

**CITY COUNCIL MEETING
TUESDAY, JUNE 27, 2017**

PRESENTATIONS

Item #2 PH 17-066

Public TEFRA Hearing – Hayward Four Projects



Public TEFRA Hearing Hayward Four Project



City Council & Housing Authority Board

June 27, 2017



Background: Hayward Four Project

- **Acquisition and rehabilitation of four Eden-owned affordable housing developments in Hayward**
- **118 rental homes affordable to low and very low-income families**
- **Council approval of financing: July 21, 2015**
- **Council approval of Note issuance: February 2, 2016**
- **Rehabilitation completed in 2016 and 2017.**

Property Name	Location	No. of Units
742 Harris Ct. Apartments	742 Harris Court	4
Harris Court Apartments	734, 735, 743, 750, and 751 Harris Court	20
Cypress Glen	25100 Cypress Avenue	54
Huntwood Commons	27901 Huntwood Avenue	40
	Total:	118

Harris Court (before and after)



Cypress Glen (before and after)



Huntwood Commons (before and after)



Impact, Benefits

The rehabilitation of the Project:

- **Preserved 118 affordable housing units for low-income Hayward families**
- **Recorded new fifty-five year affordability covenants against the rehabilitated properties**
- **Included multiple environmental sustainability upgrades to the rehabilitated units**
- **Created direct and potential economic benefits for the community.**

The TEFRA Public Hearing

- **Approval to Re-issue the Multifamily Housing Revenue Bonds Note and Amend the Construction and Permanent Loan Agreement**
- **The City will act only as the Bond re-issuer; the re-issued Bonds will create NO obligation nor indebtedness by the City**
- **The City will NOT be liable nor obligated to pay the principal or interest on the re-issued Bonds.**
- **The City makes NO pledge of its credit nor of its taxing power toward the payment of the principal or interest on the re-issued Bonds.**

Recommendations

That Council:

- **Holds a TEFRA public hearing and adopts the resolution in Attachment II authorizing:**
 - a) **The re-issuance of the Multifamily Housing Revenue Bonds Note, and**
 - b) **The Amendment to the Construction and Permanent Loan Agreement.**

That Council and the Housing Authority Board:

- **Adopt the resolutions in Attachment III and IV, respectively, acknowledging the modification to the Project financing.**

