

**CITY COUNCIL MEETING TUESDAY,
DECEMBER 18, 2018**

PRESENTATIONS

ITEM 18 – WS 18-044

**REVIEW OF PROPOSED INDUSTRIAL ZONING
DISTRICT REGULATIONS**



CITY OF HAYWARD

INDUSTRIAL DISTRICT REGULATIONS UPDATE

CITY COUNCIL WORK SESSION



DECEMBER 18, 2018

AGENDA

- 1** Project Overview
- 2** Summary of Draft Regulations
- 3** Recommended Revisions to Draft Regulations
- 4** Next Steps
- 5** Questions & Comments

Project Overview

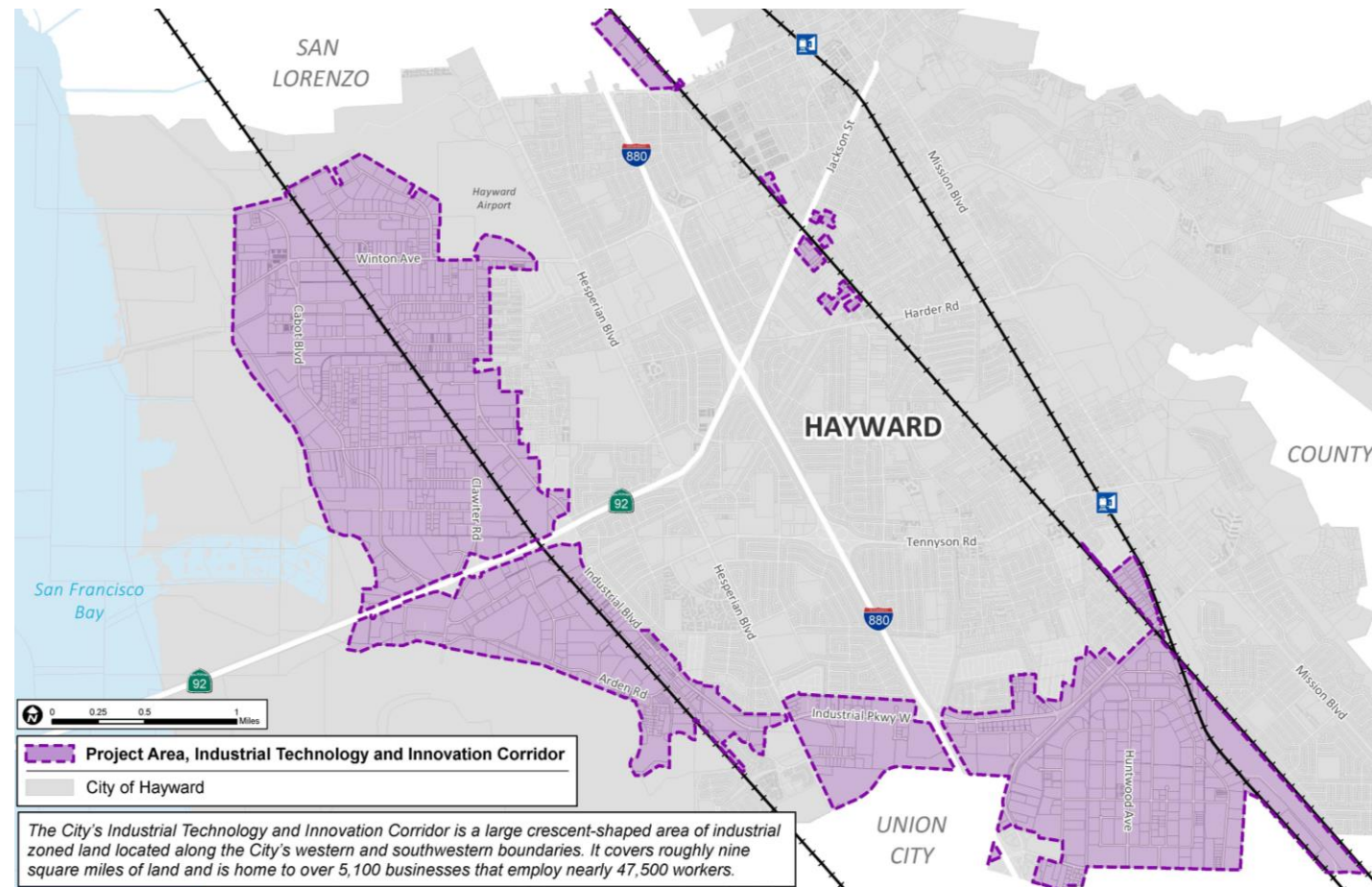
Purpose and Objectives

Update the Industrial District Regulations

- Implement General Plan policies
- Encourage advanced technology industries
- Attract well-designed, high amenity development
- Address compatibility between uses
- Discourage low-employment intensity, high-impact uses
- Be easy to use and understand

"Enhance the Industrial Technology and Innovation Corridor to expand the economic and employment base of Hayward and achieve a healthy balance between a manufacturing-based economy and an information- and technology-based economy"

