

**PLANNING COMMISSION MEETING
THURSDAY, MAY 28, 2020**

PRESENTATIONS

STAFF PRESENTATION

ITEM #1

PH 20-023

**PROPOSED AMENDMENT TO
ZONING ORDINANCE RELATED TO
RETAIL SALES OF TOBACCO AND
TOBACCO RELATED PRODUCTS**

Amendment to Chapter 10, Article 1, Section 2780 Tobacco Retail Sales Establishments Public Hearing

Planning Commission
May 28, 2020
Maggie Flores, Senior Code Enforcement Inspector
Development Services Department

REVISED 05/28/20



TOBACCO ORDINANCE UPDATE

Overview



- Background (Ordinance, Retailers, Inspections)
- City Council Memorandum Referral
- National, State, Local Data
- Staff Analysis – City Council Areas of Consideration
Current Ordinance and Proposed Revisions
- Public Outreach/Comments
- Next Steps
- Staff Recommendation

September 2019

Purpose



Staff received City Council referral memorandum for discussion to review our Tobacco Retail Licensing Ordinance (TRL) and its current alignment with best practices as it relates to recent trends in the rise of youth smoking and vaping.

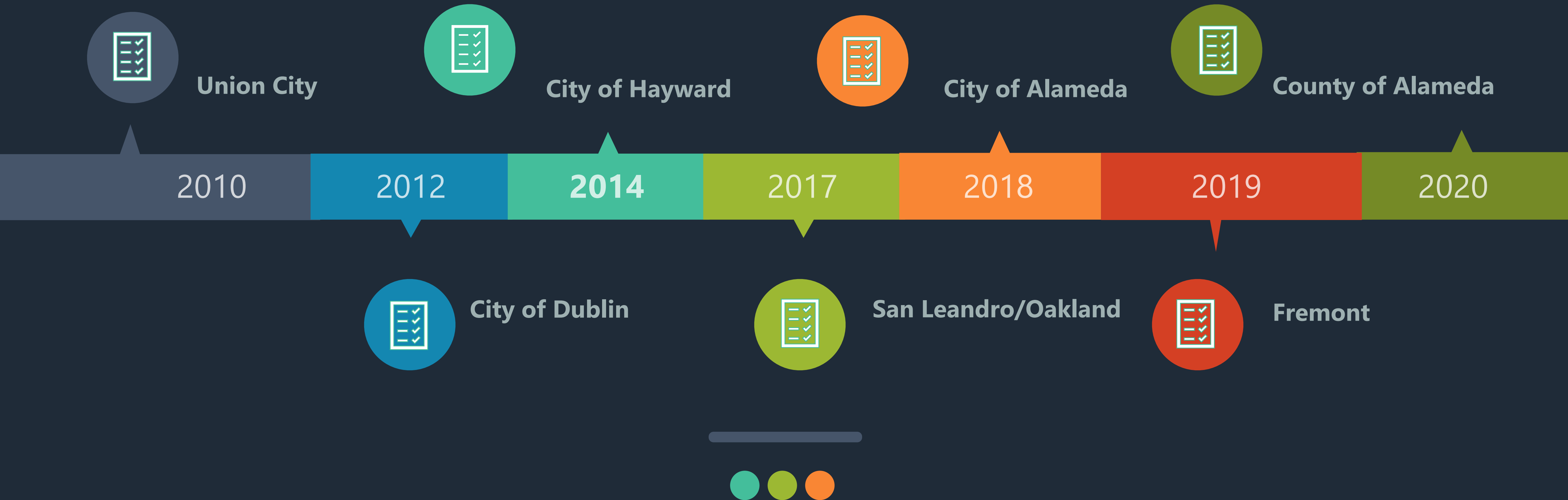
In December 2019

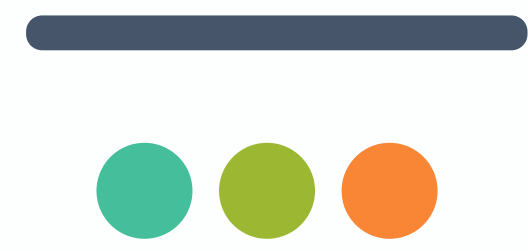
Tobacco Policy Meeting – Alameda County Department of Public Health, Tobacco Control Coalition and Change LabSolutions (tobacco policy experts)