Questions & Discussion

Item #3 PH 17-033
Consolidated Landscaping and Lighting District No. 96-1

Item #4 PH 17-034
Maintenance District No. 1

Item #5 PH 17-035
Maintenance District No. 2



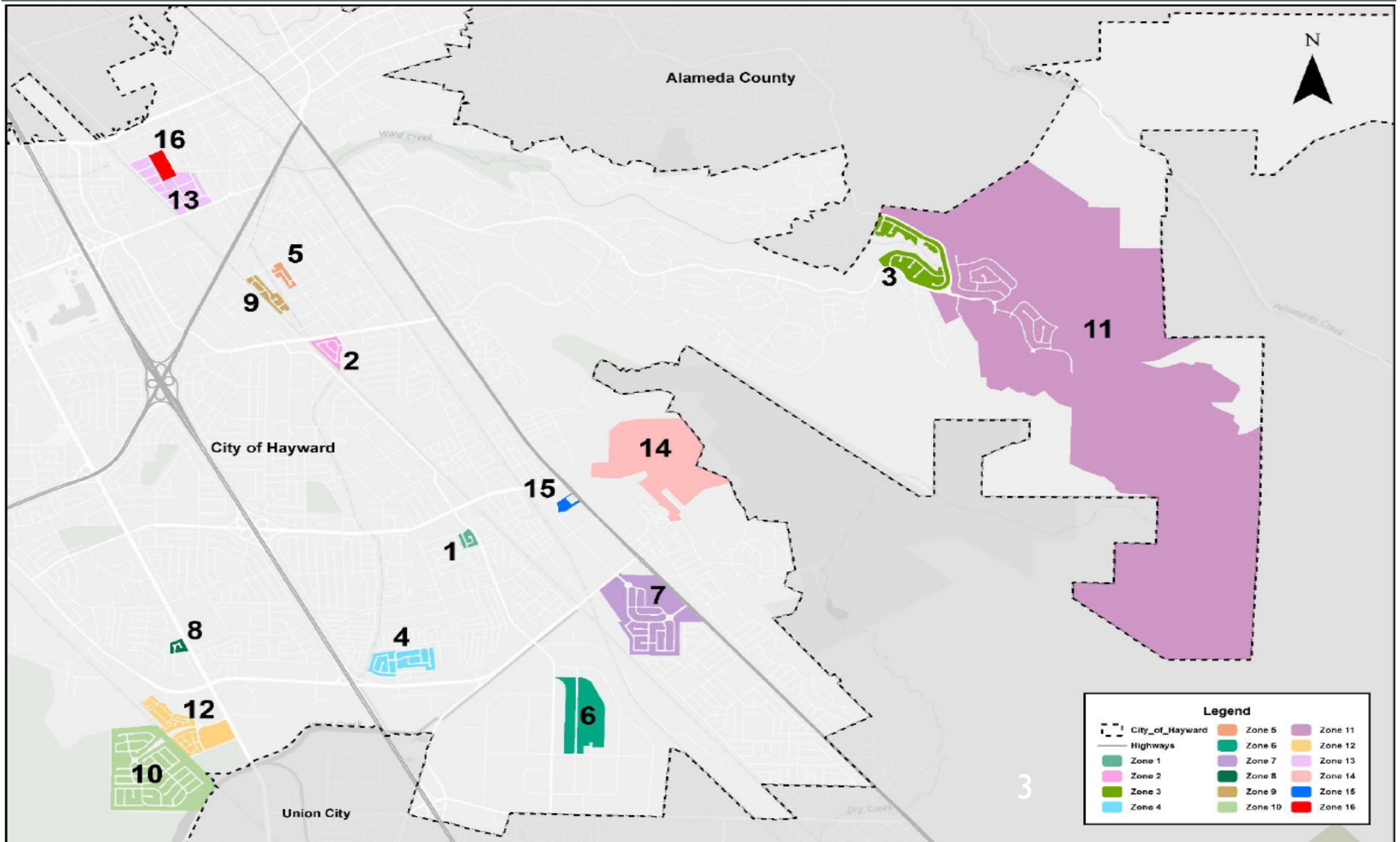
Landscape and Lighting Assessment District Report



Improvements includes medians, parks, masonry walls, and entrances



Zones Throughout City (1-16)





Annual Report

Legal Requirement:

- Lighting and Landscape Act of 1972

Review of:

- Operation, maintenance, and administrative cost
- Future capital replacement
- Long-term funding requirements
- Evaluation and assignment of assessment rate
- Proposition 218 compliance



FY 2018 Assessment Rates

Staff recommendations:

- **Six** zone increases from previous year
- **Seven** zone “no change” from previous year
- **Three** zone decreases from previous year



Next Steps

Council Resolutions:

1. Approve Engineer's Report
2. Appropriate FY 2018 Revenue and Expenditure Budget



Annual Maintenance Districts Reports



Annual Report

Legal Requirement:

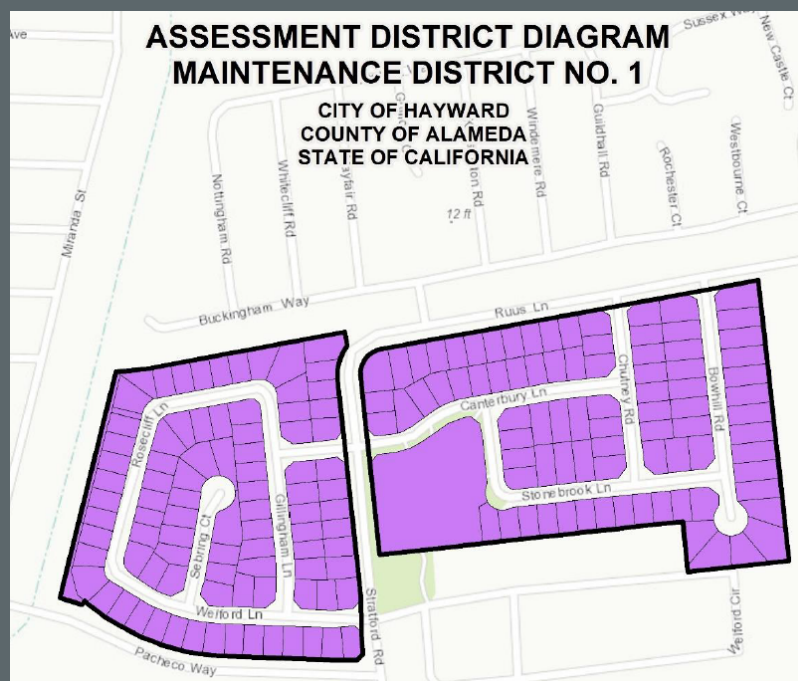
- Hayward Municipal Code, 10-10.25

Review of:

