYSTEMS ADEQUATE FOR THE ESTABLISHMENT AND MAINTENACE OF ALL PLANT MATERIAL. THESE SYSTEMS WILL BE INSTALLED AS SOON AS PRACTICAL AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND HYDROSEEDING.
3. ALL TREES, SHRUBS AND GROUNDCOVER AREAS WILL BE IRRIGATED BY A PERMANENT, AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM. ALL AREAS WILL BE IRRIGATED BY A LOW TO MEDIUM DRIP IRRIGATION SYSTEM. TREE, SHRUBS, AND GROUND COVER AREAS SHALL BE ON SEPARATE VALVES ACCORDING TO PLANT WATER REQUIREMENTS AND EXPOSURE.
4. ALL IRRIGATION SYSTEMS SHALL BE DESIGNED, MAINTAINED AND MANAGED TO MEET OR EXCEED MINIMUM EFFICIENCY.
5. ALL IRRIGATION EQUIPMENT SHALL BE SCREENED APPROPRIATELY FROM VIEW IN PUBLIC AREAS.
6. THE FINAL IRRIGATION PLAN SHALL ACCURATELY AND CLEARLY IDENTIFY:
   A. LOCATIONS AND SIZES OF WATER POINTS OF CONNECTION.
   B. LOCATION, TYPE AND SIZE OF ALL COMPONENTS OF THE IRRIGATION SYSTEM, INCLUDING AUTOMATIC CONTROLLERS, MAIN AND LATERAL LINES, VALVES, WEATHER SENSORS, TREE BUBBLERS AND QUICK COUPLERS.
   C. STATIC WATER PRESSURE AT THE POINTS OF CONNECTION.
   D. FLOW RATE (GALLONS PER MINUTE), REMOTE CONTROL VALVE SIZE, AND DESIGN OPERATING PRESSURE (PSI) FOR EACH STATION.
7. A NEW IRRIGATION WATER METER TO BE INSTALLED AS PART OF LANDSCAPE IMPROVEMENTS, LOCATION SHOWN ON PLAN.

GRAPHIC SCALE
40 0 20 40 80 160
(In Feet)
1 inch = 40 feet

IRRIGATION LEGEND	
DESCRIPTION	SYMBOL
IRRIGATION CONTROLLER	IA
WATER METER	M
REDUCED PRESSURE BACKFLOW DEVICE	

NOTES:
1. BACKFLOW PREVENTION DEVICE SHALL CONFORM TO CITY OF HAYWARD STANDARD DETAIL SD-202 ON SHEET L5.1.
2. STATIC WATER PRESSURE AT POINT OF CONNECTION TO BE DETERMINED.
3. FRONT YARD LANDSCAPE SHALL BE MAINTAINED BY HOME OWNERS ASSOCIATION. REAR ENCLOSED YARDS SHALL BE MAINTAINED BY THE HOMEOWNER.
4. SEE SHEET L5.1 IRRIGATION DETAILS.
5. SEE SHEET L6.1 FOR WATER EFFICIENCY CALCULATIONS.

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HAYWARD,CA

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DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	1" = 40'

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HYDROZONE PLAN

L4.1

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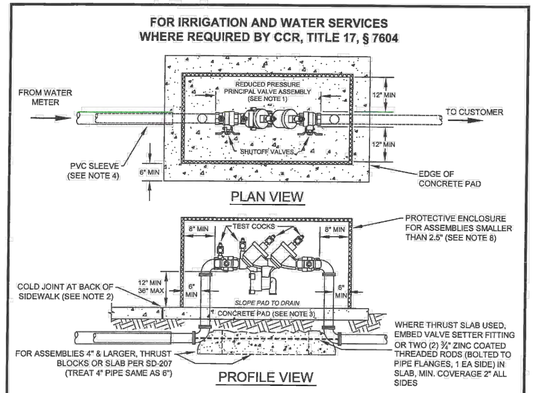


NOTES:
1. ALLOWED BACKFLOW ASSEMBLIES AND THEIR ORIENTATIONS SHALL BE LIMITED TO THOSE SPECIFIED ON THE "LIST OF APPROVED BACKFLOW PREVENTION ASSEMBLIES," BY THE UNIVERSITY OF SOUTHERN CALIFORNIA'S FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC RESEARCH, 2010 OR LATEST REVISION.
2. THE BACKFLOW DEVICE SHALL BE LOCATED: (A) A MAXIMUM OF 5' FROM BACK OF SIDEWALK (TYP.); (B) WHERE SCREENING IS REQUIRED, A MAXIMUM OF 30" FROM BACK OF SIDEWALK; OR (C) AT A LOCATION DETERMINED BY THE WATER DISTRIBUTION CROSS CONNECTION PERSONNEL IN THE FIELD.
3. CONCRETE PAD SHALL BE CLASS B CONCRETE, 4" MINIMUM THICKNESS, REINFORCED WITH WELDED WIRE MESH.
4. WHERE SERVICE LINES SMALLER THAN 4" PASS UNDER A SIDEWALK, THEY SHALL BE INSTALLED IN A PVC CASING/SLEEVE AT LEAST 1" LARGER THAN THE SERVICE LINE AND EXTENDS AT LEAST 6" BEYOND THE EDGES OF THE SIDEWALK.
5. METAL PIPES EXPOSED TO SOIL OR CONCRETE SHALL BE COATED WITH 3M SCOTCHWRAP PIPE PRIMER AND WRAPPED WITH 3M SCOTCHWRAP NO. 51 BLACK PVC TAPE (½" OVERLAP).
6. THE PORTION OF THE TRENCH FROM BACK OF METER TO THE DEVICE SHALL REMAIN OPEN UNTIL WATER DISTRIBUTION CROSS CONNECTION PERSONNEL HAVE INSPECTED AND APPROVED THE INSTALLATION.
7. THE TESTING SIDE OF THE DEVICE SHALL HAVE A MINIMUM 24" OF CLEARANCE FROM OBSTRUCTIONS (NON-TRIMABLE LANDSCAPING, BUILDINGS, UTILITIES, ETC.). MULTIPLE BACKFLOW DEVICES SHALL BE SEPARATED BY A MINIMUM OF 18".
8. BACKFLOW ASSEMBLIES SMALLER THAN 2.5" SHALL BE COVERED WITH AN INSULATION BLANKET, MIN R-13, GREEN, WEATHERGUARD OR EQUAL AND PROTECTED BY A LOCKABLE WIRE CAGE ENCLOSURE FASTENED TO THE PAD. THE ENCLOSURE SHALL BE HINGED, POWDER COATED GREEN AND SECURED WITH A DOUBLE-LOCKED GALVANIZED CHAIN SUCH THAT EITHER LOCK CAN RELEASE THE CHAIN. ONE LOCK WILL BE SUPPLIED BY CITY.
9. BACKFLOW ASSEMBLIES 2.5" AND LARGER SHALL BE SECURED BY A DOUBLE-LOCKED, GALVANIZED, STRAIGHT LINK CHAIN THAT LOCKS THE VALVE HANDWHEELS IN THE OPEN POSITION AND EITHER LOCK CAN RELEASE THE CHAIN. ONE LOCK WILL BE SUPPLIED BY CITY. IN AREAS PRONE TO VANDALISM, CITY MAY ADDITIONALLY REQUIRE A LOCKABLE PROTECTIVE ENCLOSURE (SEE NOTE 8).
10. BOLLARDS MAY BE REQUIRED BY CITY TO PROVIDE ADDITIONAL PROTECTION (SEE SD-223 FOR BOLLARD DETAIL).
11. BACKFLOW ASSEMBLIES INSTALLED ON POTABLE WATER SERVICES SHALL BE LEAD FREE.
12. BACKFLOW ASSEMBLIES SHALL BE AT LEAST THE SIZE OF THE WATER METER OR THE WATER SUPPLY LINE ON THE PROPERTY SIZE OF THE METER, WHICHEVER IS LARGER.

CITY OF HAYWARD PUBLIC WORKS DEPT.

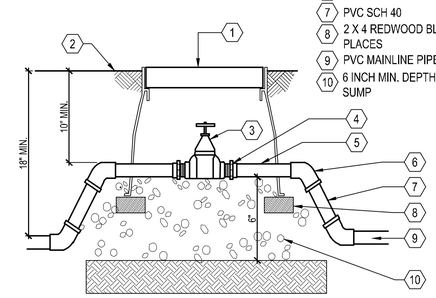
REV	DATE	BY	
			DRW BY: RS DATE: 11/30/12
			CHKD BY: AA SCALE: NTS
			APPD. BY: APPROVED:
			CITY ENGINEER DIR. PUBLIC WORKS

STANDARD - REDUCED PRESSURE PRINCIPAL BACKFLOW PREVEN-TION ASSEMBLIES

DWG. NO. SD-202
FILED
SHT. 1 OF 1

NOTES:
1. PLACE AGGREGATE PRIOR TO INSTALLATION OF VALVE BOX
2. INSTALL VALVE BOX SO TOP OF BOX IS FLUSH WITH ADJACENT HARDSCAPE

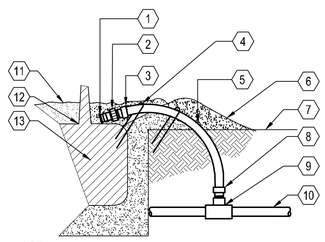
1. VALVE BOX (CARSON 910-12B) OR EQUAL W/ GREEN LID
2. FINISHED GRADE/ BEFORE PLANTING
3. GATE VALVE: SEE LEGEND FOR MAKE AND MODEL LINE SIZE
4. SCH 40 PVC MALE ADAPTOR
5. PVC SCH 40 MIN 8" LONG
6. PVC 45 FITTING SCH 40 (TYP.)
7. PVC SCH 40
8. 2 X 4 REDWOOD BLOCK (TYP.) 2 PLACES
9. PVC MAINLINE PIPE
10. 6 INCH MIN. DEPTH PEA GRAVEL SUMP



D GATE VALVE
N.T.S.

NOTES:
1. BUBBLER DISTANCE TO ROOT BALL WILL VARY DEPENDING ON THE CONTAINER SIZE OF THE PLANT.
2. PLACE ALL BUBBLER ON UPHILL SIDE OF SLOPE IF APPLICABLE CONCEAL ALL EQUIPMENT UNDER MULCH.

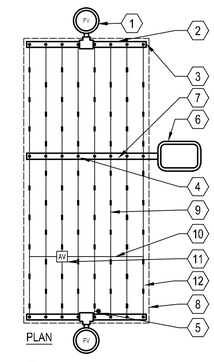
1. POSITION BUBBLER OVER ROOT BALL
2. FLOOD BUBBLER NOZZLE (SEE LEGEND FOR MODEL) SECURED TO SHRUB ADAPTER
3. UV RADIATION RESISTANT 1/2" PVC SCHED 40 (MIPT X SLIP) MALE ADAPTER
4. TUBING STAKES PVC COATED 12 GAUGE WIRE U STAKES QUANTITY AS NEEDED TO SECURE TUBING (2 MINIMUM) SALCO OR EQUAL
5. I.P.S. FLEXIBLE SCH 40 PVC HOSE (BLACK)
6. SOIL RING (SEE PLANTING DETAILS)
7. FINISHED GRADE
8. 1/2" PVC SCH 40 (MIPT X SLIP) MALE ADAPTER UV RADIATION RESISTANT
9. PVC SCH 40 TEE OR ELL 3/4" X 3/4" X 1/2" (SLIP XSLIP X FIPT)
10. PVC LATERAL PIPE
11. MULCH PER SPECIFICATIONS
12. PLANT CROWN
13. ROOT BALL



E SHRUB BUBBLER
N.T.S.

NOTE:
1. THE TOTAL LENGTH OF ALL INTERCONNECTED DRIP LINE SHALL NOT EXCEED THE MAXIMUM RUN LENGTH

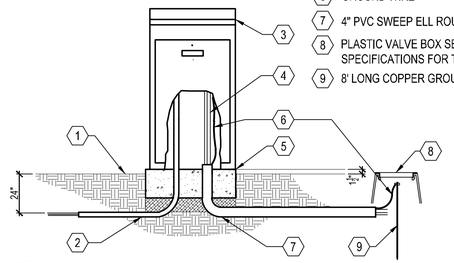
1. DRIPLINE AUTOMATIC FLUSH VALVE PLUMBED TO FLUSH MANIFOLD AT LOW POINT
2. PVC FLUSH MANIFOLD
3. DRIPLINE MANIFOLD-TO-ELBOW CONNECTION
4. DRIPLINE MANIFOLD-TO-TEE CONNECTION
5. DRIPLINE OPERATION INDICATOR
6. REMOTE CONTROL VALVE WITH FILTER AND PRESSURE REGULATOR
7. PVC SUPPLY MANIFOLD
8. ZONE PERIMETER
9. DRIPLINE LATERAL
10. AIR/VACUUM RELIEF LATERAL DRIPLINE BLANK TUBING CENTERED ON MOUND OR BERM
11. DRIPLINE AIR/VACUUM RELIEF VALVE PLUMBED TO DRIPLINE BLANK TUBING AT EACH HIGH POINT
12. PERIMETER LATERALS 2" TO 4" FROM EDGE



F DRIPLINE CENTER-FEED LAYOUT
N.T.S.

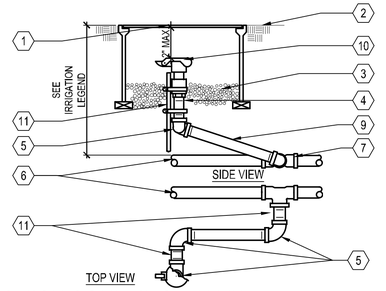
NOTE:
1. VERIFY POWER SOURCE WITH PROJECT ELECTRICIAN.
2. ALL ELECTRICAL WORK MUST CONFORM TO LOCAL CODES.

1. FINISHED GRADE
2. 2-1" PVC CONDUITS FOR 120 VOLT A.C. AND SIGNAL WIRE
3. IRRIGATION CONTROLLER-SEE IRRIGATION LEGEND FOR SPECIFICATION
4. 24 VOLT CONTROL WIRING
5. CONCRETE PAD-6" THICK (MIN.) EXTEND 6" BEYOND EACH SIDE AND BACK AND 24" IN FRONT
6. GROUND WIRE
7. 4" PVC SWEEP ELL ROUND
8. PLASTIC VALVE BOX SEE SPECIFICATIONS FOR TYPE
9. 8' LONG COPPER GROUND ROD



A PEDESTAL MOUNT CONTROLLER
N.T.S.

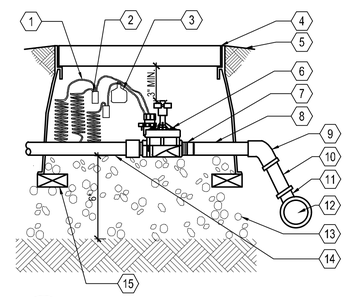
1. 10" ROUND PLASTIC VALVE BOX WITH BOLT DOWN LID
2. FINISHED GRADE
3. 3/4" CRUSHED ROCK, 6" MIN. DEPTH
4. 3" LONG SCHEDULE 80 PVC THREADED NIPPLE
5. SCH 80 PVC THREADED 90 DEGREE ELL
6. PVC MAINLINE
7. MAINLINE FITTING
9. 10" LONG SCH 80 PVC THREADED NIPPLE
10. QUICK COUPLING VALVE
11. 1 1/4" x 1 1/4" x 3/16" ANGLE IRON 30" LONG, 2 STAINLESS STEEL STRAPS



B QUICK COUPLING VALVE
N.T.S.

NOTES:
1. DO NOT LOCATE REMOTE CONTROL VALVE IN LAWN

1. 18" LENGTH EXPANSION LOOP
2. SCOTCH LOK #3577 CONNECTOR SEALING PACK OR EQUAL
3. ID TAG FOR VALVE STATION NUMBER
4. VALVE BOX (CARSON 910-12B) OR EQUAL
5. TOP OF MULCH
6. REMOTE CONTROL VALVE: SEE IRRIG. LEGEND
7. PVC SCH 80 NIPPLE (CLOSE)
8. PVC SCH 40 MIN 8" LONG
9. PVC 45 FITTING SCH 40
10. PVC SCH 40
11. S X S FITTING
12. PVC MAINLINE PIPE
13. 6" MIN. DEEP PEA GRAVEL SUMP
14. LATERAL LINE CL 200 PVC
15. BRICK-1 PER CORNER, 4 TOTAL



C REMOTE CONTROL VALVE
N.T.S.

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CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

NO	DATE	DESCRIPTION

PROJECT NO:	4795.00
CAD DWG FILE:	479500CL.DWG
DESIGNED BY:	BG
DRAWN BY:	JH
CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	AS SHOWN

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IRRIGATION DETAILS

L5.1

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Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City **	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2

* The values in this table were derived from:

1) California Irrigation Management Information System (CIMIS);

2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and

3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922;

4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426

**ETo of Union City shall be used for City of Hayward.

Appendix B – Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET
This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

City of Hayward Reference Evapotranspiration (ETo) 44.2

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq. ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[d]
Regular Landscape Areas							
PLANTING (L & LV)	.2	DRIP	.81	.247	63,355	10,263	428,836
PLANTING (M)	.5	DRIP	.81	.617	7,040	4,346	119,034
				Totals	70,395	14,609	
Special Landscape Areas							
-NA-	[redacted]			1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	547,870
						Maximum Allowed Water Allowance (MAWA)[e]	868,096

[a] ***Hydrozone #/Planting Description***
E.g.
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b] ***Irrigation Method***
overhead spray or drip
or drip

[c] ***Irrigation Efficiency***
0.75 for spray head
0.81 for drip

[d] ***ETWU* (Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

[e] ***MAWA (Annual Gallons Allowed) =***
(Eto) (0.62) [(ETAF x LA) + (1-ETAF) x SLA)]
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	**(B+D) ÷ (A+C)**

Regular Landscape Area

Total ETAF x Area	(B)	14,609
Total Area	(A)	70,395
Sitewide ETAF	**B ÷ A**	0.208

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas and 0.45 or below for non-residential areas.

Appendix C – Certificate of Completion.

PART 1. CERTIFICATE OF COMPLETION
This certificate is filled out by the project applicant upon completion of the landscape project.

Project Street Address:	Building Permit Number:	
City:	State:	Zip Code:

Property Owner:

Name:	Telephone No.:	
	Fax No.:	
Title:	Email Address:	
Company:	Street Address:	
City:	State:	Zip Code:

Property Owner
"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Property Owner Signature Date

PART 2. CERTIFICATION OF INSTALLATION
"I/we certify that based upon periodic site observations, the work has been completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone No.	
	Fax No.	
Title	Email Address	
License No. or Certification No.		
Company	Street Address	
City	State	Zip Code

*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.

PART 3. IRRIGATION SCHEDULING
Attach parameters for setting the irrigation schedule on controller per ordinance Section 10.12-08.

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE
Attach schedule of Landscape and Irrigation Maintenance per ordinance Section 10.12-10.

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT
Attach Landscape Irrigation Audit Report per ordinance Section 10-12.11.

PART 6. SOIL MANAGEMENT REPORT
Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 10-12.07.
Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 10-12-06.

PART 7. LANDFILL DIVERSION VERIFICATION
Attach Landfill Diversion Verification Statement per ordinance Section 10-12.07

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CAVALLO HIGHLANDS
TRACT 8353
HAYWARD,CA

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CHECKED BY:	BG
DATE:	JANUARY 8, 2019
SCALE:	AS SHOWN

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WATER EFFICIENCY CALCULATIONS

L6.1

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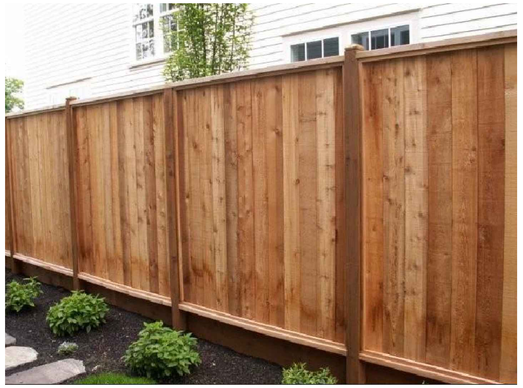
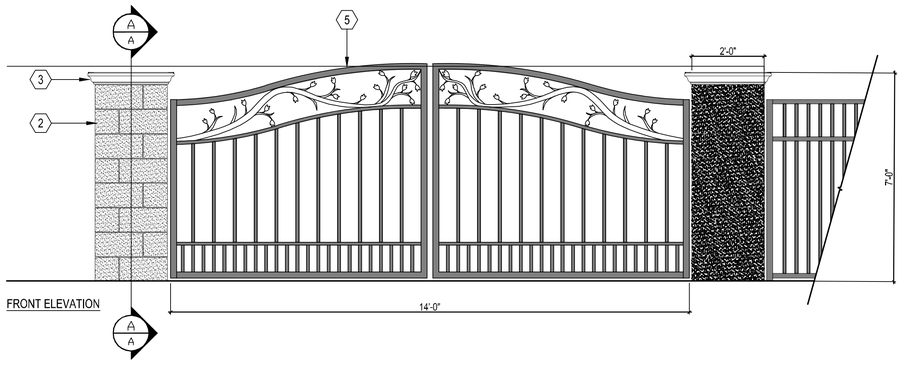
C DECORATIVE STONE WALL
NTS

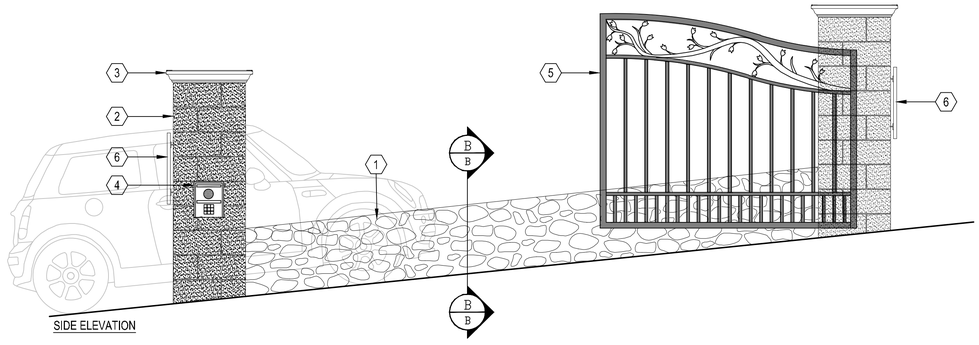
B MAILBOXES (PENDING USPS APPROVAL)
NTS



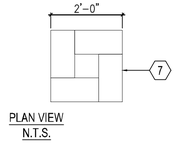
A 6'-0" TALL GOOD NEIGHBOR FENCE (WOOD)
NTS



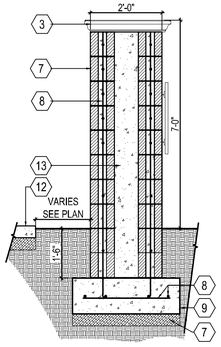
FRONT ELEVATION



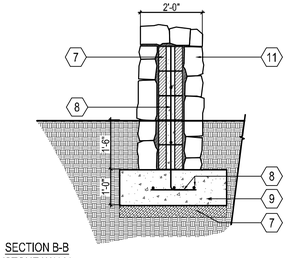
SIDE ELEVATION



PLAN VIEW
N.T.S.



SECTION A-A
(PILASTER)



SECTION B-B
(STONE WALL)

1. STONE WALL
2. PILASTER
3. PILASTER CAP
4. CALL BOX AND GATE ACCESS PANEL
5. DOUBLE SWING GATE
6. DECORATIVE NEIGHBORHOOD ENTRY SIGN PER DEVELOPER
7. 8X8X16 CONCRETE BLOCK- GROUT ALL CELLS SOLID.
8. REBAR
9. CONCRETE FOOTING
10. 4" THICK CLASS 2 AGGREGATE COMPACTED TO 90%
11. STONE VENEER
12. ADJACENT CONCRETE PAVING
13. GROUT SOLID

D ENTRY GATE AND PILASTERS
SCALE: 1/2"=1'-0"

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HAYWARD,CA

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CONCEPT IMAGES

L7.1

S:\PROJECTS\4795\00\LA\PLANNING\479500CL.DWG
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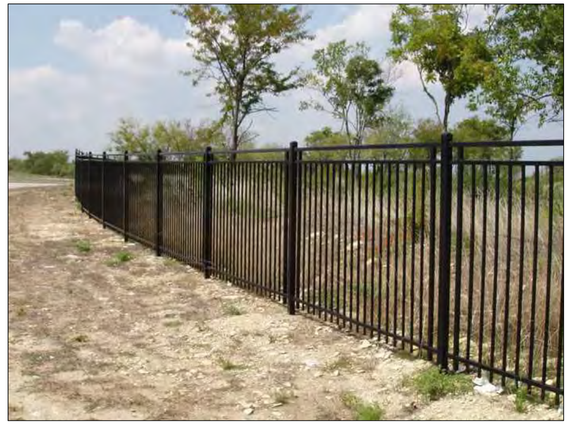
G BENCH
NTS

D NOIYA COBBLESTONE
NTS

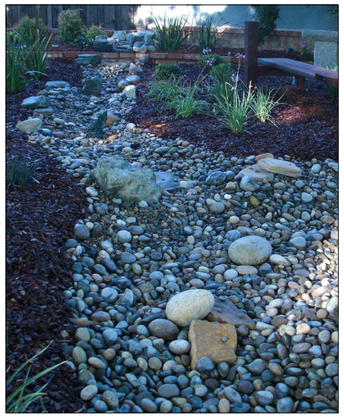


A 6' WROUGHT IRON PERIMETER FENCE
NTS

H RETAINING WALL (TAN, SPLIT FACE WITH TAN CAP)
NTS

E DRIVEWAY CONCRETE PAVERS
NTS

B STONE PILASTER AND WROUGHT IRON FENCE
NTS



I DRY COBBLE SWALE
NTS

F FRONT WALK CONCRETE PAVERS
NTS

C STONE MONUMENT SIGN
NTS

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CONCEPT IMAGES

L7.2

S:\PROJECTS\4795\00\LA\PLANNING\4795\00CL.DWG

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PLAN 1A
ITALIAN REVIVAL

PLAN 2B
SPANISH COLONIAL

PLAN 3D
PRAIRIE

PLAN 2C
CRAFTSMAN

Streetscene

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

SS

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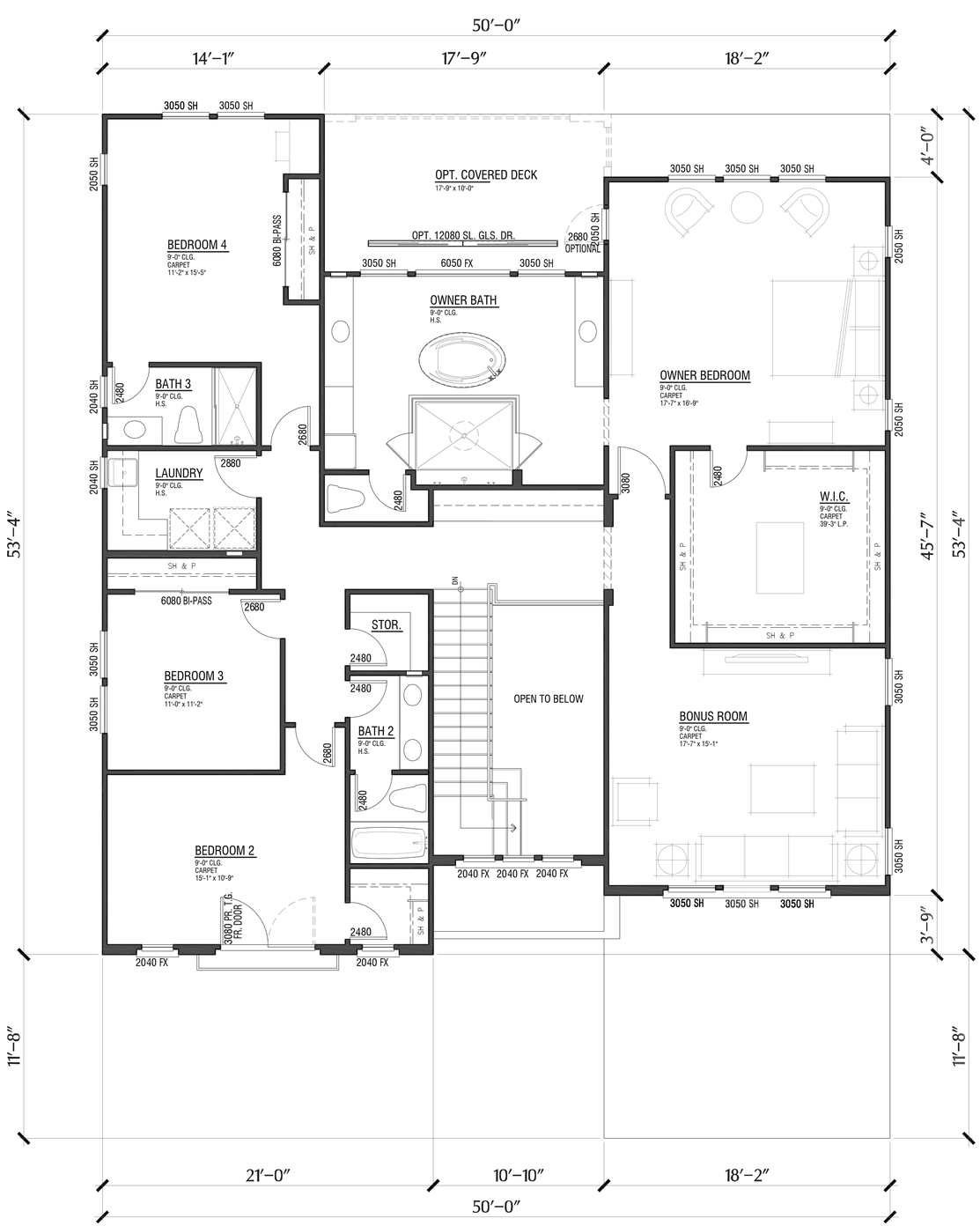

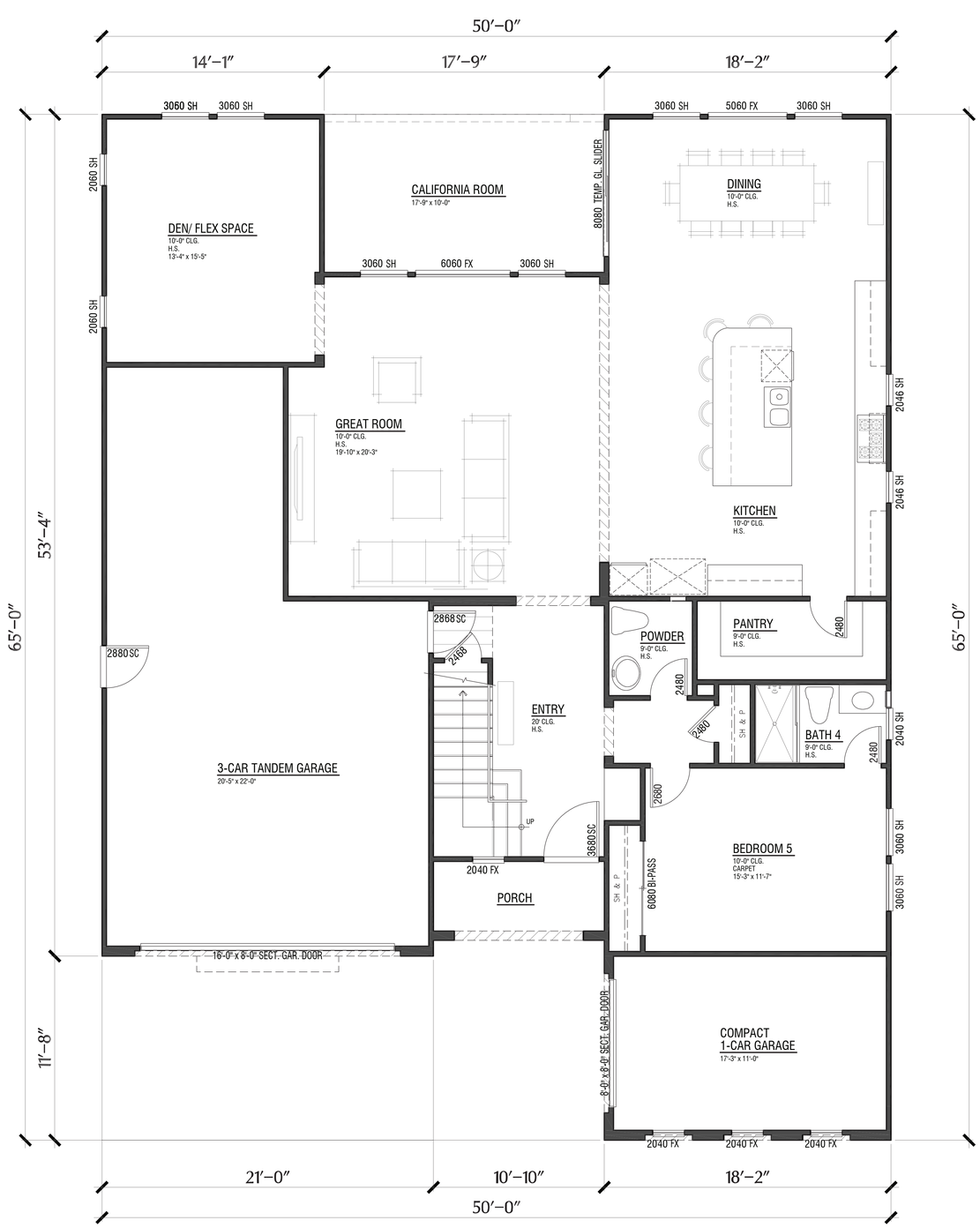

PLAN 1

3,891 S.F.

5 Bdrm. / 4.5 Bath / Bonus / Den

3-Car Tandem Garage

1-Car Compact Garage

Second Floor

2,105 S.F.

First Floor

1,786 S.F.