- Regional and national data of growing trend of youth tobacco use
- Local and state Best practices measures to reduce local access of Tobacco and vaping products to youth

REGIONAL TOBACCO CONTROL EFFORTS

Ordinance and Program Adoption Timeline





Tobacco Retail Sales Establishments Ordinance

Chapter 10, Article 1, Section 10-1.2780



July 1, 2014, the City adopted the Tobacco Retail Sales Ordinance HMC Section 10-1.2780 to 10-1.2797

- Reduce the sales of tobacco products to youth in Hayward
- Establish retail sales regulations for retailers



TRL Locations

2015 – 144
2020 – 119

Vapor/Hookah Lounges

2015 – 3
2020 – 0



Police Decoy Inspections Average % Passed

F/Y 2015 – 80% (74 inspections)
F/Y 2019 – 86% (183 inspections)



Tobacco Retail Sales Establishments Ordinance

Chapter 10, Article 1, Section 10-1.2780



Fiscal Year 2019

- ✓ 26 Administrative Citations for selling to minors issued by the Hayward Police Department
- ✓ 25 Violation Notices issued for violation of local/state tobacco retail laws by Code Enforcement

To Date 2020

- ✓ Suspended or revoke tobacco license
 - None to date
 - Approx. 6 under current review for repeat violations
- ✓ No applications for new locations received.

CITY COUNCIL MEMORANDUM REFERRAL

Considerations for Tobacco Ordinance Improvement

REVIEW

- 01 The sale of tobacco and vaping products, flavored tobacco products, small or inexpensive tobacco
- 02 Location of tobacco retailers as it relates to youth sensitive areas
- 03 Any changes that will help reduce the teen use of tobacco and vaping products in Hayward

NATIONAL DATA

FDA 2019 National Youth Tobacco Survey

E-Cigarettes Use

- Over 5 Million youth using E-cigarettes
- Nearly 1 million use daily
- Upward trend e-cigarette youth users to 27.5% since 2011
- >81% of current youth e-cigarette users cite the availability of appealing flavors as the primary reason for use.



STATE DATA

California Department of Public Health Tobacco Control



- >50% of Californians exposed to secondhand tobacco smoke and vapor
- Nicotine exposure harms youth brain and cognitive development; addictive with the risk of serious health issues
- Flavored E-Cigarettes contain toxic chemicals, i.e. diacetyl, toluene, nickel, lead, formaldehyde
- A single E-cigarette pod = 1 cigarette package or 200 puffs
- Inhaling a hookah for 45-60 min. can equal to smoking 100 or more cigarettes

Flavoring Chemicals in E-Cigarettes Have Been Linked to Severe Respiratory Disease

Certain chemicals used to flavor liquid nicotine, such as diacetyl, 2,3-pentanedione, and acetoin, are present in many e-liquids at levels which are unsafe for inhalation [41].

2,3-pentanedione, a chemically similar substitute to diacetyl, caused proliferation of fibrosis connective lung tissue and airway fibrosis in an inhalation study performed on rats [43].

Diacetyl, 2,3-pentanedione, and acetoin are used in the manufacture of food and e-liquid flavors such as butter, caramel, butterscotch, piña colada, and strawberry [7].

Diacetyl, when inhaled, is associated with the development of the severe lung condition bronchiolitis obliterans, also known as "popcorn lung," which causes an irreversible loss of pulmonary function and damage to cell lining and airways [42].

A 2015 study by the Harvard School of Public Health detected

Healthy lung Popcorn lung

diacetyl in **75%** of flavored e-cigarette liquids and refill liquids tested

at least one of the three flavoring chemicals (diacetyl, 2,3-pentanedione, or acetoin) in **92%** of the tested e-cigarettes and liquids [7]