-General Plan Land Use Goal 6



Project Overview

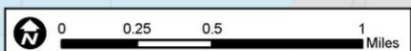
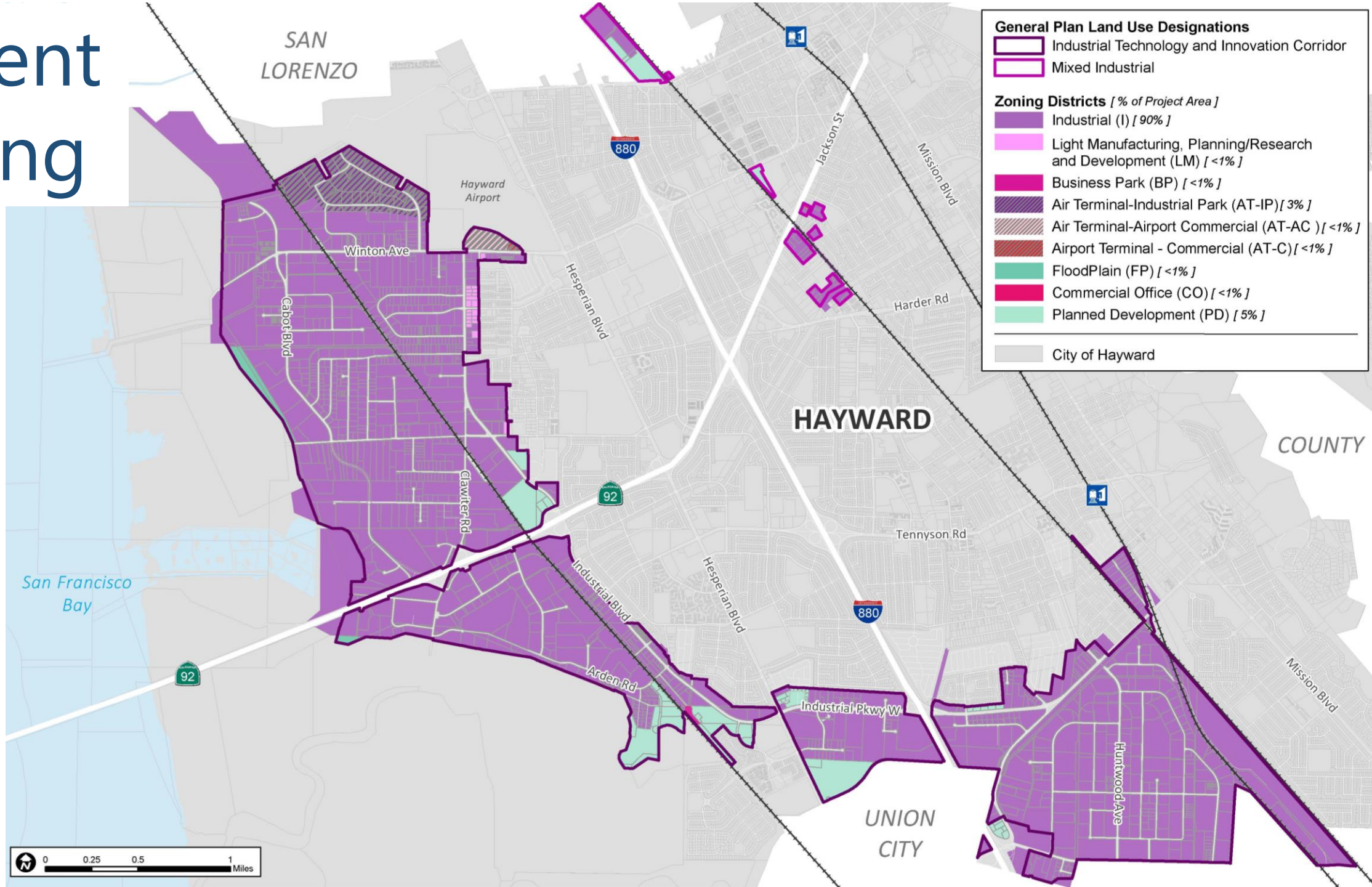
- ✓ **Project Initiation**
- ✓ **Research and assessment**
 - ✓ *Stakeholder interviews*
 - ✓ *Online survey*
- ✓ **Research and Recommendations Report**
- ✓ **Evaluation of issues and options**
 - ✓ *Community workshop*
 - ✓ *Key group meetings*
- Draft regulations**
- Public review**
- Hearings and adoption**