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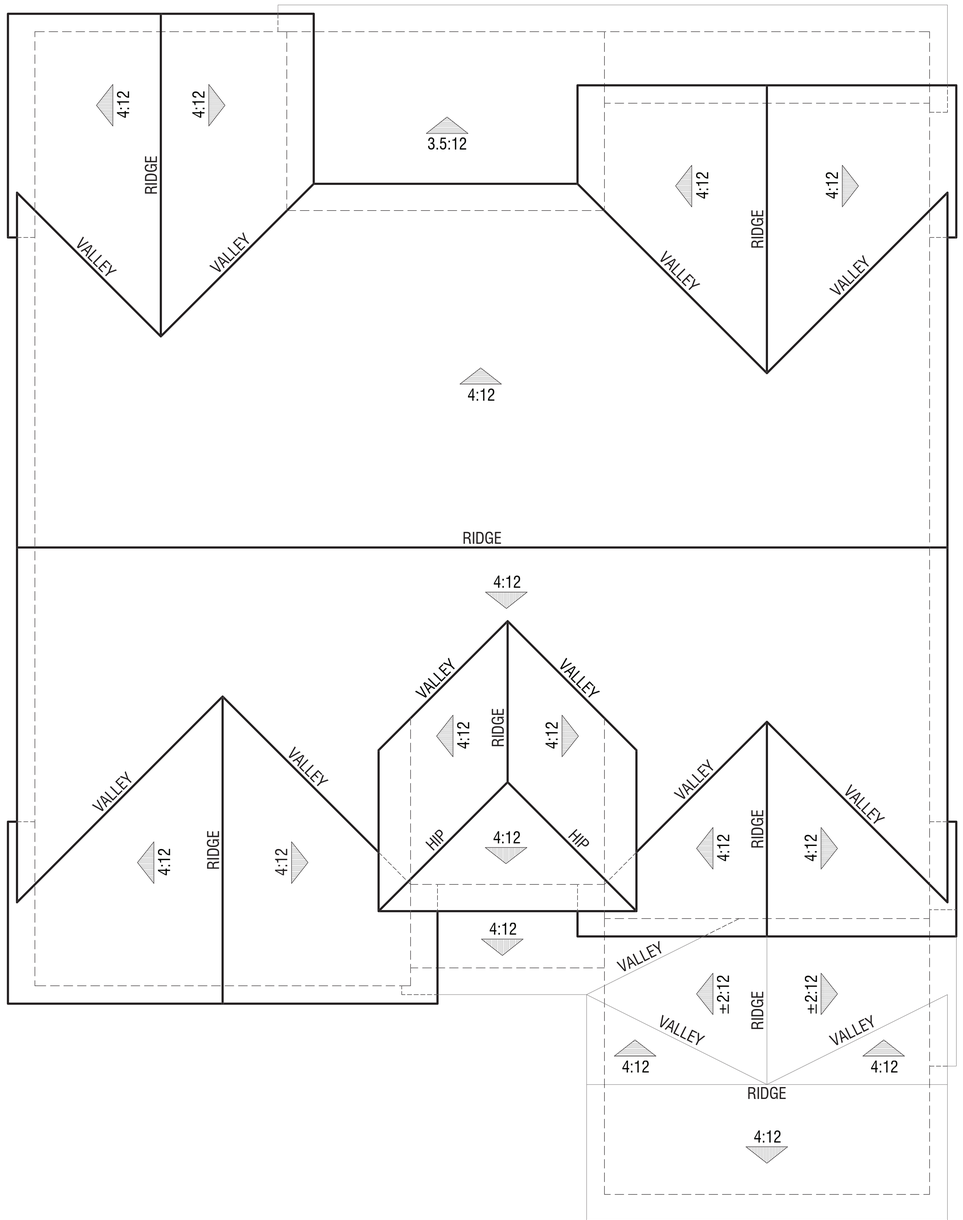
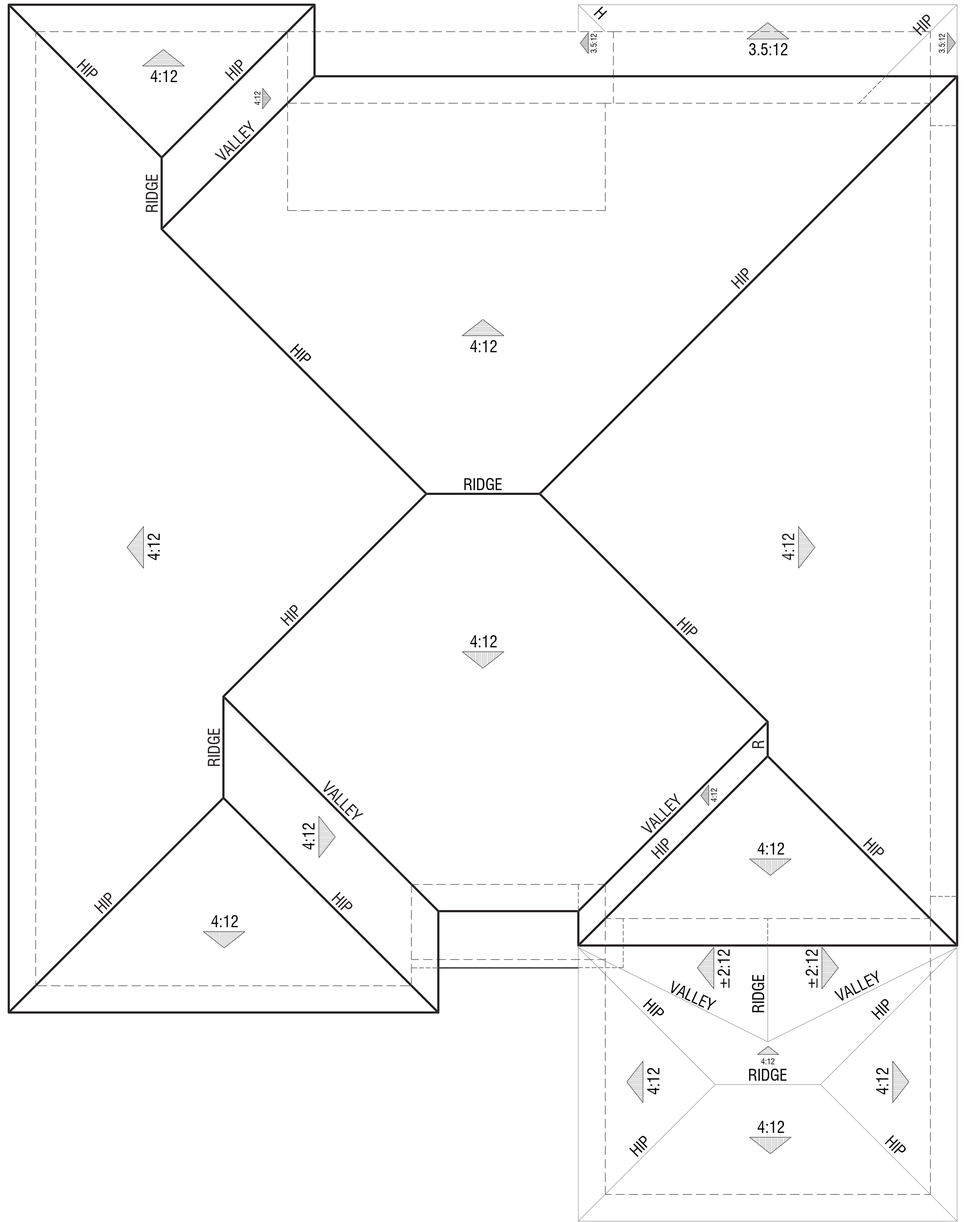


Elevation B
Spanish Colonial



Elevation A
Italian Revival
(SHOWN WITH OPTIONAL COVERED DECK)

PLAN 1
Roof Plans

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HAYWARD, CA

A1.2

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Elevation B - Spanish Colonial

Elevation A - Italian Revival

PLAN 1

Front Elevations

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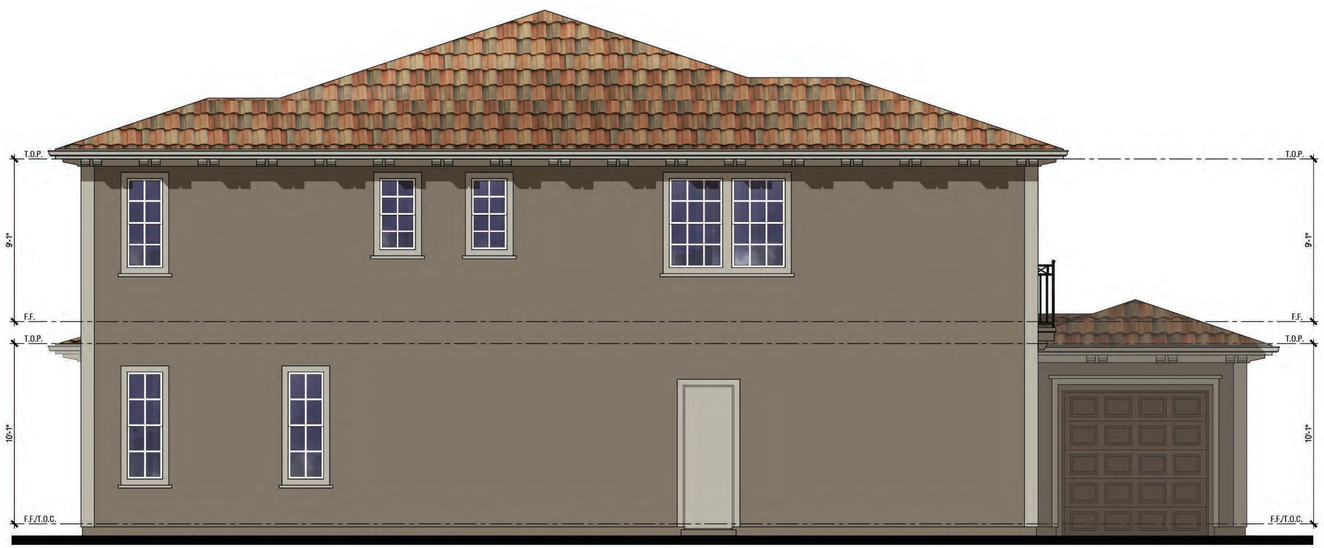
Right

Rear



Left

Front

"A" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE 'S' TILE
FASCIA:	WOOD
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
POT SHELF/RAIL:	WROUGHT IRON
GARAGE DOOR:	METAL SECTIONAL

PLAN 1

Elevation A - Italian Revival

(SHOWN WITH OPTIONAL COVERED DECK)

CARRIE AITKEN

CAVALLO HIGHLANDS

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A1.4

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Right

Rear

Left

Front

"B" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE 'S' TILE
FASCIA:	WOOD
GABLE END:	DECORATIVE PIPE
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
CORBEL	WOOD
POT SHELF/RAIL:	WROUGHT IRON
GARAGE DOOR:	METAL SECTIONAL
PORCH VENEER:	CERAMIC TILE

PLAN 1

Elevation B - Spanish Colonial

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A1.5

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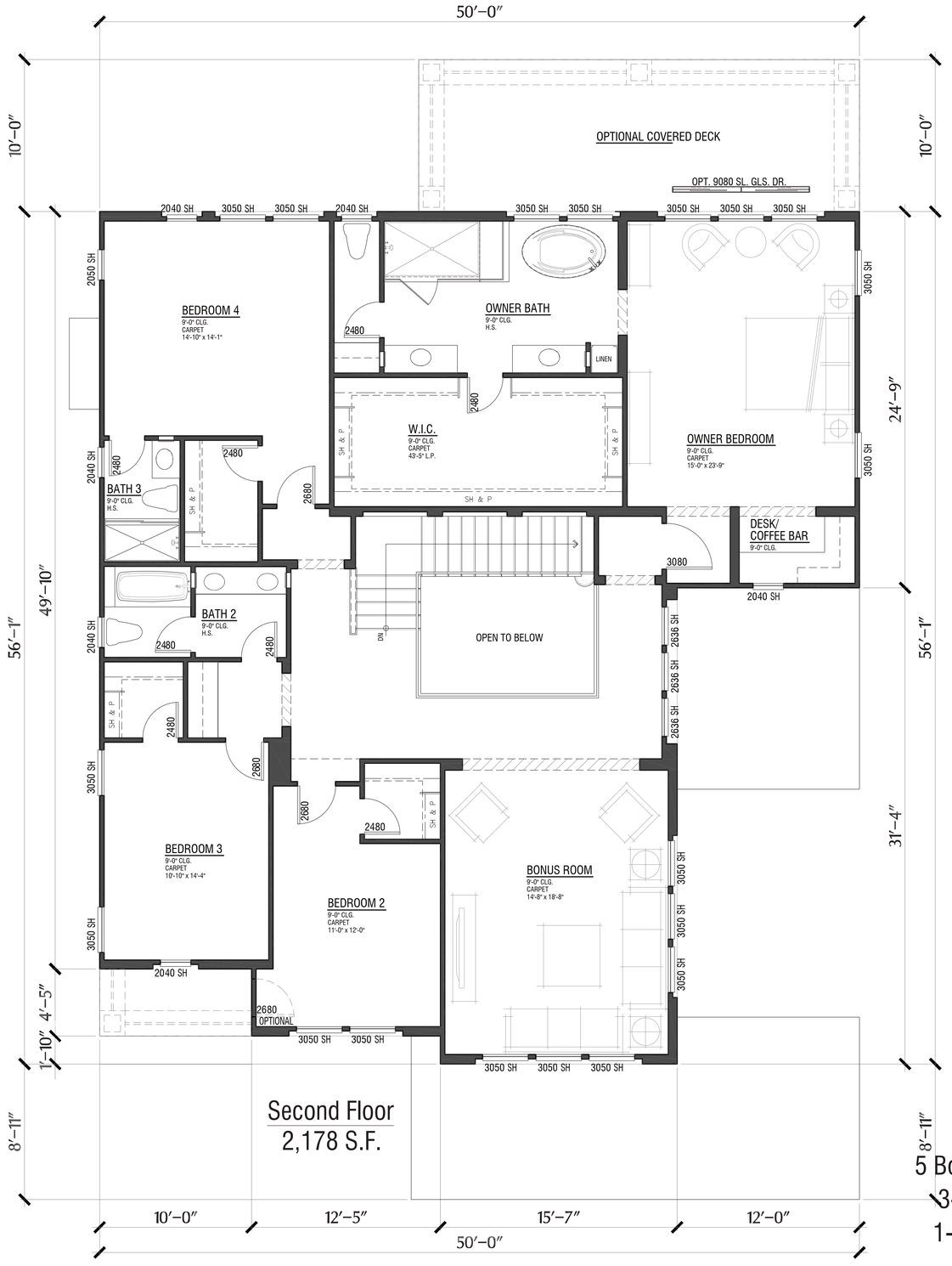

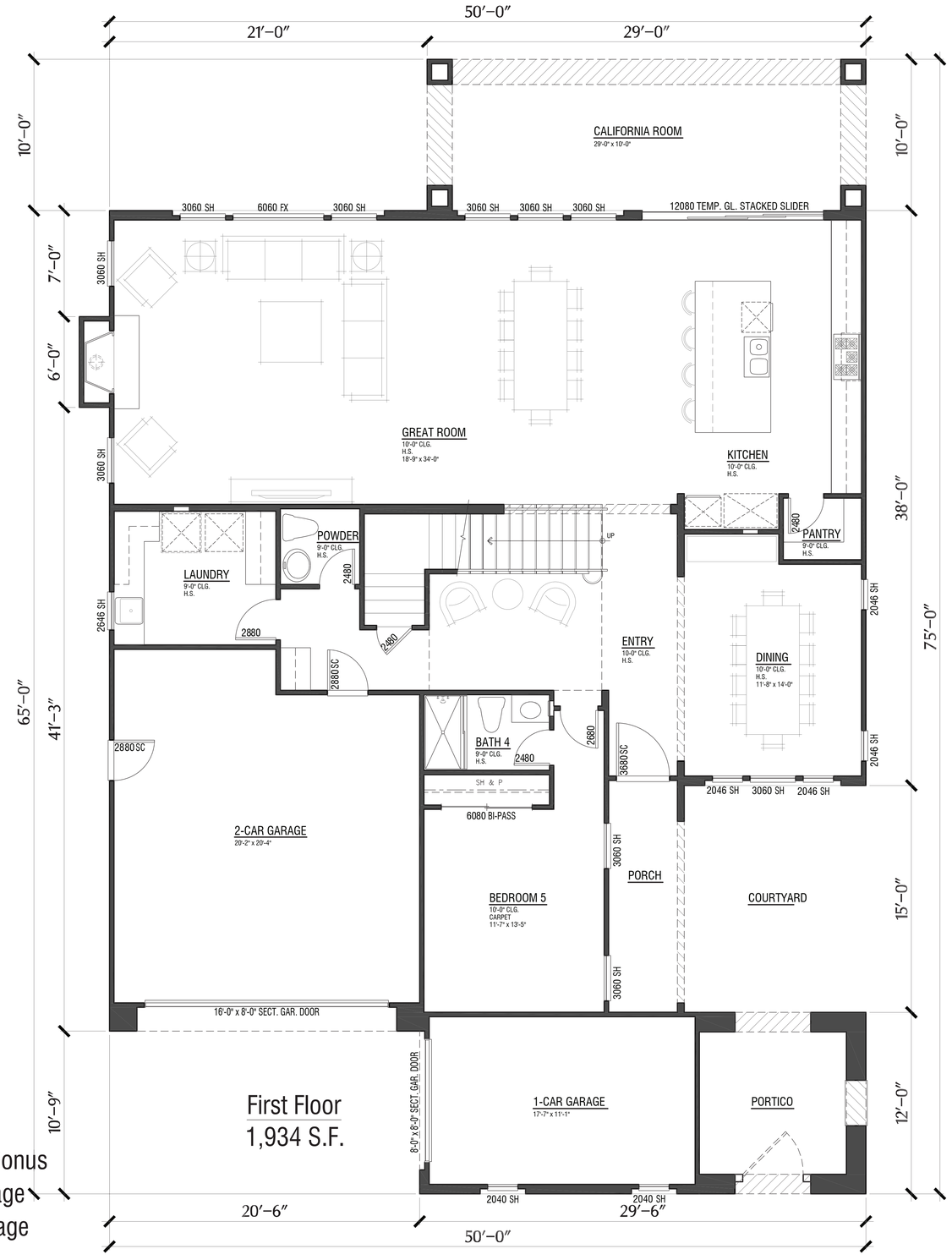

PLAN 2

4,112 S.F.

5 Bdrm. / 4.5 Bath / Bonus

3-Car Tandem Garage

1-Car Compact Garage

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

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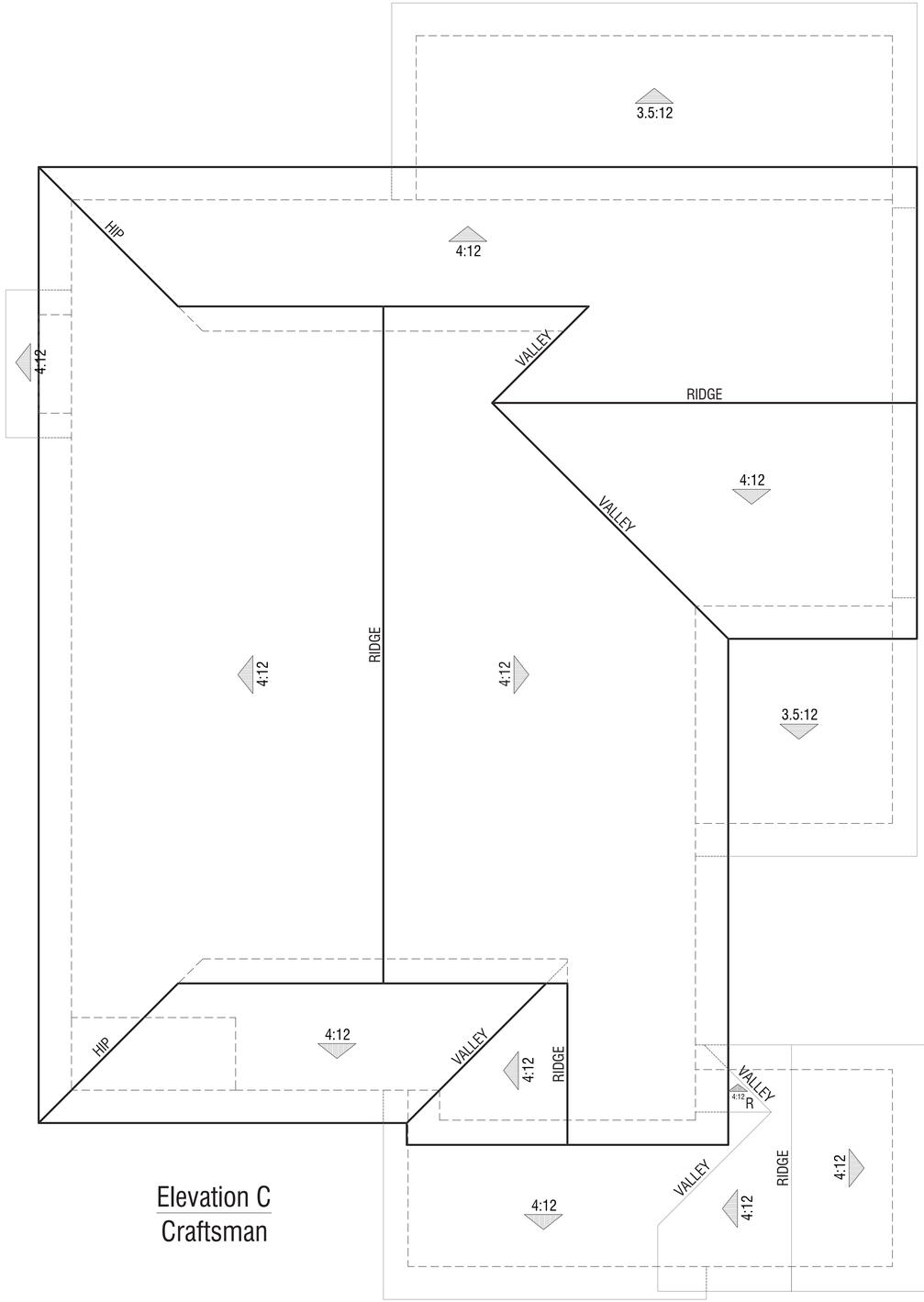
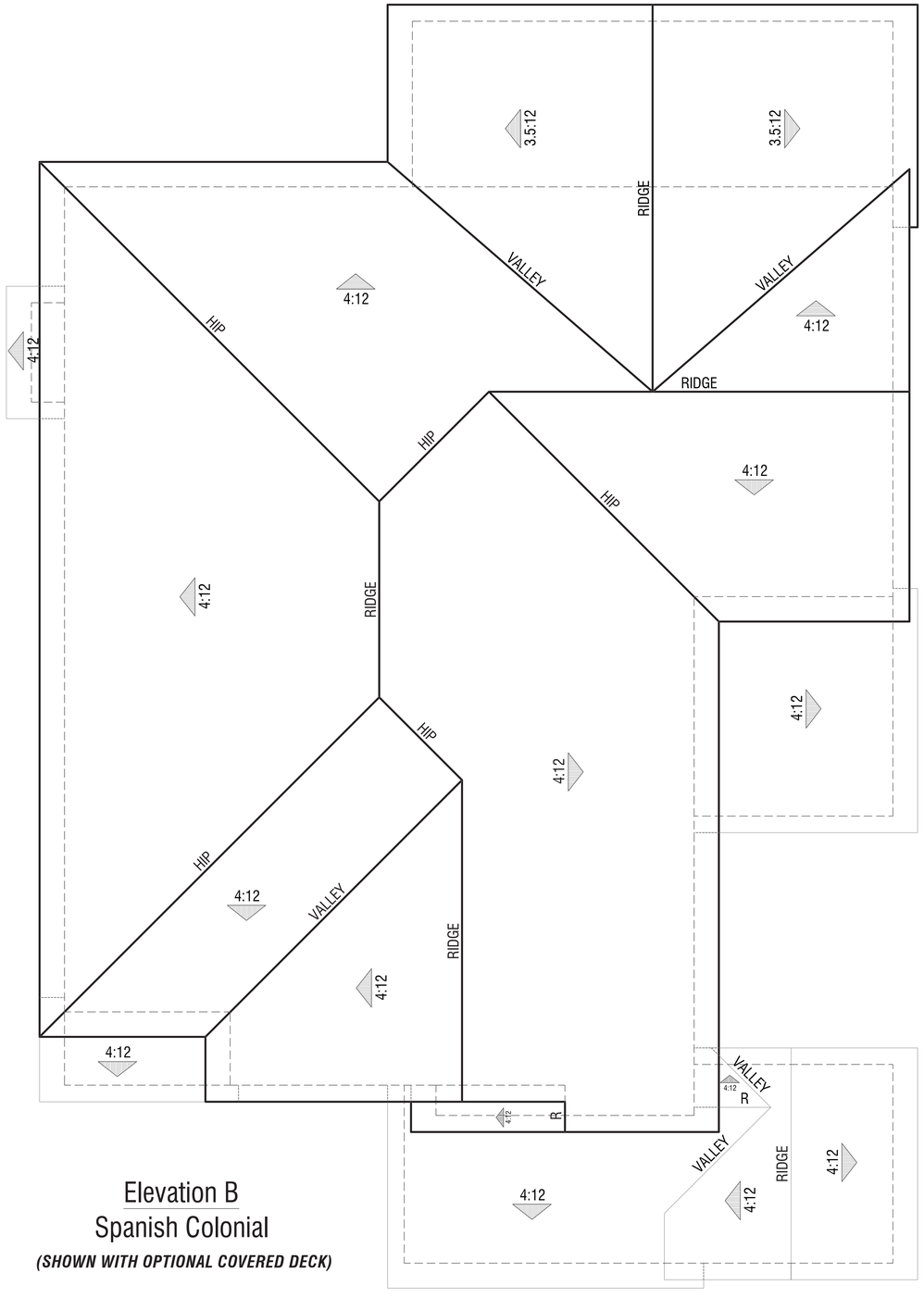


Elevation C
Craftsman

PLAN 2
Roof Plans



Elevation B
Spanish Colonial
(SHOWN WITH OPTIONAL COVERED DECK)

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A2.2

0 2 4 8

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WHA.
ORANGE COUNTY . LOS ANGELES . BAY AREA

Elevation C - Craftsman

Elevation B - Spanish Colonial

PLAN 2
Front Elevations

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A2.3

0 2 4 8

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Right

Rear

Left

Front

"B" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE 'S' TILE
FASCIA:	WOOD
GABLE END:	DECORATIVE PIPE
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
CORBEL:	WOOD
POT SHELF/RAIL:	WROUGHT IRON
GARAGE DOOR:	METAL SECTIONAL
PORCH VENEER:	CERAMIC TILE
SHUTTER	FOAM

PLAN 2

Elevation B - Spanish Colonial

(SHOWN WITH OPTIONAL COVERED DECK)

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A2.4

0 2 4 8

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Right

Rear

Left

Front

PLAN 2

Elevation C - Craftsman

"C" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE SLATE TILE
FASCIA:	WOOD
OUTLOOKER:	WOOD
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
CORBEL	WOOD
POT SHELF/RAIL:	PREFABRICATED OR WOOD
GARAGE DOOR:	METAL SECTIONAL
PORCH VENEER:	MANUFACTURED STONE & THIN BRICK

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A2.5

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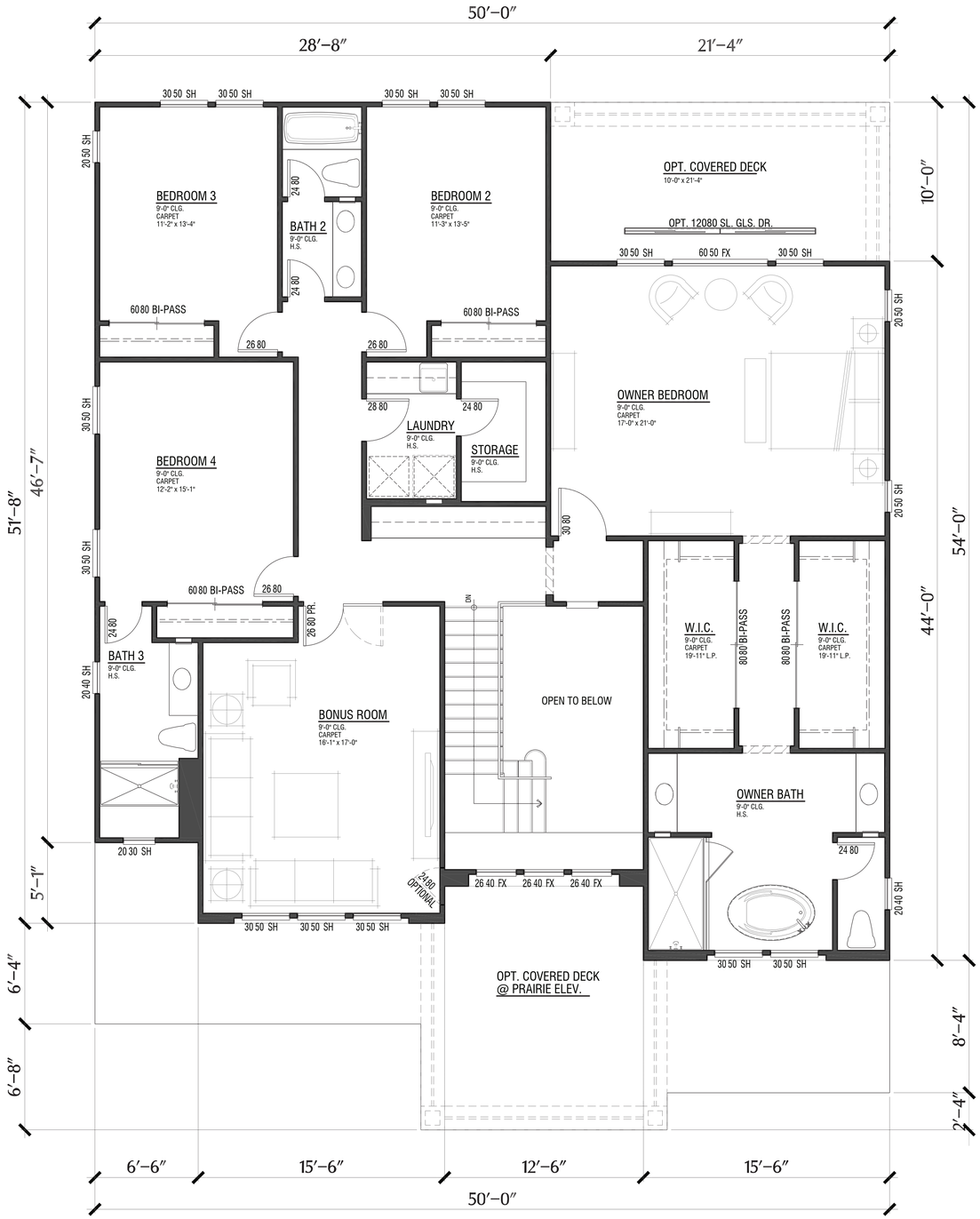
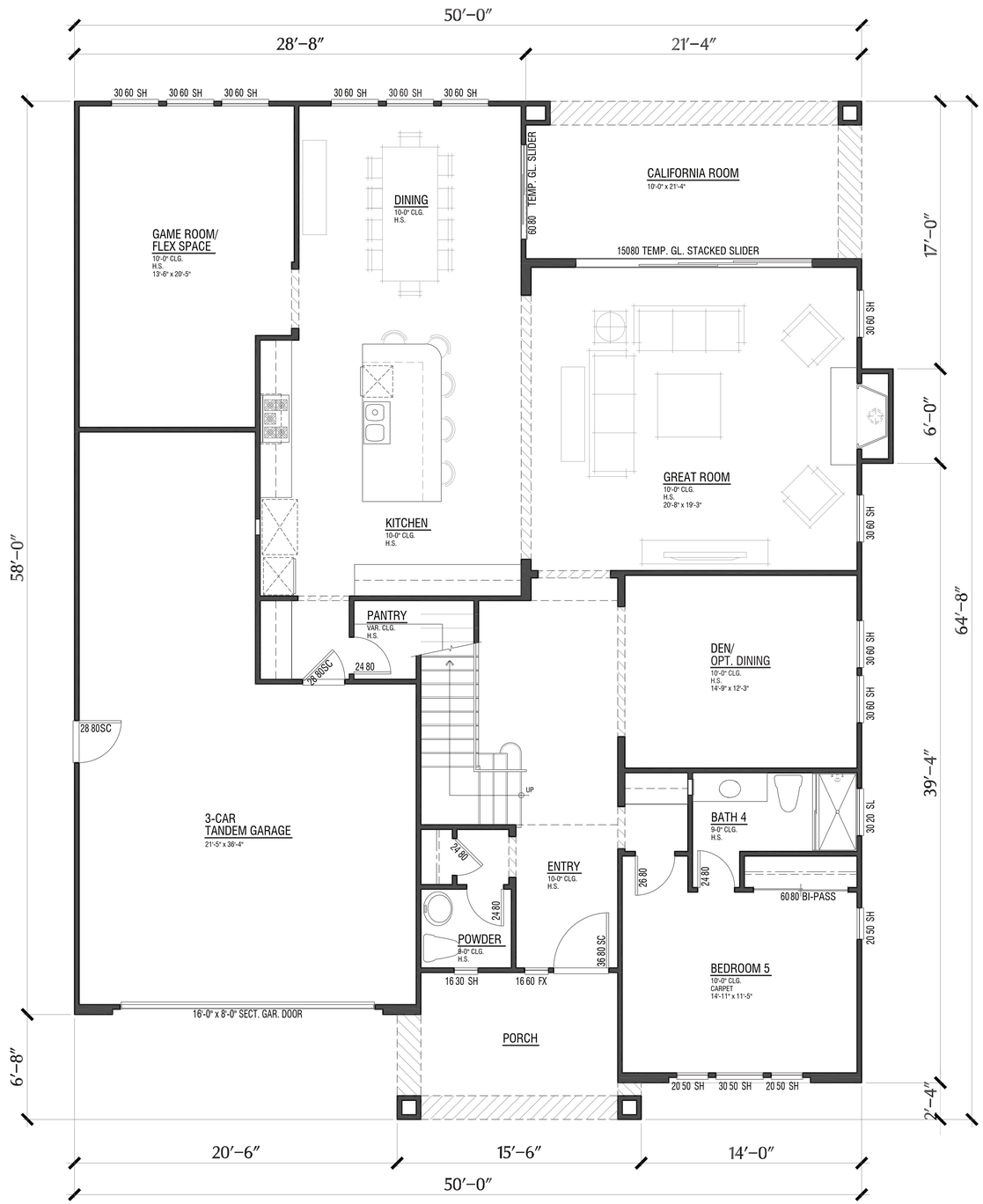


Second Floor
2,124 S.F.

PLAN 3

4,204 S.F.

5 Bdrm. / 4.5 Bath / Bonus / Flex / Den
2-Car Garage / 1-Car Compact Garage



First Floor
2,080 S.F.