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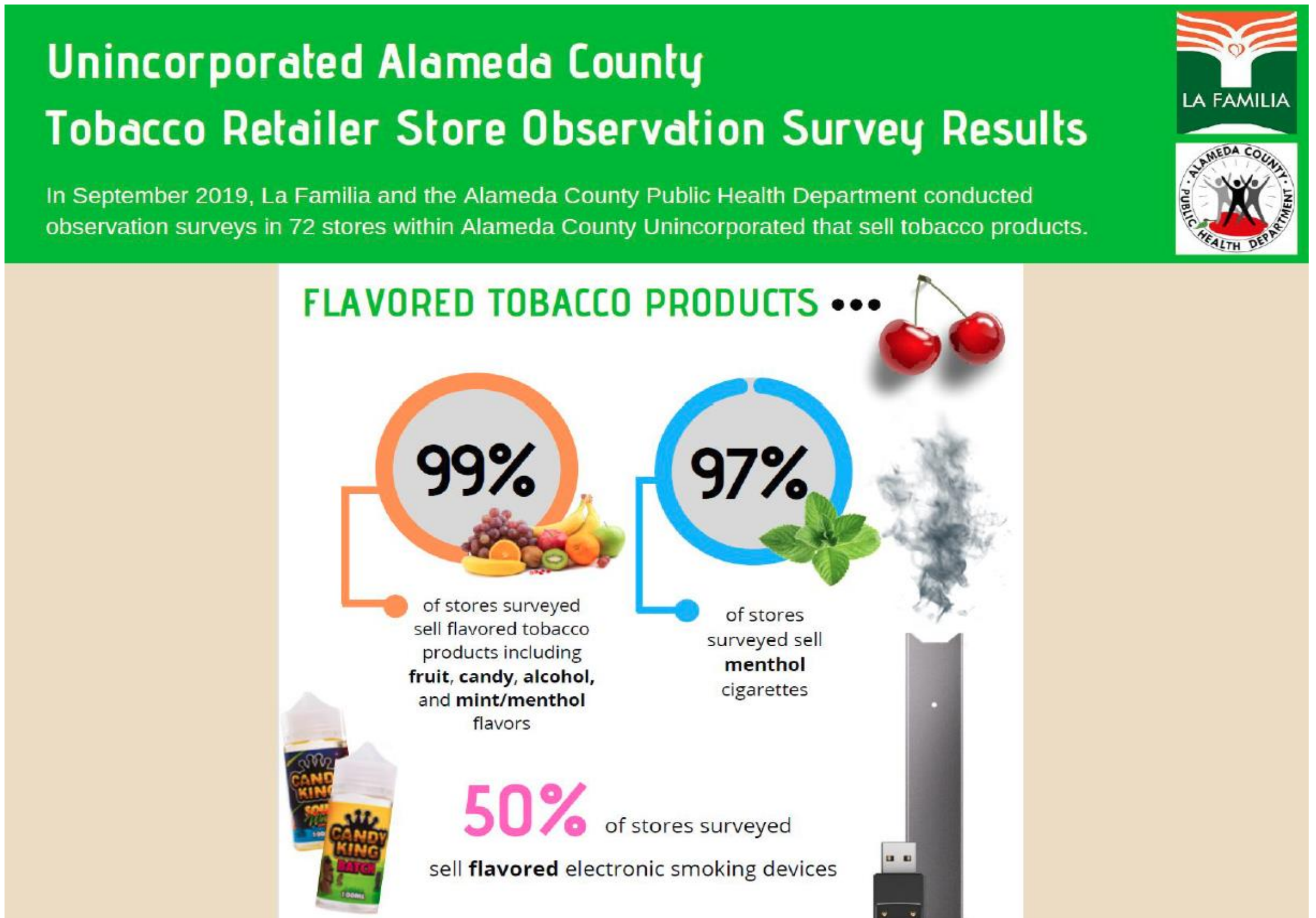
(SOURCE: CDPH, Flavored Tobacco Fact Sheet)