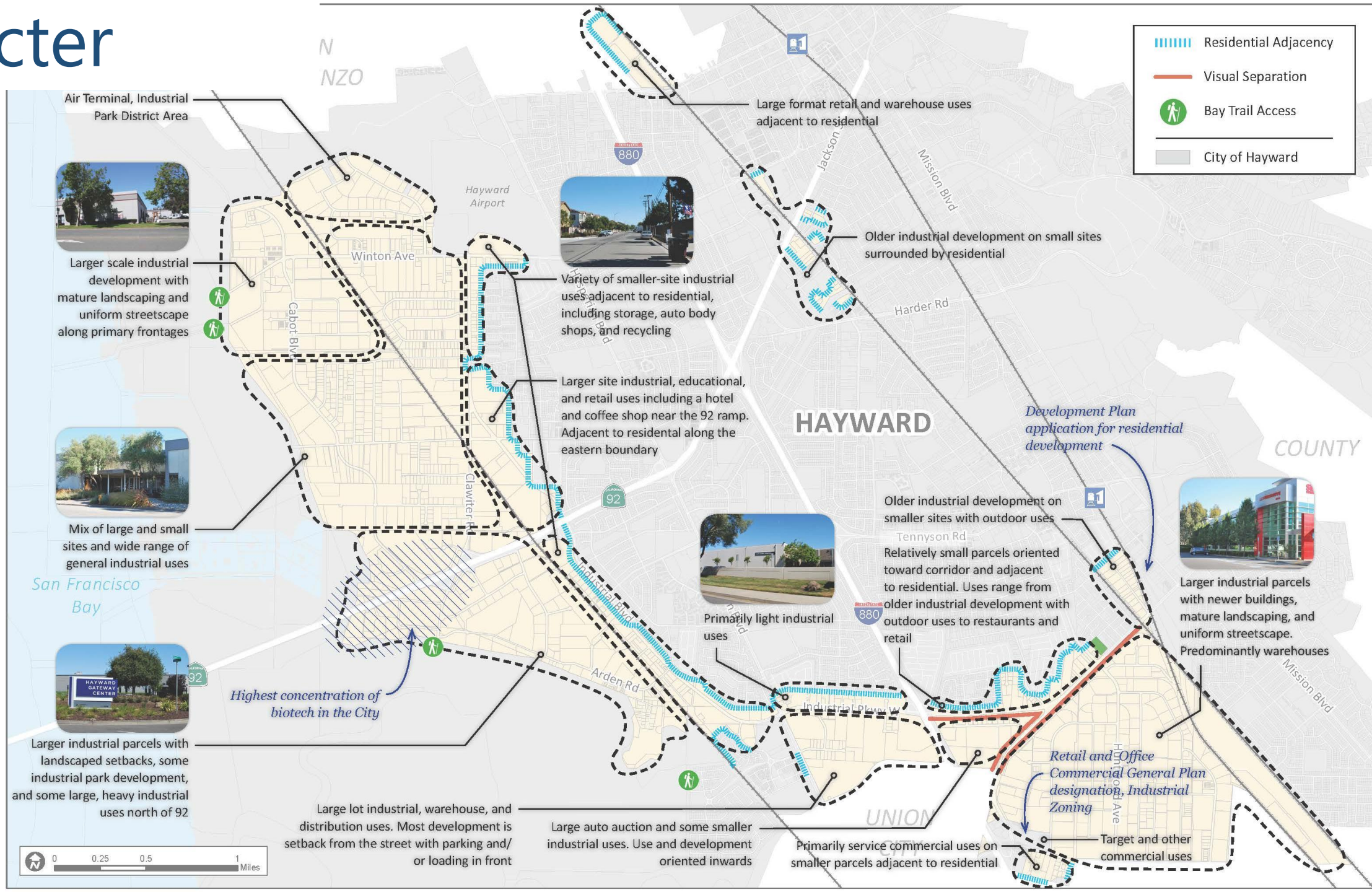
Summary of Draft Regulations

1. Revised Zoning Map

Current Zoning



Character Areas



