

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAYWARD AMENDING ARTICLE 15 (TREE PRESERVATION ORDINANCE) OF CHAPTER 10 (PLANNING, ZONING AND SUBDIVISIONS) REGARDING REGULATORY GUIDELINES FOR THE DESIGNATION, REMOVAL AND MITIGATION OF PROTECTED TREES IN THE CITY OF HAYWARD

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

Section 1. Article 15 of Chapter 10 of the Hayward Municipal Code is hereby repealed in its entirety and replaced to read as follows:

ARTICLE 15
TREE PRESERVATION ORDINANCE

SECTION 10-15.10 PURPOSE AND INTENT.

This Ordinance is intended to protect and preserve trees and control the pruning, removal or relocation of those trees that provide benefits for the neighborhood or the entire community, while balancing private property rights and development.

It is the intent of the City of Hayward to regulate the removal of trees within urbanized areas, preserve native trees, maintain a healthy urban forest, and increase tree canopy across the City. The City will accomplish this intent through staff review of tree removal permit applications and the development review process. Consistent with these goals, it is the City's intent that removed trees shall be replaced, and over time, urban areas deficient in trees will have greater tree canopy, and that replacement trees are drought tolerant and advance City goals.

SECTION 10-15.11 DEFINITIONS.

SECTION 10-15.12 APPLICATION OF ORDINANCE.

SECTION 10-15.13 NON-LIABILITY OF CITY.

SECTION 10-15.14 PROTECTED TREES.

SECTION 10-15.15 PRESERVATION OF PROTECTED TREES.

SECTION 10-15.16 NESTING BIRDS.

SECTION 10-15.17 REQUIRED STREET TREES FOR DEVELOPMENT PROJECTS.

SECTION 10-15.18 REQUIRED TREE PROTECTIONS FOR CONSTRUCTION AND DEVELOPMENT PROJECTS.

SECTION 10-15.19 MEMORIAL AND HERITAGE TREES.

SECTION 10-15.20 RESTRICTED ACTIONS.

SECTION 10-15.21 PERMITS AND REPLACEMENT REQUIREMENTS.

SECTION 10-15.22 REQUIRED FINDINGS FOR TREE REMOVAL AND PRUNING PERMITS.

SECTION 10-15.23 ADDITIONAL CONSIDERATIONS FOR PERMITS REGARDING HERITAGE TREES.

SECTION 10-15.24 ANNUAL PRUNING PERMITS.

SECTION 10-15.25 DURATION OF PERMIT.

SECTION 10-15.26 EXCEPTIONS.

SECTION 10-15.27 CONDITIONS OF APPROVAL.

SECTION 10-15.28 PERMIT APPEALS.

SECTION 10-15.29 PENALTIES AND ENFORCEMENT.

SECTION 10-15.30 REVOCATION OF PERMIT.

SECTION 10-15.31 COLLECTION OF PENALTIES.

SECTION 10-15.32 MISDEMEANOR; INJUNCTIVE RELIEF.

SECTION 10-15.33 IMPOSITION OF LIEN.

Section 3. 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 the 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 that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective 30 days after adoption by the City Council.

Introduced at a meeting of the City Council of the City of Hayward, held on the 19th day of August 2025, by Council Member Zermeño.

This Ordinance will be considered for adoption at the regular meeting of the Hayward City Council, to be held on the 2nd day of September 2025, at 7:00 p.m. Please note the City Council will hold a hybrid meeting which will allow for participation in the Council Chamber and virtually via the Zoom platform. The full text of this Ordinance is available for examination by the public by contacting the City Clerk's office at cityclerk@hayward-ca.gov or (510) 583-4400.

Dated: August 29, 2025
Miriam Lens, City Clerk
City of Hayward