LOCAL DATA

Alameda County (ALCO) Department of Public Health

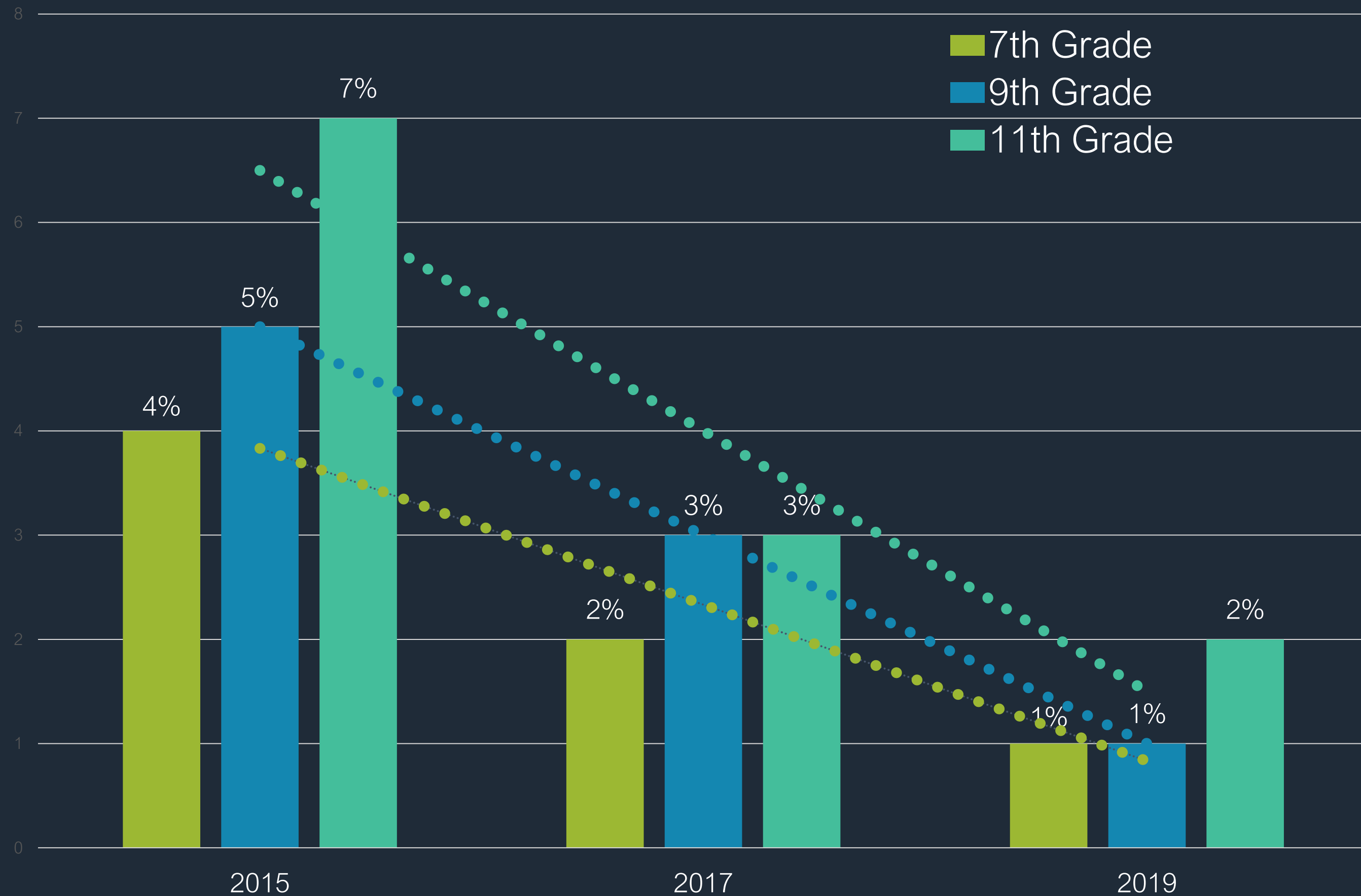
ALCO/La Familia Survey Unincorporated & City of Hayward

- 99% retailers sell flavored tobacco products
- 50% stores sell flavored smoking devices



Secondary Student Cigarette Smoking

Hayward Unified School District



Grades 7th, 9th and 11th

Downward trend from 2015 – 2019 in percentage of total youth using traditional cigarette products since adoption of the ordinance.