Proposed Update

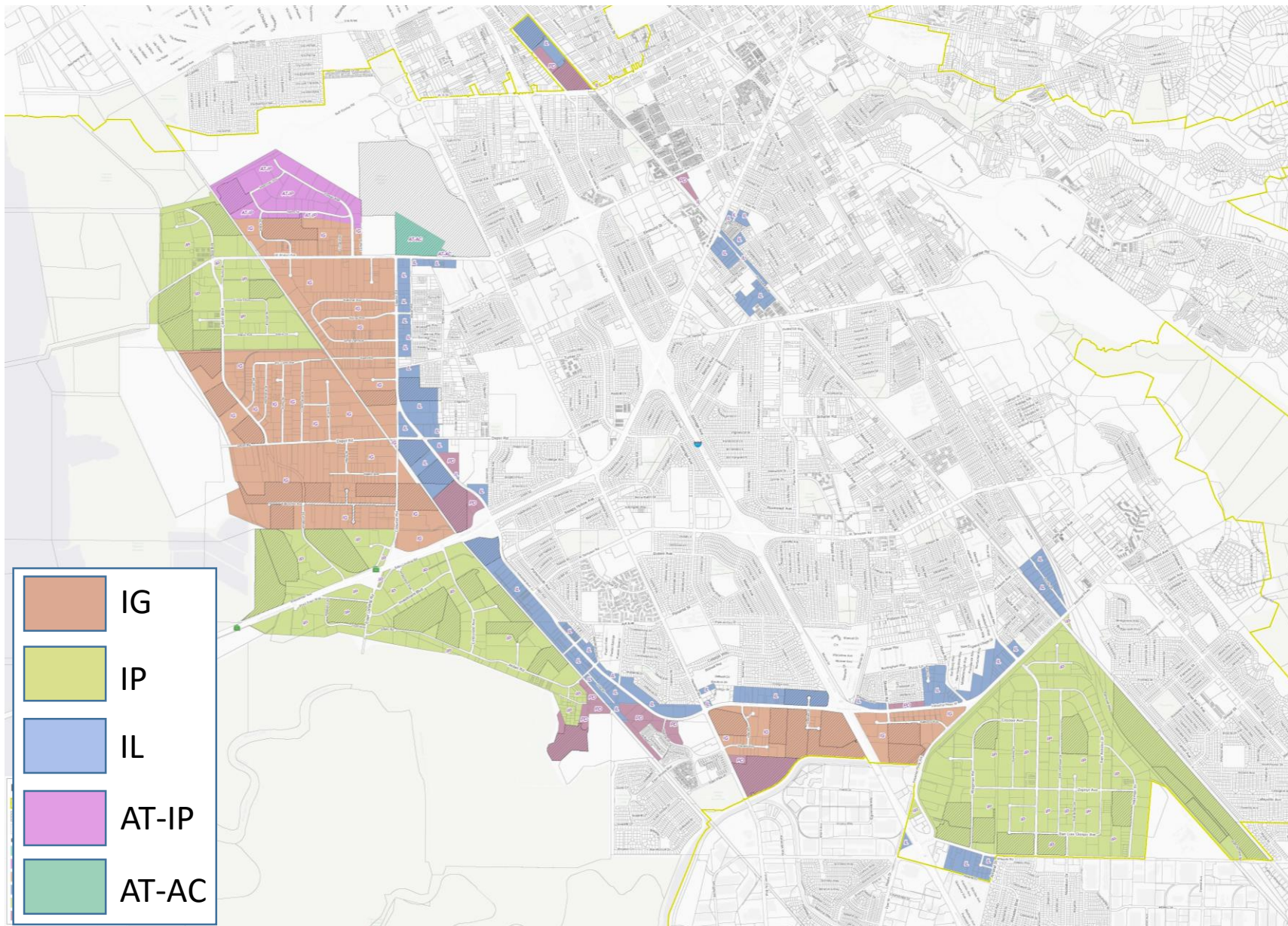
Establish subdistricts with purpose statements reflecting character and intent