- Operation, maintenance, and administrative cost
- Future capital replacement
- Long-term funding requirements
- Evaluation and assignment of assessment rate
- Proposition 218 compliance



Maintenance District No. 1



Storm Drain Pumping Facility
Recommend same charge rate as FY 2017,
at \$243.92 per parcel.



Maintenance District No. 2



Water Buffer and Facilities
Recommend same charge rate as FY 2017, at \$198.95 per parcel.



Next Steps

Council Resolutions:

1. Approve Engineer's Report
2. Appropriate FY 2018 Revenue and Expenditure Budget



Questions & Comments



Item #6 PH 17-063

Airport Overlay Zone Ordinance



AIRPORT OVERLAY ZONE ORDINANCE

City Council Public Hearing

David Rizk
Director of Development Services

June 27, 2017

Why Adopt New Regulations?



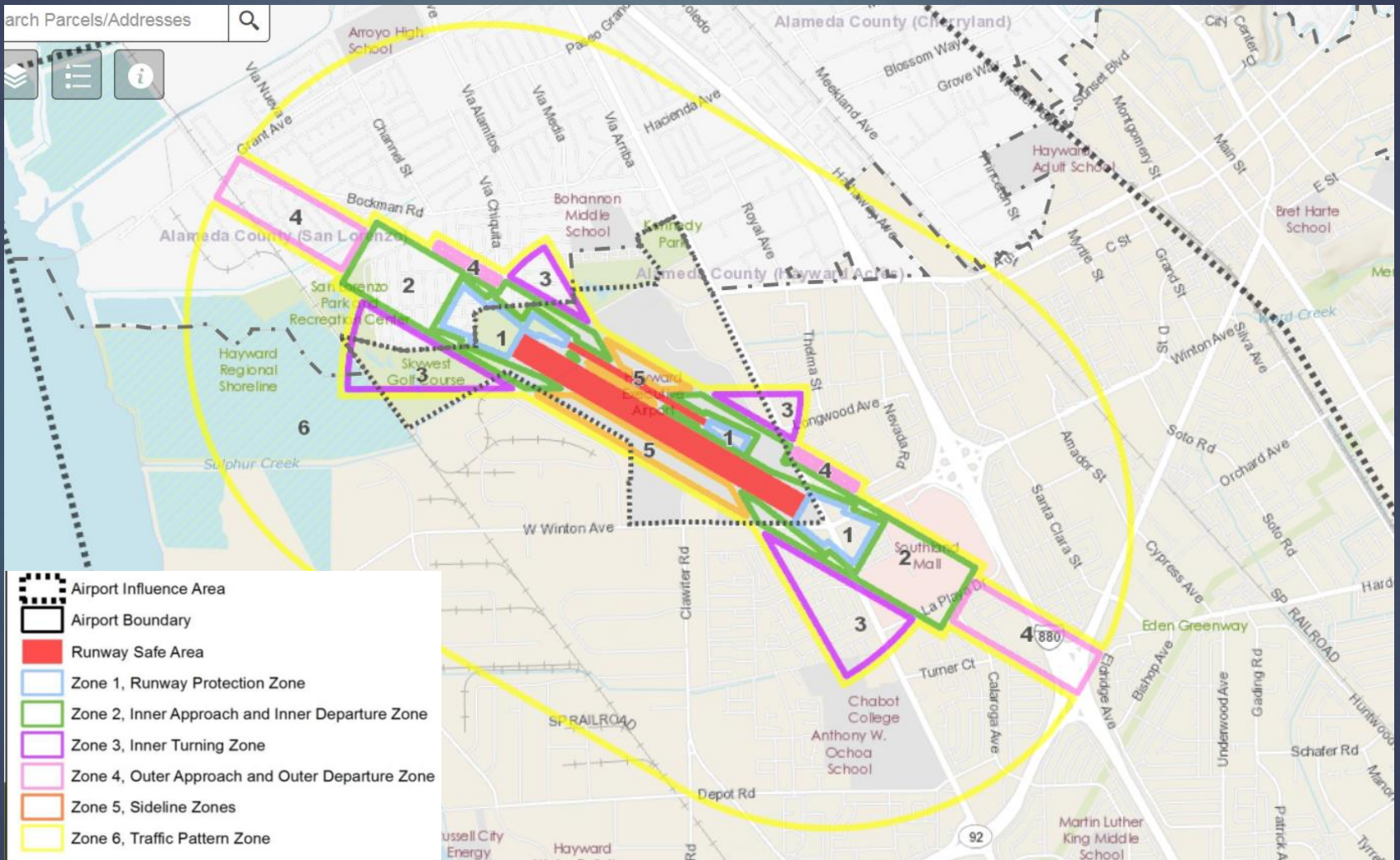
- City regulations are over 50 years old
- Ensure consistency with federal and state laws
 - City's contractual obligations to the federal government
 - Governing allowable heights of structures surrounding airports
 - Regulations related to noise and safety
 - Caltrans Division of Aeronautics' 2011 *California Airport Land Use Planning Handbook*
- Implements General Plan Policy