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A3.1

0 2 4 8

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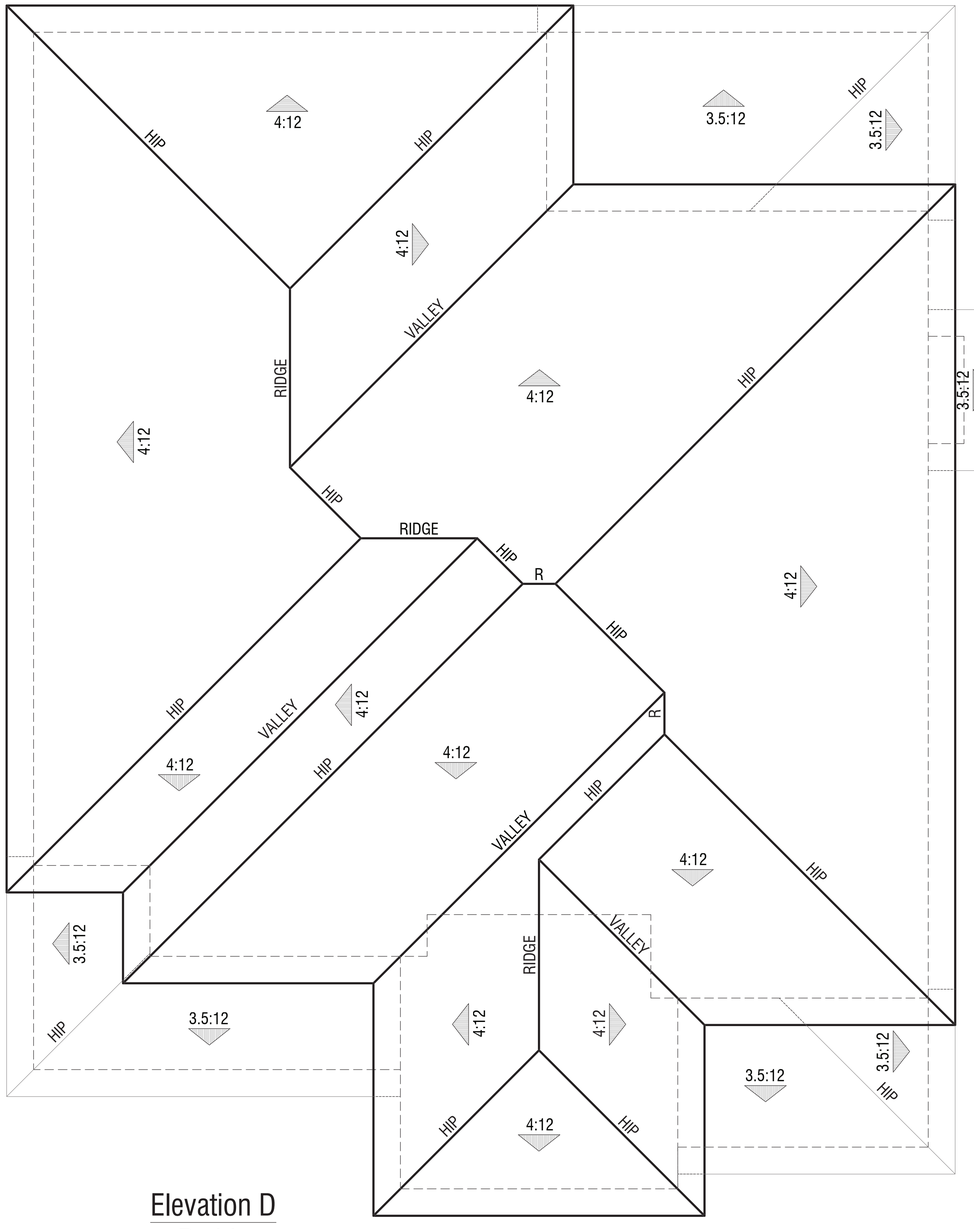
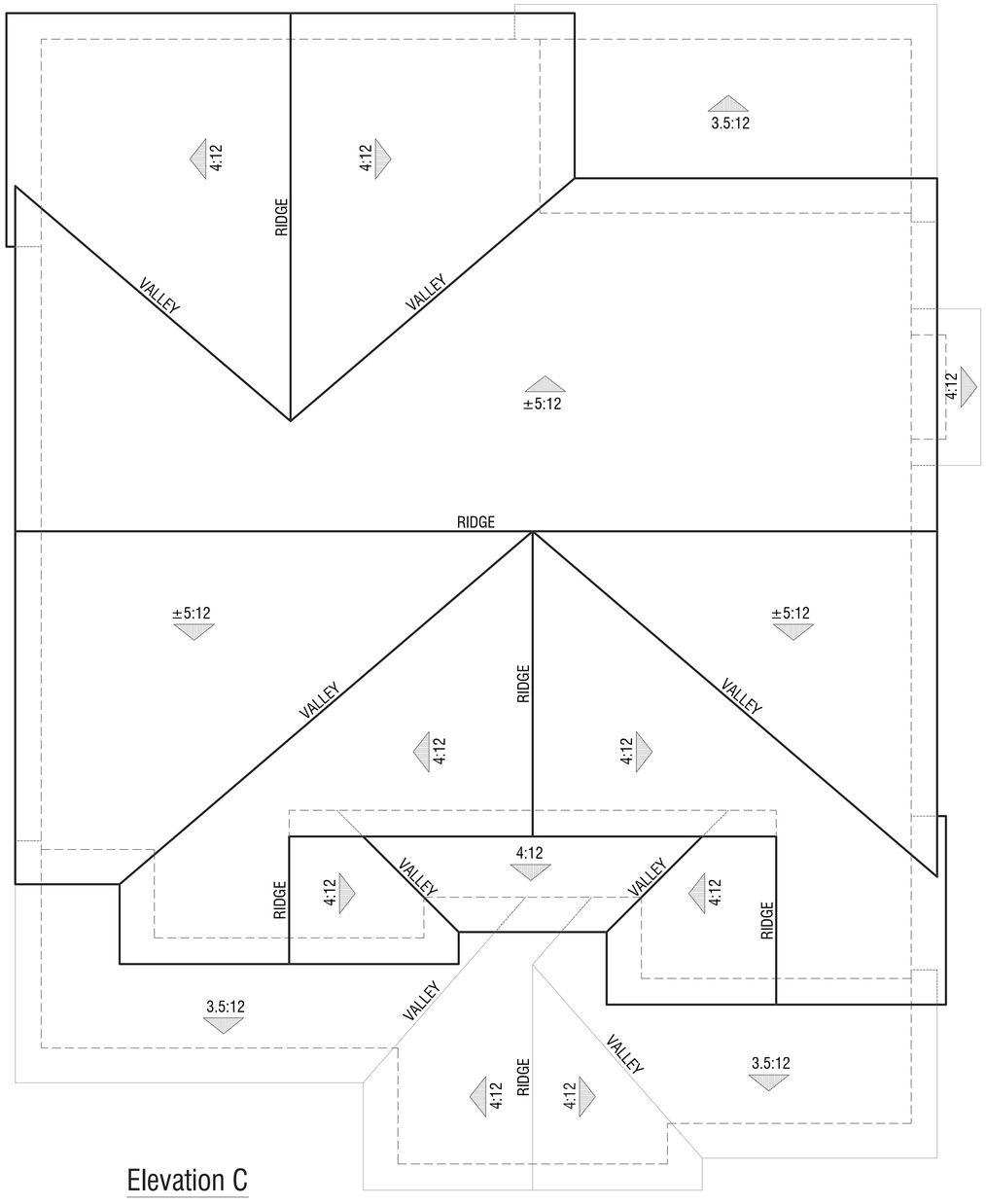


Elevation D
Prairie

PLAN 3
Roof Plans



Elevation C
Craftsman
(SHOWN WITH OPTIONAL COVERED DECK)

CARRIE AITKEN

CAVALLO HIGHLANDS
HAYWARD, CA

A3.2

0 2 4 8

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Elevation D - Prairie

Elevation C - Craftsman

PLAN 3

Front Elevations

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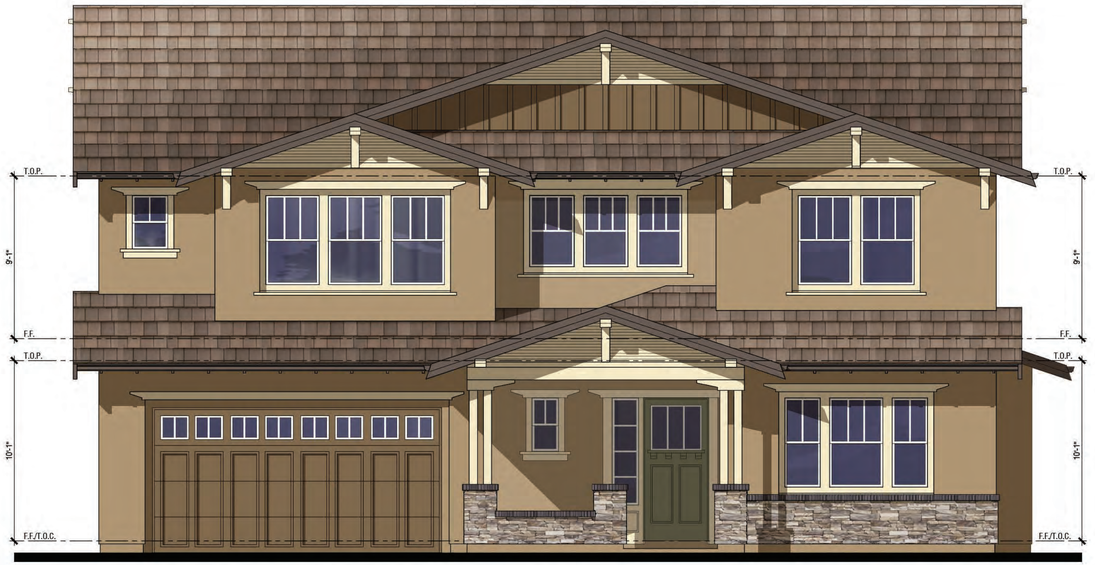
WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA

Right

Rear

Left



Front

"C" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE SLATE TILE
FASCIA:	WOOD
OUTLOOKER:	WOOD
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
CORBEL	WOOD
POT SHELF/RAIL:	PREFABRICATED OR WOOD
GARAGE DOOR:	METAL SECTIONAL
PORCH VENEER:	MANUFACTURED STONE & THIN BRICK

PLAN 3

Elevation C - Craftsman

(SHOWN WITH OPTIONAL COVERED DECK)

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A3.4

0 2 4 8

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WHA.

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Right

Rear

Left

Front

"C" - ELEVATIONS: BUILDING MATERIALS:

ROOF:	CONCRETE SLATE TILE
FASCIA:	WOOD
TRIM:	STUCCO OVER FOAM
WALL:	STUCCO
WINDOW:	WHITE VINYL
RAILING:	PREFABRICATED OR WOOD
GARAGE DOOR:	METAL SECTIONAL
PORCH VENEER:	THIN BRICK

PLAN 3

Elevation D - Prairie

CARRIE AITKEN

CAVALLO HIGHLANDS

HAYWARD, CA

A3.5

0 2 4 8

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WHA.

ORANGE COUNTY . LOS ANGELES . BAY AREA

ATTACHMENT VI

Cavallo Highlands Residential Project Initial Study

Prepared by

HAYWARD

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

March 2019

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ACRONYMS AND ABBREVIATIONS

BAAQMD	Bay Area Air Quality Management District
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
MND	Mitigated Negative Declaration
NOD	Notice of Determination
PM	Particulate Matter
RWQCB	Regional Water Quality Control Board
TAC	Toxic Air Contaminant
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Hayward as the Lead Agency has prepared this Initial Study for the Aitken Property Residential Subdivision project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Hayward, California.

The project proposes to construct a residential development project on an approximately 8.88-acre property located on the east side of Carden Lane in the City of Hayward. The proposed project would subdivide the site into 22 lots in order to construct 19 single-family residential lots, two open space lots, and one private roadway. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 30-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30-day public review period should be sent to:

City of Hayward
Development Services Department
777 B Street
Hayward, CA 94541

Damon Golubics, Senior Planner
(510) 583-4200
Damon.Golubics@hayward-ca.gov

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Hayward will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Hayward will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Cavallo Highlands Residential Project

2.2 PROJECT LOCATION

The approximately 8.88-acre site is located on the east side of Carden Lane in the City of Hayward. The project site is bounded by Stonebrae Road to the north, Country Club Drive to the east, Carden Lane to the west, and Garin Regional Park to the south. Regional and vicinity maps of the project site are shown in Figures 2.2-1 and 2.2-2. An aerial photograph showing surrounding land uses is shown on Figure 2.2-3.

2.3 LEAD AGENCY CONTACT

City of Hayward
Development Services Department
777 B Street
Hayward, CA 94541

Damon Golubics, Senior Planner
(510) 583-4200
Damon.Golubics@hayward-ca.gov

2.4 PROJECT APPLICANT

Carrie Aitken
192 Carrick Circle
Hayward, CA 94542
(949) 697-0440

2.5 ASSESSOR'S PARCEL NUMBER

APN 85A-6428-2

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan Designation: *Suburban Density*

Zoning District: *Agricultural*

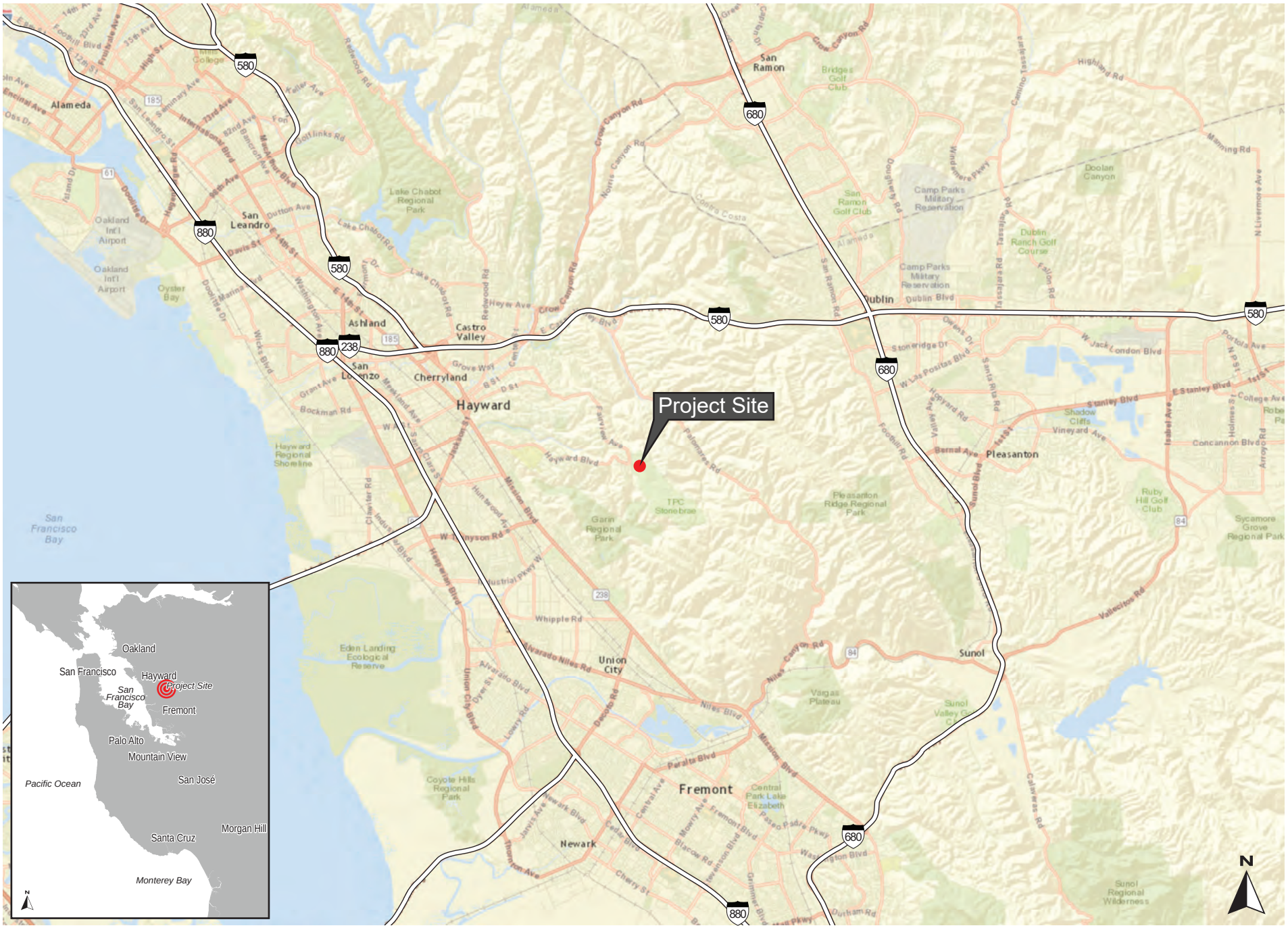
2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

- Planned Development Rezoning
- Tentative Map and Final Map to subdivide the existing parcels
- Grading Permit
- Building Permit
- Design Review

- Protected Tree Removal Permit
- U.S. Army Corps of Engineers 404 Permit
- California Department of Fish and Wildlife Incidental Take Permit
- U.S. Fish and Wildlife Incidental Take Permit
- Regional Water Quality Control Board 401 Permit

VICINITY MAP

FIGURE 2.2-1



REGIONAL MAP

FIGURE 2.2-2

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES FIGURE 2.2-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 OVERVIEW

The approximately 8.88-acre project site is addressed as 29080 Fairview Avenue in the City of Hayward within a master-planned residential area known as the Stonebrae development, although the project site is not part of Stonebrae. The project proposes to demolish the single residence and associated structures on the site and subdivide the property into 22 lots in order to construct 19 single-family residences (refer to Figure 3.0-1).

3.2 PROPOSED DEVELOPMENT

The project proposes to subdivide the property into 22 lots comprised of 19 single-family residential lots, two open space lots, and a private roadway. The proposed residences would have three to five bedrooms and up to three baths. The proposed lots on the site would range in size from 7,915 to 21,034 square feet (s.f.). The proposed residences would range in size from approximately 3,600 s.f. to 4,200 s.f.

3.2.1 Building Heights and Setbacks

The residences would be set back approximately 20 feet along the private street frontage to allow for driveway apron parking. The residences would be set back approximately 10 feet on the sides, and approximately 15 to 20 feet from the backyards of the smaller internal lots. The setbacks for residences along the outer site boundary would be much larger.

3.2.2 Site Access and Parking

A private roadway that ranges in width between 20 and 36 feet would provide vehicular and pedestrian access to the site. The proposed residences would be constructed with two- to three-car garages to provide parking for residents of the site. In addition, project driveways of each unit would accommodate a minimum of two (2) cars and guest parking would also be available along the private internal roadways.

3.2.3 Landscaping

Due to the slopes on the site, the lot sizes have been limited to retain the natural hillside character with smaller formal landscaping areas provided due to the slopes on the site. The front yard of each residence will include variations of landscaping including small trees, shrubs, and grasses. Landscaping included on the two open space lots would be maintained by the Homeowners Association.

3.2.4 Demolition and Grading

Demolition activities on the site would involve the removal of an existing residence and associated structures.

The proposed project will require some grading for building pads and roadway construction. The project would require an estimated 66,000 cubic yards of cut that would be reused as fill on the site,

with no remaining soil to be exported off-site. Minor retaining walls are proposed at various locations on the site ranging up to six feet in height.

3.2.5 Construction Schedule

The project is anticipated to require 16 months to complete from demolition and grading through construction of the proposed residences. Grading of the site is anticipated to take approximately three months to complete. Three model homes will be constructed during initial project construction and the other proposed residences will be constructed at a predetermined pace.

3.2.6 Utility Improvements

The project proposes to connect to existing sanitary sewer and water lines. All on-site sanitary sewer and water lines will be publicly owned and maintained by the City of Hayward. A separate irrigation meter and service will be furnished for common area landscaping. The proposed project would construct an eight-inch sanitary sewer line between lots 2 and 3 that would connect to an existing line on Country Club Drive through a sanitary sewer easement on the adjacent Stonebrae property. The proposed project would utilize an existing connection to the Stonebrae water line.

3.2.7 Drainage Improvements

The project proposes to construct common open space areas that are landscaped and would include permeable pavers to retain and minimize stormwater runoff. The roof impervious areas will direct stormwater flows directly to vegetated areas located on each lot that would drain into the existing bio-swale located northwest of the site. The on-site storm drain shall be private, owned and maintained by the Homeowners Association.

Source: Ruggeri-Jensen-Azar. March 5, 2018.

PROPOSED SITE PLAN

FIGURE 3.0-1

SECTION 4.0 ENVIRONMENTAL CHECKLIST AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.10	Land Use and Planning
4.2	Agricultural and Forestry Resources	4.11	Mineral Resources
4.3	Air Quality	4.12	Noise and Vibration
4.4	Biological Resources	4.13	Population and Housing
4.5	Cultural Resources	4.14	Public Services
4.6	Geology and Soils	4.15	Recreation
4.7	Greenhouse Gas Emissions	4.16	Transportation/Traffic
4.8	Hazards and Hazardous Materials	4.17	Utilities and Service Systems
4.9	Hydrology and Water Quality	4.18	Mandatory Findings of Significance

The discussion for each environmental subject includes the following subsections:

- **Environmental Checklist –** The environmental checklist, as recommended by CEQA, identifies environmental impacts that could occur if the proposed project is implemented. The right-hand column of the checklist lists the source(s) for the answer to each question. The sources are identified at the end of this section.

- **Impact Discussion** – This subsection discusses the project's impact as it relates to the environmental checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact GEO – 1** denotes the first potentially significant impact discussed in the Geology and Soils section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM BIO – 2.2** refers to the second mitigation measure for the second impact in the Biological Resources section.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Hayward currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this section. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective

information to decision-makers and the public regarding a project. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an "environmental impact" as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss Planning Considerations that relate to policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1,2,3

4.1.2 Existing Setting

The project site is a grassy hillside with a private driveway extending from the base of the hill on the western portion of the property, to the top of the hillside where the existing one-story single-family residence is located (see Photos 1 through 4). The project site is bounded by Stonebrae Road to the north and east, Carden Lane to the west, a golf course to the south, and Garin Regional Park to the southwest. Stonebrae Elementary School is located approximately 300 feet northwest of the project site across Carden Lane.

4.1.2.1 *Surrounding Visual Character*

The project site is surrounded on three sides by existing suburban development that has been constructed since the mid-1990s and roadways. Two-story, single-family homes with stucco finishes are located north of the site. Stonebrae Elementary School is located northwest of the site. Single-family homes, as part of the full build-out of Stonebrae Country Club, are in the process of being constructed southeast of the site. Stonebrae golf course and Garin Regional Park are substantial open space areas located south and southwest of the site. There are numerous large, mature trees on the property and on surrounding properties, in particular in the nearby Garin Regional Park.

4.1.2.2 *Scenic Views*

The hillside of the project site rises above the surrounding residential development to the west and can be seen from various locations in the surrounding neighborhoods. Views of the San Francisco Bay and the East Bay Hills are present from the project site. The project site has remained vacant and mostly undeveloped and no historic buildings (refer to *Section 4.5 Cultural Resources*), are present on the site. Numerous mature trees (refer to *Section 4.4 Biological Resources)* are present on-site. The site is slightly visible from Garin Regional Park located south and southwest of the project site and Jalquin Vista Park located southwest of the project site.

PHOTO 1: View of the project driveway from Carden Lane looking east.

PHOTO 2: View from the project site looking northeast at the adjacent development, Stonebrae Country Club, and drainage basin below Stonebrae Road.

PHOTOS 1 AND 2

PHOTO 3: View of the project site from Stonebrae Road looking south.

PHOTO 4: View of the existing home on the eastern portion of the property facing north.

PHOTOS 3 AND 4

4.1.2.3 *Applicable Plans, Policies, and Regulations*

City of Hayward General Plan

The Land Use and Community Character Element contains policies to preserve scenic views of the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy LU-1.2	The City shall maintain and implement commercial, residential, industrial, and hillside design guidelines to ensure that future development complies with General Plan goals and policies.
Policy LU-7.2	The City shall discourage the placement of homes and structures near ridgelines to maintain natural open space and preserve views. If ridgeline development cannot be avoided, the City shall require grading, building, and landscaping designs that mitigate visual impacts and blend the development with the natural features of the hillside.
Policy LU-7.3	The City shall require curvilinear street patterns in hillside areas to respect natural topography and minimize site grading.
Policy LU-7.4	The City shall encourage narrow streets in hillside areas. Streets should be designed with soft shoulders and drainage swales (rather than sidewalks with curbs and gutters) to maintain the rural character of hillside areas and minimize grading impacts. The City shall prohibit parking along narrow street shoulders to provide space for residents to walk and ride horses.
Policy LU-7.5	The City shall encourage the clustering of residential units on hillsides to preserve sensitive habitats and scenic resources as natural open space. Sensitive areas and scenic resources include woodlands, streams and riparian corridors, mature trees, ridgelines, and rock outcroppings.
Policy NR-8.1	The City shall regulate the design of streets, sidewalks, cluster home development, architecture, site design, grading, landscaping, utilities, and signage in hillside areas to protect aesthetics, natural topography, and views of surrounding open space through the continued Hillside Design and Urban/Wildland Interface Guidelines.
Policy NR-8.2	The City shall require low-impact site grading, soils repair, foundation design, and other construction methods to be used on new residential structures and roadways above 250 feet in elevation to protect aesthetics, natural topography, and views of hillsides and surrounding open space.
Policy NR-8.4	The City shall maintain and implement residential and non-residential design guidelines in order to protect existing views of the Bay shoreline.

4.1.3 Impact Discussion

a) Have a substantial adverse effect on a scenic vista?

According to the Hayward General Plan, there are no designated scenic vistas in the vicinity of the project and the project is not located within or visible from a designated scenic vista. Due to intervening topography, the site is not prominently visible from Garin Park. Therefore, the project would not have an impact on scenic vistas. **(No Impact)**

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project site is not located within a state scenic highway, nor does it contribute to views visible from a state scenic highway. Therefore, the construction of the project would not have impacts on state scenic highways.

The project site contains small rock outcroppings scattered throughout the site that the City of Hayward has not identified as a significant visual resource in the Natural Resources Element of the General Plan. The rock outcroppings are not substantially visible from public views of the project site, and therefore, the removal of the rock outcroppings during project construction would be a less than significant impact.

The site is a grassy hillside with scattered blackwood acacia, big leaf maple, plum, pine, olive, blue gum, coast live oak, red willow, and California bay trees. Approximately 76 of the total 78 trees proposed to be removed are protected under the City of Hayward Tree Preservation Ordinance (refer to *Section 4.4 Biological Resources*). The trees, however, are not considered to be an irreplaceable scenic resource since most of the species (with the exception of the big leaf maple, coast live oak, red willow, and California bay) are not indigenous to the region, and the project will pay tree removal fees to fund tree replanting to offset the loss of on-site trees. The project does not include substantial new landscaping, fences, or other changes in the natural environment, consistent with General Plan policies. **(Less Than Significant Impact)**

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The project would place single-family development on a mostly undeveloped site consisting mainly of gently sloping grasslands. Although the proposed development would occur on a hillside, views of the site are limited to surrounding local streets including Hayward Boulevard, Stonebrae Road, and Carden Lane, and the project proposes new residential development in keeping with the scale and character of the recent residential development in the area. Additionally, the project proposes extensive grading that would serve to lower the elevation of the proposed single-family homes 20 feet below the existing grade.

The project would introduce structures that would be primarily visible from existing neighborhoods and roads surrounding the site. In addition, the project site is in a suburban setting with existing single-family development, a school, and recreational uses. Placement of homes on the slope 20 feet below the existing grade would reduce the height of the proposed houses, thus reducing the overall impact of the development viewed from Stonebrae Road and Hayward Boulevard. The proposed project would alter the visual character of the site by removing numerous mature trees and rock outcroppings. The aesthetic character of the proposed development, however, would be in keeping with the surrounding area and, therefore, would result in a less than significant impact. **(Less Than Significant Impact)**

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

The project site is in a suburban setting, surrounded by residences, a golf course, and Garin Regional Park. The project would introduce development including street lights and private residential lighting to a mostly undeveloped site which would create new sources of light and glare compared to the project site's existing condition. The project will comply with the City's Municipal Code and design requirements relating to aesthetics, light and glare, which are intended to prevent spillover light and minimize impacts related to the introduction of new light sources as a standard condition of approval (Hayward Municipal Code (HMC) Section 10-1.445(j)). Therefore, the additional light and glare created by the project would be in keeping with that produced by surrounding residential development and a less than significant impact. **(Less Than Significant Impact)**

4.1.4 Conclusion

Implementation of the proposed project would not result in significant adverse visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,2,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐	1,2,4
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒	1,2,4
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2,4
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐	1,2,4

4.2.2 Existing Setting

The project site has been developed with a residential structure and associated outbuildings since the 1930's. According to the *Alameda County Important Farmland 2014* map, the project site is designated as *Grazing Land*, meaning that the land contains existing vegetation that is suited to the grazing of livestock.[1] The site is currently zoned *Agricultural*, which allows for crop and tree farming; a farm or ranch; selling of fruits, vegetables, and flowers; a single-family residence; a Christmas tree or pumpkin patch lot; a day care home; public agency facility; or a group home for six or fewer residents.

The surrounding land uses are primarily suburban in nature, including single-family residences, Stonebrae Elementary School, Stonebrae Golf Course, and Garin Regional Park. Although Garin Regional Park is zoned *Agricultural*, it is currently used as a regional open space.

[1] California Department of Conservation, Division of Land Resource Protection. *Alameda Mateo County Important Farmland 2014 Map*. 2016.

4.2.3 Impact Discussion

a – b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? Conflict with existing zoning for agricultural use, or Williamson Act contract?

The project site is designated as *Grazing Land*; therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. Although the project would rezone the site from *Agricultural* to *Planned Development Zoning*, the project would have minimal impact on agricultural resources or operations due to the size of the site and lack of substantial agricultural use of the site or surrounding area. **(Less Than Significant Impact)**

c – d) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production? Result in a loss of forest land or conversion of forest land to non-forest use?

"Forest land" is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

While the site does contain numerous mature trees, the site and surrounding area is not used or zoned for timberland or forest land. Therefore, the project would not impact timberland or forest land. **(No Impact)**

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

According to the *Alameda County Important Farmland 2014* map, the project site and surrounding area are designated as *Grazing Land*. The project site is located on the edge of Garin Regional Park to the south, which is primarily designated as *Grazing Land.* The development of the project site would not result in conversion of any forest or farmlands. **(Less Than Significant Impact)**

4.2.4 Conclusion

The project would not result in significant impacts to agriculture or forestry resources. **(Less Than Significant Impact)**

4.3 AIR QUALITY

The following discussion is based in part on a Construction TAC Analysis prepared by *Illingworth & Rodkin, Inc.* in August 2016. A copy of this report is attached as Appendix A.

4.3.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1,5
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,6
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,6
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	1,6,7
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	1,6

4.3.2 Background

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of a pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for what are commonly referred to as "criteria pollutants," because they set the criteria for attainment of good air quality. Criteria pollutants include carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, and particulate matter (PM).

4.3.2.1 *Climate and Topography*

The project site is located in Alameda County, which is part of the San Francisco Bay Area Air Basin. The project area's proximity to both the Pacific Ocean and the San Francisco Bay has a moderating influence on its climate.

4.3.2.2 *Regional and Local Criteria Pollutants*

Major criteria pollutants, listed in "criteria" documents by the USEPA and CARB include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter. These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms. Ambient air quality standards have been established at both the state and federal level. Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant. Areas with air quality that exceed adopted air quality standards are designated as "nonattainment" areas for the relevant air pollutants. Nonattainment areas are sometimes further classified by degree (marginal, moderate, serious, severe, and extreme for ozone, and moderate and serious for carbon monoxide and PM_{10}) or status ("nonattainment-transitional"). Areas that comply with air quality standards are designated as "attainment" areas for the relevant air pollutants. "Unclassified" areas are those with insufficient air quality monitoring data to support a designation of attainment or nonattainment, but are generally presumed to comply with the ambient air quality standard. State Implementation Plans must be prepared by states for areas designated as federal ambient air quality standard.

The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter ($PM_{2.5}$) under both the federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM_{10}) under the California Clean Air Act, but not the federal act. High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort. Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide (i.e. cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

4.3.2.3 *BAAQMD Guidelines*

The Bay Area Air Quality Management District (BAAQMD) is the regional agency tasked with managing air quality in the region. The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. As noted above, air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act and its subsequent amendments).

Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two closely-related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the Plan describes how the BAAQMD will continue its progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic

air contaminants; to reduce emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion. The BAAQMD has published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects. The thresholds of significance for construction- and operation-related pollutant emissions are shown in Table 4.3-1.

Table 4.3-1
Thresholds of Significance Used in Air Quality Analyses

Pollutant	Construction	Operation-Related	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Maximum Annual Emissions (tons/year)
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust (PM_{10}/$PM_{2.5}$)	Best Management Practices	None	None
Risk and Hazards for New Sources and Receptors (Project)	Same as Operational Threshold	• Increased cancer risk of >10.0 in one million • Increased non-cancer risk of > 1.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.3 µ/m^3 [Zone of influence: 1,000-foot radius from property line of source or receptor]	
Risk and Hazards for New Sources and Receptors (Cumulative)	Same as Operational Threshold	• Increased cancer risk of >100 in one million • Increased non-cancer risk of > 10.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.8 µ/m^3 [Zone of influence: 1,000-foot radius from property line of source or receptor]	

Sources: *BAAQMD Thresholds Options and Justification Report (2009)* and *BAAQMD CEQA Air Quality Guidelines* (dated May 2011).

4.3.2.4 *Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter*

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air. Exposure to low concentrations over long periods, however, can result in adverse chronic health effects. Diesel exhaust is a predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average).

Fine Particulate Matter ($PM_{2.5}$) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to $PM_{2.5}$ can cause a wide range of health effects. Common stationary sources of TACs and $PM_{2.5}$ include gasoline stations, dry

cleaners, diesel backup generators, and motor vehicles. The other, more significant, common source is motor vehicles on roadways and freeways.

4.3.2.5 *Sensitive Receptors*

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children.

4.3.2.6 *Construction TAC and $PM_{2.5}$ Health Risks*

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not be considered to contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents and school children. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. The closest sensitive receptors to the project site are the single-family dwellings to the east and Stonebrae Elementary School adjacent to the western property boundary.

4.3.3 Impact Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

The proposed project will not conflict with the latest Clean Air planning efforts since; (1) the project's operational emissions would be well below the BAAQMD thresholds of significance for air pollutants as discussed below in Section 4.3.3(b) and (2) due to the project's small size (19 units). **(Less Than Significant Impact)**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The 2011 BAAQMD *CEQA Air Quality Guidelines* contain a screening table that lists the minimum unit count for single-family residential projects, below which the project would not result in the generation of operational or construction criteria air pollutants, or greenhouse gas emissions, that exceed the threshold of significance. The project proposes 19 residences on the site and, as summarized in Table 4.3-2 below, the screening threshold for operational criteria pollutants is 325 units; for operational greenhouse gas emissions is 56 units; and for construction criteria pollutants is 114 units. The proposed residential development would not exceed the screening level for operational and construction criteria pollutants or greenhouse gas emissions and, therefore, the project would not result in significant air quality impacts. **(Less Than Significant Impact)**

Table 4.3-2 Criteria Air Pollutants and Precursors and GHG Screening Level Size			
Land Use Type	**Operational Criteria Pollutant Screening Size**	**Operational GHG Screening Size**	**Construction Criteria Pollutant Screening Size**
Single-family Residences	325 units	56 units	114 units
Below screening threshold?	Yes	Yes	Yes

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?

Non-attainment pollutants of concern for the San Francisco Bay Air Basin are ozone, PM_{10} and $PM_{2.5}$. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed in impact (b) above, the project size is below the BAAQMD's screening thresholds, therefore, the project's operational and construction emissions would be less than significant. In addition, construction on the site will be required to implement BAAQMD's Best Management Practices for dust control in accordance with the City's General Plan policies. **(Less Than Significant Impact)**

d) Expose sensitive receptors to substantial pollutant concentrations?

Construction Dust Emissions

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere. Construction activities would increase dustfall and locally elevated levels of PM_{10} downwind.

Nearby land uses, particularly sensitive receptors adjacent to the project site, could be affected by dust generated during construction activities.

Impact AQ – 1: The project would generate dust during construction activities that would affect nearby sensitive receptors. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measure to ensure project impacts from construction are reduced to a less than significant level:

MM AQ – 1.1: During any construction period which causes ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures

recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Construction TAC and $PM_{2.5}$ Health Risks

Construction activity is anticipated to include demolition, grading and site preparation, trenching, building construction, and paving. A health risk assessment of the project construction activities was completed (see Appendix A) that evaluated potential health effects of sensitive receptors at nearby residences and Stonebrae Elementary School from construction emissions of DPM and $PM_{2.5}$. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2013.2.2 (CalEEMod).