IG: Allow widest variety of industrial uses

IP: Create or maintain an industrial park or campus-like atmosphere

IL: Most restrictive on heavy industrial uses, most permissive on non-industrial uses. Address compatibility

AT-IP, AT-AC: Minor modifications to use regulations and development standards



2. Revised Industrial District Regulations

Use Regulations

Use Regulations are Tailored to Implement the General Plan and Reflect Subdistrict Purpose

- **Allow Advanced Industry Use Types**, *consistent with the specific purpose of the subdistrict*
- **Limit Heavy Industry and Outdoor Uses**, *discourage uses that could negatively affect manufacturing; professional, scientific, and technical services; research and development; and supportive uses*
- **Require Conditional Use permit for Warehousing and Distribution Uses** *over 150,000 square feet*
- **Allow Supportive Uses**, *non-industrial uses conducive to and supportive of vibrant employment areas*
- **Incorporate Measurable Performance Standards** *to address compatibility and nuisances*
- **Codify Requirements for Outdoor Storage** *addressing materials, location limitations, screening, surfacing, compatibility, and permit requirements*
 - *Administrative Use Permit required when occupying more than 25% of the site area*



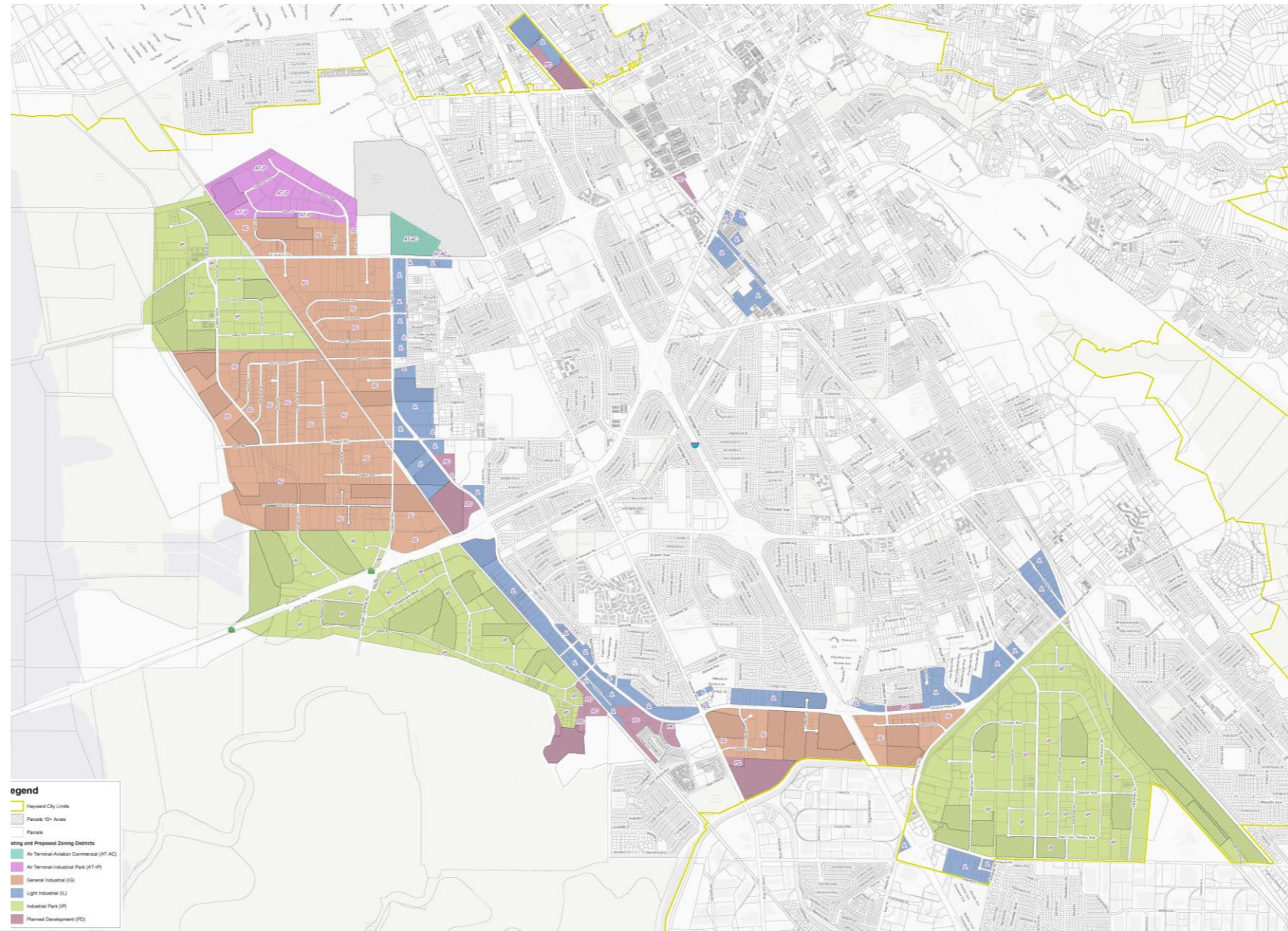
Review Procedures

Site Plan Review

- Development of new structures greater than 5,000 sf
- Additions or alterations adding or affecting 10% of the existing floor area and resulting in over 5,000 sf
- Any site modification affecting 5,000 sf or 10% of site area, whichever is greater

Major Site Plan Review

- New procedure intended to ensure development of key sites provides a catalyst for transformation, consistent with the General Plan
- Required on sites of 10 or more acres
- Follows structure of other entitlements
- Deviates from Site Plan Review in that Planning Commission approval is required



Development Standards

Development Standards address key elements of industrial development to achieve quality design

- **Setbacks**, *retained requirements that reflect context, such as increased setbacks adjacent to residential and along key corridors*
- **Height**, *adjusted to be based on subdistrict rather than use and address areas adjacent to residential development and the shoreline*
- **Floor Area Ratio**, *applied consistent with General Plan*
- **Building entrances**, *a street-facing primary building entrance with ample transparency is required*
 - *Exceptions may be approved if visual interest at the street frontage is created*
- **Pedestrian access**, *required internal to the site and to adjacent sidewalks, transit, and trails*
- **Screening**, *required between industrial districts and open space and residential districts, for outdoor storage and for equipment*
- **Landscape**, *required along street frontages, within required yards, along building perimeters, in parking areas, and adjacent to open space and residential districts*



Development Standards, continued

Development Standards address key elements of industrial development to achieve quality design

- **Parking Requirements**

- *No additional parking required for simply a change in use*
- *Parking at a rate of 1 space/500 sf must be provided or it must be demonstrated that such parking can be accommodated*
- *Loading areas shall not face the street*
 - Exceptions may be approved where strict application is impractical and efforts will minimize visual impact

- **Employee Amenities**, *300 sf of employee use area require for development that results in at least 10,000 sf of floor area and employing 10 people or more*

- **Open Space**, *equal to 10% of the site area is required for new development and additions that expand floor area by 25% or more on sites 2 acres or more in size*

- **Sustainability Plan**, *incorporating best practices of sustainability into the project*



Nonconforming Provisions

- **Nonconforming Uses:** May remain and continue to operate until vacated for 6 months or longer
- **Additions and Alterations:** Additions and alterations to nonconforming structures shall be conforming and may not increase the nonconformity
- **Building Permit:** When a Building Permit is required, buildings that do not meet building entrance requirements must provide treatments to enhance visual interest from the street
- **Discretionary Permit:** Any portion of a site or building modified in conjunction with a discretionary permit must be brought into conformance with Supplemental and Performance standards