Airport Overlay Zone Ordinance

- ▶ AOZ Provisions Would Not Apply To:
 - Hayward Airport property, including Skywest Golf Course
 - Unincorporated Alameda County (e.g., San Lorenzo)

Airport Safety Zones



Infill Provisions



- ▶ Infill development shall only be approved per the following criteria:
 - (1) whether the proposed development is a conforming or nonconforming use;
 - (2) size of the parcel proposed for infill;
 - (3) the extent to which the parcel is bounded by uses of similar type and dimension, so as not to extend the perimeter of incompatible uses;
 - (4) the density and intensity of the uses proposed for development; and
 - (5) applicable development conditions to be imposed (e.g., avigation easements).

Nonconforming Uses



- No increase in density for nonconforming residential uses
- No expansion of nonconforming nonresidential uses
- Comply with nonconforming provisions of the Zoning Ordinance

Nonconforming Uses at Southland Mall



A nonconforming commercial or industrial center or complex may be established or replaced by another similar nonconforming use when the Planning Director finds:

- 1) That the nonconforming use is similar to or less intensive than the ones originally allowed in the center or complex;
- 2) That the nonconforming use will not adversely affect or be materially detrimental to adjoining properties; and
- 3) That the use of the entire center or complex has not been vacant or discontinued for a period of six or more calendar months.

AOZ Overview



- Development Standards and Uses - Land Use Density and Intensity (Sec. 10-6.30)
- Airspace Protection (Sect.10-6.40)
- Noise (Sect. 10-6.50)
- Aircraft Overflight Notice – Safety Zones 5 and 6 (Sect. 10-6.60)
- Open Land (Sect. 10-6.70)

Land Use Density & Intensity



**Table 1 - Airport Overlay Zone - Allowable Land Uses
(Areas within AOZ and Outside Specific Plans)**

Land Uses	Safety Compatibility Zones					
	1 Runway Protection Zone	2 Inner Approach/ Departure Zone	3 Inner Turning Zone	4 Outer Approach/ Departure Zone	5 Sideline Zones	6 Traffic Pattern
Maximum Intensities (all uses) per Single Acre (People/Gross Acre) (Per Figures 4B-4G in the California Airport Land Use Planning Handbook)	0	160	450	600	450	No Limit (Large stadiums and similar uses should be avoided.)
Non-Residential Land Uses						
Maximum Site-wide Average Non-Residential Intensity (People/Gross Acre) (Per Figures 4B-4G in the California Airport Land Use Planning Handbook)	0 (Exceptions can be permitted for agricultural activities, roads, and automobile parking provided that FAA criteria are satisfied.)	80	150	200	150	No Limit (Large stadiums and similar uses should be avoided.)
Note: Infill development is allowed in all zones, in accordance with Section 10-6.10(d) or as stated above. Land uses within Safety Zones 2 through 5 should be clustered, to the greatest extent practical, to preserve open space. No development shall be clustered in a manner that would exceed the intensity limits listed above.						
Offices (approx. 100 sq. ft./person)	X	C	C	C	C	P
Small eateries/drinking establishments (approx. 15 sq. ft./person)	X	X	C	C	C	P
Medium sized business (approx. 30 sq. ft./person)	X	C	C	C	C	P
Mixed use retail centers with restaurant facilities (approx. 45 sq. ft./person)	X	C	C	C	C	P
Retail center with no restaurant facilities (approx. 30 sq. ft./person)	X	C	P	P	P	P

