



DATE: July 18, 2017

TO: Mayor and City Council

FROM: Interim Development Services Director

SUBJECT Authorization to Negotiate and Execute an Agreement with Lisa Wise Consulting for Preparation of the Downtown Specific Plan Development Code

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to execute an agreement with Lisa Wise Consulting for completion of a Development Code (“Code”) for the Downtown Specific Plan project.

SUMMARY

The Development Code component of the Downtown Specific Plan project will be a key tool for implementation of the Specific Plan. The consultant will be tasked with taking all relevant and useful elements from six existing City development codes currently governing growth and development in Downtown Hayward and creating a “smart code” that’s anticipated to be easy to use and clearly understandable by developers, business owners, decision makers, and City staff in the realization of the new vision for Downtown Hayward.

A “smart code” is a blend of standard Euclidian zoning criteria, performance-based measures and coding with respect to recognized historic structures in the Downtown area.

BACKGROUND

On September 13, 2016, Lisa Wise Consulting officially began work on the Downtown Specific Plan project. Pursuant to the project scope of work for the Specific Plan project, Tasks 1 (Project Initiation & Background Analysis) and 2 (Visioning & Direction Setting) have been completed while Task 3 (Design Charrette & Preferred Alternative Development) will be completed soon. Creation of the Administrative Draft Specific Plan (Task 4) should be completed by the end of 2017. Task 5 involves the creation of a Development Code, which should parallel work to pull together the Administrative Draft Specific Plan. By early 2018, it is anticipated that a Public Review Draft Specific Plan and draft (Development) Code (Task 6) will have been completed. Work will then begin on the project Environmental Impact Report, also known as Task 7.

DISCUSSION

The timing of work and deliverables for the Development Code will be coordinated with the development, review, and adoption of the Specific Plan as determined by City staff and the consultant team. It is anticipated that the Code would be a hybrid code (conventional, performance-based measures and form-based provisions), with some form-based zones developed for pre-identified focus areas. The following tasks outline the steps necessary to complete the Development Code part of the Downtown Specific Plan project:

Code Coordination Meeting

The consultant team will prepare for and attend a Code Coordination Meeting with City staff. The consultant team will discuss problems or issues with current regulations relevant to the Specific Plan, identify project goals, and review the project timeline.

Code Diagnosis, Microscale Analysis, and Approach

The consultant team will conduct an analysis of the existing zoning code to determine the best approach to restructuring, revising, and improving the Code, including a targeted micro-scale analysis of areas to analyze opportunities and constraints for development. Tasks to be performed at this stage include:

- Analyze the existing zoning code, form-based codes, design guidelines, and other regulatory documents, and summarize key issues and regulatory impediments relevant to implementing the Specific Plan.
- Document the block and lot-level pattern of development (“micro-scale analysis”) of three or four pre-identified ‘focus areas’ in order to calibrate the Code to existing conditions. The purpose of this work is to calibrate appropriate development standards to existing urban patterns and lot sizes in the focus areas. The analysis will build upon the Community Form and Character Analysis component of the project.
- Prepare an annotated outline, style sheet, and sample layouts for the Code.

The Consultant Team will prepare a memo summarizing the Code diagnosis.

Administrative Draft Code

Based on previous project work on the Administrative Draft Specific Plan and input from City staff, the consultant team will prepare the Administrative Draft Code. It is anticipated that the consultant team will develop a combination of conventional and form-based zones (up to four form-based zones). The form-based code areas could be developed to incentivize lot assembly and new development over time. For example, greater intensity or height could be allowed if lots are assembled.

The Code components may include, but are not limited to:

- Applicability and Intent
- Zones
- Development Standards and Building Placement

- Use Tables
- Frontage Standards
- Civic Space Standards
- Parking
- Procedures (the Code will rely on existing City procedures where appropriate)
- Definitions
- Regulating Plan

Administrative Draft Code Review

Lisa Wise Consulting and their team of sub consultants will review the Administrative Draft Code with key City staff, provide clarifications as needed, and facilitate City staff input. All City staff input will be compiled into a single list of non-conflicting comments.

Task Force Meetings

The consultant team will conduct two meetings with the Specific Plan Task Force to present and discuss the following topics related to the Code, such as the Code Diagnosis, Micro-scale analysis, and Approach, and Zones and Development Standards.