3. Design Guidelines

Older Development



Roof mounted equipment visible at street level

Poorly articulated entry

Unfriendly pedestrian site entry

Minimal massing variation and articulation

Loading dock visible at project frontage

Lack of landscape at street

Newer Development



Parapet walls screen roof mounted equipment

Projecting massing at entry with glazing and articulation

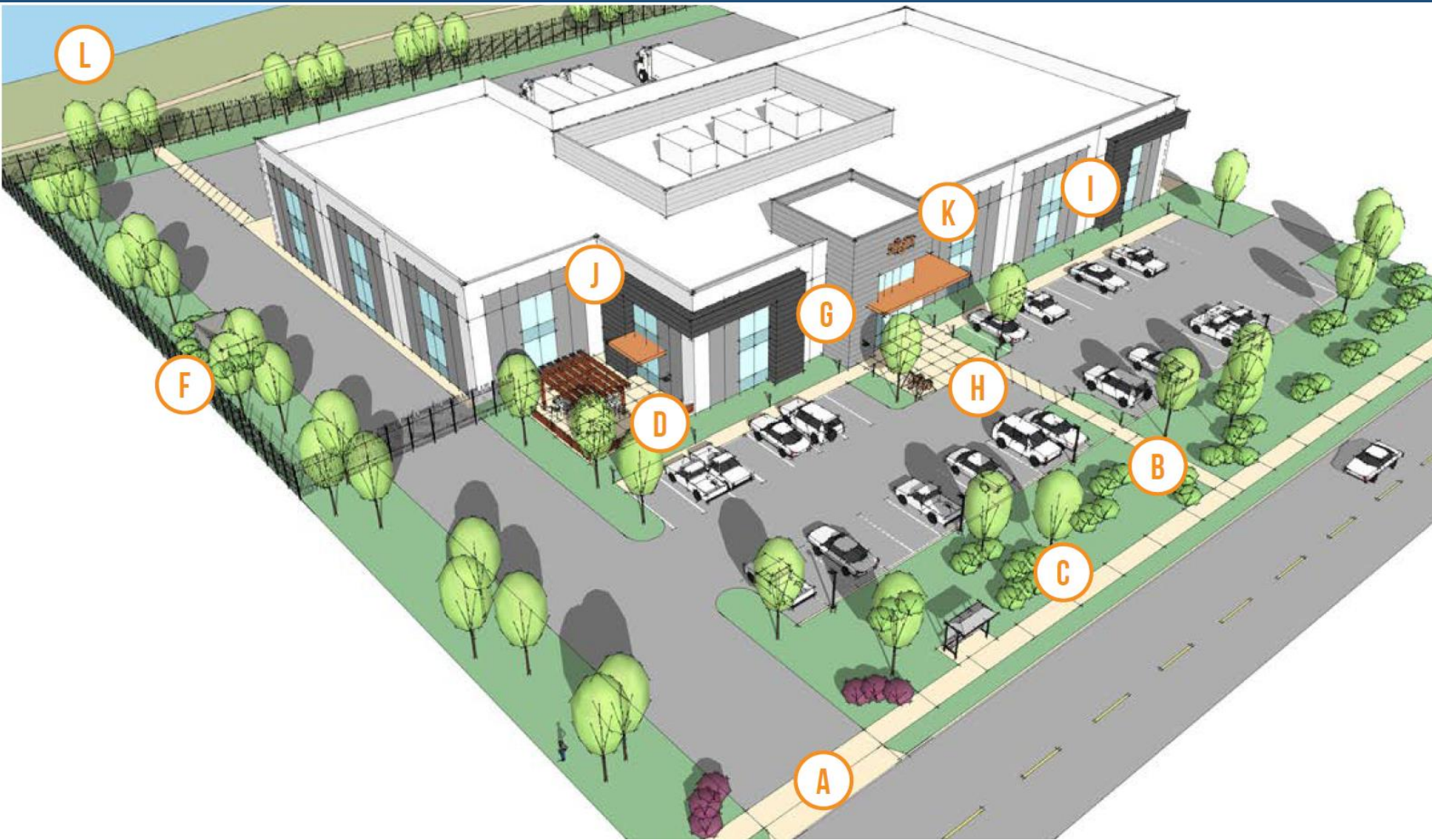
Landscape anchors building to the ground plane

Landscape located at site entry

Attractive mixture of colors and materials

Clearly articulated and identifiable entry

Design Guidelines



SITE ELEMENTS

- A** Site Planning
- B** Pedestrian Connections
- C** Landscaping, Walls, and Fencing
- D** Employee Amenities and Open Space
- E** Lighting
- F** Utilitarian

BUILDING DESIGN

- G** Massing and Articulation
- H** Entries
- I** Windows and Doors
- J** Colors and Materials
- K** Signage
- L** Shoreline Development

Design Guidelines



BEFORE

AFTER

Convenient bicycle parking provided near building entry.

Entry monument sign provides clear business identification, highlighted by accent landscaping.

Pedestrian pathway extended from building entry to sidewalk

Turf area replaced with bioswale to capture stormwater runoff.

New street tree continues existing streetscape character.



Design Guidelines



BEFORE

AFTER

Loading door enhanced through incorporation of art.

Deck creates usable employee or customer space.

Entry enhancements provide clear identification and access.

Simple landscaping treatments soften building.

Coordinated color and material palette enhances visual interest.



4. Other Associated Updates

Associated Updates

Definitions

- Updated for internal consistency with new regulations and other sections of the Municipal Code

Small Recycling Collection Facilities

- Specific standards for recycling collection facilities less than 500 sf in size
- Simplify definitions related to recycling collection facilities, eliminate unnecessary text

Air Terminal Districts

- Update terms and definitions for internal consistency

Parking Regulations – Wholesale, Manufacturing, Storage, Transportation and Similar Uses

- Clarifies applicability of parking requirements
- Includes credits for carsharing programs

Food Vendor Permit

- Moved from Industrial Districts to General Regulations to enable the allowance of food vendors in other areas of the City



Recommended
Revisions to
Draft
Regulations

Recommended Revisions to Draft

Zoning Map

- Change the Gillig site to have IP (Industrial Park) District along Route 92 frontage and IG (General Industrial) District zoning at rear of site.

Zoning Regulations

- Homeless Shelters be permitted on City-owned properties
- Allow multiple food truck vendors per site with approved Food Vendors Permit.
- Allow childcare facilities and schools with an approved use permit in IL (Limited Industrial) District.

Design Guidelines

- Additional guidelines for shoreline fronting elevations and to minimize outdoor storage and truck bays along shoreline.

Next Steps

Next Steps

- Incorporate comments and finalize Zoning Map & Draft Regulations;
- Finalize environmental review (CEQA);
- Planning Commission Public Hearing (Spring 2019);
- City Council Public Hearing.