Increased cancer risks were calculated using the maximum modeled concentrations for 2017 and BAAQMD recommended risk assessment methods for infant exposure (3rd trimester through two years of age) and for an adult exposure. The cancer risk calculations were based

on applying the BAAQMD recommended age sensitivity factors to the TAC concentrations, as described above. Age-sensitivity factors reflect the greater sensitivity of infants and small children to cancer causing TACs. Infant, child, and adult exposures were assumed to occur at all residences through the entire construction period.

The CalEEMod analysis completed for the project evaluated a larger, earlier version of the project at 33 residential units with 58,000 cubic yards of cut, 57,000 cubic yards of fill, and 500 cubic yards of soil export. The current project that is being analyzed in this Initial Study has been reduced in size to 19 units and associated grading quantities have increased to approximately 66,000 cubic yards of cut and fill that would be redistributed on-site, with no remaining soil to be exported off-site. The air quality consultant who modeled construction activity has confirmed that with the additional approximately 8,000 cubic yards of cut and 9,000 cubic yards of fill proposed by the project, the conclusions of this construction health risk analysis remain valid that construction impacts would have a significant impact on existing residents and students in the project vicinity requiring mitigation.[2]

The maximum community risk impacts associated with project construction are shown in Table 4.3-3. Results of the assessment for project construction indicate the maximum incremental residential child cancer risk at the maximally exposed individual MEI receptor would be 44.7 in one million and the residential adult incremental cancer risk would be 0.8 in one million. The maximum-modeled annual $PM_{2.5}$ concentration, which is based on combined exhaust and fugitive dust emissions, would be 0.46 $\mu g/m^3$, which exceeds the BAAQMD significance criterion of 0.3 $\mu g/m^3$. The maximum modeled annual residential diesel particulate matter (DPM) concentration (i.e., from construction exhaust) was 0.2048 $\mu g/m^3$, which is lower than the reference exposure level. The maximum hazard index (HI) based on this DPM concentration is 0.11 which is lower than the BAAQMD significance criterion of a hazard index greater than 1.0.

The maximum modeled annual $PM_{2.5}$ concentration at Stonebrae Elementary School was found to be 0.09 $\mu g/m^3$. The cancer risk for child exposure was computed to be 1.3 in one million which is below the BAAQMD single-source significance thresholds. The maximum-modeled DPM concentration was 0.0368 $\mu g/m^3$ and the non-cancer HI based on this DPM concentration was calculation as 0.01, which is much lower than the BAAQMD significance criterion.

[2] Reyff, James. President. *Illingworth & Rodkin, Inc*., Personal Communication via Email. March 15, 2018.

Table 4.3-3
Construction Source Health Risks at Nearby Receptors

Source	Cancer Risk (Per Million)		$PM_{2.5}$ Concentration ($\mu g/m^3$)		Acute and Chronic Hazard (HI)	
Proposed Project Construction Unmitigated	**Residence**	**School**	**Residence**	**School**	**Residence**	**School**
	Infant = 44.7 Adult = 0.8	Child = 1.3	0.46	0.09	0.04	0.01
BAAQMD Thresholds Single Source	*10.0*		*0.3*		*1.0*	
Significant?	***Yes***		***No***		***No***	
Proposed Project Construction Mitigated	Infant= 1.4 Adult=0.0	Child= 0.01	~0	~0	~0	~0
Significant After Mitigation?	***No***		***No***		***No***	

Impact AQ – 2: Construction of the proposed project would generate significant quantities of toxic air contaminant emissions. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measure to ensure project impacts from construction TACs are reduced to a less than significant level:

MM AQ – 2.1: The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 78 percent reduction in DPM exhaust emissions. One feasible plan to achieve this reduction would include the following:

- All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may include the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

- The project shall be required to implement the measures listed above as conditions of approval. These measures shall be placed on project plan documents prior to issuance of any building permits for the project. The proposed project, therefore, would not result in a significant air quality impact due to construction

dust emissions. **(Less Than Significant Impact With Mitigation)**

Roadway TAC Health Risks

In accordance with the City of Hayward's Community Risk Reduction Plan, the project's future residents would not be exposed to elevated levels of TACs since no high-volume roadways or other TACs sources are in the vicinity of the project site.

e) Create objectionable odors affecting a substantial number of people?

Implementation of the proposed project would not create objectionable odors affecting a substantial number of people near the site. No new stationary odor sources are anticipated as part of the project and there are no odor sources in the vicinity of the site that would emit substantial odors with the potential to impact future project residents. **(Less Than Significant Impact)**

4.3.4 Conclusion

With the implementation of MM AQ – 1.1, and MM AQ – 2.1, the proposed project would have a less than significant impact on air quality. **(Less Than Significant Impact With Mitigation)**

4.4 BIOLOGICAL RESOURCES

This discussion is based in part on the Updated Final Biological Constraints Analysis, Tree Inventory and Valuation, and Wetland Delineation prepared by *LSA*. The reports are attached in Appendix B of this Initial Study.

4.4.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐	1,8,10
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒	1,9,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐	1,9
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☒	☐	☐	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,2,8
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1,2,10

4.4.2 Existing Setting

4.4.2.1 *Existing Conditions*

The project site occurs on a hillside near Garin Regional Park and contains numerous mature trees on site and along the southeastern perimeter. The project site contains a 280-foot-long swale that conveys intermittent flows towards an off-site detention basin located northwest of the project site.

An LSA biologist conducted a reconnaissance-level general field survey of the site on February 3, 2016. Additional surveys were conducted by *LSA* biologists on May 6, 2016; June 1, 2016; May 11, 2017, and April 19, 2018. The purposes of these surveys were to evaluate the site's potential to support special-status species and sensitive natural communities, delineate potential jurisdictional features, inventory trees on the site, and conduct focused surveys for a rare plant.

Vegetation

The project site is composed of a mixture of non-native annual grassland, scattered planted ornamental and fruit trees, a grove of eucalyptus trees, a grove of California bay laurel (*Umbellularia californica*) trees, and other native trees including coast live oak (*Quercus agrifolia*), red willow (*Salix laevigata*), and big leaf maple (*Acer macrophyllum*). Coyote brush (*Baccharis pilularis*) is the most common shrub species on the property, followed by poison oak (*Toxicodendron diversilobum*). A small area with standing water south of the driveway and outside the gate supports a few rush (*Juncus effuses*) plants. Italian thistle (*Carduus pycnocephalus*) is present, most dominantly in the flat parts of the swale on the north side of the site.

Most of the site is covered with non-native annual grasslands typical of historically grazed ranches in the area. It is dominated by Italian ryegrass (*Lolium mulliflorum*), clovers (*Trifolium* sp.) and other small herbaceous plants. A small patch of bracken fern (*Pteridium aquilinum pubescens*) grows out of the grassland on the north side of the property, on the steep north-facing slope on the southern side of the drainage ditch. Several rock outcroppings are scattered throughout the grasslands.

A grove of approximately 50 eucalyptuses with a diameter at breast height (DBH) of eight inches or more is present on the eastern side of the property. A small grove of California bay laurels is growing in a rock outcrop in the southeastern corner of the property. There are approximately 26 trunks with a DBH of eight inches or more in the grove. The largest trunk had a DBH of approximately 40 inches.

Wildlife

The project site provides suitable habitats for many wildlife species, especially those that are adapted to high levels of human disturbance.

The grassland has consistently been grazed by horses, and a few cattle were also grazing the site at the time of the April 2018 site visit. Less rocky portions of the grasslands were observed to have meadow vole (*Microtus californicus*) runways and Botta's pocket gopher (*Thomomys bottae*) burrows.

Small mammals present at the site attract avian predators including the white-tailed kite (*Elanus leucurus*) and red-tailed hawk (*Buteo jamaicensis*). No nests were observed in the eucalyptus grove, but the large trees provide potentially suitable nest locations for red-tailed hawks, owls, and other bird species. Some of the trees have cavities that could be used by nesting birds. The nests of most native birds are protected under the federal Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code.

Regulated Waters and Wetlands

The U.S. Army Corps of Engineers (Corps) is responsible under Section 404 of the Clean Water Act to regulate the discharge of fill material into Waters of the U.S.

LSA conducted a wetland delineation of the site on May 6, 2016. According to the wetland delineation prepared by *LSA*, the ephemeral swale that runs along the northern side of the property had flowing water at the time of the reconnaissance-level field survey in February 2016. Near its western end, stormwater flow enters a culvert which then carries the water to an off-site constructed detention basin. The Corps conducted a field survey of the site on May 11, 2017, and provided a letter verifying the preliminary jurisdiction dated October 26, 2017. The swale qualifies as a jurisdictional tributary, classified as a non-relatively permanent water, intermittent riverine. The jurisdictional area of this tributary is approximately 280 square feet.

Special-Status Species

State and federal "endangered species" legislation has provided the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the CDFW and USFWS if activities associated with a proposed project would result in the incidental "take" of a species that is listed as endangered or threatened. To "take" a listed species, as defined by the state of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" said species (California Fish and Game Code, Section 86).

Plant Species

The California Natural Diversity Database (CNDDB) contained occurrences for six special-status plant species within five miles of the site. The two occurrences for one of these species, alkali milk-vetch (*Astragalus tener* var. *tener*) are considered extirpated, and no suitable vernal pool habitat is present on the site. The remaining five species include the Diablo helianthella (*Helianthella castanea*), Hairless Popcornflower (*Plagiobothrys glaber*), Most Beautiful Jewelflower (*Streptanthus albidus* ssp. *peramoenus*), Oregon Polemonium (*Polemonium carneum*), and Santa Cruz Tarplant (*Holocarpha macradenia*). The project site contains marginally suitable habitat for only one of these species, Diablo helianthella. Two focused surveys by LSA biologists during the species' blooming period in 2017 and 2018 did not detect the species, so it is now considered to be absent from the site.

Animal Species

There is little or no potential for most special-status species to occur on the property due to habitat degradation or lack of suitable habitat on the site. However, there is some potential for one special-status animal species to occur.

A special-status species with a high potential to occur on the site is the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*). Two houses built by woodrats were present within 50 feet of the southern boundary of the site during *LSA's* site visits in 2016 and 2018. Special-status species with a moderate potential to occur on the site include the California red-legged frog (*Rana draytonii*) and white-tailed kite (*Elanus leucurus*). Special-status species with a low potential to occur on the site include the pallid bat (*Antrozous pallidus*), golden eagle (*Aquila chrysaetos*), and Alameda striped racer (*Coluber lateralis euryxanthus*) (formerly known as the Alameda whipsnake [*Masticophis lateralis euryxanthus*].

Mature Trees

The City's Municipal Code Chapter 10, Article 15 Tree Preservation Ordinance states that "no person shall remove, destroy, perform cutting of branches over one inch in diameter, or disfigure or cause to be removed or destroyed or disfigured any Protected Tree without having first obtained a permit to do so."

Hayward Municipal Code Chapter 10-15.13 defines a protected as: any tree having a minimum trunk diameter of eight inches measured at 54 inches above the ground; street trees or other trees such as those required as a condition of approval, Use Permit, or other Zoning requirement, regardless of size; all memorial trees dedicated by an entity recognized by the City, and all specimen trees that define a neighborhood or community; trees of the following species that have reached a minimum of four inches in diameter trunk size: big leaf maple (*Acer macrophyllum*), California buckeye (*Aesculus californica*), Pacific madrone (*Arbutus menziesii*), western dogwood (*Cornus nuttallii*), Western sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), canyon live oak (*Quercus chrysolepis*), blue oak (*Quercus douglasii*), Oregon white oak (*Quercus garryana*), California black oak (*Quercus kelloggii*), valley oak (*Quercus lobata*), interior live oak (*Quercus wislizenii*), California bay (*Umbellularia californica*); and any tree or trees of any size planted as replacement for a protected tree. When measuring a multi-trunk tree, the diameters of the largest three trunks are added together.

A tree survey was completed in June 2016 and identified 78 trees of 11 different species present on the project site. The trees were reevaluated in April 2018, and there were no significant changes in the condition or size of any of the trees.

Of the 78 trees on the site that were inventoried, 76 trees are protected by the Hayward Tree Preservation Ordinance. As summarized in Table 4.4-1, the survey identified one blackwood acacia (*Acacia melanoxylon*), one big leaf maple, one deodar cedar (*Cedrus deodara*), 56 blue gum (*Eucalyptus globulus*), one olive (*Olea europaea*), three Aleppo pine (*Pinus halepensis*), one longleaf pine (*Pinus palustris*), three plum (*Prunus cerasifera*), four coast live oak, one red willow, and six California bay trees. Two of the blue gum eucalyptus trees surveyed on the project site are not protected, because their DBH is less than 8 inches. Except for big leaf maple, coast live oak, red

willow, and California bay, none of the other tree species in the project site are indigenous to the region. Additionally, seven protected coast live oaks occur on adjacent property within 20 feet of the project site boundary that would be preserved.

Table 4.4-1
Tree Survey Summary

Common Name	Scientific Name	Diameter in Inches		Total # of Trees	Tree Condition*		
		4 -7.9	8 or more		Poor	Fair	Good
Blackwood acacia	*Acacia melanoxylon*	--	1	1	--	1	--
Big leaf maple	*Acer macrophyllum*	--	1	1	1	--	--
Deodar cedar	*Cedrus deodara*	--	1	1	--	--	1
Blue Gum	*Eucalyptus globulus*	2	54	56	6	50	--
Olive	*Olea europaea*	--	1	1	--	--	1
Aleppo pine	*Pinus halepensis*	--	3	3	--	--	3
Longleaf pine	*Pinus palustris*	--	1	1	--	1	--
Plum	*Prunus cerasifera*	1	2	3	3	--	--
Coast live oak	*Quercus agrifolia*	1	3	4	--	--	4
Red willow	*Salix laevigata*	1	--	1	--	--	1
California bay	*Umbellularia californica*	--	6	6	--	--	6
Total		**5**	**73**	**78**	**10**	**52**	**16**

Notes: * The condition of each tree with respect to overall health was recorded according to the following system:

- Good – New growth is vigorous as evidenced by stem elongation and color, canopy is dense;
- Fair – Tree is developing in a manner typical of others in the area, canopy is full;
- Poor – Tree displays some die-back of branches, foliar canopy is sparse, little to no sign of new growth or vigor, possible pathogen infection;

Dead – Dead tree

TREE LOCATIONS FIGURE 4.4-1

4.4.3 Impact Discussion

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

Special-status Species

The potential for special-status species to occur on the project site was reviewed by *LSA*. As discussed in Section 4.4.2.1, the San Francisco dusky-footed woodrat has a high potential to occur on the site. Two species (California red-legged frog, and white-tailed kite) were determined to have a moderate potential to occur on the site, and three species (pallid bat, Alameda striped racer, and golden eagle) were determined to have a low potential to occur on the site. Therefore, the project has the potential to adversely impact several special-status species.

Impact BIO – 1: Construction of the proposed project could result in significant impacts to special-status species. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to special-status species to a less than significant level:

MM BIO – 1.1: A qualified biologist will conduct an environmental education program for all persons employed or otherwise working on the project site before they perform any work. The program shall consist of a presentation from the biologist that includes a discussion of the biology and general behavior of special-status species on or near the site; information about the distribution and habitat needs of the species; sensitivity of the species to human activities; the status of the species pursuant to the Federal Endangered Species Act, the California Endangered Species Act, and the California Fish and Game Code including legal protection; recovery efforts; penalties for violations; and any project-specific protective measures described in this document or any subsequent documents such as an Incidental Take Permit and/or Biological Opinion. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers before their performing work on the site. The biologist shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry on the site. Upon completion of the program, employees shall sign a form stating they attended the program and understand all the protection measures. Copies of the form shall be provided to the City.

MM BIO – 1.2: A qualified biologist will be on the site daily to monitor initial vegetation clearing and ground-disturbing activities. **(Less Than Significant Impact With Mitigation)**

White-Tailed Kite

The white-tailed kite and other bird species could nest in trees and shrubs in and adjacent to the project site. Tree removal, grading, and construction on the site may result in the destruction of nests and/or cause nest abandonment.

Impact BIO – 2: Construction of the proposed project could adversely impact the white-tailed kite or other migratory bird species. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to White-tailed kite and other migratory birds to a less than significant level:

MM BIO – 2.1: Information on white-tailed kites and other protected migratory birds shall be included in the environmental education program, as detailed in Mitigation Measure MM BIO – 1.1.

MM BIO – 2.2: If feasible, construction activities shall occur during the non-breeding season (September 1 - January 31). If such activities are scheduled during the breeding season, a qualified biologist shall conduct a preconstruction nest survey of all trees and shrubs and other suitable nesting habitat in and within 300 feet of the limits of work. The survey shall be conducted not more than five (5) days prior to the start of work. If the survey indicates the potential presence of nesting white-tailed kites or other birds, the biologist shall determine an appropriately sized buffer around the nest and no work will be allowed in this buffer until the young have successfully fledged. The size of the nest buffer will be determined by a qualified biologist in consultation with CDFW and will be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 300 feet for raptors and 50 feet for other birds would prevent disturbance, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest. **(Less Than Significant With Mitigation)**

Pallid Bat

The pallid bat may roost in trees and buildings on the site. All the trees and buildings on the site would be removed to allow development of the property. In the unlikely event pallid bats or other bat species are present on the site, building demolition and tree removal could result in injury or mortality to bats.

Impact BIO – 3: Construction of the proposed project could result in significant impacts to the pallid bat. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to pallid bat to a less than significant level:

MM BIO – 3.1: *Pre-demolition Bat Survey.* A qualified bat biologist shall conduct a bat survey, no more than 14 days prior to the removal of any buildings or structures, to determine if bats are present. No activities that would result in disturbance to an active roost shall proceed prior to completion of the survey. If no active roosts are observed, then no further action shall be warranted. If a maternity root is present, a qualified biologist shall determine the extent of a construction-free buffer zone around the active nurseries located during the survey. CDFW shall be notified of any active nurseries within the demolition/construction zone. No demolition or construction activities shall occur within the construction-free buffer zone between March 1 and August 31 to avoid construction disturbance to the maternity roost, as determined by the bat biologist. After August 31, roosting bats shall be safely evicted by a qualified bat biologist. A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the City Planning Department prior to the start of any demolition or grading activity. **(Less Than Significant Impact With Mitigation)**

Dusky-footed Woodrat

The San Francisco dusky-footed woodrat may inhabit the site. Two houses built by woodrats are present within 50 feet of the southern boundary of the site. Construction of the proposed project may result in impacts to San Francisco dusky-footed woodrats.

Impact BIO – 4: Construction of the proposed project may impact San Francisco dusky-footed woodrats on the site. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to San Francisco dusky-footed woodrat to a less than significant level:

MM BIO – 4.1: Information on the San Francisco dusky-footed woodrat shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1.

MM BIO – 4.2: A qualified biologist shall conduct a preconstruction survey for San Francisco dusky-footed woodrat houses within 14 days prior to any tree removal or ground-disturbing activities. Any woodrat houses shall be identified, and their locations mapped and flagged to be avoided during construction activities. No work shall occur within a 20-foot buffer of any woodrat houses. If it is not possible to avoid a woodrat house, a qualified biologist shall develop a relocation plan. The relocation plan shall be submitted to CDFW for approval and then implemented as necessary. Copies of the relocation plan shall be provided to the City. **(Less Than Significant Impact With Mitigation)**

Alameda Striped Racer

The Alameda striped racer (snake) is known to historically occur in the vicinity of the site. Individual Alameda striped racers may travel through the site. Grading and other construction activities may crush or entomb individual Alameda striped racers, resulting in injury or mortality. The project could likely to indirect impacts to the Alameda striped racer, including an increase in the number of non-native predators such as rats and domestic or feral dogs and cats. The project could also attract native and non-native urban-adapted mammalian predators, such as rats, raccoons, and striped skunks. These species are often attracted to urban environments to feed on urban-generated garbage. Alameda striped racers will avoid areas that lie adjacent to urban development due to losses of cover habitats in combination with the increase in native and non-native predator presence.

Project grading and development will permanently impact approximately 8.2 acres[3] of potential Alameda striped racer habitat.

Impact BIO – 5: Grading and other construction activities may crush or entomb individual Alameda striped racers resulting in injury or mortality to individual snakes and result in the loss of 8.2 acres of habitat. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to Alameda striped racer to a less than significant level:

MM BIO – 5.1: Information on the Alameda striped racer shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1.

MM BIO – 5.2: A qualified biologist shall survey for Alameda striped racer during all initial ground-disturbing activities on the site. If an Alameda striped racer is found, it shall be captured and relocated away from the construction area by a qualified biologist in accordance with an approved relocation plan in compliance with all applicable regulations and guidelines. The biologist shall submit the results of the survey (and capture/relocation plan if applicable) to CDFW and USFWS for review and approval.

MM BIO – 5.3: Unless alternative (equivalent or more effective) measures are recommended by the qualified biologist and approved by the Planning Director, the project applicant shall install a solid fence to deter Alameda striped racers from entering the work site. The snake exclusion fence shall be constructed as follows:

[3] The entire site is approximately 8.88 acres. Buildings, a paved driveway, and a dense eucalyptus grove cover approximately 0.68 acres of the site, leaving 8.2 acres of potential habitat.

- Plywood sheets at least three feet in height, above ground. Heavy duty geotextile fabric or other materials approved by USFWS and CDFW may also be used for the snake exclusion fence;
- Buried four (4) to (six) 6 inches into the ground;
- Soil back-filled against the plywood fence to create a solid barrier at the ground;
- Plywood sheets maintained in an upright position with t-posts or stakes;
- Ends of plywood sheets overlapped with no gaps to ensure a complete barrier;
- Escape funnels installed in the fence every 200 linear feet; and
- Work site shall be completely enclosed by the exclusion fence or approved traps shall be installed at the ends of exclusion fence segments to allow capture and relocation of Alameda striped racer away from the construction area by a permitted biologist.
- The location and design of the proposed exclusion fence shall be submitted for review and approval by CDFW, USFWS, and Planning Director and be included on plans for all construction-related permits. If permits obtained through the implementation of Mitigation Measure BIO-5.6 require an alternate design or approach, those requirements will take precedence.

MM BIO – 5.4: The project applicant shall comply with the requirements in the above sections during construction activities. The approved protocol from Mitigation Measure BIO – 5.2 above shall be followed in the event an Alameda striped racer is encountered. The snake exclusion fence from Mitigation Measure BIO – 5.3 shall be installed and remain in place throughout the construction period. All construction activities and equipment/materials/debris storage shall take place on the project side of the exclusion fence.

MM BIO – 5.5: To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential Alameda striped racer habitat, the project applicant shall purchase 8.2 acres of Alameda striped racer credits from a CDFW-approved mitigation or conservation bank(s) or other approved site. Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction.

MM BIO – 5.6: The applicant shall obtain the appropriate permits from USFWS and CDFW agencies or shall obtain concurrence from these agencies that no permits are required prior to initiation of construction activities and implement all conditions stipulated in the permits. **(Less Than Significant Impact With Mitigation)**

California Red-legged Frog

California red-legged frogs are known to breed in ponds within one (1) mile of the site. No potential breeding habitat is located on the site. Although unlikely, individual California red-legged frogs may occasionally disperse through the site. The project, therefore, may cause the potential for harassment, injury, and/or mortality of individual adults and juveniles during construction. This includes the risk of incidental take crushing or entombment of individuals during grading. The project will result in permanent alteration of 8.2 acres of degraded but potentially occupied upland habitat. Implementation of the perimeter wildlife exclusion fencing as described in Mitigation Measure BIO – 5.3 would, in part, reduce the potential for dispersing frogs to move into the site.

Impact BIO – 6: Construction of the proposed project could cause injury and/or mortality of California red-legged frogs and result in the permanent loss of habitat. (**Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to California red-legged frogs to a less than significant level:

MM BIO – 6.1: Information on the California red-legged frog shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1.

MM BIO – 6.2: No more than 24 hours prior to the date of initial ground disturbance, a preconstruction survey for the California red-legged frog shall be conducted by a USFWS-approved biologist at the project site. The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of the species. The USFWS-approved biologist shall investigate all potential areas that could be used by the California red-legged frog for feeding, breeding, sheltering, movement, and other essential behaviors. This includes an adequate examination of mammal burrows. If any California red-legged frogs are found, the USFWS-approved biologist shall contact the USFWS to determine if moving any of the individuals is appropriate. In making this determination the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, the applicant shall ensure that the USFWS-approved biologist is given sufficient time to move the animals from the work site before ground disturbance is initiated. Only USFWS-approved biologists shall capture, handle, and monitor the California red-legged frog.

MM BIO – 6.3: To the extent practicable, initial ground-disturbing activities will be avoided between November 1 and March 31, when California red-legged frogs are most likely to be moving through upland areas. When ground-disturbing activities must take place between

November 1 and March 31, the applicant shall ensure that daily monitoring by the USFWS-approved biologist is completed for the California red-legged frog.

MM BIO- 6.4: The applicant shall obtain the appropriate permit from USFWS and implement all conditions stipulated in the permit or shall obtain concurrence that no permit is required prior to initiation of construction activities.

MM BIO – 6.5: To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential California red-legged frog upland habitat, the project applicant shall purchase 8.2 acres of California red-legged frog credits from a USFWS-approved mitigation or conservation bank(s). Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction. If a permit issued by the USFWS has differing requirements, those requirements shall take precedence.

Implementation of these mitigation measures would reduce impacts to special-status plants and animals and breeding birds to a less than significant level. **(Less Than Significant With Mitigation)**

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

The project would not adversely affect any riparian habitat, which is absent from the site. The ephemeral swale on the northern side of the property conveys stormwater but does not support any aquatic wildlife. This drainage only carries water intermittently, is lined with plastic sheeting, and does not support typical riparian plant species such as cattails and cottonwood trees. This ephemeral swale conveys stormwater from the adjacent Stonebrae development. A riparian corridor associated with an ephemeral stream located outside of the project area to the south shall not be directly or indirectly impacted by the project.

The CDFW tracks the occurrences of natural plant communities that are of limited distribution Statewide or within a county or region. Many special-status natural communities support special-status plants and animals and are addressed separately as habitat for those species. Northern coastal salt marsh (a baylands habitat) is the only special-status natural community that the CNDDB lists within five (5) miles of the site. Northern coastal salt marsh is not present at the project site and will not be affected by the project. **(No Impact)**

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are no vegetated wetlands in the project site. There is one potentially jurisdictional feature on the project site that the Army Corps of Engineers (Corps) conducted a preliminary

jurisdictional determination and stated in a letter dated October 26, 2017 that one feature on the site may be subject to the Corps regulatory authority. The feature is an ephemeral swale that measures approximately 280 feet long and averages one (1) foot in width located on the northern portion of the project site. The project, due to grading of the site, would affect all approximately 280 linear feet of this ephemeral swale.

Impact BIO – 7: The construction of the proposed project would impact a potentially jurisdictional waterway as defined by the Corps. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measure would reduce impacts to jurisdictional waters to a less than significant level:

MM BIO – 7.1: The project will compensate for impacts to all areas delineated as jurisdictional on the site. The impacted feature shall be mitigated at a 1:1 ratio consistent with the Corps "no net loss" policy. The project applicant will obtain the necessary permits from the Corps, Regional Water Quality Control Board, and CDFW for any fill of jurisdictional areas. All terms of the permits shall be implemented as a condition of the project.

With the implementation of Mitigation Measure BIO – 7.1, impacts to jurisdictional waters would be reduced to a less than significant level. **(Less Than Significant With Mitigation)**

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?

The project would not affect any fish. The project would affect the movement of common native resident wildlife species and a grazed open space area that is mostly surrounded by residential development and a school. Two black-tailed deer (*Odocoileus hemionus*) (a doe and a fawn) were seen on the project site on June 1, 2016, and numerous deer trails cross the property. Existing paved roads, residential housing, and tall fences surrounding the school sports fields already obstruct wildlife movements to some degree. Although the development would permanently block existing deer trails, deer are a common, non-special-status species and are able to persist in altered suburban landscapes and nearby Garin Regional Park provides substantial habitat; therefore, the proposed project would not impact this species.

Several species of native birds are expected to nest in the trees, shrubs, and grasslands in and adjacent to the project site. Native birds may also nest on manmade structures on the property. The nests of most native birds are protected under the federal Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code. If conducted during the nesting season (February 1 to August 31), proposed tree removal, demolition, and grading activities could directly impact nesting birds by removing vegetation or structures that support active nests. Implementation of Mitigation Measures BIO-2.1 and BIO-2.2 above would avoid or reduce impacts to nesting birds to a less than significant level. **(Less Than Significant With Mitigation)**

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

A tree survey and appraisal was completed for the project site by *LSA* in June 2016 and re-evaluated in April 2018 (refer to Appendix B). Of the 78 trees on the site, 76 are protected under the City of Hayward Tree Preservation Ordinance. An additional off-site tree would be removed which is located north of Lot 3 on the proposed site plan and east of the proposed sewer line that would connect to an existing sewer line in Country Club Drive.

The City of Hayward protects trees that have a minimum trunk diameter of eight inches or more (measured 54 inches above the ground), street trees, memorial trees, trees that were planted as replacements for protected trees, and trees of certain species.[4] Based on the development envelope including extensive proposed grading for the project, all on-site trees including 76 protected trees and an additional off-site tree would be removed by the proposed development.

The project would be required to comply with the Tree Preservation Ordinance, which includes submittal of an application for a Protected Tree Removal or Cutting permit. The ordinance also requires replacement of removed or disfigured trees with like-size, like-kind trees or an equal value tree or trees as determined by the City's Landscape Architect. The replacement trees shall be located on site wherever possible. Where there is not enough room on-site for the replacement trees in the judgment of the City Landscape Architect or his or her designated representative, another site may be designated that is mutually agreeable. The Ordinance also includes protection measures for trees that would be retained to ensure they are not impacted during construction activities.

Impact BIO – 8: Development of the proposed project would result in significant impacts to on-site protected trees and one off-site tree. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures would reduce impacts to protected trees to a less than significant level.

MM BIO – 8.1: All applicable requirements shall be followed and all permits obtained as required by the City's Tree Ordinance (HMC Chapter 10, Article 15). Per that ordinance, every effort shall be made to preserve the character of the area and the more valuable tree specimens on site to the greatest extent practicable. Final landscape plans shall be reviewed and approved by the City of Hayward Landscape Architect prior to issuance of any grading, trenching, encroachment, demolition, or building permit for development. Final landscape plans shall clearly identify all "protected trees," as defined in the Tree Preservation Ordinance, and all trees to be removed from the project

[4] The following tree species with a trunk diameter of four inches or more are protected under the City of Hayward Tree Preservation Ordinance: Big Leaf Maple, California Buckeye, Madrone, Western Dogwood, California Sycamore, Coast Live Oak, Canyon Live Oak, Blue Oak, Oregon White Oak, California Black Oak, Valley Oak, Interior Live Oak, and California Bay.

site and the size, location, type, value of trees and specify the species of all replacement trees.

MM BIO – 8.2: The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:

- *Tree Avoidance.* The project plan shall avoid protected trees adjacent to the project site. The project plan shall incorporate placement of Tree Protection Fencing (TPF) outside the drip line of the off-site protected trees. The location of the TPF shall be shown on the project plans.

- *Excavation.* Within the dripline of retained trees, digging should be done with low impact machinery and hand tools. If the roots of retained trees become exposed during construction and need to be removed to allow construction to proceed, these roots must be cut cleanly with a sharp saw blade. Tree roots shall not be pulled or torn.

- *Tree Protection Fencing.* Prior to the start of construction, TPF shall be installed at the drip line of protected trees to be retained. The TPF should be maintained during the construction process to prevent direct damage to trees and their growing environment. The TPF should consist of high density polyethylene fencing with 3.5 inch by 1.5-inch openings (orange warning barrier fence) supported by metal "T-post" fence posts.

- *Use of Heavy Equipment.* Heavy machinery should not be staged or operated within the drip line of retained trees.

- *Incidental Damage to Retained Trees.* The attachment of wires, signs, and ropes to any retained tree should be prohibited. Injury to trees must be avoided.

- *Trimming.* The pruning of retained trees shall comply with the guidelines established by the International Society of Arboriculture; BMP; tree pruning and any special conditions as determined by a certified arborist.

By complying with the City's Tree Preservation Ordinance for replacement of on-site trees and implementing tree protection measures for off-site trees, the project would not conflict with any local policies or ordinances protecting biological resources. **(Less Than Significant With Mitigation)**

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no habitat conservation plans affecting the property, specifically, the project site is not located in an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan. **(No Impact)**

4.4.4 Conclusion

The proposed project, with the implementation of MM BIO – 1.1 through MM BIO – 8.2, would have a less than significant impact on biological resources. **(Less Than Significant Impact With Mitigation)**

4.5 CULTURAL RESOURCES

This discussion is based on a Cultural Resources Assessment prepared by *Basin Research Associates, Inc*. in July 2016. A copy of this report is on file at the City of Hayward Planning Department.

4.5.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☒	☐	1,11
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section15064.5?	☐	☒	☐	☐	1,11
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☒	☐	☐	1,11
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	1
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	☐	☒	☐	☐	1,11
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying this criteria, the significance of the resource to a California Native American tribe shall be considered.	☐	☒	☐	☐	1,11

4.5.2 Setting

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground or underground and have significance in the history, prehistory, architecture, or culture of the nation, State of California, or local or tribal communities.

Paleontological resources are fossils, the remains or traces of prehistoric life preserved in the geologic record. They range from the well-known and well publicized (such as mammoth and dinosaur bones) to scientifically important fossils.

4.5.2.1 *Prehistoric Context and Resources*

The proposed project is located on Walpert Ridge in the City of Hayward within the Stonebrae Country Club master planned residential area. Native American occupation of the area extended over 5,000 to 7,000 years and possibly longer. Springs and water courses were often a focus of prehistoric occupation in central California with Native American groups exploiting a variety of ecological resources associated with flowing and seasonal water. The project site is located within the vicinity of several creeks and their intermittent tributaries. The various sources of water would have provided a favorable environment during the prehistoric period with riparian and inland resources readily available and the bayshore in relatively close proximity.

Native American site types in the general Hayward area consist of habitation sites (e.g., villages and long-term camps including burials, temporary camps), non-habitation sites (e.g., workshops, hunting and butchering sites, etc.), bedrock mortars or other milling feature sites, rock art sites (e.g., petroglyph and pictographs), quarries, burial sites (including isolated burials), and trails.

The aboriginal inhabitants of southern Alameda County belonged to a Native American group known as the "Costanoan," derived from the Spanish word *Costanos* ("coast people" or "coastal dwellers") who occupied the central California coast as far east as the Diablo Range. The descendants of these Native Americans now prefer to be called Ohlone.

The project area is within the territory of the Chochenyo tribelet of the Ohlone. Historic accounts of the distribution of the tribelets and villages in the 1770s-1790s suggest that the Native Americans may have had a major village site along San Lorenzo Creek approximately four miles to the west as well as temporary camps in its vicinity. A major aboriginal trail passed through the City of Hayward, but no known Native American villages or trails have been identified in, adjacent or near the proposed project site.

Archaeological Records

The project site is not listed on the National Register of Historic Places, the California Inventory of Historic Resources, or the Office of Historic Preservation's Directory of Properties in the Historic Property data file for Alameda County. In July 2016, a record search for prior archaeological studies was conducted at the Northwest Information Center, California Historical Resources Information System, at Sonoma State University. The records search noted no recorded archaeological resource sites within or adjacent to the project site.

The project site is located within an area designated as containing moderate sensitivity for archaeological resources. This determination was based on a review of recorded archaeological resources in Alameda County in the 1970's and has not been updated. In addition, sensitivity was also based on the presence of several flowing water sources and the number of archaeological sites recorded in the general Walpert Ridge area. Two archaeological resources were recorded within 0.25 miles of the project site.

