

**PROPOSED GENERAL PLAN AMENDMENT
TO AMEND THE HAZARDS ELEMENT OF THE HAYWARD 2040 GENERAL PLAN
TO INCORPORATE REFERENCE TO THE HAYWARD LOCAL RESILIENCE PLAN
AND REVIEW ADDENDUM PREPARED PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DRAFT FINDINGS OF APPROVAL

CALIFORNIA ENVIRONMENTAL QUALITY ACT

- A. In July 2014, the City Council certified a Final Program Environmental Impact Report, adopted the Statement of Overriding Considerations, approved the Mitigation Monitoring and Reporting Program, Adopted the Hayward 2040 General Plan, and Approved related amendments to the General Plan Land Use Map for certain properties in the Planning Area.
- B. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164, Rincon prepared an Addendum, dated January 2023, analyzing amendments to the General Plan. Specifically, the project consists of a comprehensive update to the City of Hayward Housing Element, a comprehensive update to the City of Hayward Hazards Element, and the addition of the City of Hayward Environmental Justice Element, which were altogether referred to and analyzed as the “project” throughout the Addendum.
- C. In accordance with Section 15164 of the CEQA Guidelines, a lead agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Specifically, an Addendum is appropriate when there has been no substantial change proposed in the project or the circumstances under which the project is being undertaken, nor is there any new information that would require additional environmental review. In this case, the proposed Project would not require rezoning or land use changes not previously known or analyzed in the General Plan EIR; therefore, the previously certified Mitigation Monitoring and Reporting Program remains valid and applicable with the Amendments.
- D. Pursuant to CEQA Guidelines 15164(g), an Addendum need not be circulated for public review but can be included in or attached to the Final EIR.
- E. The adopted Final EIR identified all potential significant adverse impacts and feasible mitigation measures that would reduce impacts to a level of less than significant, and that all the applicable mitigation measures identified in the Mitigation Monitoring and Reporting Program and related to the proposed project will be implemented, if applicable, as described in the Addendum. Based on the Final EIR and the Addendum, there is no substantial evidence that the addition of a reference to the City’s updated Local Resilience Plan to the Hazards Element of the General Plan would have a significant effect on the environment.

- F. The proposed amendment complies with CEQA, and the previously certified Final EIR, Mitigation Monitoring and Reporting Program and Addendum was reviewed and considered prior to approval.

General Plan Amendment

Pursuant to Hayward Municipal Code (HMC) Section 10-1.3425(b), the Planning Commission may recommend approval of an amendment to the General Plan upon making the following findings:

- A. **Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the residents of Hayward;**
The proposed General Plan Amendment to the Regional Coordination Goal set forth in the Hazards Element to reference and provide a footnote link to the adopted Local Resilience Plan will promote the health, safety, convenience and general welfare of the residents of Hayward in that it will bring the City into compliance with State Law and ensure that the City will remain eligible for additional state cost-share funding on eligible Public Assistance projects. Bringing the Hazards Element into compliance with State Law will mitigate potential hazards through regional coordination, analysis, outreach, communication, collaboration and mitigation which in turn will promote health and general welfare of the community as a whole.
- B. **The proposed change is in conformance with the purposes of the Zoning Ordinance and all applicable, officially adopted policies and plans;**
The proposed General Plan Amendment would not conflict with the Zoning Ordinance in that the General Plan Amendments are programmatic documents that address existing and potential hazards and negative environmental impacts throughout the community. The proposed amendment to reference and provide a footnote link to the adopted Local Resilience Plan will ensure consistency with State Law and that Hayward remains eligible for state cost-share funding on eligible Public Assistance projects.
- C. **Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified;**
The proposed General Plan Amendment to the Hazards Element involves simply adding a reference to the adopted Local Resilience Plan and does not include any land use changes or reclassification of property.
- D. **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.**
The proposed General Plan Amendment to the Hazards Element involves simply adding a reference to the adopted Local Resilience Plan and does not include any land use changes or reclassification of property.