QUESTIONS & COMMENTS

ITEM 20 – PH 18-087

APPROVAL OF: (1) RESOLUTION AUTHORIZING CITY MANAGER TO IMPLEMENT A CONTINGENCY PLAN FOR ALLOCATION AND EXPENDITURE OF UP TO \$1.75 MILLION IN AVAILABLE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; AND (2) A SUBSTANTIAL AMENDMENT TO THE CDBG FY 2018-19 ANNUAL ACTION PLAN

Community Development Block Grant Contingency Plan

Approval of Contingency Plan for Allocation and
Expenditure of Up to \$1.75 Million in Available
Community Development Block Grant (CDBG) Funds;
and Public Hearing for Substantial Amendment to the
CDBG FY 2018-19 Annual Action Plan

Recommendation

That the City Council:

1. Approve a resolution authorizing the City Manager to implement a contingency plan to allocate and expend up to \$1.75 million in available Community Development Block Grant (CDBG) funds; and
2. Approve a Substantial Amendment to the CDBG FY2018-19 Annual Action Plan.

Background: CDBG

Since 1975, the City of Hayward has administered CDBG funds received from the U.S. Department of Housing and Urban Development (HUD).

The CDBG program annually provides formula “entitlement” grants to states and local governments with populations greater than 50,000, including Hayward.

Annually, HUD conducts a point-in-time measure to assess an entitlement community’s timely use of CDBG funds. To meet this “timeliness ratio,” community’s must have no more than 1.5 times their current program year entitlement.

Available CDBG Funds

In June 2017, HUD and City staff conducted a comprehensive reconciliation of unspent and under-utilized CDBG funds and found that the City was not meeting its timeliness ratio.

Staff has previously worked with Council to receive guidance and approval of projects to allocate available CDBG funds in order to meet the timeliness requirement.

If all the funds previously approved by Council and other contractually obligated funds are spent prior to May 2019, the City will likely meet its timeliness ratio.

Given the potential that all funds may not be spent by May 2019, staff recommends that the City Council approve a contingency plan for expending up to an additional \$1.75 million in available and unobligated CDBG funds.

Proposed Contingency Plan for Allocation and Expenditure of CDBG Funds

1. Reprogram up to \$1.75 million in available funds to CDBG eligible projects
 - a) Up to \$1,000,000 for infrastructure for the Mia's Dream Playground;
 - b) Up to \$380,000 for planning and demolition costs related to affordable housing development;
 - c) Up to \$75,000 for public services for Abode Services to operate a homeless outreach and referral program; and
 - d) Up to \$400,000 for infrastructure improvements St. Rose Hospital Foundation
2. Submit to HUD an Amendment to Program Year 2018 Annual Action Plan
3. Execute agreements with subrecipients



Hayward Area Recreation District

Facility Improvement for Mia's Dream Playground

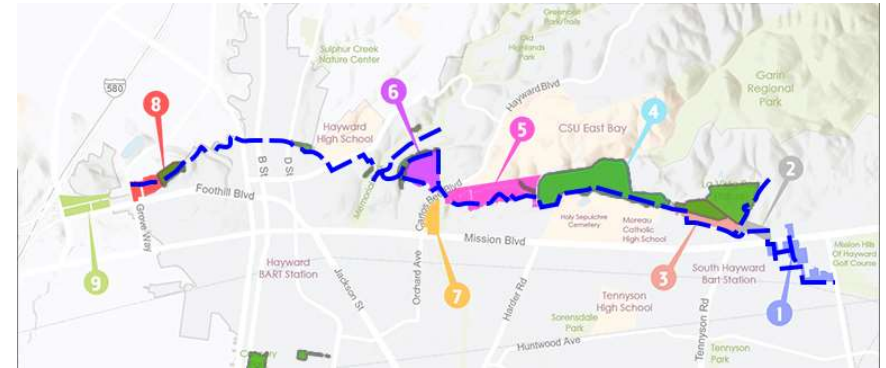
Mia's Dream Playground

All-inclusive playground for children of all abilities to enjoy.

City has already awarded \$96,000 for soil grading.

Staff proposes to fund up to an additional \$1,000,000 under public facilities and infrastructure improvement.

Staff is speaking with HARD regarding eligible expenditures, the necessary environmental review, and projected timing of reimbursement requests.



Affordable Housing Development

Affordable Housing Development Planning Costs

On October 2, 2018, City Council approved \$28.6 million to support development of 259 apartments for people with low and extremely low incomes and the homeless.

- **Depot Road (Allied/Abode):** 126 total units/ 48 ELI/ 31 special needs / 31 homeless
- **Matsya Family Villas (EAH):** 57 total units/ 12 ELI/ 11 homeless
- **Mission Senior Paradise (EAH):** 76 total units/ 15 ELI/ 15 homeless

Mission Senior Paradise was awarded \$800,000 in CDBG funding for acquisition costs.

Additionally, Parcel 5 of Former 238 Properties is scheduled for demolition in early 2019. Proposed new use includes some affordable housing and open space and trails for public use.

Staff propose allocating the following funding for the development of affordable housing:

- Up to \$80,000 for planning costs; and
- Up to \$300,000 for site preparation and demolition costs for either the affordable housing projects or demolition of vacant structures on Parcel 5



Because everyone should have a home.

Immediate Impact Grant

Abode Immediate Impact Grant

Immediate Impact Grant was awarded from the County in December 2017 to provide immediate relief to unsheltered residents of Alameda County.

County awarded \$150,000 to fund Abode Services housing navigators at the Careavan Safe Overnight Parking program in Union City, which services Hayward unsheltered residents.

Union City and Hayward must provide \$75,000 match each.

Staff propose allocating an additional \$75,000 in available CDBG Public Services funding towards this program, benefiting individuals and families experiencing homelessness through housing navigation and direct client support.