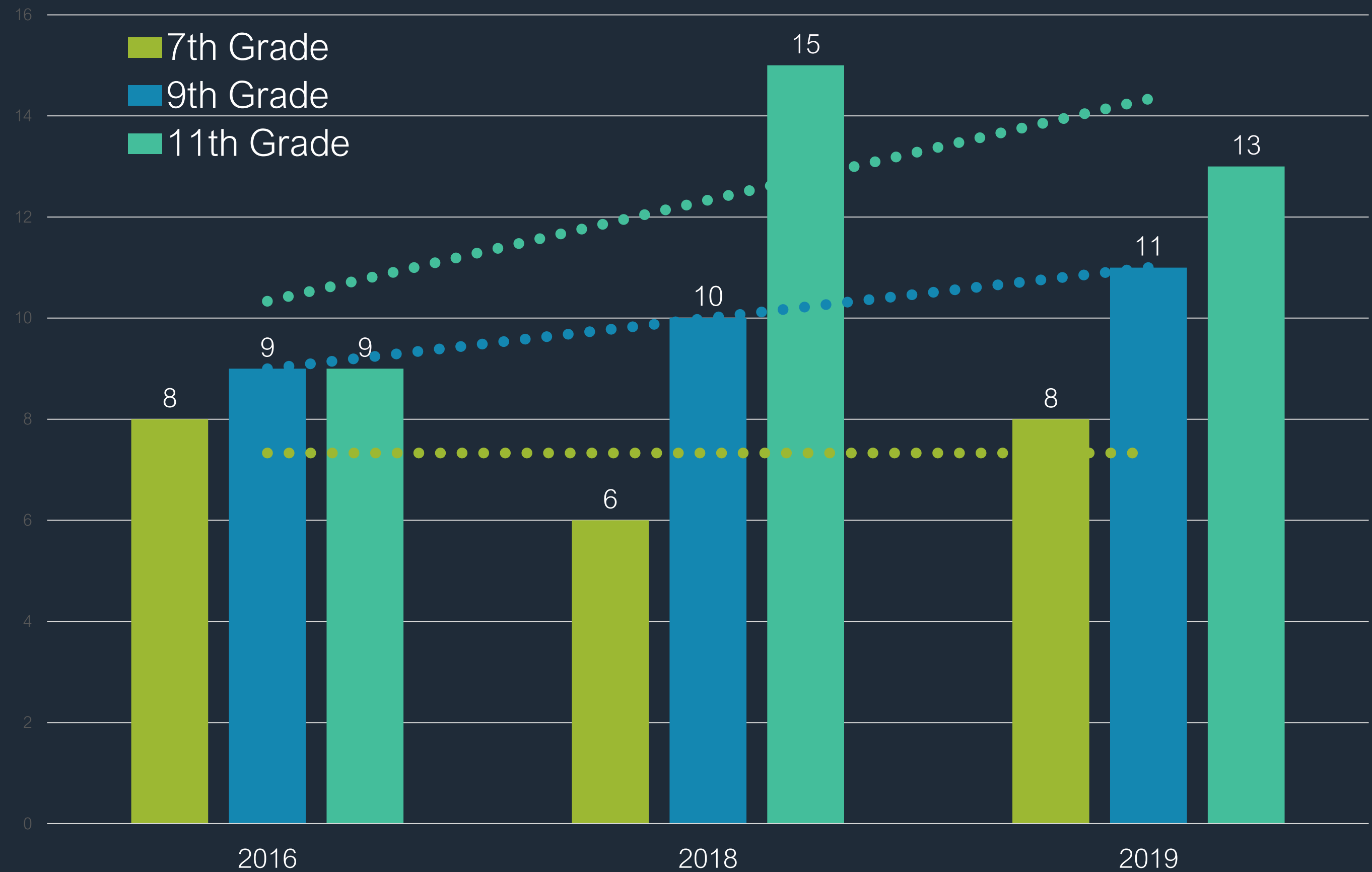
SOURCE: www.calschls.org – CA Department of Education

Secondary Student Electronic Cigarette Use

Hayward Unified School District

Grades 7th, 9th and 11th

Upward trend identified from 2016 – 2019 in the percentage of total youth using vapor products since the adoption of the ordinance.



SOURCE: www.calschls.org – CA Department of Education

Analysis/Review

Council Considerations for Tobacco Ordinance Improvement



01

The sale of tobacco and vaping products, flavored tobacco products, small or inexpensive tobacco

Current Ordinance

- Prohibits flavored tobacco vaping products for new tobacco retailers. Existing retailers were deemed legal non-conforming.
- Prohibits sale of single cigarettes, packages of less than 5 units, and single cigars of less than \$5.

Proposed Revision

- Grace period to remove all flavored tobacco and vaping products.
- Increase minimum floor price and package size.
- Eliminate the sales of all vaping products and paraphernalia.