Public Workshop

The consultant team will prepare for and conduct a public workshop to introduce major components of the Code. The team will present the major components of the Code and facilitate a public discussion. The City of Hayward will be responsible for securing a meeting space and distributing outreach materials via email and other avenues.

Deliverables

1. Code Diagnosis, Micro-scale analysis, and Approach Memo
2. Administrative Draft Code
3. Task Force Meeting Summaries
4. Public Workshop Presentation Materials and Summary

ECONOMIC IMPACT

It is anticipated that the Downtown Specific Plan will transform the Plan area, one of the City's Priority Development Areas (PDAs), into a vibrant retail destination location for Hayward, thus creating positive economic impacts resulting in new businesses bringing additional sales tax revenue to the City. The Specific Plan and Development Code will build upon previous successes and help create a more active and lively downtown consistent with the goals and policies in the General Plan. Any final version of the Development Code should be useable, understandable and have clear and fair standards for future project advocates to follow to a successful conclusion.

Creating a new Specific Plan and Development Code for the long-term growth and development of Downtown Hayward will bring a new mix of successful uses creating an exciting place for Bay Area residents to frequent as they do with other similar sized cities located around the San Francisco Bay. More customers, residents and visitors will frequent

Downtown Hayward once the Specific Plan is completed and implemented bringing more revenue to Hayward via increased sales tax and eventual increases in property tax via new building construction.

It's important to stress that creation of a Development Code is critical to implementation of the Downtown Specific Plan. It is anticipated that the Code clearly implements the Downtown community vision and will also help streamline the development review process, which is critical for new developers and tenants interested in investing in Hayward Downtown.

FISCAL IMPACT

Funds of \$75,000 were originally approved in the FY 2014 budget and carried over to subsequent years pending an agreement with the Alameda County Transportation Commission (Alameda CTC). This money was allocated as the matching funds requirement for the \$950,000 grant from Alameda CTC to undertake and complete Hayward's Downtown Specific Plan project. On April 5, 2016, Council approved Resolution #16-047 authorizing an additional allocation of \$230,000 for the Downtown Specific Plan Development Code. Funds were allocated and encumbered from the FY 2017 Planning Division Operating budget. There is no further impact to the General Fund.

SUSTAINABILITY FEATURES

It is anticipated that the Downtown Specific Plan and Development Code will have sustainable measures incorporated into both documents. Sustainability features are being developed as part of the Plan process, specifically with input from the public and the Sustainability Committee. Lisa Wise Consulting sub consultant Sherwood Design Engineers is actively involved with incorporating sustainable concepts and design alternatives for the Downtown Plan area. Once ready for review and comment, additional discussion will occur with Council, the Planning Commission, the Sustainability Commission and the public regarding what measures will be suggested and how they will be implemented.

PUBLIC CONTACT

There has been the usual public contact in conjunction with this consent calendar item (posting with the City Clerk's Office and via the City's website).

As the project unfolds and a draft of the Development Code is completed, public outreach will occur and will continue to occur with each phase or task associated with the Code development process. Task Force meetings continue to be an integral way to participate in the Downtown Specific Plan process. Additionally, presentations to the Economic Development Committee, Sustainability Committee, the Chamber of Commerce and other associated downtown business groups will continue to occur. The project team has and will continue to reach out to Downtown building owners, commercial real estate brokers, neighborhood/homeowners'

associations, Cal State East Bay, BART, and AC Transit to afford opportunities for input and participate in the Plan and Code development process.

City staff has been working with the consultant team to effectively use the City's website and social media to provide updated information on development of the Downtown Specific Plan and will do so as it relates to the Plan and Development Code component.

In short, City staff will continue getting the word out about all future project meetings, activities and other ways to provide input on the project by posting information to the City's website.

NEXT STEPS

Once the contract has been executed with Lisa Wise Consulting to create a Development Code for the Downtown Specific Plan project, work will commence pursuant to the scope of work and Code development work should coincide with ongoing efforts to create an Administrative Draft Specific Plan.

Prepared by: Damon Golubics, Senior Planner

Recommended by: Stacey Bristow, Interim Development Services Director

Approved by:



Kelly McAadoo, City Manager