St. Rose Hospital Foundation

Public Facility and
Infrastructure
Improvement for
Health Facility

St. Rose Hospital

St. Rose Hospital is a not-for-profit public hospital, one of three safety-net hospitals providing comprehensive medical care to indigent/uninsured residents of Hayward and Alameda County.

The City has already awarded \$1,000,000 for public facilities and infrastructure improvement.

Staff proposes to fund up to an additional \$400,000 under public facilities and infrastructure improvement.

Staff is speaking with St. Rose Hospital regarding eligible expenditures, the necessary environmental review, and projected timing of reimbursement requests.

Substantial Amendment

In order to reprogram available funds, the City will need to submit to HUD a Substantial Amendment to the Program Year 2018 Annual Action Plan

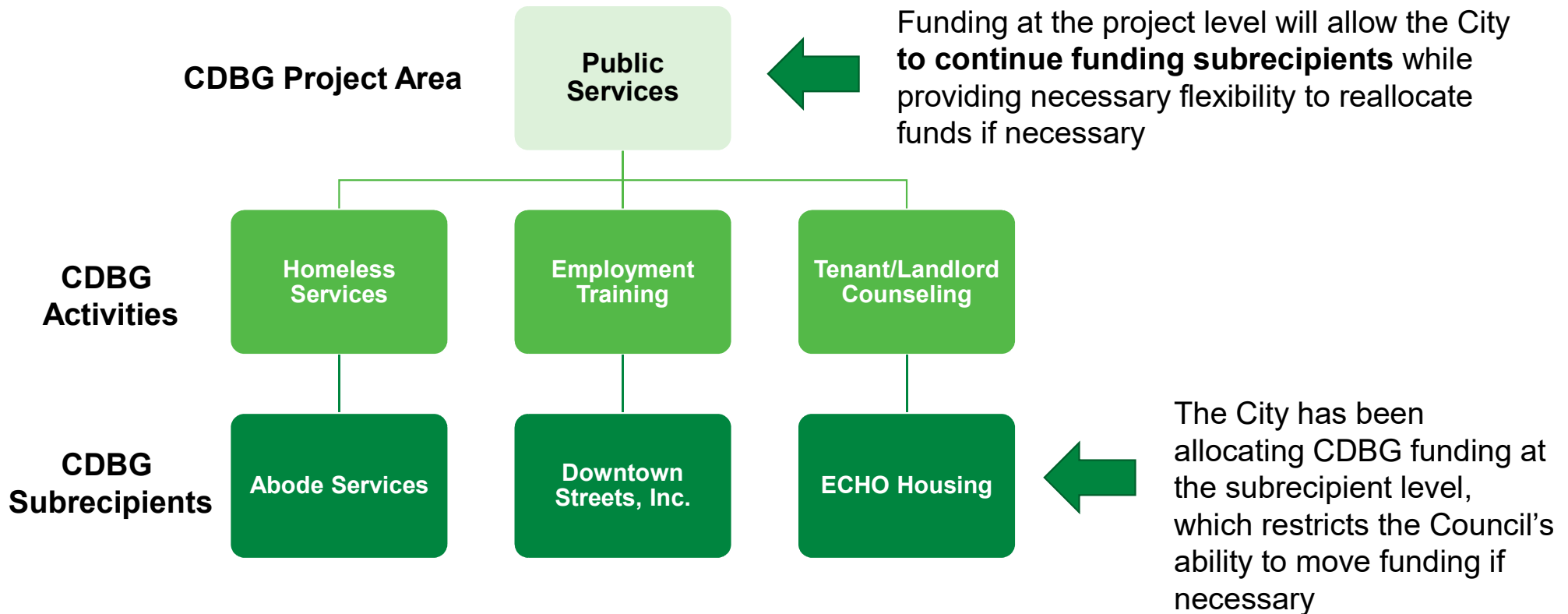
Per the recommendation of the City's CDBG consultant, the City is proposing to re-organize the structure of projects as reported in the 2018 Annual Action Plan into broader categories

The re-organization of projects will **not impact CDBG subrecipients and their current contracts**

CDBG Project Areas

- Acquisition, Disposition, Clearance, Relocation
- Administration and Planning (20% cap)
- Economic Development
- Housing
- Public Facilities and Infrastructure Improvements
- Public Services (15% cap)

Example: Public Services



Substantial Amendment

No.	Project	Planned Activities (including but not limited to)	Substantial Amendment Funding Amount
1	Administration & Planning	Administration for CDBG program delivery including planning costs.	\$648,128
2	Acquisition, Disposition, Clearance & Relocation	Acquisition of real property for affordable housing development, clearance and demolition of sites for affordable housing	\$800,000
3	Economic Development	Micro-enterprise assistance.	\$30,000
4	Housing	Housing rehabilitation work, targeted code correction activities, seismic retrofit program	\$350,000
5	Public Facilities & Infrastructure Improvements	Facility and infrastructure improvements for health facilities and parks and recreation facilities	\$2,522,437
6.	Public Services	Housing navigation services to unsheltered residents, academic support for low-income residents, job training programs, and fair-housing services.	\$507,933
	Total		\$4,858,498

Next Steps: Submit Substantial Amendment

Staff published a draft Substantial Amendment on November 21, 2018 and opened a thirty-day public comment period lasting through December 21, 2018.

Public comments can be sent to:

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Questions