Analysis/Review

Council Considerations for Tobacco Ordinance Improvement



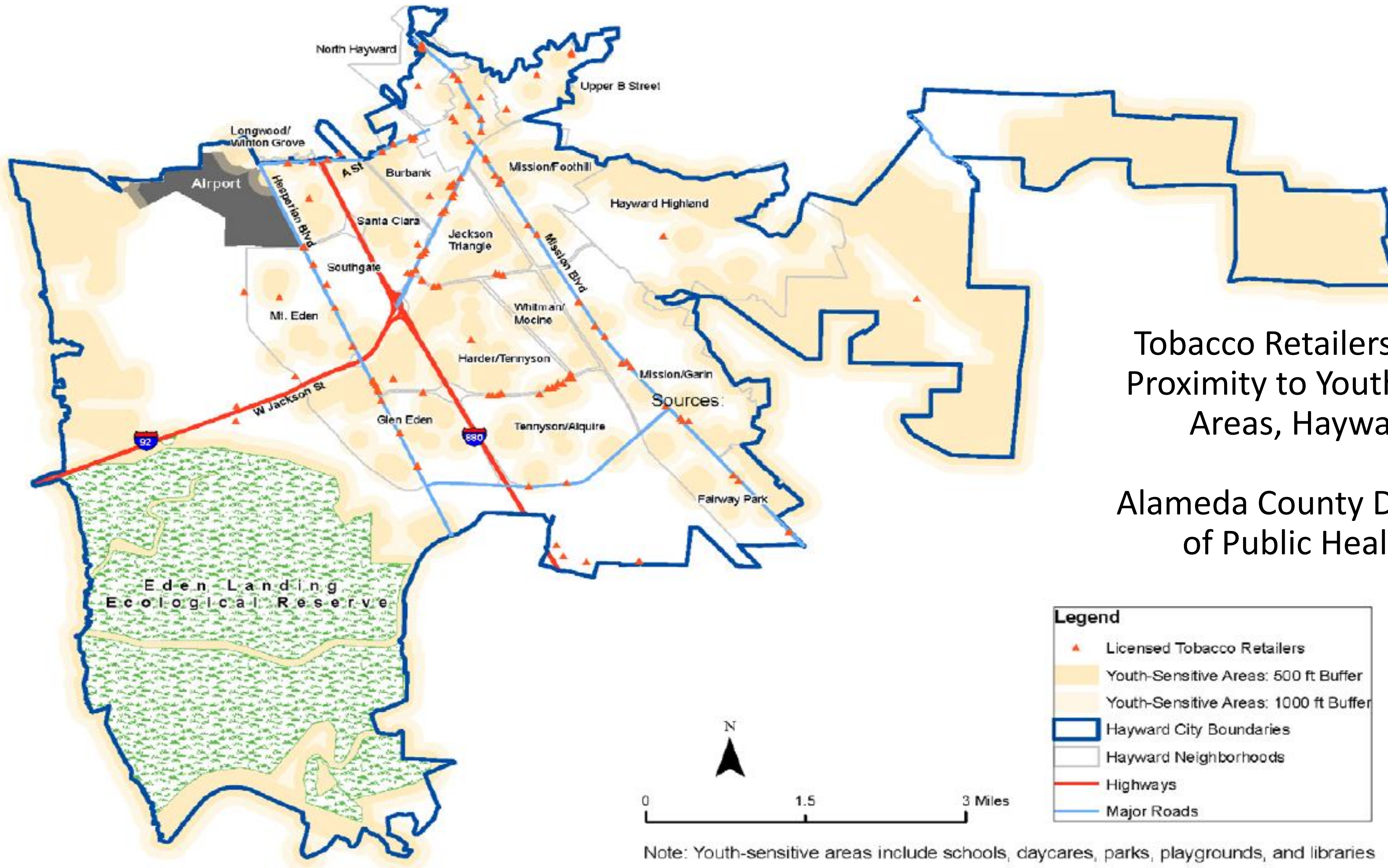
02 Location of tobacco and vaping products to youth sensitive areas

Current Ordinance

- 500-foot buffer to schools, parks, libraries, etc.
- Vapor lounges or Hookah bars are prohibited.
- Tobacco retailers are allowed in General Commercial (CG) Zoning District with approval of a conditional use permit.

Proposed Revision

- Prohibit tobacco sales in pharmacies or drugstores.
- 1,000-foot buffer zone to schools, parks and other youth sensitive areas, new establishments only.