Airspace Protection



“Airspace protection standards are intended to reduce the risk of harm to people and property resulting from an aircraft accident by preventing the creation of land use features, and the prohibition of any activities, that can pose hazards to the airspace used by aircraft in flight.”

Electrical
Interference

Glare & Light

Features that create an increased
attraction for wildlife that may be
hazardous to Airport operations

Dust & Smoke

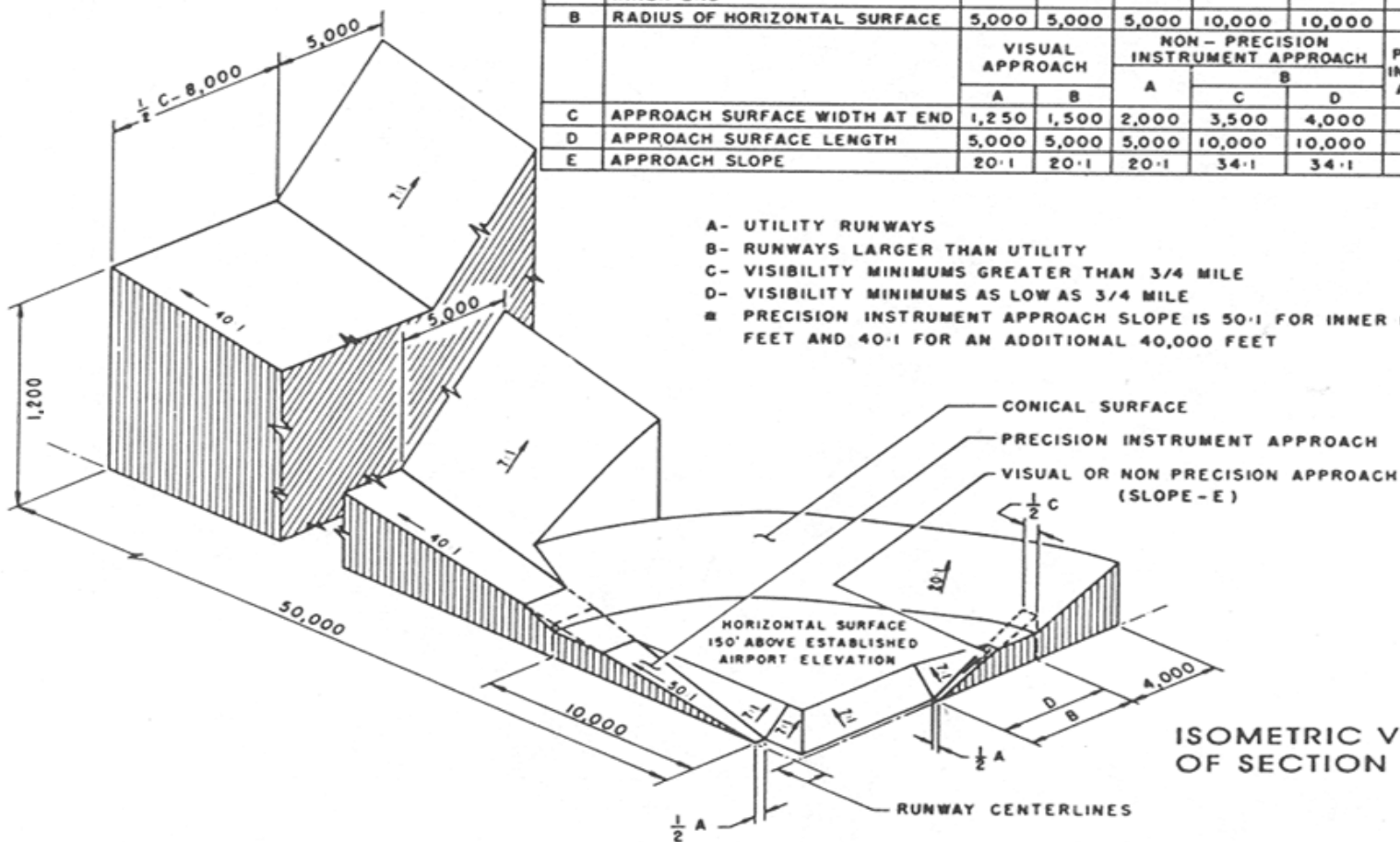
Tall Structures

Thermal Plumes



DIM	ITEM	DIMENSIONAL STANDARDS (FEET)					
		VISUAL RUNWAY		NON-PRECISION INSTRUMENT RUNWAY			PRECISION INSTRUMENT RUNWAY
		A	B	A	B		
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	250	500	500	500	1,000	1,000
B	RADIUS OF HORIZONTAL SURFACE	5,000	5,000	5,000	10,000	10,000	10,000
		VISUAL APPROACH		NON-PRECISION INSTRUMENT APPROACH			PRECISION INSTRUMENT APPROACH
		A	B	A	B		
		C	APPROACH SURFACE WIDTH AT END	1,250	1,500	2,000	3,500
D	APPROACH SURFACE LENGTH	5,000	5,000	5,000	10,000	10,000	*
E	APPROACH SLOPE	20:1	20:1	20:1	34:1	34:1	*

- A- UTILITY RUNWAYS
- B- RUNWAYS LARGER THAN UTILITY
- C- VISIBILITY MINIMUMS GREATER THAN 3/4 MILE
- D- VISIBILITY MINIMUMS AS LOW AS 3/4 MILE
- * PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET



Noise

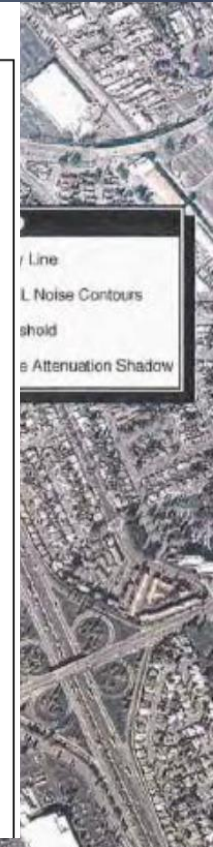


“Noise compatibility standards are intended to prevent the establishment of noise sensitive land uses in areas surrounding the Airport that are exposed to significant levels of aircraft noise.”



Table 2 - Exterior Noise Compatibility Standards

TABLE HAZ-1 Exterior Noise Compatibility Standards for Various Land Uses	
Land Use Type	Highest Level of Exterior Noise Exposure that is Regarded as “Normally Acceptable” (CNEL ^b)
