



## SUBJECT

Proposed Zoning Map Amendment of a 0.94-Acre Site Located at 900 Calhoun Street (Assessor's Parcel Number (APN) 078C-0647-001-02) from Agriculture (A) District to Low Density Residential- Minimum Lot Size – 10,000 square feet (RLB10) District Consistent with the Low Density Residential General Plan Land Use Designation, Application No. MTA-25-0002. Applicant and Property Owner: Aman Pohyar.

## RECOMMENDATION

That the Planning Commission recommends the Council approve the proposed Zoning Map Amendment, subject to the attached Findings (Attachment II) and Conditions of Approval (Attachment III); and Findings that the Zone Change is Fully Consistent with the *Hayward 2040 General Plan* Environmental Impact Report for the purposes of CEQA.

## SUMMARY

The applicant is requesting approval of a Zone Change from Agriculture (A) District to Low Density Residential- Minimum Lot Size – 10,000 square feet (RLB10) District at 900 Calhoun Street to allow for the applicant to potentially subdivide the subject property in the future, which is not permitted under the current zoning.

The proposed Zone Change does not include a specific development or subdivision proposal at this time. However, any future development would be required to obtain the applicable entitlement and be consistent with the applicable Zoning and General Plan regulations. The proposed Zone Change would be fully consistent with the site's current Low Density Residential (LDR) land use designation in the *Hayward 2040 General Plan*.

## BACKGROUND

From 1993 to 2005, the Mellow Mule Company operated a horse boarding business at 900 Calhoun Street. Prior to 1993, the subject property was vacant and undeveloped.

In 2013, a two-story detached residence with an attached three-car garage was constructed on the subject property and in July 2014, the Planning Division received a Zone Change application to rezone the subject property and an adjacent property at 890 Calhoun Street from Agriculture (A) District to Low Density Residential- Min. Lot Size – 10,000 square feet (RLB10) District.

On October 15, 2015<sup>1</sup>, the Planning Commission denied application 6:1, against the recommendation of staff, citing neighbor's concerns regarding increased traffic and changes to

<sup>1</sup> October 15, 2015, PC Public Hearing: <https://hayward.legistar.com/MeetingDetail.aspx?ID=418393&GUID=21B52AFC-8C0B-4909-B3B8-FE619621BB0B&Options=info|&Search=>

the street's rural character. On December 1, 2015<sup>2</sup>, the City Council upheld the Planning Commission decision and denied the application 7:0.

In 2021, the Building Division issued permits to allow the construction of an Accessory Dwelling Unit (ADU), two-car garage and storage room in the rear. Construction associated with these permits is still ongoing and has not been finalized yet.

On July 3, 2025, the Planning Division received a Zone Change application to rezone just the subject property from Agriculture (A) District to Low Density Residential- Minimum Lot Size – 10,000 square feet (RLB10) District.

**Public Outreach:** On July 22, 2025, a Notice of Receipt of Application was mailed out to 50 property owners, residents, businesses, and community groups (Mission-Garin Neighborhood Task Force and South Hayward Parish) within 300 feet of the project site.

On August 29, 2025, a notice of public hearing was published in the *Daily Review*. On September 4, 2025, notices of this public hearing were sent to all property owners and residents within a 300-foot radius of the project site. To date, staff has received two public comments (Attachment V) in opposition to the project citing a desire to maintain the rural character of the neighborhood and concerns regarding losing agriculture zoning.

## PROJECT DESCRIPTION

**Existing Conditions:** The project site is located within the Mission-Garin neighborhood, in east Hayward. The site is composed of a 0.94-acre rectangular lot that is generally sloped towards the rear with steep slopes in the northeast corner of the site (Figure 1). The northeastern corner of the site is also located within the Seismic Landslide zone (Figure 2). Furthermore, the entire site is located within the Alquist Priolo Fault zone with an approximate 40-foot stretch of a fault trace bisecting the northeastern corner of the site (Figure 3).



Figure 1 (Left): A map showing the elevation contours for the subject property.

Figure 2 (Middle): A map showing the Seismic Landslide zone in blue for the subject property

Figure 3 (Right): A map showing the Alquist Priolo Fault zone in light red and Alquist Priolo Fault traces as a dark red line for the subject property.

<sup>2</sup> December 1, 2015 CC Public Hearing: <https://hayward.legistar.com/LegislationDetail.aspx?ID=2522119&GUID=5E4DBA2D-CC1F-4035-A836-0F09AE88DA89&Options=&Search=>

As noted previously, the site is currently developed with a two-story detached residence with a three-car garage, a detached ADU with a two-car garage, storage and other minor site improvements. The project site is directly adjacent to Holy Sepulchre Cemetery and Parcel Group 4<sup>3</sup> to the north, Mellow Mule Company to the east, detached residences to the south and a rural estate with ancillary agriculture uses to the west.

**Project Description:** The project proposes a Zone Change from A District<sup>4</sup> to RLB10 District<sup>5</sup> to allow for a greater variety of housing development on the site. The applicant has indicated that the Zone Change request is to allow for a future subdivision of the subject property which is not permitted under the current zoning. The current zoning district requires a minimum lot size of one acre which the site is non-conforming to. The proposed zoning requires a minimum lot size of 10,000 square feet thus allowing for a potential future subdivision.

