

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 24 OF
THE HAYWARD MUNICIPAL CODE BY INCLUDING TEXT
WITH THE ADDITIONAL PROVISION OF ALLOWING
DENSITY AVERAGING/TRANSFER IN THE TRANSECT
ZONES T4 URBAN GENERAL (17.5 DU/ACRE MIN; 35
DU/ACRE MAX) AND T5 (35 DU/ACRE MIN; 55 DU/ACRE
MAX)

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Text Amendment

Article 24 of Chapter 10 of the Hayward Municipal Code 10-24.240 Density Standards, a. is hereby amended to include allowing the averaging/transfer of residential density between and among adjacent parcel of the same zone in the T4 Urban General (17.5 DU/acre min; 35 DU/ac max) and T5 Urban General (35 DU/acre min; and 55 Du/acre max) transect zones, as follows:

- iv. Permissible residential density may be transferred or averaged over one or more parcels comprising a development site if all of the following conditions are met:
 - The properties/parcels are the same zoning;
 - The properties/parcels are contiguous, and
 - Appropriate notice and declarations of land use restrictions have been recorded on all affected parcels.

Section 2. Severance.

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 3. Effective Date.

This ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held on the 14th day of November 2017, by Council Member Salinas.

This ordinance will be considered for adoption at the meeting of the Hayward City Council, to be held on November 28, 2017, at 7:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this Ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 24, 2017
Miriam Lens, City Clerk
City of Hayward