Residential: Single-Family Homes, Duplex, Mobile Home	60
Residential: Townhomes and Multi-Family Apartments and Condominiums	65
Urban Residential Infill ^c and Mixed-Use Projects ^d	70
Lodging: Motels and Hotels	65
Schools, Libraries, Churches, Hospitals, Nursing Homes	70
Auditoriums, Concert Hall, Amphitheaters	Mitigation based on site-specific study
Sports Arena, Outdoor Spectator Sports	Mitigation based on site-specific study
Playgrounds, Neighborhood Parks	70
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75
Office Buildings: Business, Commercial, and Professional	70
Industrial Manufacturing, Utilities, Agriculture	75



Aircraft Overflight Notice



“Aircraft overflight standards are intended to provide overflight notification for land uses within Safety Compatibility Zones 5 and 6.”

“All discretionary actions for projects within such areas shall include a condition of approval requiring owners of property offered for sale or lease within the AOZ to provide the Real Estate Transfer Disclosure Statement...prior to selling or leasing property.”

Open Land



“Open land areas are intended to increase the chances of a pilot successfully landing an aircraft in an emergency situation when he/she is unable to reach the runway.”

Findings



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

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

(3) Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified.

(4) All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

Recommendation



Subject to the findings contained in the resolution, that City Council:

- Determines that adoption of the proposed Airport Overlay Zone Ordinance is exempt from CEQA; and
- Adopts the resolution and introduces the ordinance for a new Airport Overlay Zone Ordinance for the City.

Questions & Discussion