## **POLICY CONTEXT AND CODE COMPLIANCE**

**Hayward 2040 General Plan:** The project site is designated as Low Density Residential (LDR)<sup>6</sup> in the *Hayward 2040 General Plan*, which allows residential densities ranging from 4.3 to 8.7 dwelling units per acre. This land use designation allows for detached residential units, second units and other supporting uses. The proposed Zone Change to RLB10 District is consistent with the applicable LDR *Hayward 2040 General Plan* land use designation. The project is also 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.
- **H-3.6 Flexible Standards and Regulations.** The City shall allow flexibility within the City's standards and regulations to encourage a variety of housing types.
- **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's consistency with the *Hayward 2040 General Plan* is discussed further in the project Findings (Attachment II).

**Zoning Ordinance:** The project site is located within an Agriculture (A) District that allows for the development of a detached residence and a variety of agriculture uses including crops and tree farms, ranches and produce sales. The applicant is requesting to rezone the project site to

<sup>3</sup> California State Route 238 Corridor Lands: <https://www.hayward-ca.gov/your-government/departments/city-managers-office/238>

<sup>4</sup> Hayward Municipal Code Section 10-1.2000 Agriculture District:

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.2000AGDIA](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.2000AGDIA)

<sup>5</sup> Hayward Municipal Code Section 10-1.200 Residential Districts:

[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.200REDI](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.200REDI)

<sup>6</sup> Hayward 2040 General Plan Land Use Designations: <https://www.hayward-ca.gov/your-government/documents/general-plan/residential-land-use-designations>

RL District to allow for a wider range of residential development, including the possibility of subdivision. Future development of the site will be subject to review by the City and be subject to applicable regulations. In accordance with Section 10-1.3425<sup>7</sup> of the Hayward Municipal Code, the following findings are required in order to approve the proposed Zone Change:

- Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward.
- The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans.
- Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified.
- 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 project's consistency with these Findings is discussed in Attachment II.

## DISCUSSION

Staff believes the Planning Commission can recommend approval of the proposed project based on the analysis below and per the findings and conditions of approval (Attachment II and III, respectively). Staff also believes the project complies with the intent of City development policies and regulations, including the Hayward 2040 General Plan, and the Zoning Ordinance. Key findings from staff's analysis are described below.

The State of California is experiencing a housing crisis, with housing demand far outstripping supply. The recently adopted Hayward Housing Element found that Hayward is one of many cities in the State that is severely impacted by the housing crisis, experiencing high rates of cost burden, homelessness, overcrowding, and potential displacement of existing residents. The proposed rezoning would remove barriers to allow for a greater variety of housing development on the site, which is not obtainable under current regulations.

Furthermore, the proposed rezoning would bring the site into further conformance with local regulations. The project site does not currently conform with the minimum lot size and average lot width prescribed in the existing A District. Additionally, the existing A District allows for 40-foot-tall buildings by right and a riding stable, a riding academy, a kennel, an asphalt or concrete batch plant and a quarry with a use permit. Those developments and uses would not be as compatible with surrounding development as the development and uses allowed under the proposed RLB10 District. Lastly, the proposed zoning would be more consistent with the existing LDR General Plan land use designation.

## ENVIRONMENTAL REVIEW

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, a Program Environmental Impact Report (EIR) was prepared for the *Hayward 2040 General Plan*. On July

---

<sup>7</sup> Rezoning Findings:  
[https://library.municode.com/ca/hayward/codes/municipal\\_code?nodeId=HAYWARD\\_MUNICIPAL\\_CODE\\_CH10PLZOSU\\_ART1ZOOR\\_S10-1.3400AM\\_S10-1.3425PLCOPR](https://library.municode.com/ca/hayward/codes/municipal_code?nodeId=HAYWARD_MUNICIPAL_CODE_CH10PLZOSU_ART1ZOOR_S10-1.3400AM_S10-1.3425PLCOPR)

1, 2014<sup>8</sup>, the City Council adopted Resolution No. 14-108, approving the Hayward 2040 General Plan Program Environmental Impact Report (EIR).

In accordance with Section 15164 of the CEQA Guidelines, a lead agency shall prepare an addendum to a previously certified EIR if changes are necessary. However, none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The Program EIR covers the subject zoning map amendments, and the proposed amendments are fully consistent with the General Plan Land Use diagram.

Based the analysis provided in this staff report, no new or unanticipated levels of development are anticipated that were not previously identified in the General Plan and General Plan EIR, and no new or unanticipated traffic, residential or employment density, or construction impacts are expected to be generated because of the rezoning. Therefore, the proposed Amendments substantially conform to the Goals and Policies set forth in the General Plan that were analyzed in the related Program EIR. No further environmental review is necessary.

### **NEXT STEPS**

Following the Planning Commission hearing and recommendation, the item is tentatively scheduled for City Council consideration at a public hearing on October 21, 2025.

*Prepared by:* Taylor Richard, Associate Planner

*Recommended by:* Elizabeth Blanton, AICP, Senior Planner

*Approved by:*

  
\_\_\_\_\_  
Jeremy Lochirco, Planning Manager

  
\_\_\_\_\_  
Sara Buizer, AICP, Development Services Director

<sup>8</sup> July 1, 2014 City Council Public Hearing: <https://hayward.legistar.com/MeetingDetail.aspx?ID=454197&GUID=D9DE9F92-CD16-42A8-B5DC-7A907388002D&Options=info&Search=>