Assembly Bill (AB) 52

Assembly Bill (AB) 52 was approved by the Governor September 25, 2014. It adds a new category of resources to CEQA that must be considered during project planning – Tribal Cultural Resources. It also establishes a framework and timeline for consultation. AB 52 applies to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015.

AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact.

This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. At the time of preparation of this Initial Study, the City of Hayward received request for consultation by the Ione Band of Miwok Indians.

4.5.2.2 *Historic Resources*

The period of initial historic exploration of the project area started in 1769. Between 1769 and 1776, several Spanish expeditions went through Ohlone territory, including those led by Portola, Fages, Fages and Crespi, Anza, Rivera, and Moraga. Even though the routes of the early explorers cannot be determined with total accuracy, a number are known to have traveled near the project area. San Lorenzo Creek was viewed by Father Juan Crespi during the Pedro Fages expedition in 1772 and later in 1775/1776 by Father Pedro Font of the Juan Bautista de Anza expedition. The 1776 Juan Bautista de Anza National Historic Trail places the historic route along the foothills and would have proceeded through present-day Hayward.

Hispanic Era

During the Spanish Period, the project was within the lands of Mission San Jose, established in 1797, the 14th of the 21 missions founded in California. This mission, located in the southeast area of present-day Fremont had jurisdiction over southern Alameda County. As one of seven missions in Ohlone territory, Mission San Jose had the greatest impact on the aboriginal population living in the project area. Settlement was concentrated around the Vallejo Mills (present day Niles in the City of Fremont) as well as Mission San Jose.

American Era

In the mid-19th century, most of the rancho and pueblo lands in California were subdivided as the result of population growth and the American takeover. The initial explosion in population was associated with the Gold Rush (1848), followed later by the construction of the transcontinental railroad (1869). The growth of the general project area was dependent on transportation— first by water and roads and later, by rail and then by air.

The modern City of Hayward had its origins in the 1850s, during the Gold Rush, when squatters and settlers began to appear in the area. The City lay within the boundaries of *Rancho San Lorenzo*, a 17,000-acre estate granted in 1821 to the Mexican colonist Guillermo Castro. William Hayward occupied a tent in 1851 in Palomares Canyon. In 1854, Castro had a map surveyed for a town covering 28 blocks in the vicinity of his adobe and began selling land to settlers.

4.5.2.3 *Paleontological Resources*

As noted above, paleontological resources are the fossilized remains of organisms from prehistoric environments ground in geologic strata. Most of the city of Hayward is located on Quaternary sedimentary deposits which are from the most recent geologic periods (i.e., Holocene, Pleistocene) dating back to 1.6 million years ago. Some of eastern Hayward is located on Mesozoic sedimentary rocks from the Mesozoic period dating back to 245 million years ago, when dinosaurs roamed the earth. Both types of geologic rocks may contain fossils of flora and fauna, particularly marine species.

According to the General Plan Background Report, five paleontological resources have previously been discovered in the City of Hayward, including four mammalian fossils (e.g., bison, prehistoric horse) and one gastropod fossil (i.e., marine snail) from the Quaternary period. The Bison fossil was discovered near Interstate 880 (I-880), the two prehistoric horse fossils were discovered in the Hayward gravel pit, the marine snail was discovered at Hayward Landing, and an additional unidentified mammalian fossil was discovered near the Hayward Motel.[5]

4.5.3 Impact Discussion

a) Cause a substantial adverse change in the significance of an historical resource?

The existing residential structure, built circa 1930, is located on the eastern portion of the project site would be demolished by the proposed project. According to a Cultural Resources Assessment completed by *Basin Research Associates* in July 2016, the historic integrity of the house has been compromised because of extensive modern alterations. The existing residence is not an exceptional or distinguished example of a farm or ranch house from the 1930's to 1940's in the Hayward area nor does it appear to have significant associations with important persons, local themes or cultural patterns of significance. The existing residence would not meet any of the criteria for listing as a historic resource on local, State, or Federal registers, nor are any surrounding properties listed or eligible for listing as historic resources as the surrounding development is all recent modern construction. The project, therefore,

[5] General Plan Background Report. 2014.

would not result in an impact to an historic resource, either on or off-site. **(Less Than Significant Impact)**

b – d) Cause a substantial adverse change in the significance of an archaeological resource? Would the project disturb any human remains, including those interred outside of formal cemeteries? Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

An Archaeological Literature Review was completed for the site as part of the Cultural Resources Assessment. No recorded archaeological sites are located on the project site. During excavation and grading activities associated with construction of the project, a remote possibility exists that buried archaeological resources may be discovered. If that should occur, standard measures would be taken to stop all work adjacent to the find, an archaeologist would be brought on site to investigate the find and contact the City of Hayward Development Services Department to determine how to preserve and record the uncovered materials.

Impact CUL-1: Construction of the proposed project could result in significant impacts to unknown archaeological resources, unique paleontological resources/sites, unique geologic features, or human remains, if present on-site. **(Significant Impact)**

Mitigation Measure: Implementation of the following mitigation measures would ensure that potential impacts to buried cultural resources remain at a less than significant level.

MM CUL – 1.1: *Unique Paleontological and/or Geologic Features and Reporting*. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Development Services Director notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

MM CUL – 1.2: *Undiscovered Archaeological Resources.* If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's

Development Services Director shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City's Development Services Director shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL – 1.3: *Report of Archaeological Resources.* If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Development Services Director prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

MM CUL – 1.4: *Human Remains.* If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Development Services Director and the Alameda County Coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With the implementation of the above mitigation measures, impacts to buried cultural resources would be less than significant. **(Less Than Significant Impact With Mitigation)**

e) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.*

As noted above, the City of Hayward received a formal request in March 2016 from the Ione Band of Miwok Indians for notification of future projects to allow for the opportunity to request tribal consultation on individual projects. Notification of the project pursuant to AB52 was provided by the City of Hayward for a 30-day review period from August 27, 2018 to September 27, 2018, during which time the Ione Band of Miwok Indians could request consultation. The tribe did not request consultation.

No known tribal cultural resources are located at the project site. However, in the event an accidental discovery of tribal cultural resources occurs during construction, mitigation measures CUL – 1.1 to CUL – 1.4 would be implemented. For these reasons, the project would result in a less than significant impact to tribal cultural resources. **(Less Than Significant Impact With Mitigation)**

4.5.4 Conclusion

Construction of the proposed development, with the implementation of mitigation measure CUL – 1.1 to CUL – 1.4, would not result in a significant impact to buried cultural resources or tribal cultural resources. **(Less Than Significant Impact With Mitigation)**

The project would not result in a significant impact to historic resources. **(Less Than Significant Impact)**

4.6 GEOLOGY AND SOILS

The following discussion is based on a Geotechnical Exploration prepared by *ENGEO, Inc.* in March 2017 and updated in April 2018. A copy of this report is included as Appendix C of this Initial Study.

4.6.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐	1,2,12
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,2,12
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,2,12
4. Landslides?	☐	☐	☒	☐	1,2,12
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐	1,2,12
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,2,12
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☒	☐	☐	1,2,12
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,2,12

4.6.2 Existing Setting

4.6.2.1 *Regional Geology*

The City of Hayward is located within the Coast Ranges geologic province of California, which is dominated by a series of northwest-trending ridges and valleys. Bedrock in the province has been

folded and faulted during regional uplift beginning in the Pliocene, roughly four million years before present. Regional geologic mapping indicates that the site is underlain by an unnamed sandstone, conglomerate, and shale formation of the late Cretaceous period.

4.6.2.2 *On-Site Geologic Conditions*

Soils and Groundwater

The project site ranges in elevation from 1,150 to 1,260 feet above mean sea level (msl). Colluvial soils are present on the site and consist of dark brown, olive, and yellowish-brown silty clay that have a low to medium plasticity and low to medium expansion potential. The colluvial deposits encountered during the geotechnical investigation were stiff to very stiff and ranged from approximately one to 18 feet thick.

The sandstone on-site includes pebble to cobble conglomerate, sandstone, siltstone, and shale. Bedrock in the northern portion of the site was extremely weak and weathered completely. Bedrock in the southern portion of the site tended to be medium strong with less weathering.

Groundwater was not encountered during the geotechnical investigation. Fluctuations in groundwater levels may occur seasonally and over a period of years due to variations in precipitation, temperature, irrigation, and other factors.

Expansive Soils

Expansive soils are susceptible to shrink and swell resulting from variations in moisture content. Expansive soils and bedrock may cause heaving and cracking of slabs-on-grade, pavements and foundations.

The expansive nature of the near-surface native soils is of geotechnical concern in this region. The clayey soil at the site is considered moderately expansive. Conversely, the sandstone and siltstone bedrock at the site is considered low to non-expansive.

Seismicity and Seismic Hazards

The San Francisco Bay Area is one of the most seismically active regions in the United States. The significant earthquakes that occur in the Bay Area are generally associated with the crustal movements along well-defined active fault zones of the San Andreas Fault system, which regionally trend in the northwesterly direction.

The site is not located within a designated Alquist-Priolo Earthquake Fault Zone of a City of Hayward Fault Hazard Zone. Nearby active or potentially active faults include the Hayward Fault located approximately 3.7 miles west of the project site, the Calaveras Fault located approximately 5.6 miles east of the project site, and the San Andreas Fault is located approximately 22.5 miles west of the project site. The Niles Fault is located immediately west of the property but is not known to be active. Because of the proximity to the site to the nearby active or potentially active faults, ground shaking, ground failure, or liquefaction due to an earthquake could cause damage to structures.

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loosely water-saturated soils from a solid state to a liquid state after ground shaking. There are many variables that contribute to liquefaction, including the age of the soil, soil type, soil cohesion, soil density, and groundwater level.

The project site contains fine grain soil with low to medium plasticity. Since the project site is not located in a Seismic Hazard Zone and no groundwater was observed during the geotechnical investigation, the potential for liquefaction triggering is considered low.

Seismically-Induced Differential Settlements

If near-surface soils vary in composition both vertically and laterally, strong earthquake shaking can cause non-uniform densification of loose to medium dense cohesionless soil layers. This results in movement of the near surface soils. Loose cohesionless soils were not encountered during the subsurface investigation on the site, therefore, there is a low probability of significant settlement of non-saturated sand layers on the site.

Lateral Spreading

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material toward an open or "free" face such as an open body of water, channel, or excavation. In soils, this movement is generally due to failure along a weak plane and may often be associated with liquefaction.

There is potential for lateral spreading on-site due to the loose colluvium soil and the presence of open-face drainage features including a 280-foot-long artificial roadside ditch, a 280-foot-long swale, and a 50-foot-long gully.

Landslides

The site is not located within an area zoned by the State of California as having potential for seismically induced landslide hazards nor is it located within an Alameda County Hazard Zone. For these reasons, the probability of landsliding occurring at the site during a seismic event is low.

4.6.3 Impact Discussion

a, c) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic-related ground failure, or iv) landslides? Would the project be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Seismic Shaking, Liquefaction, and Lateral Spreading

While the likelihood of fault rupture at the project site is extremely low, the project site is located in a seismically active region and strong ground shaking would likely occur at the project site during seismic activity throughout the life of the project. The Niles Fault is

located immediately west of the property but is not known to be active and would therefore not cause adverse effects to the project site.

The project would conform to the standard engineering and building practices and techniques specified in the 2016 California Building Code (CBC). The proposed buildings would be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site (refer to Appendix C), which identifies the specific design features related to geologic and seismic conditions. The buildings would meet the requirements of appropriate Building and Fire Codes, as adopted by the City of Hayward.

Loose soils on the surface of the slopes would be removed as a part of the grading operations. Engineered fill would replace the loose soils and extend to bedrock. Therefore, the grading measures would minimize the potential for lateral spreading to occur during a seismic event.

The project, in conformance to applicable regulations and with the implementation of the recommendations in the geotechnical report, would not result in significant impacts from seismicity and seismic-related hazards including ground shaking, liquefaction, and lateral spreading. **(Less Than Significant Impact)**

Landslides

As with most of the surrounding hillside developments, landslides and slope stability are important issues for the project. According to the preliminary geotechnical investigation, slopes on-site are not shown on the State of California Seismic Hazard Zones Map as areas that may be susceptible to seismically induced landsliding. Although seismically induced landsliding can be a significant hazard, it can generally be mitigated through proper grading procedures. Therefore, as conditioned by the project upon project approval, the project would remove loose colluvial soils present on-site and rebuild slopes with engineered fill keyed into bedrock to prevent landslides from occurring on-site.

Additionally, as required by mitigation measure MM GEO-1 mentioned below, a final design level geotechnical investigation shall identify requirement for the placement of fill on the project site and building foundations. **(Less Than Significant Impact)**

b, d) Result in substantial soil erosion or the loss of topsoil? Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?

Soil Impacts

The tops of fill or cut slopes should be graded in such a way as to prevent water from flowing freely down the slopes. Due to the nature of the site soil and bedrock, graded slopes may experience severe erosion when grading is halted by heavy rain. Therefore, before work is stopped, a positive gradient away from the tops of slopes should be provided to carry the surface runoff away from the slopes to areas where erosion can be controlled. It is vital that

no completed slope be left standing through a winter season without erosion control measures having been provided.

Because the existing bedrock is relatively nutrient-poor, it may be difficult for vegetation to become properly established, resulting in a potential for slope erosion. Revegetation of graded slopes can be aided by retaining the organic-rich strippings and spreading these materials in a thin layer (approximately 6 inches thick) on the graded slopes prior to the winter rains and following rough grading. All landscaped slopes should be maintained in a vegetated state after project completion. The use of drought-tolerant vegetation requiring infrequent drip irrigation during summer is recommended. No pressurized irrigation lines should be placed on or near the tops of graded slopes.

Soils on the site are moderately expansive, which could damage the proposed residential foundations and structures. Also, based on the proposed thickness of fill over natural slopes, differential settlement may occur due to the transition between cut and fill zones.

Impact GEO – 1: The project during construction would result in soil erosion, and buildings and pavement constructed as part of the project could be subject to soil hazards related to expansive soils and differential settlement. **(Significant Impact)**

Mitigation Measures: In conformance with standard practices in the City of Hayward, the proposed project shall implement the following measure to reduce adverse effects associated with soil conditions.

MM GEO – 1.1: Buildings shall be designed and constructed in accordance with a final design-level geotechnical investigation to be completed for the project by a qualified professional and submitted to the Department of Community and Economic Development. The final design-level geotechnical investigation shall identify requirement for the placement of fill on the project site and building foundations.

MM GEO – 1.2: The civil engineer and the project landscape contractor shall implement a comprehensive erosion control plan to account for seasonal rainfall during and following construction. The project engineering geologist shall make periodic inspections of the site drainage and erosion control features for a period of two years.

With the implementation of MM GEO – 1.1 and MM GEO – 1.2, geologic impacts would be reduced to a less than significant level. **(Less Than Significant With Mitigation)**

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project would connect to the municipal wastewater conveyance and treatment system and does not propose the use of septic tanks or alternative wastewater disposal systems. Therefore, there would be no impact. **(No Impact)**

4.6.4 Conclusion

With the implementation of mitigation measures MM GEO – 1.1 and MM GEO – 1.2, the proposed project would not result in significant geology and soil impacts. **(Less Than Significant With Mitigation)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,2
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,2

4.7.1.1 *Background*

Unlike emissions of criteria and toxic air pollutants, which are discussed in *Section 4.3 Air Quality* and have local or regional impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming associated with the "greenhouse effect" is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere over time. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

The San Francisco Bay Area Air Basin (SFBAAB) is currently designated as a nonattainment area for state and national ozone standards and national particulate matter ambient air quality standards. SFBAAB's nonattainment status is attributed to the region's development history. Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. The Bay Area Air Quality Management District's (BAAQMD) approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation (AB 32 Global Warming Solutions Act) adopted to reduce statewide 2020 GHG emissions to 1990 levels, progress needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact and would be considered significant. Senate Bill 32 was passed in 2016 to establish a goal of 2030 statewide that are 40% below 1990 levels.

The Thresholds of Significance for operational-related GHG emissions in 2020 are:

- For land use development projects, the threshold is compliance with a qualified GHG Reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO_2e; or 4.6 MT CO_2e/SP/yr (residents + employees). Land use development projects include residential, commercial, industrial, and public land uses and facilities.

- For stationary-source projects, the threshold is 10,000 metric tons per year (MT/yr) of CO_2e. Stationary source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change.

The BAAQMD has established project level screening criteria to assist in the evaluation of impacts. If a project meets the screening criteria and is consistent with the methodology used to develop the screening criteria, then the project's air quality impacts may be considered less than significant. For single-family residences, the BAAQMD *CEQA Air Quality Guidelines* set a screening threshold of 56 dwelling units for the year 2020.

BAAQMD adopted revised CEQA Air Quality Guidelines on June 2, 2010 and then adopted a modified version of the Guidelines in May 2017. The BAAQMD CEQA Air Quality Guidelines include thresholds of significance for GHG emissions. Pursuant to the latest CEQA Air Quality Guidelines, a local government may prepare a Qualified Greenhouse Gas Reduction Strategy that is consistent with AB 32 goals. If a project is consistent with an adopted Qualified Greenhouse Gas Reduction Strategy, it can be presumed that the project will not have significant GHG emissions under CEQA.[1] BAAQMD also developed a quantitative threshold for project- and plan-level analyses based on estimated GHG emissions, as well as per service population metrics.

The BAAQMD GHG recommendations include a specific plan-and project-level GHG emission 'bright-line' threshold for 2020 emissions of 1,100 MT CO_2e/year to achieve the 2020 AB 32 statewide targets. Given the project may not be constructed and operational prior to 2020, GHG emissions resulting from operation of the projects at maximum build out have also been compared to a 2030 bright-line threshold consistent with State goals detailed in SB 32, EO B-30-15, and EO S-3-05 to reduce GHG emissions by 40 percent below 1990 levels by 2030. Though BAAQMD has not published a quantified threshold for 2030 yet, this Initial Study's assessment uses a "Substantial Progress" bright-line threshold of 660 MT CO_2e/year (or a 40 percent reduction of the 2020 1,100 MT CO_2e/year threshold).

4.7.1.2 *Existing Development*

The project site is currently developed with a single-family residence. Single-family residential development typically results in greenhouse gas (GHG) emissions due to vehicle use, building heating and cooling, water use, and property maintenance activities.

[1] Bay Area Air Quality Management District, 2017. *CEQA Air Quality Guidelines*. May.

4.7.2 Impact Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project proposes 19 single-family residences and is below the 56 single-family residences screening level (i.e. the minimum residential project expected to emit 1,100 MT CO_2e/year), as specified in BAAQMD's CEQA Air Quality Guidelines for 2020. As described above in *Section 4.7.1.1 Background*, if the project is constructed post-2020, the threshold of 660 MT CO_2e/year (or 40 percent below the 2020 emissions) would also be met given that the 19-unit project is well below the screening level and would emit less than 660 MT CO_2e/year.

Construction of the project will generate GHG emissions during demolition, site preparation and grading, installation of project roadways and utilities, and construction of the 19 single family homes. Neither BAAQMD nor the City of Hayward have established quantitative thresholds for construction emissions. Therefore, it is not anticipated that the project will create significant operational or construction GHG emissions. **(Less Than Significant Impact)**

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As described above, the project would not result in GHG emissions above thresholds that were established by BAAQMD to identify projects that require additional mitigation measures to achieve statewide GHG targets contained in Assembly Bill (AB) 32.

The project is within a suburban area near schools and would be constructed in accordance with CALGreen (Part 11 of Title 24 of the California Code of Regulations) requirements for Residential Development. The site in not within a Priority Development Area as designated in Plan Bay Area, a regional Sustainable Community Strategy pursuant to SB 375 designed to reduce greenhouse gas emissions through land use planning and the provision of adequate housing to meet regional needs.

Hayward's Climate Action Plan (CAP) was adopted by the City Council on July 28, 2009. The purpose of the CAP is to make Hayward a more environmentally and socially sustainable community by:

- Reducing Greenhouse Gas emissions - the primary contributor to global warming;
- Decreasing the community's dependence on non-renewable resources;
- Increasing Hayward's potential for "green" economic development; and,
- Enhancing the health of all who live and work in Hayward.

The Climate Action Plan was adopted prior to modifications to the CEQA Guidelines and adoption of guidance from BAAQMD on what qualifies as a quantified greenhouse gas reduction strategy used for tiering.[6]

The project would not conflict with the state's Climate Change Scoping Plan developed per AB 32 for 2020 or per SB 32 for 2030, the land use assumptions in Plan Bay Area, or regulations adopted by the City of Hayward to reduce greenhouse gas emissions. Thus, there will be a less than significant impact. **(Less Than Significant Impact)**

4.7.3 Conclusion

The proposed project would result in a less than significant impact from GHG emissions. **(Less Than Significant Impact)**

[6] "Tiering" in the context of CEQA refers to the coverage of general environmental matters in broad program-level Environmental Impact Reports (EIRs), with subsequent focused environmental documents for individual projects that implement the program.

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based on a Phase I Environmental Site Assessment prepared by *ENGEO, Inc.* in June 2016. A copy of this report is attached as Appendix D of this Initial Study.

4.8.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:						
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,13
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1,13
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1,13
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☐	☒	☐	1,13
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐	1,14
f)	For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,14
g)	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,2
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☒	☐	☐	1,2

4.8.2 Existing Setting

4.8.2.1 *Background*

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

4.8.2.2 *Site Conditions*

Existing Uses and Known Contamination

The site is developed as a rural residential ranch used for horse grazing and material storage. Site improvements consist of a residential dwelling, outbuildings (sheds and horse stables), and overhead power lines. The residential dwelling appears to have been serviced by both a well and a septic system. A small structure with a steel door was observed on the southern portion of the property and within the vicinity of the former coops.

Outbuildings, including sheds and stables, are located southeast of the residence. Storage consisted of typical feed materials and waste debris. The interior of one of the outbuildings used to store wood and other debris was not accessible during the Phase I ESA site reconnaissance.

No known contamination has been recorded on the property.

On-Site Hazardous Materials

The project site has been residential since between the 1930's and 1940's. Therefore, residents would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. Since the existing residence was constructed circa 1930, there may be lead based paint and/or asbestos containing materials on-site. There are no hazardous materials releases assumed to be associated with the project site.

Off-Site Hazardous Materials

The project site is located in the Stonebrae residential area of Hayward and is surrounded by residential developments and an elementary school. A golf course is located east and southeast of the site.

According to the Phase I ESA, the Stonebrae development project is listed as a closed cleanup program site. At the time of demolition, elevated concentrations of total extractable hydrocarbons (diesel) were found beneath the footprint of a 1.9-million-gallon water storage tank. Petroleum-impacted soil was excavated, transported, and disposed of at the Republic Services Landfill in

Livermore, California. In 2007, the San Francisco Bay Regional Water Quality Control Board issued a letter indicating that no further action related to the pollutant releases at the subject site was required.

Wildland Fire Hazards

The project is located adjacent to Garin Regional Park which is designated as a high fire hazard severity zone.

Hayward has adopted ABAG's 2010 Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) which would maintain and enhance a disaster-resistant region by reducing the potential for loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters. The LHMP identifies future mitigation actions and priorities for achieving this goal.

4.8.2.3 *Applicable Plans, Policies, and Regulations*

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), initially authorized in 1976, gives the U.S. EPA the authority to control hazardous waste from "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled the U.S. EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Department of Toxic Substances Control

The Department of Toxic Substances Control (DTSC) regulates hazardous waste, remediation of existing contamination, and evaluates procedures to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. From these laws and regulations, DTSC develops guidelines and regulations that define what those who handle hazardous waste must do to comply with the laws. These rulemakings are subject to public review and comment.

Government Code §65962.5 (Cortese List)

Section 65962.5 of the Government Code requires the California Environmental Protection Agency (Cal EPA) to develop and update (at least annually) a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by the State, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and the Department of Resources Recycling and Recovery (CalRecycle). The subject property is not listed on the Cortese List.

City of Hayward General Plan

The Safety Element, as well as the Natural Resources Element of the City's General Plan contains policies, recommendations, and actions to avoid or mitigate hazards and hazardous material impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy NR-6.15	The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.
Policy HAZ-6.1	The City shall maintain its status as a Certified Unified Program Agency and implement the City's Unified Hazardous Materials and Hazardous Waste Management Program, which includes: • Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plans - HMBP); • California Accidental Release Prevention (CalARP) Program; • Underground Storage Tank (UST) Program; • Above-ground Petroleum Storage Act (APSA) Program, including Spill Prevention, Control, and Countermeasure (SPCC) Plans; • Hazardous Waste Generator Program; • On-site Hazardous Waste Treatment (Tiered Permit) Program; and • California Fire Code Hazardous Material Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS).

4.8.3 Impact Discussion

a, b) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The proposed single-family residential development would not involve the transport, use, storage or disposal of reportable quantities of hazardous materials. Residents would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. During construction, the project may store fuels and chemicals used in the construction of the proposed residential buildings.

Redevelopment of the proposed project will require the demolition of an abandoned rural residential structure and associated structures on the site, which may contain asbestos building materials and/or lead-based paint. In conformance with State and Local laws, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of asbestos-containing materials and/or lead-based paint. The project will be required to implement the following measures in conformance with existing regulations:

- Asbestos is regulated as a hazardous air pollutant and as a potential worker safety hazard. The Bay Area Air Quality Management District's (BAAQMD) Regulation 11 and the California division of Occupational Safety and Health (Cal/OSHA)

regulations restrict asbestos emissions from demolition and renovation activities and specify safe work practices to minimize the potential for release of asbestos fibers.

- Fluorescent light ballasts may contain PCBs, and if so, are regulated as hazardous waste and must be transported and disposed of as hazardous waste.
- Cal/OSHA standards establish a maximum safe exposure level for types of construction work where lead exposure may occur, including demolition of structures where materials containing lead are present; removal or encapsulation of materials containing lead; and new construction, alteration, repair, or renovation of structures with materials containing lead.
- Lighting tubes typically contain concentrations of mercury that may exceed regulatory thresholds for hazardous waste and, as such, must be managed in accordance with hazardous waste regulations. Elemental mercury also can be found in many electrical switches which also must be managed in accordance with hazardous waste regulations.

Demolition done in conformance with these federal, State and local laws and regulations, will avoid significant exposure of construction workers and/or the public to asbestos and lead-based paint. **(Less Than Significant Impact)**

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Stonebrae Elementary School is located approximately 300 feet northwest of the project site, across Carden Lane.

Future residents on-site would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. Therefore, the proposed residential uses would not use or emit significant quantities of hazardous materials that would have an impact on Stonebrae Elementary School. (**Less Than Significant Impact)**

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?

The project site is not listed on the Cortese List and, therefore, is not anticipated to have any impact on adjacent uses from existing conditions on the site. **(Less Than Significant Impact)**

e, f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Hayward Executive Airport is a general aviation airport serving local private pilots and houses over 400 aircraft including business jets.[7] The airport is located approximately 7.2 miles west of the project site. The project site is not located within the Airport Influence Area (AIA) for Hayward Executive Airport. **(No Impact)**

The project site is not located within the vicinity of a private airstrip. Therefore, private airstrip uses would not be a hazard to people working or residing on the project site. **(No Impact)**

g, h) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project would not interfere with an adopted emergency response plan or emergency evacuation plan. The project would be served by a single approximately 30- to 36-foot wide private street from Carden Lane which would accommodate two-way inbound and outbound traffic. The project would have an approximately 48-foot wide roundabout to accommodate emergency vehicles. **(No Impact)**

As shown in the General Plan EIR, the project site is located within a high fire hazard severity zone at the City's Wildland Urban Interface. Hayward adopted ABAG's 2010 Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) which would maintain and enhance a disaster-resistant region by reducing the potential for loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters. The LHMP identifies future mitigation actions and priorities for achieving this goal. Specifically, requiring that new homes in wildland-urban-interface fire-threatened communities or in areas exposed to high-to-extreme fire threat be constructed of fire-resistant building materials and incorporate fire-resistant design features (to increase structural survivability and reduce ignitability). The project would also be required to adhere to the City's Urban/Wildland Interface Guidelines including the incorporation of a fuel management program in the covenants, conditions, and regulations (CC&Rs) to be implemented by the Homeowners' Association. The project would require appropriate fire safe design measures be incorporated into the project design to avoid contributing to wildland fire hazards in the surrounding neighborhoods.

Impact HAZ – 1: The proposed project is located in a high fire hazard severity zone and therefore may contribute to adverse impacts from wildfires. **(Significant Impact)**

Mitigation Measures: The following mitigation measures would reduce impacts induced by wildland fire hazards to a less than significant level:

MM HAZ – 1.1: The project would be designed, constructed, and maintained consistent with the City's Urban/Wildland Interface Guidelines

[7] City of Hayward. "Hayward Executive Airport". 2016. Accessed April 13, 2018. Available at: <https://www.hayward-ca.gov/airport>

including the incorporation of fire-resistant building materials, fire-resistant design features, and a fuel management program in the CC&Rs of the Homeowners' Association. The final measures to be incorporated in the project would be reviewed and approved by the Fire Marshall prior to the issuance of a building permit.

Implementation of the Urban/Wildland Interface Guidelines would reduce the impact of the project on wildland fire hazards to a less than significant level. The project, therefore, would not significantly increase hazards related to the implementation of evacuation plans or the potential for wildland fires. **(Less Than Significant Impact with Mitigation)**

4.8.4 Conclusion

The project is not proposing new hazardous materials uses and is not located on a site contaminated with hazardous materials. The proposed project would also not represent a hazard to airport operations. The project would comply with all Fire, Building, and Municipal Code requirements, including implementation of the Urban/Wildland Interface Guidelines to minimize the potential for increased fire risks to result from the project. **(Less Than Significant Impact with Mitigation)**

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	1,2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1,2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1,2
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,2
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1,2
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,15
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,15
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	1,15
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1

4.9.2 Existing Setting

4.9.2.1 *Hydrology and Water Quality*

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain.

Under existing conditions, the project site primarily contains grasslands, eucalyptus woodlands, California bay laurel woodlands, and other native trees. Runoff from the site could contain sediment, fertilizers, and pesticides from landscaped areas, and metals, trash, oils and grease from the paved areas.

Surface Water

The project site is located within an area described as the Alameda Creek Watershed. The Alameda Creek Watershed consist of a 600-square-mile area. Surface runoff from the project site is conveyed to Dry Creek which is tributary to Alameda Creek and ultimately to the San Francisco Bay.

Most of the project site is undeveloped and consists of grasslands and eucalyptus woodlands. Impervious surfaces on the project site consist primarily of the 1,098 square foot home at the top of the hill and associated paved driveway. Approximately 146,335 square feet of the site is unpaved and pervious. Runoff from the site sheet flows across the site and primarily flows to storm drain lines in Carden Lane that range between 18 inches to 36 inches. Portions of the northern part of the site naturally drain to the off-site storm drainage basin maintained by the Stonebrae development near the intersection of Carden Lane and Stonebrae Road.

Groundwater

The City of Hayward is located in the Santa Clara Valley Groundwater Basin. Two sub basins coincide with the land within its boundaries: the East Bay Plain Subbasin and the Niles Cone Subbasin. The Niles Cone Subbasin corresponds with southern portions of Hayward and is bisected by the Hayward fault. The Hayward Fault is relatively impermeable and impedes groundwater flow, as demonstrated by the varying groundwater levels on either side.

4.9.2.2 *Flooding*

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, the site is located within Zone X, which is an area determined to be outside the 500-year floodplain and outside the 1% and 0.2% annual chance floodplains.

4.9.2.3 *Other Inundation Hazards*

Dam Failure

The Association of Bay Area Governments (ABAG) compiles the dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area. The City of Hayward also maintains dam inundation maps of their dam facilities. The Hayward Dam Inundation Area map shows that the project site is not located within a dam failure inundation zone.[8]

Sea Level Rise

The project site is located at an elevation of approximately 1,153 feet above sea level (ASL) at the property boundary at Carden Lane to approximately 1,275 feet ASL at the southern corner of the parcel. The project site is not within a shoreline area vulnerable to projected sea level rise from global climate change of up to 55 inches.

Earthquake-Induced Waves and Mudflow Hazards

The site is not located near a large body of water, near the ocean, or in a landslide hazard zone, and therefore, is not subject to inundation by seiche, tsunami, or mudflow.

4.9.2.4 *Applicable Plans, Policies, and Regulations*

National Flood Insurance Program

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage. The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one percent chance of being flooded in any one year based on historical data. As discussed in more detail in *Section 4.9.2.2 above*, the project site is not located in a 100-year floodplain.

City of Hayward Municipal Code

City of Hayward Municipal Code Chapter 9, Article 4, implements building standards to comply with the Cobey-Alquist Flood Plain Management Act (Water Code sections 8400 set seq.) and National Flood Insurance Program established pursuant to Federal law (42 U.S.C. section 4001 et seq.).

City of Hayward Municipal Code Chapter 10, Article 8, requires a permit for grading or clearing activities. Applicants must submit a description of the grading or clearing activities to take place, a site map or grading plan, an erosion or sediment plan, a work schedule, and other applicable materials.

[8] City of Hayward General Plan Background Report, Figure 9-5 Hayward Dam Inundation Areas. January 2013.

City of Hayward Municipal Code, Chapter 11, Article 5, protects water quality by eliminating non-stormwater discharges, controlling illicit discharges, minimizing industrial and commercial pollutants, reducing municipal pollutants, improving construction site controls, and improving erosion control.

City of Hayward Flood Plain Management Ordinance

The City Flood Plain Management Ordinance is intended to establish regulations consistent with Federal and State requirements and set development standards and restrictions for publicly and privately-owned land within flood-prone, mudslide, or flood-related erosion areas. The Ordinance requires the City to participate in the NFIP.

The Flood Plain Administrator for the City of Hayward, the City Engineer, is responsible for making determinations in accordance with the Flood Plain Management Ordinance. Responsibilities include ensuring that development applications comply with ordinance requirements, that required State and Federal permits have been obtained, that a proposed development site is reasonably safe from flooding, that the proposed development does not adversely affect area carrying capacity, and that building permits for flood control projects meet requirements.

City of Hayward General Plan

The City of Hayward General Plan includes policies applicable to all development projects in Hayward. The proposed project would be subject to conformance with the following General Plan policies, including the ones listed below.

Policies	Description
Policy NR-6.4	The City shall minimize grading and, where appropriate, consider requiring on-site retention and settling basins.
Policy NR-6.5	The City shall concentrate new urban development in areas that are the least susceptible to soil erosion into water bodies in order to reduce water pollution.
Policy NR-6.6	The City shall promote stormwater management techniques that minimize surface water runoff and impervious ground surfaces in public and private developments, including requiring the use of Low-Impact Development (LID) techniques to best manage stormwater through conservation, onsite filtration, and water recycling.

4.9.3 Impact Discussion

a, f) Violate any water quality standards or waste discharge requirements? Otherwise substantially degrade water quality?

The project would result in the disturbance of more than one acre of soil; therefore, prior to commencement of construction the applicant is required to obtain permit coverage under the Construction General Permit by filing a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) with the State Water Resources Control Board (SWRCB). The proposed project would also be subject to the San Francisco Bay Area-wide Municipal Regional Permit (MRP) because it would add or replace more than 10,000 square feet of impervious surfaces. The MRP requires post-construction storm water runoff to be managed with Low Impact Development methods such as infiltration and/or bio retention.

According to the Hydromodification Susceptibility Map[9], the project site is located in a hill or high slope region meaning that it is subject to hydromodification[10]. As a result of that, the proposed project would adhere to C.3 hydromodification requirements by installing a hydromodification vault[11] to store runoff into Dry Creek after it has been cleaned by the proposed bio-retention features to release runoff at a moderate rate thereby not excessively eroding the receiving channels and causing channel incision. Therefore, with the proposed bio-retention features and hydromodification vault, the project would have a less than significant impact on water quality and hydromodification. **(Less Than Significant Impact)**

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?

The project will be connected to the existing East Bay Municipal Utility District (EBMUD) water supply and will not involve the use of on-site water wells and will not deplete groundwater supplies. Although the project would increase the quantity of impervious surfaces on the site, most of the site is underlain by bedrock such that site runoff does not substantially contribute to groundwater recharge, and the increased impervious surface area would not be great enough to substantially interfere with groundwater recharge of water supply aquifers; thus, there would be a less than significant impact. **(Less Than Significant Impact)**

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?

The project would alter drainage patterns in that runoff from the primarily undeveloped site flows overland to Carden Lane and towards Dry Creek. Under the proposed project, stormwater runoff would be collected in an on-site storm drainage system (known as a hydromodification vault) for conveyance to an on-site bio-retention basin for filtration prior to discharge into Dry Creek. Runoff would be directed to the project's on-site storm drain system. The project would not alter the course of a nearby stream or river and modifications to the on-site drainage patterns would not result in substantial erosion or siltation on or off site. Thus, there would be a less than significant impact. **(Less Than Significant Impact)**

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?

[9] C.3 Stormwater Technical Guidance. April 18, 2018.
[10] Hydromodification is the alteration of the natural flow of water and often takes the form of channel modification or channelization.
[11] A hydromodification vault is a cement block located underground that is designed to collect stormwater and release flows at a moderate pace to reduce the risk of eroding the receiving channels.

The project site is primarily undeveloped with the exception of a single-family home and associated barn structures located throughout the eastern portion of the property. A gravel driveway exists on the western portion of the property from Carden Lane. In total, the project site currently has 7,500 square feet of impervious surfaces. The project site would add approximately 144,900 square feet of impervious surfaces for a total of 152,400 square feet. The majority of the site, approximately 5.5 acres, would remain undeveloped.

Stormwater flows from impervious areas of the residential lots would be directed to bio-retention areas located on each individual lot. Stormwater runoff from the private roadway network would be directed to eight additional bioretention areas located in open space areas throughout the project site. These bioretention areas are designed to filter contaminants in stormwater runoff that result from impervious surfaces. After the stormwater runoff has been filtered, the remaining stormwater flows would be directed to a hydromodification vault which collects stormwater and has been sized to release it into the stormwater system at a moderate pace to limit channel incision. The hydromodification vault would release filtered runoff into the storm drain lines located in Carden Lane that eventually flow to Dry Creek which is tributary to Alameda Creek. Although the project would increase the amount of site surface flows due to substantially increasing the amount of impervious surface area, the increased volume would be managed by directing runoff into the bioretention basins and hydromodification vault, and so it is not expected to significantly increase the rate of water flowing to Dry Creek.

All drainage from the site is required to be treated before it enters the storm drain system and managed such that post-development runoff rates do not exceed pre-development runoff rates. As a result, the project would not alter the course of a stream or river nor increase the rate of surface runoff such that downstream flooding would result. **(Less Than Significant Impact)**

e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project site is designated as *Suburban Density* in the General Plan, which allows for increased development on the site of up to 4.3 dwelling units per acre. All drainage from the impervious surfaces on the site is required to be treated before it enters the storm drain system and flows are to be metered by the hydromodification vault discussed previously to ensure there is sufficient capacity to handle any new drainage from the property. The project would be required to limit the rate of runoff from the site so that under the design storm there is no net increase compared to pre-development levels. Because the project will employ a stormwater control plan with the use of bioretention areas for water quality and a hydromodification vault to manage the runoff rate, the project would not exceed the capacity of the local storm drainage system nor contribute substantial amounts of polluted runoff. **(Less Than Significant Impact)**

g, h) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which will impede or redirect flood flows?

The project site is not located within a 100-year flood hazard area and; therefore, would not affect flood hazard areas in the City of Hayward. **(No Impact)**

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

According to the City's General Plan, the project site is not located in an area subject to inundation resulting from dam failure. **(No Impact)**

j) Result in inundation by seiche, tsunami, or mudflow?

The project site is not located in a tsunami inundation area, an area subject to mudflow, nor would it be vulnerable to seiche because there are no nearby enclosed water bodies. **(No Impact)**

4.9.4 Conclusion

The proposed project would not have significant impacts on hydrology and water quality. **(Less Than Significant Impact)**

4.10 LAND USE AND PLANNING

4.10.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2

4.10.2 Existing Setting

The project site is located in a suburban area of Hayward with single-family residential uses to the north east, and west of the project site, and a private golf course and Garin Regional Park to the south and southwest of the project site. The project site is bounded by Stonebrae Road to the north, Country Club Drive to the east, and Carden Lane to the west.

The project site is currently developed with a small single-family residence with a horse stable and storage unit. The site is not used for agricultural or forestry uses. The site is not located within an adopted habitat conservation plan or natural community conservation plan.

4.10.2.1 *Applicable Plans, Policies, and Regulations*

General Plan Designation and Zoning

The project site is designated in the General Plan as *Suburban Density*. This allows for one to 4.3 dwelling units per acre. The *Suburban Density* designation generally applies to rural and suburban areas located within the eastern hills of the Hayward Planning Area. Typical building types include single-family homes, second units, and ancillary structures. Typical lot sizes generally range from 10,000 square feet to one acre. However, Planned Developments may include the clustering of units on smaller lots to preserve common open space, as is currently proposed by the project.

The project site is currently in the *Agricultural* zoning district. All uses permitted in *Agricultural* districts include single-family dwellings or group homes for six or fewer residents. Agricultural uses such as crop and tree farming or selling fruits, vegetables, and flowers grown on the premises are also permitted. Other permitted uses include a Christmas tree or pumpkin patch lot, a day care home, or a public agency facility. Building heights are limited to 40 feet in height. The project proposes to rezone the site to Planned Development zoning district to allow the proposed clustering of units.

4.10.3 Impact Discussion

a) Physically divide an established community?

The project site is located in a developed suburban area with residential uses to the north, east, and west, and a golf course and regional park open space to the south and southeast. Implementation of the proposed project would result in the removal of an existing single-family home and the construction 19 single-family homes on the site. The layout and design of the project does not include any features that would physically divide the community (e.g., impeding roadways or sidewalks). Therefore, the project would not physically divide an established community. **(Less Than Significant Impact)**

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

According to the City's General Plan, the project site is designated as *Suburban Density*, which allows for one to 4.3 dwelling units per acre. The project site has a density of approximately 2.1 units per acre, therefore it is consistent with General Plan.

The project is currently in the *Agricultural* Zoning District. A rezoning to Planned Development (PD) and a residential subdivision are proposed in order to accommodate the proposed 19-unit residential development that would involve lots ranging from 7,915 to 21,024 square feet to allow preservation of large areas of hillside open space.

The project would not result in a fundamental conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Thus, the project would result in a less than significant land use impact. (**Less Than Significant Impact)**

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is not located within an adopted habitat conservation plan or natural community conservation plan. **(No Impact)**

4.10.4 Conclusion

The proposed project would not conflict with land use plans or policies and therefore would have a less than significant impact on land use. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2

4.11.2 Impact Discussion

a, b) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

There are no known mineral resources on the project site, and the project site is not identified as a site known to have mineral resources. Therefore, there would be no impact on mineral resources. **(No Impact)**

4.11.3 Conclusion

There would be no adverse impacts on mineral resources resulting from the proposed project. **(No Impact)**

4.12 NOISE AND VIBRATION

4.12.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1,2
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1,2
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,2
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	1,2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2

4.12.2 Existing Setting

4.12.2.1 *Background*

Noise may be defined as unwanted sound. Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level or dBA.[12] This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, different types of noise descriptors are used to account for this variability. Typical noise descriptors

[12] The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. All sound levels in this discussion are A-weighted, unless otherwise stated.

include maximum noise level (L_{max}), the energy-equivalent noise level (L_{eq}), and the day-night average noise level (L_{dn}). The L_{dn} noise descriptor is commonly used in establishing noise exposure guidelines for specific land uses. For the energy-equivalent sound/noise descriptor called L_{eq} the most common averaging period is hourly, but L_{eq} can describe any series of noise events of arbitrary duration.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable.

Since the sensitivity to noise increases during the evening hours, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Day/Night Average Sound Level, L_{dn} (sometimes also referred to as DNL), is the average A-weighted noise level during a 24-hour day, obtained after the addition of 10 dB to noise levels measured in the nighttime between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour A-weighted noise level from midnight to midnight after the addition of five dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.

Construction Noise

Construction is a temporary source of noise impacting residences and businesses located near construction sites. Construction noise can be significant for short periods of time at any particular location and generates the highest noise levels during grading and excavation, with lower noise levels occurring during building construction. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 90 to 95 dBA L_{max} at a distance of 50 feet. Typical hourly average construction-generated noise levels are approximately 81 to 88 dBA L_{eq} measured at a distance of 50 feet from the site during busy construction periods. Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors.

4.12.2.2 *Existing Noise Conditions*

The project site is bounded by Stonebrae Road to the north, Country Club Drive to the east, Carden Lane to the west, and residences and a golf course to the southeast and Garin Regional Park to the southwest. The noise environment on the project site results primarily from vehicular traffic along Stonebrae Road. Construction activity is ongoing in the vicinity as the Stonebrae Master Plan is built out southeast of the site.

4.12.2.3 *Applicable Plans, Policies, and Regulations*

City of Hayward General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to noise and vibration and are applicable to the proposed project.

City of Hayward Relevant Noise and Vibration Policies

Policies	Description
Policy HAZ-8.1	The City shall strive to locate noise sensitive uses, (e.g., residences, schools, hospitals, libraries, religious institutions, and convalescent homes) away from major sources of noise.
Policy HAZ-8.4	The City shall consider the visual impact of noise mitigation measures and shall require solutions that do not conflict with urban design goals and standards.
Policy HAZ-8.5	The City shall require the design of new residential development to comply with the following noise standards: • The maximum acceptable interior noise level for all new residential units (single-family, duplex, mobile home, multi-family, and mixed use units) shall be an Ldn of 45 dB with windows closed. • The maximum acceptable exterior noise level for the primary open space area of a detached single-family home, duplex or mobile home, which is typically the backyard or a fenced side yard, shall be an Ldn of 60 dB. This standard shall be measured at the approximate center of the primary open space area. This standard does not apply to secondary open space areas, such as front yards, balconies, stoops, and porches.
Policy HAZ-8.20	The City may require development projects subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on those uses, to the extent feasible.
Policy HAZ-8.21	The City shall limit the hours of construction and maintenance activities to the less sensitive hours of the day (7:00 AM to 7:00 PM Monday through Saturday and 10:00 AM to 6:00 PM on Sundays and holidays).
Policy HAZ-8.22	The City shall require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g. pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.

City of Hayward Municipal Code

Hayward Municipal Code, Chapter 4, Article 1 (Public Nuisances) contains the City's Noise Regulations (as amended by Ordinance 11-03, adopted March 22, 2011). The Regulations are applicable to all noise sources in the city limits, with the exception of Hayward Executive Airport, which is regulated separately under the City's Airport Noise Ordinance (addressed separately in this section below); and from animals, which are administered under the City's Animal Control Ordinance. The Regulations establish quantitative noise limits based on measured dBA for activities occurring on residential, commercial and industrial, and public property; noise from vehicles; construction, alteration of structures and landscaping activities. The Regulations also establish a separate and independent qualitative method of determining "unreasonable noise" emanating from private property. Categorical Exemptions to the Regulations are specified for certain activities or source categories, including Alarms and Warning Devices, Emergency Response Activities, Special Events, Generators Required for Medical Purposes and Power Outages, and so forth. In some cases, a permit from the City is required to qualify for an exemption.

4.12.3 Impact Discussion

a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Noise Element of the General Plan establishes 60 dBA CNEL as the maximum suggested exterior noise level for land uses that include single-family residences. Based on the General Plan noise contours, noise levels on the project site are expected to be at the 60 CNEL due to traffic levels along Hayward Boulevard, Stonebrae Road, and Carden Lane.

Assuming typical construction methods, interior noise levels are approximately 15 dBA lower than exterior levels within residential units with the windows partially open and approximately 20 to 25 decibels lower than exterior noise levels with the windows closed. Based on the General Plan noise contours for Hayward Boulevard, Stonebrae Road, and Carden Lane, and the City's noise compatibility standards, typical construction methods would ensure interior noise levels in the proposed residences would be maintained at or below 45 dBA DNL. **(Less Than Significant Impact)**

b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?

Construction of the proposed single-family development will not require pile driving or other significant vibration causing construction activity. The proposed residences once occupied would not generate excessive or perceptible vibration. The grading and removal of the top twenty feet of bedrock along the ridge on the project site may require some limited blasting, which could lead to temporary groundborne vibration and noise, but it is not anticipated to be lengthy in duration, would occur during the day, and be located over 250 feet from the nearest structures. **(Less Than Significant Impact)**

c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

The proposed single-family residential structures will include air conditioning units generating noise and would generate approximately 14 additional trips in the AM peak hour and approximately 19 additional trips in the PM peak hour in the project area. Increased vehicle trips would not result in a significant increase in ambient noise levels as new traffic volumes from 19 dwelling units would be low compared to existing traffic volumes on Stonebrae Road and surrounding streets. The proposed project air conditioning units will be designed to meet the City's 60 dBA L_{eq} noise levels at adjacent residential property lines. **(Less Than Significant Impact)**

d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Project implementation would result in intermittent short-term noise impacts resulting from construction-related activities. However, this temporary impact would be reduced via

implementation of Best Management Practices (BMPs). BMPs are required at the time of building permit issuance for all development and would reduce any impacts of additional noise level exposure to insignificance. Such BMPs include requirements for construction vehicles and equipment to be properly muffled. Construction hours would be limited from 7:00 am to 7:00 pm Mondays through Saturdays, and 10:00 am to 6:00 pm on Sundays and holidays.

The construction schedule assumes that the project would be built out over a period of approximately 16 months beginning in 2019. The project would be constructed in six different phases: demolition, site preparation, grading, building construction, paving, architectural coating. The site demolition and grading phase would take approximately three months. The building construction phase would take approximately 13 months.

Impact NV – 1: The project would construct single-family residences adjacent to noise sensitive, residential and educational uses which could result in temporary disturbances during construction. **(Significant Impact)**

Mitigation Measure: The following mitigation measures will be implemented by the project to ensure impacts from construction noise are reduced to a less than significant level:

MM NV – 1.1: The project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
  - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
  - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
  - Locate stationary equipment to minimize noise impacts on the community;
  - Minimize backing movements of equipment;
- Use quiet construction equipment whenever possible;
- Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible;
- Prohibit unnecessary idling of internal combustion engines; and
- Select routes for movement of construction-related vehicles and equipment in conjunction with the Hayward Development Services and Public Works Departments so that noise-sensitive

areas, including residences and schools, are avoided as much as possible.

- The project sponsor shall designate a "disturbance coordinator" for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
- The construction contractor shall send advance notice to neighborhood residents within 300 feet of the project site as well as the Stonebrae Elementary School administrator regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site. Copies of the advance of construction activity shall be provided to the City prior to grading or demolition permit.

With the implementation of the following mitigation measures, the proposed project would reduce noise impacts to a less than significant level. **(Less Than Significant Impact With Mitigation)**

e, f) *For a project located within an airport land use plan or, where such a plan has not yet been adopted, within 2 miles of a public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

Hayward Executive Airport is a major international airport located approximately 7.2 miles west of the project site. The project site is not located within the Airport Influence Area (AIA) for Hayward Executive Airport. Therefore, any overhead aircraft noise would not be significant in relation to the existing, local traffic noise. **(Less Than Significant Impact)**

The project is not within the vicinity of a private airport. **(No Impact)**

4.12.4 Conclusion

The proposed project, with the implementation of mitigation measure NV – 1.1, would ensure that construction noise impacts would be less than significant. **(Less Than Significant Impact With Mitigation)**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1,2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1,2

4.13.2 Existing Setting

According to California Department of Finance 2016 Census data, Hayward's population for 2016 was 158,985 persons.[13] In 2016, there were 49,292 households with an average of 3.22 persons per household.[14]

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The jobs/employed residents' ratio for Hayward in 2010 was 1.06, which means that there were 1.06 jobs for every employed resident in the City.[15]

4.13.3 Impact Discussion

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

[13] State of California, Department of Finance. E-1 Population Estimates for Cities, Counties, and the State—January 1, 2015 and 2016. January 2016. Available at: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/
[14] State of California, Department of Finance. E-5 Population and Housing Estimates for Cities, Counties, and the State—January 1, 2016. January 2016. Available at: http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php
[15] General Plan Draft Environmental Impact Report, page 385. February 2014.

Implementation of the project will construct 19 single-family homes in a suburban area. This increase in housing would result in a net increase in local population by approximately 60 residents.[16] The number of additional residents will be part of the planned growth in the planning area of the City as envisioned in the General Plan. The population increase would not induce substantial additional growth in the City of Hayward, nor would the project include construction of new infrastructures (roads, utilities, etc.) capable of accommodating growth beyond the project itself. The impact would be less than significant. **(Less Than Significant Impact)**

b, c) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Construction of the proposed project would result in the construction of 19 single-family residences. The project site contains an existing house, however, removal of the residence for the proposed project would not displace people or existing housing. The impact would be less than significant. **(Less Than Significant Impact)**

4.13.4 Conclusion

Implementation of the proposed project would result in a less than significant impact on the City's population and housing supply. **(Less Than Significant Impact)**

[16] Based on the latest US Census data for the City, the average residents per household is 3.2. 3.2 residents per household x 19 new units = 60 residents.

4.14 PUBLIC SERVICES

4.14.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
- Fire Protection?	☐	☐	☒	☐	1,2
- Police Protection?	☐	☐	☒	☐	1,2
- Schools?	☐	☐	☒	☐	1,2
- Parks?	☐	☐	☒	☐	1,2
- Other Public Facilities?	☐	☐	☒	☐	1,2

4.14.2 Existing Setting

4.14.2.1 *Fire Service*

The City of Hayward Fire Department (HFD) provides fire, paramedic advanced life support (ALS)/emergency medical (EMS), and emergency services to all areas within the City limits, and to the Fairview Fire Protection District (FFPD) on a contract basis. The closest station to the project site is Station No. 5, located at 28595 Hayward Boulevard, approximately 0.9 miles west of the project site.

4.14.2.2 *Police Protection Service*

Police protection services for the project site are provided by the City of Hayward Police Department (HPD), which is headquartered at 300 West Winton Avenue, approximately five miles west of the project site. The Hayward Police Department employs over 190 sworn officers in a staff of approximately 300.

4.14.2.3 *Schools*

The project site is located within the Hayward Unified School District. Students in the project area would attend Stonebrae Elementary School, Bret Harte Middle School, and Hayward High School. Stonebrae Elementary School is located northwest of the project site, across Carden Lane. Bret Harte Middle School is located approximately 4.7 miles northwest of the project site. Hayward High School is located approximately 5 miles northwest of the project site.

4.14.2.4 *Parks*

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. Within the City of Hayward, there are currently (2012) 1.02 acres of local parkland per 1,000 residents, which is just above HARD's minimum standard for local parks (1.0 acres per 1,000 residents).

Garin Regional Park is approximately 250 feet southwest of the project site. The nearest local park, J.A. Lewis Park, is approximately 0.5 miles northwest of the project site.

4.14.2.5 *Libraries*

The City of Hayward library system includes the Main Library at 835 C Street (approximately 4.7 miles northwest of the site) and Weekes Branch Library (approximately 7 miles southwest of the site) at 27300 Patrick Avenue.

The City's General Plan does not identify a service ratio goal, or other performance standard for library services.

4.14.2.6 *Applicable Plans, Policies, and Regulations*

Government Code Section 65996

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect on the adequacy of school facilities as the payment of a school impact fee prior to issuance of a building permit. California Government Code Sections 65995-65998, sets forth provisions for the payment of school impact fees by new development as exclusive means of "considering and mitigating impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act, or both, by any state or local agency involving, but not limited to, the planning, use, or development of real property" [§65996(a)]. The legislation goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA [§65996(b)]. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would mitigate project-related increases in student enrollment.

Quimby Act

The 1975 Quimby Act (California Government Code section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The Act states that the dedication requirement of parkland can be a minimum of three acres per thousand residents or more, up to 5 acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in lieu fees collected and the Quimby Act cannot be used for the operation and maintenance of park facilities. In 1982, the Act was substantially amended. The amendments further defined acceptable uses of or

restrictions on Quimby funds, provided acreage/population standards and formulas for determining the exaction, and indicated that the exactions must be closely tied (nexus) to a project's impacts as identified through studies required by CEQA.

City of Hayward General Plan

The Land Use and Community Character Element of the City's General Plan contain policies, recommendations, and actions to protect and enhance existing and future open space areas within the City. All future development allowed by the project would be subject to conformance with applicable General Plan policies, including those listed below.

Policy	Description
Policy LU-1.3	The City shall direct local population and employment growth toward infill development sites within the City, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.
Policy LU-3.1	The City shall promote efforts to make neighborhoods more complete by encouraging the development of a mix of complementary uses and amenities that meet the daily needs of residents. Such uses and amenities may include parks, community centers, religious institutions, daycare centers, libraries, schools, community gardens, and neighborhood commercial and mixed-use developments.
Policy LU-9.1	The City shall require new hillside developments to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.
Policy LU-9.2	The City shall coordinate with school districts, park districts, utility providers, and other government agencies that are exempt from local land use controls to encourage facility designs that are compatible in scale, mass, and character with the neighborhood, district, or corridor in which they are located.
Policy LU-7.6	The City shall require new hillside developments to provide public trail access (as appropriate) to adjacent greenways, open space corridors, and regional parks.

4.14.3 Impact Discussion

4.14.3.1 *Fire Protection Service*

Station No. 5 is closest to the project site and is located approximately 0.9 miles west of the site. Although construction of the proposed project may incrementally increase the demand for fire and medical services, the project would not require the construction or expansion of fire protection facilities as the proposed project site within City limits and was envisioned for residential development in the City's General Plan. The proposed project would be designed to comply with City requirements for fire access and onsite fire prevention facilities (e.g. fire hydrants and/or sprinkler systems) as well as the City's Hillside Design and Urban/Wildland Interface Guidelines. For these reasons, the project will have less than a significant impact and not require new or physically altered fire station facilities. **(Less Than Significant Impact)**

4.14.3.2 *Police Protection Service*

The police headquarters are located at 300 West Winton Avenue, approximately five miles west of the project site. The proposed project would not result in an increased demand for

police services or require the expansion or construction of police facilities. The project's potential impact on police services would be less than significant and not require new or physically altered police facilities. **(Less Than Significant Impact)**

4.14.3.3 *Schools*

The proposed project would add 19 single-family residential units thereby increasing the potential number of school-aged children. According to a Demographic Report on Student Population Projections estimated between the Fall of 2015 to 2021 for Hayward Unified School District, single-family detached homes yield approximately 0.143 elementary school students, 0.033 middle school students, and 0.050 high school students. Using the student yield rates mentioned, the proposed residential development would yield approximately three (3) elementary school students, one (1) middle school student, and one (1) high school student.[17]

The students would attend Stonebrae Elementary School, Bret Harte Middle School, and Hayward High School. It is not anticipated that small number of new students generated by the project would require the physical alteration of any existing school facilities. Under Section 65996 of the State Government Code, payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development. Developer(s) of new housing units would be required to pay these school impact fees at the time of building permit issuance. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. Fulfillment of this requirement would mitigate the development of residential uses' impacts to schools to a less than significant level. **(Less Than Significant Impact)**

4.14.3.4 *Park Impacts*

The City of Hayward provides and maintains parkland and open space within the City for residents and visitors to enjoy. Based on the latest US Census data for the City, it is estimated that the project would generate approximately 60 net new residents. The project residents would be served by existing parks in the project area and other open space and recreational facilities in the region, including the adjacent Garin Regional Park managed by the East Bay Regional Park District.

It is not anticipated that the project's incremental demand for park and recreational facilities in the area would result in the substantial, physical deterioration of existing park and recreational facilities or require the expansion or construction of new facilities. Additionally, a small tot lot will be constructed on-site for future residents. The developer will be required to pay applicable park in-lieu fees; thus, the impact is considered less than significant. **(Less Than Significant Impact)**

[17] 0.143 (Elementary School Student Yield Factor) x 19 (Total number of dwelling units) = 3 students.
0.033 (Middle School Student Yield Factor) x 19 (Total number of dwelling units) = 1 student.
0.050 (High School Student Yield Factor) x 19 (Total number of dwelling units) = 1 student.

4.14.4 Conclusion

The proposed project would result in a less than significant impact to public services. **(Less Than Significant Impact)**

4.15 RECREATION

4.15.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1,2
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐	1,2

4.15.2 Existing Setting

The Hayward Area Recreation and Park District (HARD) and the East Bay Regional Park District (EBRPD) provide parks and recreation services in the City. HARD operates 57 parks within the City and provides 159.85 acres of local parkland, 36.71 acres of school parks, 91.74 acres of community parkland, 271.29 acres of districtwide parkland, 1,627 acres of regional parkland, and 145.7 acres of open space, trails, and linear parkland. Within the City of Hayward, there are currently (2012) 1.02 acres of local parkland per 1,000 residents, which is just above HARD's minimum standard for local parks (1.0 acres per 1,000 residents).

Garin Regional Park is approximately 250 feet southwest of the project site. The nearest local park, J.A. Lewis Park, is approximately 0.5 miles northwest of the project site.

4.15.3 Impact Discussion

a, b) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated? Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The City of Hayward provides and maintains parkland and open space within the City for residents and visitors to enjoy. Based on the latest US Census data for the City, it is estimated that the project would generate approximately 60 net new residents. The project residents would be served by existing parks in the project area and other open space and recreational facilities in the region, including the adjacent Garin Regional Park managed by the East Bay Regional Park District.

It is not anticipated that the project's incremental demand for park and recreational facilities in the area would result in the substantial, physical deterioration of existing park and recreational facilities or require the expansion or construction of new facilities. The

developer will be required to pay applicable park in-lieu fees; thus, the impact is considered less than significant. **(Less Than Significant Impact)**

4.15.4 Conclusion

The proposed project would not substantially deteriorate existing park facilities or expand recreational facilities that would adversely affect the existing environment. **(Less Than Significant Impact)**

4.16 TRANSPORTATION/TRAFFIC

The following discussion is based on a Traffic Impact Study prepared by *Stantec* in February 2019. A copy of this report is included as Appendix E of this Initial Study.

4.16.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,16
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,16
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,15
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,2
e) Result in inadequate emergency access?	☐	☐	☒	☐	1,2
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	1,2,16

4.16.2 Existing Setting

Roadway Network

Regional Access

Hayward Boulevard is a major east-west arterial that starts from Mission Boulevard in the west and ends in the east where the street name changes to Fairview Avenue as it becomes a north-south street. It is primarily a two-lane roadway near the project site.

Fairview Avenue is a two-lane north-south arterial that connects from Hayward Boulevard in the south to Five Canyons Parkway in the north.

Local Access

Stonebrae Road is a two-lane east-west collector street that leads from the roundabout intersection of Hayward Boulevard/ Fairview Avenue in the west and leads to the Stonebrae gold course subdivision in the east.

Carden Lane is a two lane north-south local street that starts from Stonebrae Road in the north and ends at approximately 750 feet to the south (gated entry to the Garin Park). Currently, it primarily provides access to the Stonebrae Elementary School.

4.16.2.1 *Methodology*

Level of Service

Traffic conditions were evaluated using level of service (LOS). LOS is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (jammed conditions with excessive delays). The analysis methods for signalized and unsignalized intersections are described below.

Unsignalized Intersection

According to Hayward's General Plan, the minimum acceptable standard for unsignalized intersection operations is LOS E. The correlation between the levels of service and average control delay for unsignalized intersections is provided in Table 4.16-1.

Table 4.16-1
Unsignalized Intersection Level of Service Standards

Level of Service	Description	Average Control Delay Per Vehicle (seconds)
A	Little or no traffic delay	10.0 or less
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays	Greater than 50.0

Study Intersections

The traffic analysis evaluated the impacts of the proposed project on three unsignalized intersections during the weekday AM and PM peak hour periods of traffic. The AM peak hour is between 7:00 AM and 9:00 AM and the PM peak hour period is between 2:00 PM and 4:00 PM. The study intersections are listed below and shown on Figure 4.16-1.

1. Carden Lane/Stonebrae Elementary School Driveway
2. Carden Lane/Stonebrae Road
3. Stonebrae Road/Hayward Boulevard

The intersection of Carden Lane/Stonebrae Elementary School Driveway is a T-intersection with One Way Stop control on the side street school driveway.

The intersection of Carden Lane/ Stonebrae Road is a T-intersection with All Way Stop control. The westbound approach has its own left-turn pocket.

The intersection of Stonebrae Road/Hayward Boulevard is a three-legged roundabout with yield control. Crosswalks exit on the south and west leg of the intersection.

Traffic Scenarios Analyzed

Traffic conditions at study intersections were evaluated for two scenarios: existing conditions and existing plus project. Table 4.16-2 below describes each scenario.

Table 4.16-2
Traffic Scenarios Analyzed

Scenario	Description
Existing Conditions	Existing conditions are represented by existing peak hour traffic volumes on the existing roadway network.
Existing Plus Project Conditions	Existing plus project conditions were estimated by adding projected project peak hour trips generated by the proposed residential project to the existing condition. Project generated traffic was estimated using the vehicular trip generation rates recommended by the Institute of Transportation Engineers manual entitled *Trip Generation, 9th Edition.*

Source: Stantec, 2018.

STUDY INTERSECTIONS FIGURE 4.16-1

4.16.3 Impact Discussion

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Project Trip Generation Estimates

The traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the project trips are assigned to specific streets.

Project trip estimates for the proposed project are based on trip generation rates obtained from the *Institute of Transportation Engineers' (ITE's) Trip Generation Manual, Ninth Edition, 2012*. Based on the recommended ITE trip generation rates for single-family uses, the proposed 19-unit development would result in 14 new A.M. peak hour trips, and 19 new P.M. peak hour trips.[18]

Existing Plus Project Conditions

The project trips, as represented in the project trip assignment discussed above, were added to existing traffic volumes to obtain existing plus project traffic volumes. Intersection levels of service were evaluated against City of Hayward LOS standards. The results of the intersection LOS analysis under existing plus project conditions are summarized in Table 4.16-3.

[18] Total number of units (19 units) x ITE's A.M. trip generation rate (0.74) = Total number of A.M. peak hour trips (14 trips)
Total number of units (19 units) x ITE's P.M. trip generation rate (1.00) = Total number of P.M. peak hour trips (19 trips)

Table 4.16-3
Existing and Existing Plus Project Intersection Levels of Service

	Study Intersection	Peak Hour	Existing Condition		Existing Plus Project Condition	
			Average Delay (sec.)[1]	LOS	Average Delay (sec.)[1]	LOS
1	Carden Lane/Stonebrae Elementary School Driveway[2]	AM	37.6	E	41.5	E
		PM	9.7	A	9.9	A
2	Carden Lane/Stonebrae Road	AM	18.9	C	19.8	C
		PM	8.6	A	8.7	A
3	Stonebrae Road/Hayward Boulevard (Roundabout)[3]	AM	--	C	--	C
		PM	--	A	--	A

Notes:
[1] Delay shown for the signalized intersections is the weighted average control delay for all turning movements approaching the intersection.
[2] Delay reported for worst movement for one-way stop-controlled intersections. Overall intersection operation is acceptable.
[3] HCM 2000 for roundabouts uses ICU for LOS calculations rather than delay.

The results of the level of service analysis show that, measured against the City of Hayward level of service policies, all intersections with the addition of project trips will operate at an acceptable LOS E or better during the weekday peak traffic hours. Therefore, project impacts to traffic congestion would be less than significant. **(Less Than Significant Impact)**

Operational and Site Access

Potential vehicle queuing impacts were checked for all the study intersections. Vehicle queuing was estimated based on the 95th percentile queue length.[19] With the added project traffic, it was estimated that the highest queue increase is for the southbound through and right-turn movements at the intersection of Carden Lane/ Stonebrae Road during the AM peak hour.

The estimated increase from proposed project vehicle queues is approximately 10 feet, which is less than a half car length. The projected right-turn project traffic would be proceeding past the school driveway and would not add to the right-turn queue going into the Stonebrae Elementary School. The estimated queue increase at this intersection is not considered to be significant. **(Less Than Significant Impact)**

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

[19] A 95th percentile queue length is an estimated measure of the queuing of vehicles 95 percent of the time in the intersection.

The Congestion Management Program requires a traffic impact analysis when a project would result in 100 or more peak hour trips. The project, which would generate approximately 14 AM and 19 PM peak hour trips, does not require a detailed traffic impact analysis to show conformity to the CMP. The project would not result in a conflict with any other adopted plan, ordinance, or policy related to the effectiveness of the circulation system. **(Less Than Significant Impact)**

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The project would not affect air traffic patterns in the vicinity of the site. **(No Impact)**

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?

Development in accordance with City design standards will ensure that hazards due to a design feature would be avoided. **(Less Than Significant Impact)**

e) Result in inadequate emergency access?

The residential development proposed on the site will be reviewed and approved by the Hayward Fire Department to ensure adequate emergency access. The project would be served by a single approximately 30- to 36-foot wide private street from Carden Lane which would accommodate two-way inbound and outbound traffic. The project would have an approximately 48-foot wide roundabout to accommodate emergency vehicles. **(Less Than Significant Impact)**

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The proposed project would not conflict with existing or planned multimodal transportation facilities or conflict with the City of Hayward's General Plan policies and regulations. The proposed project would provide sidewalks, will connect to existing bike and pedestrian trails in the area, and does not remove or impede any existing facilities in the area. **(Less Than Significant Impact)**

4.16.4 Conclusion

The proposed project would not generate a substantial amount of new vehicle trips that would exceed the capacity of the street system serving the site, nor would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. The project would provide adequate site access. The project would not result in inadequate emergency access, nor change in air traffic patterns. **(Less Than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1,2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,2
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	1,2

4.17.2 Existing Setting

4.17.2.1 *Water*

Water service to the project site is provided by East Bay Municipal Utility District (EBMUD). The City receives water through two aqueducts along Mission Boulevard and Hesperian Boulevard that have a total capacity of 32 million gallons per day (mgd). The aqueducts deliver potable water through a pressurized distribution system with over 360 miles of pipelines, 14 water storage reservoirs, seven pump stations, transmission system pressure regulating valves, numerous zonal pressure reducing valves, and two booster pump stations.

The water supplied to Hayward is predominantly from the Sierra Nevada, delivered through the Hetch-Hetchy aqueducts, but also includes treated water produced by the SFPUC from its local watershed and facilities in Alameda County.

The project would connect to an existing 8-inch water line in Carden Lane as well as an 8-inch water line in Country Club Drive, both of which connect to a 12-inch water line in Stonebrae Road.

4.17.2.2 *Storm Drainage*

As discussed in *Section 4.9 Hydrology and Water Quality*, storm drain lines that range between 12 inches to 36 inches are located in Carden Lane, Stonebrae Road, and Country Club Drive. Storm drain lines in the project area are provided and maintained by the City of Hayward. Runoff from these lines discharges to the Dry Creek watershed.

4.17.2.3 *Wastewater/Sanitary Sewer System*

The City of Hayward owns and operates the wastewater collection and treatment system that serves almost all of the residential, commercial, and industrial users within the incorporated City limits, and limited portions of the adjacent unincorporated areas of Alameda County by contract. The City of Hayward Water Pollution Control Facility (WPCF) treatment municipal wastewater and conveys it to the East Bay Dischargers Authority disposal facility. The East Bay Dischargers Authority disposes of the treated wastewater.

The City of Hayward 2015 Urban Water Management Plan estimates that Hayward collected and treated 10.1 mgd of wastewater.[20] The Hayward WPCF is permitted to provide treatment for up to 18.5 million gallons per day (mgd), which is anticipated to be reached by 2035.

4.17.2.4 *Solid Waste*

The City of Hayward Department of Public Works, Utilities and Environmental Services Division, provides weekly garbage collection and disposal services through a Franchise Agreement with Waste Management, Inc. (WMI), a private company. WMI subcontracts with a local non-profit, Tri-CED Community Recycling, for residential collection of recyclables.

Altamont Landfill is the designated disposal site in the City's Franchise Agreement with Waste Management, Inc. (WMI). In 2001 Altamont Landfill received County approval to increase capacity, adding 25 years to the life of the landfill and extending the expected closure date to the year 2040.

Hayward has exceeded the State population and employee per capita solid waste diversion targets of 50 percent established by Senate Bill (SB) 1016. Additionally, the City has recorded diversion rates of 67 to 71 percent for each of the past four years in an effort to achieve the countywide goal of diverting 75 percent of all generated waste from landfills.

[20] City of Hayward Urban Water Management Plan. *Table 6-3: Wastewater Treatment and Discharge Within Service Area in 2015*. June 2016.

4.17.2.5 *Applicable Plans, Policies, and Regulations*

Assembly Bill 939

Assembly Bill 939 (AB 939) established the California Integrated Waste Management Board (now CalRecycle) and required all California counties to prepare integrated waste management plans. AB 939 required all municipalities to divert 50 percent of the waste stream by the year 2000.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a mandatory set of guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupant.

City of Hayward General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to utilities and service systems and are applicable to the proposed project.

Policies	Description
Policy PFS-1.2	The City shall annually review and update the Capital Improvement Program to ensure adequate and timely provision of public facility and municipal utility provisions.
Policy PFS-1.4	The City shall, through a combination of improvement fees and other funding mechanisms, ensure that new development pays its fair share of providing new public facilities and services and/or the costs of expanding/upgrading existing facilities and services impacted by new development (e.g., water, wastewater, stormwater drainage).
Policy PFS-4.6	The City shall strive to adopt innovative and efficient wastewater treatment technologies that are environmentally-sound.
Policy NR-6.9	The City shall require water customers to actively conserve water year-round, and especially during drought years.
Policy NR-6.10	The City shall support efforts by the regional water provider to increase water recycling by residents, businesses, non-profits, industries, and developers, including identifying methods for water recycling and rainwater catchment for indoor and landscape uses in new development.
Policy NR-6.15	The City shall encourage private property owners to plant native or drought-tolerant vegetation in order to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.

Policy PFS-4.9 The City shall ensure the provision of adequate wastewater service to all new development, before new developments are approved, and support the extension of wastewater service to existing developed areas where this service is lacking.

4.17.3 Impact Discussion

a, b, e) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Result in a determination by the wastewater treatment provider which serves or may serve the project that is has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Pursuant to the Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act, the RWQCB regulates wastewater discharges to surface waters, such as San Francisco Bay, through the NPDES program. Wastewater permits contain specific requirements that limit the pollutants it discharges. As required by the RWQCB, the WWTP monitors its wastewater to ensure that it meets all requirements. The RWQCB routinely inspects treatment facilities to ensure permit requirements are met.

Sewage from development on the project site would be treated at the WWTP in accordance with the existing NPDES permit. The approximately 60 new project residences would contribute an estimated additional average base wastewater flow of 4,539 gallons per day (GPD).[21]

The flow from the proposed project would load to the existing 30-inch and 36-inch sanitary sewer lines located in Carden Lane and Country Club Road. The Hayward WPFC currently treats 10.1 mgd of wastewater and is permitted to provide treatment for up to 18.5 million gallons per day (mgd), which is anticipated to be reached by 2035. Therefore, the Hayward WPFC has adequate capacity to serve the project site. **(Less Than Significant Impact)**

c) Require or result in the construction of stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Under existing conditions, the 8.88-acre site is primarily undeveloped with the exception of a single-family home and associated barn structures located throughout the eastern portion of the property. A gravel driveway exists on the western portion of the property from Carden Lane. The project site would substantially increase the area covered impervious surfaces (roofs, patios, driveways, roads, etc.).

All drainage from the site is required to be treated before it enters the storm drain system, and to ensure there is sufficient capacity to handle increased drainage from the property, the project would be required to limit the runoff from the site so that there is no net increase compared to pre-development levels. The project will employ a stormwater control plan with the use of bio-retention areas to all site drainage, and a hydromodification vault to meter

[21] 85% of gross water demand

runoff leaving the site before being discharged into the storm drain system to ensure sufficient capacity, the project will have a less than significant impact. **(Less Than Significant Impact)**

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The water supplied to Hayward is predominantly from the Sierra Nevada, delivered through the Hetch-Hetchy aqueducts, but also includes treated water produced by the San Francisco Public Utilities Commission (SFPUC) from its local watershed and facilities in Alameda County. The City receives water through two aqueducts along Mission Boulevard and Hesperian Boulevard that have a total capacity of 32 million gallons per day (mgd). The aqueducts deliver potable water through a pressurized distribution system with over 360 miles of pipelines, 14 water storage reservoirs, seven pump stations, transmission system pressure regulating valves, numerous zonal pressure reducing valves, and two booster pump stations.

Although the project proposes an increased population on the project site, the project water demand has been accounted for in the City's Urban Water Management Plan. Based on water usage rates of approximately 89 gallons per capita per day (GPCD) for 60 new residences as defined in the Urban Water Management Plan, the project would require approximately 5,340 GPD which can be conveyed in existing water lines available to the site and by existing supplies.[22,23] **(Less Than Significant Impact)**

f, g) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Comply with federal, state, and local statues and regulations related to solid waste?

Waste generation and disposal data for Hayward is maintained by CalRecycle. According to the CalRecycle, the total amount of solid waste landfilled in 2015 was 100,123 tons, which equals a solid waste generation rate of approximately 3.5 pounds per resident per day. Assuming this rate remains stable, the additional 90 residents projected under the proposed project would generate approximately 315 pounds (0.16 tons) of landfilled solid waste per day.[24] The project would increase solid waste generation in the City by well less than one percent and therefore would not significantly impact landfill capacity. **(Less Than Significant Impact)**

4.17.4 Conclusion

The proposed project would have a less than significant impact on utilities and service systems. **(Less Than Significant Impact)**

[22] Sewage demand is typically 85 percent of a project's residential water demand. Project water demand for the proposed residential uses is based on the residential sewage generation of 6,808 GPD, and therefore, is estimated to be 4,539 GPD.
[23] 89 gallons per capita per day x 60 new residents (3.2 persons/household x 19 residences) = 5,340 gallons per day
[24] CalRecycle Disposal Reporting System, available at www.calrecycle.ca.gov/LGCentral/Reports/DRS/Destination/JurDspFa.aspx. Accessed April 17, 2018.

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

4.18.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	Pg. 10-106
b)	Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	Pg. 10-106
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	Pg. 10-106

4.18.2 Project Impacts

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified standard permit conditions and mitigation measures. The project includes mitigation measures to avoid or reduce biological resources, cultural resources, geology and soils, and noise impacts to a less than significant level.

As discussed in *Section 2.4 Biological Resources*, the project may impact sensitive species (California red-legged frog, pallid bat, and Alameda striped racer) and nesting birds (including golden eagle and white-tailed kite) protected under the Migratory Bird Treaty Act and therefore requires the implementation of mitigation measures MM BIO – 1.1 through MM BIO – 8.2 for sensitive species, including avoidance of take of individuals and provision of suitable replacement habitat, and nesting preconstruction bird surveys.

There are no historic buildings on-site or in the immediate project vicinity as discussed in *Section 2.5 Cultural Resources*. However, the project requires implementation of appropriate mitigation measures if project construction encounters unknown buried archaeological resources. **(Less Than Significant Impact with Mitigation)**

4.18.3 Cumulative Impacts

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Hayward were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts.

With the implementation of mitigation measures and standard permit conditions, residential development on the site would not result in significant geology and soils or hydrology and water quality impacts and would not contribute to cumulative impacts to these resources as they are specific to the site and immediate surroundings. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources.

The project site is located adjacent to Stonebrae Country Club, which as of Fall 2018 has a remainder of approximately 96 homes that are planned to be constructed in the final phase (Village C) of the total 614 homes approved to be developed at full build-out. Since the proposed project is 19 units, it would incrementally contribute to the increased traffic, air quality, and noise impacts previously disclosed in connection with implementation of Stonebrae development because it comprises less than five percent of the total number of units proposed to be constructed in the project vicinity.

Biology

The proposed project, in conjunction with the Stonebrae Country Club development, would not result in the significant loss of sensitive habitat or special-status species. The project applicant would be required to purchase 8.2 acres of habitat from a USFWS-approved mitigation or conservation bank(s) for the California red-legged frog and Alameda striped racer. Pre-construction nesting bird surveys are required as mitigation, therefore, the project would have a less than significant cumulative impact on migratory birds. **(Less Than Significant Cumulative Impact)**

Noise

Typically, a three (3) dBA noise increase would be perceivable by sensitive receptors. In order for traffic noise to increase by 3 dBA, traffic volumes would need to double along a local roadway. Under the cumulative condition, the proposed project would not double existing daily traffic volumes along Carden Lane or Stonebrae Road such that sensitive receptors would be affected by significant traffic related noise from cumulative projects. **(Less Than Significant Cumulative Impact)**

Public Services

As described in *Section 4.14.3.1*, the project is served by the Hayward Fire Department (HFD) which provides fire service to Hayward's residents. Since the project would be contributing an incremental increase in the population and is surrounded by the Stonebrae Country Club development, the fire services have been adequately sized to meet the needs of Stonebrae Country Club, and therefore, the project would not result in the need for additional fire facilities.

As described in *Section 4.14.3.2*, the project is located within the service area of the Hayward Police Department. None of the cumulative projects served by Hayward would result in the expansion of the service area and, therefore, the incremental increase in demand would not result in the need for additional police facilities. The proposed project units are consistent with the development assumptions for the site in the General Plan, and its incremental increase in demand for utilities and public services has been accounted for in the General Plan EIR's cumulative analysis. **(Less Than Significant Cumulative Impact)**

Traffic

There are no other pending or reasonably foreseeable projects in the vicinity, therefore future cumulative traffic conditions reflect traffic from the subject project and the full build-out of the adjacent Stonebrae Country Club. The Stonebrae project was the subject of an EIR in 1997, which included a traffic analysis that identified all feasible transportation improvements to be built by Stonebrae. It should be noted that EIR utilized a significance threshold of LOS D, and the City of Hayward now considers LOS E an acceptable level of service. Over the past 20 years, the Stonebrae development has been largely implemented (96 units remain as of Fall 2018), as have the various associated transportation improvements, such that future cumulative conditions are largely represented by current conditions. Future changes to the traffic conditions in the area would be primarily limited to additional project trips, which are minimal, i.e. 14 A.M. and 19 P.M. peak hour trips in total. For these reasons, the project would not make a cumulatively considerable contribution to a significant cumulative impact.

4.18.3.1 *Direct or Indirect Adverse Effects on Human Beings*

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include Construction TACs, hazardous materials, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Cumulative Impact).**

4.18.4 Conclusion

With the implementation of the proposed mitigation measures identified in pages 15-106 of this Initial Study, the impacts disclosed would not be significant or cumulatively considerable. **(Less Than Significant Cumulative Impact)**

Checklist Sources

1. Professional judgment and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
2. City of Hayward. *Hayward 2040 General Plan EIR*. 2014.
3. City of Hayward. *Zoning Ordinance*.
4. California Department of Conservation. *Alameda County Important Farmland 2014.* Map.
5. Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan.* September 15, 2010.
6. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines.* May 2011.
7. Illingworth & Rodkin, Inc. *29080 Fairview Avenue Residential Project Construction TAC Assessment*. August 9, 2016.
8. LSA, Inc. *Cavallo Highlands Tree Inventory and Appraisal.* March 30, 2017.
9. LSA, Inc. *Clean Water Act Preliminary Jurisdictional Delineation.* March 2017.
10. LSA, Inc. *Biological Constraints Analysis.* February 2019.
11. Basin Research Associates. *Cultural Resources Assessment.* July 18, 2016.
12. ENGEO, Inc. *Preliminary Geotechnical Investigation.* March 2017.
13. ENGEO, Inc. *Phase I Environmental Site Assessment.* June 1, 2016.
14. Alameda County Airport Land Use Commission. *Hayward Executive Airport Land Use Compatibility Plan.* August 2012.
15. County of Alameda. *FEMA Flood Zones.* Available at http://msc.fema.gov/portal. Accessed April 16, 2018.
16. Stantec. *Traffic Impact Study of Proposed Residential Subdivision at 29080 Fairview Avenue.* February 22, 2019.

SECTION 5.0 REFERENCES

Alameda County Airport Land Use Commission. *Hayward Executive Airport Land Use Compatibility Plan.* August 2012.

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Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines.* May 2011.

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California Department of Conservation. *Alameda County Important Farmland 2012.* Map.

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City of Hayward. *Zoning Ordinance*.

County of Alameda. *FEMA Flood Zones.* Available at http://msc.fema.gov/portal. Accessed February 8, 2017.

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ENGEO, Inc. *Geotechnical Report Update.* April 10, 2018.

Illingworth & Rodkin, Inc. *29080 Fairview Avenue Residential Project Construction TAC Assessment*. August 9, 2016.

LSA, Inc. *Cavallo Highlands Tree Inventory and Appraisal.* March 30, 2017.

LSA, Inc. *Update to Tree Inventory and Valuation for Cavallo Highlands Project.* April 20, 2018.

LSA, Inc. *Clean Water Act Preliminary Jurisdictional Delineation.* March 2017.

LSA, Inc. *Biological Constraints Analysis.* February 2019.

LSA, Inc. *Biological Resources Impacts Analysis.* April 2018.

Stantec. *Traffic Impact Study of Proposed Residential Subdivision at 29080 Fairview Avenue.* February 22, 2019.

SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

Damon Golubics, Senior Planner
City of Hayward
City of Hayward, Development Services Department
777 B Street, Hayward, CA 94541

6.2 CONSULTANTS

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
Akoni Danielsen, Project Principal
Will Burns, Senior Project Manager
Tali Ashurov, Assistant Project Manager
Zach Dill, Graphic Artist

Basin Research Associates
Historic and Cultural Resources Consultants
Colin I. Busby, Ph.D., RPA, Principal

Illingworth & Rodkin, Inc.
Air Quality Consultants
Josh Carman, Consultant
Tanushree Ganguly, Staff Consultant

Mitigation Monitoring and Reporting Program

Cavallo Highlands
Residential Project

CITY OF
HAYWARD
HEART OF THE BAY

March 2019

MITIGATION MONITORING AND REPORTING PROGRAM
Cavallo Highlands Residential Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Air Quality				
Impact AQ-1: The project would generate dust during construction activities that would affect nearby sensitive receptors.	**MM AQ-1.1:** During any construction period which causes ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph.	The applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development Services prior to the issuance of demolition, grading, and building permits.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone			

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	number shall also be visible to ensure compliance with applicable regulations.			
Impact AQ-2: Construction of the proposed project would generate significant quantities of toxic air contaminant emissions.	**MM AQ-2.1:** The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 78 percent reduction in DPM exhaust emissions. One feasible plan to achieve this reduction would include the following: • All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may include the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to	Prior to grading or building permit, the applicant shall provide the plan demonstrating necessary emissions reduction to the Director of Development Services for review and approval. The applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	reduce community risk impacts to less than significant. • The project shall be required to implement the measures listed above as conditions of approval. These measures shall be placed on project plan documents prior to issuance of any building permits for the project. The proposed project, therefore, would not result in a significant air quality impact due to construction dust emissions.			
Biological Resources				
Impact BIO-1: Construction of the proposed project could result in significant impacts to special-status species.	**MM BIO-1.1:** • A qualified biologist will conduct an environmental education program for all persons employed or otherwise working on the project site before they perform any work. The program shall consist of a presentation from the biologist that includes a discussion of the biology and general behavior of special-status species on or near the site; information about the distribution and habitat needs of the species; sensitivity of the species to human activities; the status of the species pursuant to the Federal Endangered Species Act, the	The project applicant will be responsible for ensuring MM BIO-1.1 occurs prior to issuance of grading permits and prior to any site disturbance including tree removal.	The applicant shall provide to the Director of Development Services copies of the form stating that the construction workers have received the training.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	California Endangered Species Act, and the California Fish and Game Code including legal protection; recovery efforts; penalties for violations; and any project-specific protective measures described in this document or any subsequent documents such as an Incidental Take Permit and/or Biological Opinion. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers before their performing work on the site. The biologist shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry on the site. Upon completion of the program, employees shall sign a form stating they attended the program and understand all the protection measures. Copies of the form shall be provided for the City. • A qualified biologist will be on the site daily to monitor initial vegetation clearing and ground-disturbing activities.		All measures shall be printed on all construction documents and fact sheet handouts and reviewed by the Director of Development Services prior to tree removal and the issuance of demolition, grading, and building permits.	

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
Impact BIO-2: Construction of the proposed project could adversely impact the white-tailed kite or other migratory bird species.	**MM BIO-2.1:** Information on white-tailed kites and other protected migratory birds shall be included in the environmental education program, as detailed in Mitigation Measure MM BIO – 1.1. **MM BIO – 2.2:** If feasible, construction activities shall occur during the non-breeding season (September 1 - January 31). If such activities are scheduled during the breeding season, a qualified biologist shall conduct a preconstruction nest survey of all trees and shrubs and other suitable nesting habitat in and within 300 feet of the limits of work. The survey shall be conducted not more than five (5) days prior to the start of work. If the survey indicates the potential presence of nesting white-tailed kites or other birds, the biologist shall determine an appropriately sized buffer around the nest and no work will be allowed in this buffer until the young have successfully fledged. The size of the nest buffer will be determined by a qualified biologist in consultation with CDFW and will be based on the nesting species and its sensitivity to	The project applicant and contractors shall implement MM BIO-2.1 and MM BIO-2.2 prior to issuance of grading permits and prior to any site disturbance including tree removal. The survey results shall be provided no more than five days prior to start of work.	Refer to MM BIO-1.1 A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the City Planning Department prior to the start of any demolition or grading activity.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	disturbance. In general, buffer sizes of up to 300 feet for raptors and 50 feet for other birds would prevent disturbance, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.			
Impact BIO – 3: Construction of the proposed project could result in significant impacts to the pallid bat.	**MM BIO – 3.1:** • *Pre-demolition Bat Survey.* A qualified bat biologist shall conduct a bat survey, no more than 14 days prior to the removal of any buildings or structures, to determine if bats are present. No activities that would result in disturbance to an active roost shall proceed prior to completion of the survey. If no active roosts are observed, then no further action shall be warranted. If a maternity root is present, a qualified biologist shall determine the extent of a construction-free buffer zone around the active nurseries located during the survey. CDFW shall be notified of any active nurseries within the demolition/construction zone. No demolition or construction activities shall occur within the construction-free buffer zone between March 1 and August 31 to avoid construction disturbance to the maternity roost, as determined by the bat	The project applicant will ensure MM BIO-3.1 occurs prior to issuance of grading or demolition permits.	A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the City Planning Department prior to the start of any demolition or grading activity.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	biologist. After August 31, roosting bats shall be safely evicted by a qualified bat biologist. A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the City Planning Department prior to the start of any demolition or grading activity.			
Impact BIO – 4: Construction of the proposed project may impact San Francisco dusky-footed woodrats on the site.	**MM BIO – 4.1:** Information on the San Francisco dusky-footed woodrat shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1. **MM BIO – 4.2:** A qualified biologist shall conduct a preconstruction survey for San Francisco dusky-footed woodrat houses within 14 days prior to any tree removal or ground-disturbing activities. Any woodrat houses shall be identified and their locations mapped and flagged to be avoided during construction activities. No work shall occur within a 20-foot buffer of any woodrat houses. If it is not possible to avoid a woodrat house, a qualified biologist shall develop a	The project applicant would ensure MM BIO – 4.1 and MM BIO-4.2 would occur prior to issuance of grading or demolition permit.	Refer to MM BIO-1.1 above. The relocation plan shall be submitted to CDFW for approval and then implemented as necessary. Copies of the relocation plan shall be	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM
Cavallo Highlands Residential Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	relocation plan. The relocation plan shall be submitted to CDFW for approval and then implemented as necessary. Copies of the relocation plan shall be provided to the City.		provided to the City.	
Impact BIO – 5: Grading and other construction activities may crush or entomb individual Alameda striped racers resulting in injury or mortality to snakes and result in the loss of 8.2 acres of habitat.	**MM BIO – 5.1:** Information on the Alameda striped racer shall be included in the environmental education program, as detailed in Mitigation Measure BIO **–** 1.1.	The project applicant shall ensure measures MM BIO – 5.1 through MM BIO – 5.3 are implemented prior to issuance of grading or demolition permits.	Refer to MM BIO-1-1 above.	Director of Development Services or his or her designee
	MM BIO – 5.2: A qualified biologist shall survey for Alameda striped racer during all initial ground-disturbing activities on the site. If an Alameda striped racer is found, it shall be captured and relocated away from the construction area by a qualified biologist in accordance with an approved relocation plan in compliance with all applicable regulations and guidelines. The biologist shall submit the results of the survey (and capture/relocation plan if applicable) to CDFW and USFWS for review and approval.		The biologist shall complete a survey and submit the results of the survey (and capture/relocation plan if applicable) to CDFW and USFWS for	

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	MM BIO – 5.3: Unless alternative (equivalent or more effective) measures are recommended by the qualified biologist and approved by the Director of Development Services , the project applicant shall install a solid fence to deter Alameda striped racers from entering the work site. The snake exclusion fence shall be constructed as follows: • Plywood sheets at least three feet in height, above ground. Heavy duty geotextile fabric or other materials approved by USFWS and CDFW may also be used for the snake exclusion fence; • Buried four (4) to (six) 6 inches into the ground; • Soil back-filled against the plywood fence to create a solid barrier at the ground; • Plywood sheets maintained in an upright position with t-posts or stakes; • Ends of plywood sheets overlapped with no gaps to ensure a complete barrier; • Escape funnels installed in the fence every 200 linear feet; and		review and approval. Director of Development Services	

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	• Work site shall be completely enclosed by the exclusion fence or approved traps shall be installed at the ends of exclusion fence segments to allow capture and relocation of Alameda striped racer away from the construction area by a permitted biologist. • The location and design of the proposed exclusion fence shall be submitted for review and approval by CDFW, USFWS, and Director of Development Services and be included on plans for all construction-related permits. If permits obtained through the implementation of Mitigation Measure BIO-5.6 require an alternate design or approach, those requirements will take precedence. **MM BIO – 5.4:** The project applicant shall comply with the requirements in the above sections during construction activities. The approved protocol from Mitigation Measure BIO – 5.2 above shall be followed in the event an Alameda striped racer is encountered. The snake exclusion fence from Mitigation Measure BIO – 5.3 shall be installed and remain in place throughout the construction period.	The project applicant would ensure MM BIO-5.4 occurs during construction.	A biological survey would be completed in the event a snake is encountered to determine if it is	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	All construction activities and equipment/materials/ debris storage shall take place on the project side of the exclusion fence. **MM BIO – 5.5:** To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential Alameda striped racer habitat, the project applicant shall purchase 8.2 acres of Alameda striped racer credits from a CDFW-approved mitigation or conservation bank(s) or other approved site. Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction. **MM BIO – 5.6:** The applicant shall obtain the appropriate permits from USFWS and CDFW agencies or shall obtain concurrence from these agencies that no permits are required prior to initiation of construction activities and implement all conditions stipulated in the permits.	The project applicant would ensure MM BIO-5.5 occurs prior to grading permits.	an Alameda striped racer. Provide evidence of CDFW permits to the Director of Development Services	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
Impact BIO – 6: Construction of the proposed project could cause injury and/or mortality of California red-legged frogs and result in the loss of permanent habitat.	**MM BIO – 6.1:** Information on the California red-legged frog shall be included in the environmental education program, as detailed in Mitigation Measure BIO – 1.1. **MM BIO – 6.2:** No more than 24 hours prior to the date of initial ground disturbance, a preconstruction survey for the California red-legged frog shall be conducted by a USFWS-approved biologist at the project site. The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of the species. The USFWS-approved biologist shall investigate all potential areas that could be used by the California red-legged frog for	The project applicant would ensure MM BIO-6.1 through MM BIO – 6.3 occurs prior to construction.	Refer to MM BIO-1.1 above. A USFWS-approved biologist would submit a daily report to the Director of Development Services prior to initiating	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	feeding, breeding, sheltering, movement, and other essential behaviors. This includes an adequate examination of mammal burrows. If any California red-legged frogs are found, the USFWS-approved biologist shall contact the USFWS to determine if moving any of the individuals is appropriate. In making this determination the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, the applicant shall ensure that the USFWS-approved biologist is given sufficient time to move the animals from the work site before ground disturbance is initiated. Only USFWS-approved biologists shall capture, handle, and monitor the California red-legged frog. **MM BIO – 6.3:** To the extent practicable, initial ground-disturbing activities will be avoided between November 1 and March 31, when California red-legged frogs are most likely to be moving through upland areas. When ground-disturbing activities must take place between November 1 and March 31, the applicant shall ensure that daily monitoring by the USFWS-approved biologist is completed for the California red-legged frog. **MM BIO- 6.4:** The applicant shall obtain the appropriate permit from USFWS and implement all	The project applicant would	construction on-site. Provide the City with documentation of	

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	conditions stipulated in the permit, or shall obtain concurrence that no permit is required prior to initiation of construction activities. **MM BIO – 6.5:** To compensate for permanent impacts to 8.2 acres of degraded, low-quality potential California red-legged frog upland habitat, the project applicant shall purchase 8.2 acres of California red-legged frog credits from a USFWS-approved mitigation or conservation bank(s). Permanent protection and funding for perpetual management of compensatory habitat shall be complete before starting construction. If a permit issued by the USFWS has differing requirements, those requirements shall take precedence.	ensure MM BIO-6.4 occurs prior to grading permits.	permits from USFWS	Director of Development Services or his or her designee
Impact BIO – 7: The construction of the proposed project would impact a potentially jurisdictional waterway as defined by the Corps.	**MM BIO – 7.1:** The project will compensate for impacts to all areas delineated as jurisdictional on the site. The impacted feature shall be mitigated at a 1:1 ratio consistent with the Corps "no net loss" policy. The project applicant will obtain the necessary permits from the Corps, Regional Water Quality Control Board, and CDFW for any fill of jurisdictional areas. All terms of the permits shall be implemented as a condition of the project.	The project applicant will ensure MM BIO-7.1 occurs prior to issuance of grading permits.	Provide the City with documentation of necessary permits from the Corps, Regional Water Quality Control Board, and CDFW for any fill of	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
			jurisdictional areas.	
Impact BIO – 8: Development of the proposed project would result in significant impacts to on-site protected trees and one off-site tree.	**MM BIO – 8.1:** All applicable requirements shall be followed and all permits obtained as required by the City's Tree Ordinance (HMC Chapter 10, Article 15). Per that ordinance, every effort shall be made to preserve the character of the area and the more valuable tree specimens on site to the greatest extent practicable. Final landscape plans shall be reviewed and approved by the City of Hayward Landscape Architect prior to issuance of any grading, trenching, encroachment, demolition, or building permit for development. Final landscape plans shall clearly identify all "protected trees," as defined in the Tree Preservation Ordinance, and all trees to be removed from the project site and the size, location, type, value of trees and specify the species of all replacement trees. **MM BIO – 8.2:** The project applicant shall implement all tree protection measures recommended in the Arborist Report prepared for the project, which include the following:	The applicant shall provide final landscape plans prior to issuance of any grading, trenching, encroachment, demolition, or building permit for development. Prior to and during all construction activity	Final landscape plans shall be reviewed and approved by the City of Hayward Landscape Architect. The project applicant shall pay applicable replacement values as specified in the arborist report and provide replacement trees and final landscape plan.	City of Hayward Landscape Architect and Director of Development Services (or his or her designee)

	• *Tree Avoidance.* The project plan shall avoid protected trees adjacent to the project site. The project plan shall incorporate placement of Tree Protection Fencing (TPF) outside the drip line of the off-site protected trees. The location of the TPF shall be shown on the project plans. • *Excavation.* Within the dripline of retained trees, digging should be done with low impact machinery and hand tools. If the roots of retained trees become exposed during construction and need to be removed to allow construction to proceed, these roots must be cut cleanly with a sharp saw blade. Tree roots shall not be pulled or torn. • *Tree Protection Fencing.* Prior to the start of construction, TPF shall be installed at the drip line of protected trees to be retained. The TPF should be maintained during the construction process to prevent direct damage to trees and their growing environment. The TPF should consist of high density polyethylene fencing with 3.5 inch by 1.5 inch openings (orange warning barrier fence) supported by metal "T-post" fence posts. • *Use of Heavy Equipment.* Heavy machinery should not be staged or operated within the drip line of retained trees.			

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	• *Incidental Damage to Retained Trees.* The attachment of wires, signs, and ropes to any retained tree should be prohibited. Injury to trees must be avoided. • *Trimming.* The pruning of retained trees shall comply with the guidelines established by the International Society of Arboriculture; BMP; tree pruning and any special conditions as determined by a certified arborist.			
Cultural Resources				
Impact CUL – 1: Construction of the proposed project could result in significant impacts to unknown archaeological resources, unique paleontological resources/sites, unique geologic features, or human remains, if present on-site.	**MM CUL-1.1:** *Unique Paleontological and/or Geologic Features and Reporting*. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Director of Development Services notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for	The project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development Services prior to the issuance of permits. In the	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology. **MM CUL-1.2:** *Undiscovered Archaeological Resources.* If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Community Development Director shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City Community Development Director shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or		event of a discovery during construction, a report documenting implementation of MM CUL-1.1, -1.2, -1.3, and -1.4 shall be submitted to the City by a qualified paleontologist/archaeologist, as appropriate, prior to issuance of building permit..	

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC. **MM CUL-1.3:** *Report of Archaeological Resources.* If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Community Development Director prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources. **MM CUL-1.4:** *Human Remains.* If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Community Development Director and the Alameda County coroner shall be notified			

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Hayward shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Hayward, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.			

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
Geology and Soils				
Impact GEO – 1: The project during construction would result in soil erosion, and buildings and pavement constructed as part of the project could be subject to soil hazards related to expansive soils and differential settlement.	**MM GEO – 1.1:** Buildings shall be designed and constructed in accordance with a final design-level geotechnical investigation to be completed for the project by a qualified professional and submitted to the Department of Community and Economic Development. The final design-level geotechnical investigation shall identify requirement for the placement of fill on the project site and building foundations. **MM GEO – 1.2:** The civil engineer and the project landscape contractor shall implement a comprehensive erosion control plan to account for seasonal rainfall during and following construction. The project engineering geologist shall make periodic inspections of the site drainage and erosion control features for a period of two years.	The project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction and following construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Development Services prior to the issuance of grading, and building permits.	Director of Development Services or his or her designee
Hazards and Hazardous Materials				
Impact HAZ – 1: The proposed project is located in a high fire hazard severity zone and	**MM HAZ – 1.1:** The project would be designed, constructed, and maintained consistent with the City's Urban/Wildland Interface Guidelines including the incorporation of fire-resistant building materials, fire-resistant design features, and a fuel management	The applicant would ensure MM HAZ-1.1 occurs	The final measures to be incorporated in the project would be reviewed	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
therefore may contribute to adverse impacts from wildfires.	program in the CC&Rs of the Homeowners' Association. The final measures to be incorporated in the project would be reviewed and approved by the Fire Marshall prior to the issuance of a building permit.	prior to issuance of a building permit.	and approved by the Fire Marshall.	
Noise and Vibration				
Impact NV – 1: The project would construct single-family residences adjacent to noise sensitive, residential and educational uses which could result in temporary disturbances during construction.	**MM NV – 1.1:** The project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor: • Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures: - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site; - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors; - Locate stationary equipment to minimize noise impacts on the community; - Minimize backing movements of equipment;	The project applicant shall ensure MM NV-1.1 occurs during all phases of construction. Copies of the advance notice of construction activity shall be provided to the City prior to grading permit.	The project sponsor shall designate a "disturbance coordinator" for construction activities to implement reasonable measures to correct the noise problem.	Director of Development Services or his or her designee

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	• Use quiet construction equipment whenever possible; • Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible; • Prohibit unnecessary idling of internal combustion engines; and • Select routes for movement of construction-related vehicles and equipment in conjunction with the Hayward Economic and Development Services and Public Works Department so that noise-sensitive areas, including residences and schools, are avoided as much as possible. • The project sponsor shall designate a “disturbance coordinator” for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would			

MITIGATION MONITORING AND REPORTING PROGRAM Cavallo Highlands Residential Project				
Impacts	**Mitigation and/or Avoidance Measure(s)**	**Timeframe and Responsibility for Implementation**	**Method of Compliance**	**Oversight of Implementation**
	determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem. • The construction contractor shall send advance notice to neighborhood residents within 300 feet of the project site as well as the Stonebrae Elementary School administrator regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site. Copies of the advance notice of construction activity shall be provided to the City.			

Source: *Cavallo Highlands Residential Project Initial Study*. March 2019.

RESPONSES TO COMMENTS ON THE CAVALLO HIGHLANDS RESIDENTIAL PROJECT INITIAL STUDY

A. RESPONSES TO COMMENTS FROM BRIAN CHAN, DATED MARCH 28, 2019

COMMENT A-1: Dear Mr. Golubics,

I live in Stonebrae and I am opposed to the proposed Cavallo Highlands project. While there are many reports on the city website, I do not see actual plans or renderings of the project itself. Specifically, are there elevations and drawings for where the new homes will be situated on the lots and what sort of grading will occur? Previously, they had proposed removing the hill and flattening the entire lot which would dramatically alter the view for the Stonebrae community. What are their plans now? If they still propose to do this, then I believe removing an entire hill would be much more than "low impact site grading" and would be a significant deviation from the Hayward General Plan (Policy NR-8.2) which is to keep everything as natural as possible.

RESPONSE A-1: The Initial Study was based on the available plans, which includes a site plan (included as Figure 3.0-1 of the Initial Study), as well as grading and drainage plan and utility plan. These plans are on file with the City. The grading plan indicates cuts up to twenty feet at the top of the knoll on the site, retaining wall heights up to six feet, and maximum 2:1 slopes. The overall profile of the hillside will be retained, although the slopes will be reduced in some areas to provide suitable lots.

Conceptual architecture plans for individual homes were not available at the time the Initial Study as those are not yet on file, and the applicant will be required to submit a Precise Plan should the project be approved by the City. The focus of a Precise Plan application is for City staff to look at the finer details of a project, including new home architecture. The precise locations of the homes on the lots was not available at the time the Initial Study was prepared, and proposed homes would be placed within setbacks established in the site's zoning regulations.

COMMENT A-2: There are also several issues that were not addressed in the reports:

<u>Cell Tower</u>

The large stand of trees on the Carden property currently help to camouflage the Verizon cell tower on the golf course immediately adjacent to the property. This cell tower is poorly disguised as a pine tree. If this stand of trees are removed from the Carden property, then this cell tower will be standing alone in the skyline -- one giant fake pine tree on this skyline would be very ugly and significantly impact the view from the Stonebrae community. This was not addressed in the initial study published online.

RESPONSE A-2: The City of Hayward contains policies in the General Plan Natural Resources element that enhance, preserve and increase the aesthetic qualities of Hayward's undisturbed natural hillsides and shoreline, and designated scenic transportation corridors. As described in the Initial Study, the project site is not located in the vicinity of any designated scenic vistas or corridors. Additionally, CEQA protects views from public vantage points, rather than private views and a project's impact on private views is not considered a significant impact. Therefore, the cell tower's increased visibility from private vantage points as a result of proposed tree removal on an adjacent property is not a significant impact under CEQA.

COMMENT A-3: Migratory Bird Habitat Destruction

In addition, these large trees on the Carden property, especially those with cavities, have provided a nesting ground for the hundreds of migratory swallows (protected species) that come to this area each year. Removal of these trees would have a negative impact on the habitat for Migratory Birds, which was not addressed in this initial study.

RESPONSE A-3: A Biological Constraints analysis (Initial Study Appendix B) was prepared for this project and did not identify migratory swallows on the property during the reconnaissance-level survey. There is potential for two species of swallow (Violet-green Swallow and Tree Swallow) to nest in cavities in trees. Many other species of migratory birds could nest in the trees, shrubs, on the ground and even in or on the buildings. The nests of these birds are protected under the federal Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code. Therefore, any nesting birds that are present on the property would be protected under the MBTA and implementation of MM BIO-2.1 and -2.2 will further protect nests during all stages of construction. Therefore, the Initial Study has adequately addressed this issue to protect potential nesting swallows or any other birds.

COMMENT A-4: Landscaping with tall trees will obstruct views

In a past meeting, Cavallo Highlands developers also proposed planting a row of trees to grow up to 50 feet tall along its property line along Stonebrae Country Club Drive -- this is not mentioned in this report -- is this still their plan for landscaping? If so, this would dramatically alter the scenic vistas from Stonebrae as it would completely obstruct everyone's views.

RESPONSE A-4: Thank you for your comment. Nothing in the plans indicate, and the applicant/developer has confirmed that the project will not be planting a row of trees on the property line along Stonebrae Country Club Drive and therefore not obstruct views.

COMMENT A-5: Traffic congestion blocking emergency vehicles

There is also significant traffic congestion at the intersection of Carden Lane, Stonebrae Country Club Drive and Hayward Boulevard during peak school drop off hours which really needs to be solved before any additional homes are added to Carden Lane. Even though the impact study says

it won't change the LOS, the traffic impact report states that the LOS analysis is already at LOS E, which is "very long traffic delays", yet they consider this acceptable? The "very long queues" along Hayward Boulevard obstructs the road and can prevent emergency vehicles from reaching their destination during an emergency. This doesn't make any sense and should be addressed.

RESPONSE A-5: The project prepared a traffic study that assessed impacts on the existing traffic network from Stonebrae Elementary School. The peak school drop off hours occur during the AM peak hour with dominant traffic flow being inbound (southbound) on Carden Lane. The estimated dominant project traffic is outbound (northbound) on Carden Lane during that time. Therefore, the majority of project traffic is not in the same peak school drop-off traffic. As shown on Table 5 (Appendix E, page 12) in the traffic report, estimated additional queuing contributed by the project is less than half a car length in the southbound at the intersection of Carden Lane/School Driveway. That is not considered significant.

The intersection of Stonebrae Road/Hayward Boulevard is estimated to operate at LOS C. Since the majority of the project vehicles are outbound, it would not have a significant impact on the inbound school traffic during school drop-off which typically lasts less than 30 minutes. Emergency vehicles will continue to navigate traffic conditions in the area as they have, by utilizing available lanes based on current conditions, and the addition of project traffic would not substantially alter existing conditions.

COMMENT A-6: Economic impact on property values

Finally, I am opposed to this project because it will add to the excess housing supply in the Hayward Hills, making it very difficult for existing homeowners in Stonebrae to sell their homes. In addition, these new homes will diminish the view for all the homes on Arundel Drive cause an additional drop in property value for existing homeowners, which will negatively affect the entire community. This economic impact really needs to be addressed before any additional new homes are allowed to be built in the Hayward Hills.

As a result, I disagree with the conclusions of the initial study that say that there is "less than significant impact" on Aesthetics, Visual Impacts, Environment, and Traffic.

RESPONSE A-6: This comment has been acknowledged. CEQA mandates the evaluation of environmental impacts and does not address social or economic impacts of a project unless they are a result of a project's environmental impacts. In this case, the commenter is speculating about the project's effects on property values for reasons unrelated to environmental impacts. Therefore, the expressed concerns about potential economic impacts are not environmental concerns to be reviewed under CEQA.

B. RESPONSES TO COMMENTS FROM SABINA ALI, DATED APRIL 8, 2019

COMMENT B-1: I have lived in Stonebrae since 2008 and I am opposed to the proposed Cavallo Highlands project.

Where can I find actual plans of the project itself. In specific there elevations and drawings for where the new homes will be situated. Is there a plan to flatten the entire lot which would dramatically alter the view for the Stonebrae community. If so will that be in compliant with Hayward General Plan (Policy NR-8.2) which is to keep everything as natural as possible.

> **RESPONSE B-1:** This comment is very similar to Comment A-1 above. As explained above, the Initial Study was based on the available plans, which includes a site plan (included as Figure 3.0-1 of the Initial Study), as well as grading and drainage plan and utility plan. These plans are on file with the City. The grading plan indicates cuts up to twenty feet at the top of the knoll on the site, retaining wall heights up to six feet, and maximum 2:1 slopes. The overall profile of the hillside will be retained, although the slopes will be reduced in some areas to provide suitable lots.
>
> Conceptual architecture plans for individual homes were not available at the time the Initial Study as those are not yet on file, and the applicant will be required to submit a Precise Plan should the project be approved by the City. The focus of a Precise Plan application is for City staff to look at the finer details of a project, including new home architecture. The precise locations of the homes on the lots was not available at the time the Initial Study was prepared, and proposed homes would be placed within setbacks established in the site's zoning regulations.

COMMENT B-2: There are also several issues that were not addressed in the reports:

<u>Cell Tower</u>

The large stand of trees on the Carden property currently help to camouflage the Verizon cell tower on the golf course immediately adjacent to the property. This cell tower is poorly disguised as a pine tree. If this stand of trees are removed from the Carden property, then this cell tower will be standing alone in the skyline -- one giant fake pine tree on this skyline would be very ugly and significantly impact the view from the Stonebrae community. This was not addressed in the initial study published online.

> **RESPONSE B-2:** Thank you for your comment, which is very similar to Comment A-2 above. Please see Response A-2, above.

COMMENT B-3: My biggest concern which I have brought to the Hayward planning is Traffic congestion blocking emergency vehicles. I am a physician and when I see the long lines at the intersection it makes me worry how the emergency vehicles will get through this if need be.

Has anyone done a mock trial of trying to get through the area in congested time There is a significant traffic congestion at the intersection of Carden Lane, Stonebrae Country Club Drive and Hayward boulevard during peak school drop off hours which really needs to be solved before any additional homes are added to Carden Lane.

Even though the impact study says it won't change the LOS, the traffic impact report states that the LOS analysis is already at LOS E, which is "very long traffic delays", yet they consider this acceptable? The "very long queues" along Hayward Boulevard obstructs the road and can prevent emergency vehicles from reaching their destination during an emergency. This doesn't make any sense and should be addressed immediately before passing the project.

My neighbor had an emergency and called 911 there was a 20 min delay for the emergency services to get to his home which is not acceptable and I am worried this will create more delays.

> **RESPONSE B-3:** Thank you for your comment which is very similar to Comment A-5 above. Please see Response A-5, above.

COMMENT B-4: Also I am opposed to this project because it will add to the excess housing supply in the Hayward Hills, making it very difficult for existing homeowners in Stonebrae to sell their homes. In addition, these new homes will diminish the view for all the homes on Arundel Drive cause an additional drop in property value for existing homeowners, which will negatively affect the entire community. This economic impact really needs to be addressed before any additional new homes are allowed to be built in the Hayward Hills.

I disagree with the conclusions of the initial study that say that there is "less than significant impact" on Aesthetics, Visual Impacts, Environment, and Traffic.

> **RESPONSE B-4:** Thank you for your comment which is very similar to Comment A-6 above. Please see Response A-6, above.

C. RESPONSES TO COMMENTS FROM NATIVE AMERICAN HERITAGE COMMISSION, DATED APRIL 11, 2019

COMMENT C-1: Dear Mr. Golubics:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the above referenced project. The review included the Introduction and Project Description; and the Environmental Checklist and Impact Discussion, section 4.5, Cultural Resources and Tribal Cultural Resources, prepared by David J. Powers & Associates, Inc. for the City of Hayward. We have the following concern(s):

There are no mitigation measures specifically addressing Tribal Cultural Resources separately and distinctly from Archaeological Resources. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, with or without consultation occurring. Mitigation language for archaeological resources is not always appropriate for measures specifically for handling Tribal Cultural Resources. If mitigation is being addressed without tribal input, sample mitigation measures for Tribal Cultural Resources can be found in the CEQA guidelines at http://opr.ca.gov/docs/Revised_AB_52_Technical_Advisory_March_2017.pdf

RESPONSE C-1: As stated in *Section 4.5 Cultural Resources* of the Initial Study, the City of Hayward received a formal request in March 2016 from the Ione Band of Miwok Indians for notification of future projects to allow for the opportunity to request tribal consultation on individual projects. Notification of the project pursuant to AB52 was provided by the City of Hayward for a 30-day review period from August 27, 2018 to September 27, 2018, during which time the Ione Band of Miwok Indians could request consultation. The tribe did not request consultation.

Additionally, the archaeologist contacted three tribes about the proposed project. The tribes did not identify the potential for tribal cultural resources to be present on the project site. The tribes recommended that the construction crew receive cultural sensitivity training and any archaeologists on the project are experienced in northern and central California archaeology. The retention of a qualified and trained Native American Monitor is required in the event of a discovery of Native American cultural materials. According to the conversations with the tribes, there is not substantial evidence to believe that tribal cultural resources may be present on-site and would warrant additional mitigation beyond what is stated in the Initial Study.

COMMENT C-2: Mitigation for inadvertent finds of human remains is incomplete or inaccurate. Archaeologists are not authorized to remove human remains from a discovery site. Please refer to California Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 for the processes related to finds of Native American human remains.

RESPONSE C-2: As stated in MM CUL-1.4 (which references both California Health and Safety Code § 7050.5 and Public Resources Code § 5097.98), the project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The Initial Study includes this information and is factually accurate in stating the process of inadvertent human remains discoveries.

COMMENT C-3: Cultural and Tribal Cultural Resource assessments are not documented (literature search only). These should adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources. The lack of documented resources does not preclude inadvertent finds, which should be addressed in the mitigation measures.

Agencies should be aware that AB 52 does not preclude them from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/A. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-

content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

RESPONSE C-3: As part of the project's Cultural Resources study on file with the City, Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior, conducted a field inventory of the approximately 8.8 acre parcel on June 3, 2016 to determine if any indicators of potential surface and/or subsurface archaeological material were present. No evidence of prehistoric or historically significant archaeological resources (artifacts or culturally affected soils) or built environment features was observed during the survey of the proposed project. As noted in prior Response C-2, the City did notify the tribe of the project, and no request for consultation was received.

D. RESPONSES TO COMMENT FROM EAST BAY REGIONAL PARK DISTRICT, DATED APRIL 22, 2019

COMMENT D-1: The East Bay Regional Park District (Park District) appreciates the opportunity to provide comments on the Cavallo Highlands Residential Project Initial Study (project). The Park District has twice communicated similar comments to the City. The proposed project, which would construct a development on approximately 8.8 acres, includes 22 lots comprised of 19 single-family residential lots, two open space lots, and a private roadway. The project is located just north of Garin Regional Park's Carden Lane Trailhead.

The Park District identified a potential off-street staging area location at the terminus of Carden Lane in the Garin Regional Park's 2012 Land Use Plan Amendment. In 2014, the Park District signed a Parking License Agreement with Stonebrae, L.P. allowing for the construction of a parking lot/staging area at this same location. The Park District has invested significant public funds and has worked for decades to protect and provide access into Garin Regional Park to serve the City of Hayward and entire East Bay community. The Park District would like to work with the City and any future development projects in this area to provide for public improvements to the park entrance and staging for Garin Regional Park.

The current conditions at the Carden Lane Trailhead allow for on-street parking for approximately 60 vehicles on Carden Lane and a shared use agreement with the Stonebrae Elementary School for parking for trail users. Currently, however, the street parking quickly fills during games at the adjacent Hayward Area Recreation and Park District (HARD) soccer fields and the school closes the gates to their parking during non-school hours, leaving Garin park users fewer parking options.

The Park District continues to be interested in building or having a staging area built off of Carden Lane and would like to work collaboratively with the project proponent and the City of Hayward to identify opportunities to improve public access to Garin Regional Park from Carden Lane. The Park District requests that the city require the project proponents to provide for shared access into the residential development and the Garin park staging area, by redesigning the driveway of "Via del Corso" as it meets Carden Lane, to allow access for both residents and park users. In addition, the Park District requests that the project be required, as a condition of approval, to build the staging area during grading and construction of the residential development. Development of the proposed project, with its projected 60 net new residents entering and existing "Via Del Corso," a private street adjacent to the future Garin staging area, has the potential to exacerbate the current traffic congestion condition on weekends, during games at the HARD sports fields, which was not fully analyzed in the Initial Study. Providing a dedicated staging area for recreational trail users will address the currently impacted parking problems and the potentially exacerbated impacts the development presents.

RESPONSE D-1: Thank you for your comment. The City of Hayward has no nexus to mandate, require, or condition the Cavallo Highlands applicant/property owner to construct and acquire adjacent property not owned by the Cavallo Highlands applicant/owner for the desired staging area/parking lot. In addition, this comment does not address any environmental concerns related to the project and therefore does not warrant an analysis under CEQA.

The comment mentions weekend traffic conditions during events at the HARD sports fields. The focus of the City's level of service policy is the weekday AM and PM commute hour, when traffic conditions are heaviest and when projects generate their most trips. Given the minimal amount of traffic produced by the project during the weekday commute hours, there would be even less traffic produced on weekends. Pursuant to recent changes to CEQA contained in SB 743 that became effective at the end of 2018, level of service is no longer considered an impact on the environment.

HAYDEN LAND COMPANY

PROJECT STATEMENT – CAVALLO HIGHLANDS

Project Highlights – March 13, 2019
Address: 29080 Fairview Avenue, Hayward, CA 94542
Size: Gross 8.9 acres, Net 7.5 acres
Zoning District: AB160A
Current Use: Agriculture/Residential
Entitlements Requested: Planned Development Zoning and a Tentative Tract Map
Proposed Development: 19 Single Family Residential Dwellings
Construction Type: Wood Frame 2-Story SFD per 2017 CBC
Project Applicant: Hayden Land Company, LLC & Carrie Aitken (owner)

The purpose of this Project Statement is to clarify the community and neighborhood benefits of the proposed development.

Location
The site is located at 29080 Fariview Avenue, on the south side of the Hayward Blvd., between Stonebrae Elementary School and the entrance to TPC Stonebrae. The surrounding uses are residential and school. The site is situated atop a small valley with views to the north, west and south.

Feedback and Direction
Feedback from City Staff and the community has lead the overall direction of the development:

- Conform to the existing Walpert Specific Plan.
- Create an attractive low density development that fits the existing conditions
- Mimic, as best as possible, the architectural features of the surrounding developments
- Limit traffic and mitigate to the best of the applicants ability
- Maximize open space

Proposed Project
Through thoughtful planning, nineteen units have been designed to maximize the development area while minimizing impact to neighbors and neighboring uses.

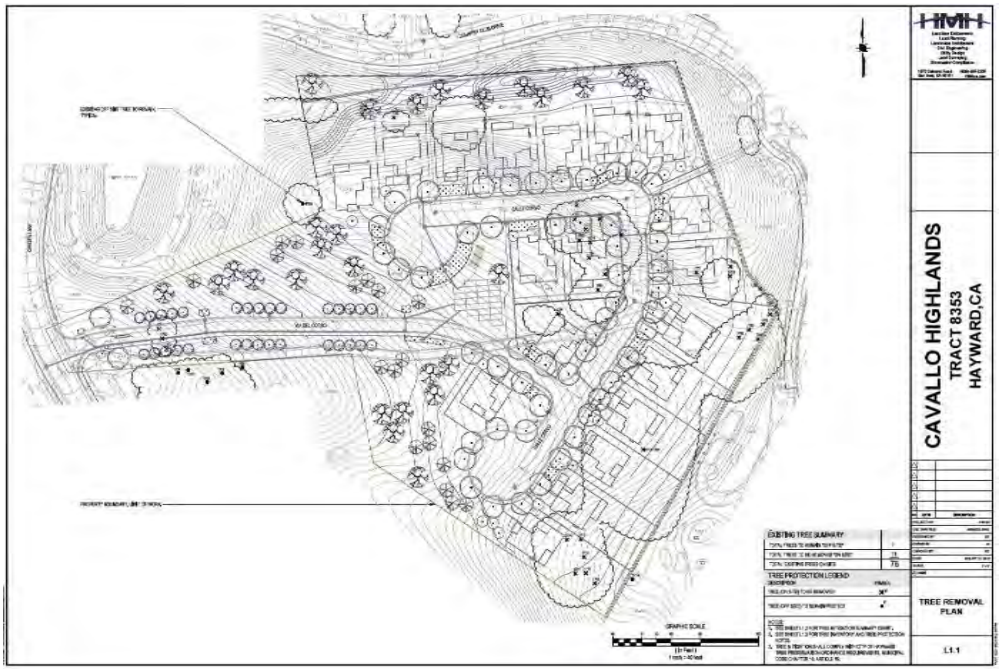


Figure 1 – PD Zoning Submittal Site Plan – December 2018

Architecture
The architect for Cavallo Highlands has developed (3) floor plans with (2) elevations each to reflect and illustrate the possible architecture for the proposed (19) lot enclave near Stonebrae Country Club. The (3) 2-story floor plans each have (5) bedrooms with 4.5 baths, and minimum (3) -car garages. The living areas are 3,890sf, 4,112sf, and 4,204sf, and each plan also includes a sizeable covered outdoor 'California Room' at the rear yard area. The garage configuration for each plan is different with split 2-bay and 1-bay garages or with a third car tandem space.
The architecture for the exterior elevations reflect rich traditional styles that are consistent with the nearby Stonebrae Country Club. They include:

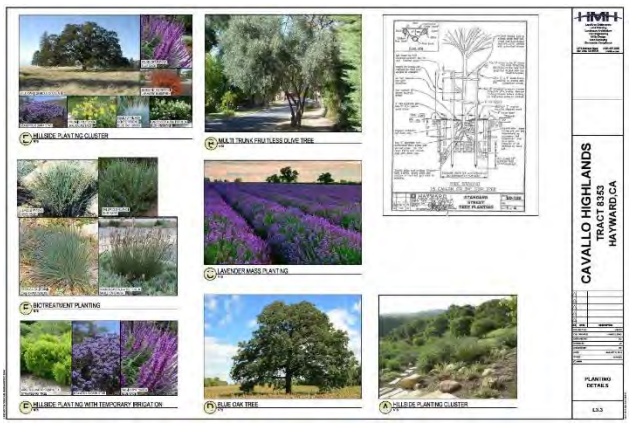
- Italian Revival
- Spanish Colonial Revival
- Prairie
- Craftsman

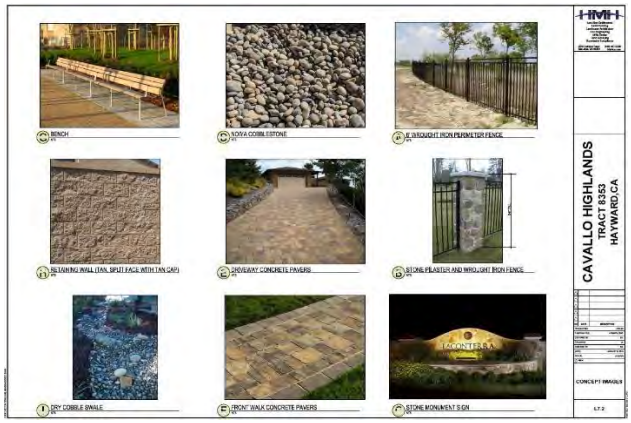
The floor plans are generously sized for growing families and private entertaining opportunities. The exteriors of these homes are articulated with four-sided architecture to express a custom quality to this community and to blend in seamlessly with the surrounding communities.

Entry Monument
Consistent with the surrounding developments, Cavallo Highlands will include a decorative entry complete with trees, plantings, signage, decorative rock, entry wall, and a resident entry gate, etc.

Landscape
The landscape design at Cavallo Highlands aims to blend native hillside landscapes in their natural setting with a rustic aesthetic reflecting the neighboring community of Stonebrae. The design focuses on efficient water use with rain water catchment tanks that collect and store water for future use in the landscape. Biotreatment cells, that retain and naturally filter water, blend in among native, drought tolerant plantings. The addition of permeable paver walkways

and drives allow for water-table recharge and less run-off, while adding character and scale to the landscape theme. Extra care has been taken on the hillsides to prevent erosion and maintain a sustainable design through the use of seeded compost blankets, compost socks, and check-dams. Trees have been selected and located to provide shade, reducing heat island effect while adding comfort and aesthetic. The grand entryway with rows of olive trees, stone walls, and mass plantings of lavender provide a charming and timeless aesthetic to the new neighborhood. At the top of the hill, the stunning, expansive views of the San Francisco bay are readily available to the visitors of the neighborhood's unique open space park. The landscape design has been carefully created with full respect to the requests of the City of Hayward and done so with collaboration with City staff.





Green Features

Utilizing sustainable building designs and sustainable building practices make the community a better place for current and future residents. The project will incorporate the following elements:

- EV Charging Stations available at all units
- All homes complete with solar panel installation (not only pre-wire)
- On-site open space "park" with panoramic views, seating, pathways, landscape.
- Shade providing and oxygen sequestering trees
- Pervious pavers
- Low flush toilets
- No invasive plant species
- Native and drought tolerant plant species (WELO compliant)

- Wildlife friendly planting
- Water efficient drip irrigation system (WELO compliant)
- Low energy LED light fixates
- Attractive "good-neighbor" fences
- Energy efficient appliances
- Insulated windows and walls
- Efficient heating and air conditioning systems

Summary

The proposed project at 29080 Fairview Avenue "Cavallo Highlands" is a thoughtful way to create attractive new housing, while also taking into consideration the surrounding uses and the community's interests. The project is designed to achieve the goals of the Walpert Specific Plan as well as do its part to solve the regions housing crisis. Utilizing enhanced landscaping and energy efficient building standards, while completing the vision of the Walpert Specific Plan, the project is an example of how single family new development "in-fill" type of projects should interact with Hayward's vision. The project will utilize sustainable building practices and design. Creating private open space with active and passive amenities for residents to congregate and positively interact makes the project a 'livable' community. Through a transparent community outreach process, that will continue for the duration of the project, the development has been able to be designed to address many of the neighbors needs and concerns.

File #: MIN 19-062

DATE: May 9, 2019

TO: Planning Commission

FROM: Director of Development Services

SUBJECT

Minutes of the Planning Commission Meeting of April 25, 2019

RECOMMENDATION

That the Planning Commission approve the minutes of the Planning Commission meeting of April 25, 2019

SUMMARY

The Planning Commission held a meeting on April 25, 2019

ATTACHMENTS

Attachment I Draft Minutes of April 25, 2019

MINUTES OF THE REGULAR MEETING OF THE CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, April 25, 2019, 7:00 p.m.
777 B Street, Hayward, CA 94541

MEETING

A regular meeting of the Hayward Planning Commission was called to order at 7:00 p.m. by Chair Faria.

CALL TO ORDER Pledge of Allegiance

Commissioner McDermott led in the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS:	Willis, Andrews, Bonilla, Patton, McDermott
	CHAIRPERSON:	Faria
Absent:	COMMISSIONER:	Goldstein

Staff Members Present: Brick, Chan, Lochirco, Nguyen, Schmidt

General Public Present: 31

PUBLIC COMMENT:

There were none.

PUBLIC HEARINGS: For agenda item No. 1, the Planning Commission may make a recommendation to the City Council.

1. Application to Amend Chapter 10, Article (Zoning Ordinance) and Article 2 (Off-Street Parking Regulations) related to the creation of new Industrial District Regulations within the Hayward Municipal Code and the Adoption of Industrial District Design Guidelines

Senior Planner Schmidt provided a synopsis of the staff report and a PowerPoint Presentation.

Ms. Martha Miller, Project Manager consultant with Lisa Wise Consulting, provided a recap of the revisions to the new Industrial District Regulations.

Commissioner Patton referenced the correspondence from some stakeholders stating they did not receive the public notice mailers and requested staff to speak about the non-conforming uses. Senior Planner Schmidt responded that the City has one non-conforming use ordinance that covers the entire city, and that, per the ordinance, if the use was legally

established via a use permit or business license, then the use is grandfathered-in and can continue to operate indefinitely. However, the use in this circumstance is limited, and if the owner wishes to expand, the expansion will need to be consistent with the new regulations. Ms. Schmidt shared that prior to the community meeting in January 2018, staff sent out 13,000 postcards to all property owners and business addresses within the Industrial District (ID) which includes a 300-foot buffer around the ID. Staff also emailed approximately 20,000 businesses who provided email addresses on their business licenses. Ms. Schmidt shared that staff also emailed persons on the interested parties list that staff maintained. Ms. Schmidt said the second public hearing notice for tonight's meeting was mailed to 13,700 property owners and business addresses within the ID which includes a 300-foot buffer around the ID. In response to Mr. Patton's questions about transferability of business uses, Mr. Brick responded that, in general, if a business is sold there should not be an issue as long as there is not a period greater than 6 months that the use is discontinued.

Commissioner Willis asked about the non-conforming use regulations, to which Senior Planner Schmidt responded that staff decided, for consistency, to stay with the City's current well-established standards for non-conforming uses. Ms. Schmidt added that staff considered a more aggressive approach of placing a moratorium on non-conforming uses but decided to allow the change to happen incrementally and organically.

In response to Commissioner Patton's question of how staff tracks the bonus Floor Area Ratio (FAR), Senior Planner Schmidt responded that this is a rare element and is only found in the Industrial Park sub-district (IP) for a very specific use. Ms. Schmidt shared that staff now has technology that assists with tracking the FAR and she is confident that the data staff has collected is accurate. Ms. Schmidt explained how she utilized the City's Geographic Information System (GIS) to view the thousands upon thousands of parcels to determine that the average FAR was .36 with a margin of error +/- .5. Ms. Schmidt shared that staff only looked at parcels that have development on the site.

Chair Faria opened the public hearing at 7:29 p.m.

Mr. Marc Fontana, Hayward property owner, has concerns that the new regulations will be damaging to him and his family and shared how they have been in business since 1988. Mr. Fontana said they did not receive proper notification and that a lot of the existing businesses are non-conforming under the new regulations. In response to Commissioner McDermott, Mr. Fontana responded that the business was established in 1916 making garden decor. In response to Mr. Willis, Mr. Fontana replied he only found out this morning about the new regulations that would affect his property.

Mr. Jose Tejeda, Hayward resident, has concerns about the new regulations and asked staff to explain what is going to happen to the existing residents. Mr. Tejeda said the City has not done anything to improve the area even though they pay their taxes.

Mr. Ted Landauazo, Hayward business owner, said he did not receive the public notice, has concerns of how the changes will affect his business of 35 years, and that he employs 50 to 80 people per day. Mr. Landauazo said the City has neglected this area for all this time and feels what prompted the new regulations is the residential units that have come into the area.

Mr. George Clever, Partner with Hines, the new owners of the former Gillig site, said their company will be improving and investing about $100 million into the site. Mr. Clever requested staff to reconsider the open space requirement for the General Industrial area because the 10% open space requirement for the General Industrial area of their site equates to the size of one-and-a-half football fields.

Mr. Khaira, Hayward resident, has concerns for residents that live in the industrial area as all day long there is constant flow of traffic and the large trucks raise a lot of dirt and dust and there is a lack of worker parking which results in a lot of trash left in the area. Mr. Khaira hopes the new regulations for the light industrial sub-district will help improve the area and make it safer for the residents and especially the children.

Mr. Juan Martinez, Hayward resident and business owner, shared that nothing was done when he came to the City to report his concerns about excessive noise from businesses and medical hospital waste washed down the sewer drain. Mr. Martinez said the City needs to focus on enforcing the current regulations and would like the City to communicate to both business owners and residents.

Ms. Noor Chaaban, representative for Technicon Construction, said her company plans to purchase a business property on Pacific Street which falls under the new Light Industrial subdistrict. Ms. Chaaban has concerns if their plans will be reviewed under the existing regulations, because when she when submitting their plans today, in speaking with staff, it was unclear what would happen.

Mr. Edward Bogue, Hayward resident, said the most dramatic change is for the area that will be designated the new Light Industrial subdistrict from the existing General Industrial designation. Mr. Bogue has concerns about the existing large sites that do not abut residential areas and how they will be affected by the new Light Industrial regulations. Mr. Bogue suggested that staff take another look and consider redrawing the area lines.

Chair Faria asked about the impact to residents who live in the Industrial District, to which Senior Planner Schmidt replied that per the current regulations the residential uses are non-conforming and are not allowed in the Industrial District and this does not change with the new regulations. Ms. Schmidt shared that the new Light Industrial (IL) sub-district regulations are to create a buffer zone for the existing residents from the heavier industrial uses.

Mr. Yaowinder Singh, Hayward business owner for 17 years, has concerns about how the new Light Industrial sub-district regulations will affect existing businesses, especially the trucking companies that require larger outdoor space.

Chair Faria closed the public hearing at 8:10 p.m.

In response to Commissioner Bonilla, Senior Planner Schmidt said existing business will be allowed to continue operating under the new regulations. Economic Development Manager Nguyen addressed Mr. Bonilla's question regarding property values in the Industrial District and said that at this time property values are very high with under a 4% vacancy rate and staff is unsure how the new regulations could potentially affect property values. Mr. Nguyen said the City has been experiencing a lot of interest from outside parties because Hayward is more affordable for businesses. Ms. Schmidt shared that after the Planning Commission and City Council Work Sessions in October and December, respectively, staff had a very good idea which direction the City was headed. She said there was no reason for staff to expect there would be a deviation from the draft regulations except for minor amendments. Ms. Schmidt said there are videos of the meetings with Council, the Planning Commission and the community. She said that when applicants come to the Planning Counter to inquire about properties, staff informed the applicants that the City's Industrial District Regulations are in the process of being updated and provided the applicants with the draft regulations. Principal Planner Lochirco responded to Mr. Bonilla's question about applications, and said applications received today are not vested until approved and that applications can be subject to either the administrative or conditional use permit process dependent upon many factors and timelines. Mr. Bonilla acknowledged the speakers and thanked staff for their diligence and comprehensive report.

Commissioner Patton said the City's vision for establishing the Light Industrial District is to improve the City. Mr. Patton requested that the Design Guidelines include a public right-of-way element in order for the City to be able to apply for grants and federal funding. Mr. Patton said that along the Route 92 Corridor he suggested the inclusion of a major site plan review for taller office buildings along with office building illustrations. Mr. Patton suggested staff review the 10% open space requirements for industrial parks as this requirement is better suited for commercial park districts.

Commissioner McDermott commented that it has been a three year process for this item and staff has conducted a number of community outreach meetings along with two Public Notice mailings, sent out a large number of emails to stakeholders of record, and that staff maintained an interested parties list and made sure to notify everyone on that list.

Commissioner Willis said these new changes are what is in the best interest for the majority of the City. Mr. Willis supports this project.

Commissioner Andrews commented that as a resident she had heard about the Industrial Regulations update and the numerous community outreach meetings. Ms. Andrews suggested that the business owners research the many City resources to stay abreast of what is going on. Ms. Andrews commended staff on their outreach efforts and for the inclusion of food trucks and community art which will benefit the workers in the area. Ms. Andrews spoke about how this used to be Russell City area with a majority of African American residents and how these residents were displaced to make room for the industrial area. She commented that the City's goal with the new regulations is to create a buffer zone from the industrial uses for the existing residents. Ms. Andrews supports the item.

Chair Faria commented that change is difficult and that there will be impacts but the City's responsibility is to ensure there is a plan for the future. Ms. Faria thanked staff for the community outreach and the information. Ms. Faria thanked the speakers and acknowledged the difficulty in presenting their feelings and how the regulations might impact them.

Commissioner Willis made a motion to approve the staff recommendation.

Commissioner Patton made a friendly amendment to include a recommendation to staff about the inclusion of a public right-of-way element, that Industrial District Design Guidelines include illustrations of office buildings along the Route 92 Corridor, and the requirement of a major site plan review for office buildings to qualify for the bonus floor area ratio.

Principal Planner Lochirco said the Industrial Regulations Update was focused on private property, and the public accessibility element will be included in the Bicycle Master Plan update which is currently in process. Commissioner Patton has concerns that in the Industrial Regulations Update, office buildings are required to include bicycle accessibility, and he wants to make sure there is public right-of-way accessibility and safety for bicycle riders along the public access. Senior Planner Schmidt shared that the Public Works Engineering and Transportation Department is looking at public accessibility and right-of-way regulations and are aware of the Industrial Regulations Update. Ms. Schmidt also

shared that developers will be required to provide bike paths and accessibility along the frontages of the sites they are developing.

Commissioner Willis made a motion, seconded by Commissioner Patton, to approve the staff recommendation with a recommendation to staff to modify the Industrial District Design Guidelines to reflect office building illustrations along the Route 92 Corridor and include the requirement of a major site plan review in order for applicants to take advantage of the .8 bonus floor area ratio. The motion carried by the following vote.

AYES:	Commissioners Willis, Andrews, Bonilla, Patton, McDermott Chair Faria
NOES:	None
ABSENT:	Goldstein
ABSTAIN:	None

APPROVAL OF MINUTES

2. Minutes of the Planning Commission Meeting of March 28, 2019

Commissioner Willis made a motion, seconded by Commissioner McDermott, to approve the Planning Commission Meeting Minutes of March 28, 2019.

The motion passed with the following vote:

AYES:	Commissioners Willis, Andrews, Patton, McDermott Chair Faria
NOES:	None
ABSENT:	Goldstein
ABSTAIN:	Bonilla

COMMISSION REPORTS

Oral Report on Planning and Zoning Matters:

There were none.

Commissioners' Announcements, Referrals:

Commissioner Andrews announced that there is a Keep Hayward Clean and Green event on Saturday and to visit the City's website for more information. Ms. Andrews also announced a neighborhood Smoothie Event at Palma Ceia Park on Sunday.

ADJOURNMENT

Chair Faria adjourned the meeting at 8:39 p.m.

APPROVED:

_____
Ray Bonilla Jr., Secretary
Planning Commission

ATTEST:

_____
Denise Chan, Senior Secretary
Office of the City Clerk