Tobacco Retailers and their Proximity to Youth-Sensitive Areas, Hayward, CA

Alameda County Department of Public Health Data

Legend

- ▲ Licensed Tobacco Retailers
- Yellow shaded area Youth-Sensitive Areas: 500 ft Buffer
- Lighter yellow shaded area Youth-Sensitive Areas: 1000 ft Buffer
- Blue outline Hayward City Boundaries
- Grey outline Hayward Neighborhoods
- Red line Highways
- Blue line Major Roads

Note: Youth-sensitive areas include schools, daycares, parks, playgrounds, and libraries

Sources: calands.org; Alameda County Community Assessment, Planning, and Evaluation (CAPE)



Analysis/Review

Council Considerations for Tobacco Ordinance Improvement



03

Other changes to help reduce teen use of tobacco and vaping products

- Proposed Revision**
- Re-organization of existing operational standards for clarity in the products restrictions.
 - Revision and additions in definitions for products being regulated, Local, State and Federal.
 - Changes and revisions to align with County and neighboring jurisdictions best practices and established tobacco regulations for enforcement consistency

Outreach



Community Meetings

- Chamber of Commerce Government Relations Council
February 14, 2020
- Community Economic Development Commission (CEDC)
March 2, 2020

Notices

- Notice of Public Hearing, Daily Review, May 15, 2020,
- Code Enforcement Notice of Public Hearing, May 18, 2020,
to all existing Tobacco retailers

Public Comments

PUBLIC COMMENTS – IN SUPPORT – STRONGER REGS **CEDC MEETING MARCH 2020**

- Alameda County Department of Public Health, Tobacco Control Coalition
- Eden Youth and Family Center
- African-American Tobacco Control Leadership Council
- American Heart Association
- Tennyson High School and Mt. Eden High School students

LETTERS & COMMENTS

- Alameda County Tobacco Control Coalition
- Bay Area Community Resources, Asian Pacific Islander
- African American Tobacco Control Leadership Council
- Breathe California
- The Community Health Education Institute
- Flavors Addict Kids-Livermore

OPPOSING

STRONGER REGS (as of 5/25/20)

- Tobacco Retailers
Smokey's Smoke Shop
- Public Citizen or Consumers:
Two via phone
- (As of morning of 05-28-20),
20 letters received

Inquiries

- Tobacco Retailers:
LaGrande Supermarket



NEXT STEPS



Public Hearing of Tobacco Retail Ordinance at City Council meeting, June 16, 2020 (tentatively).



If approved, effective date of revised regulations Fiscal Year 2020-2021.



Information mailers to tobacco retailers of: adopted regulations; 6-month grace period date to remove all prohibited products and be compliance; enforcement and appeal process; and available resources to assist in the transition.



STAFF RECOMMENDATION

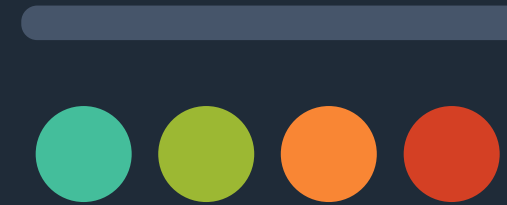
Planning Commission feedback
and support of the proposed
Text Amendment to the
Tobacco Retail Sales Establishments
Ordinance, HMC Section 10-1.2780



PROPOSED TEXT AMENDMENT

- Local and nation-wide crisis of tobacco and vaping products use among youth.
- Restrict access of flavored tobacco and vaping products to youth.
- Aligns regulations with local, state and federal laws clarity and consistency.
- Promotes public health and general welfare with stronger regulation.

QUESTIONS



Also available for questions:

- Hayward Police Department, Detective Gabrielle Wright
Police Decoy Inspections and Data
- County of Alameda Public Health Department, Anna Lee
County of Alameda Data

STAFF PRESENTATION

ITEM #2

PH 20-034

**PROPOSED GP AMENDMENT TO
ESTABLISH NEW VEHICLE MILES TRAVELED (VMT)
CEQA THRESHOLDS**

LOS to VMT
General Plan
Amendment
City of Hayward
Planning Commission

Photo Credit: City of Hayward
Twitter



PROPOSED COMMISSION ACTION

- Approval of General Plan Amendment that includes the adoption of new CEQA thresholds for transportation analysis, consistent with SB743 legislation.
- Proposed action will change current impacts based on Level of Service (LOS) to Vehicle Miles Traveled (VMT).
- General Plan Amendment will also include new GHG reduction goals to comply with SB32 legislation. Planning Commission previously reviewed and recommended approval of the GHG goals in December 2019.
- Both General Plan Amendments will be combined into one action for City Council consideration on June 16, 2020.

BACKGROUND

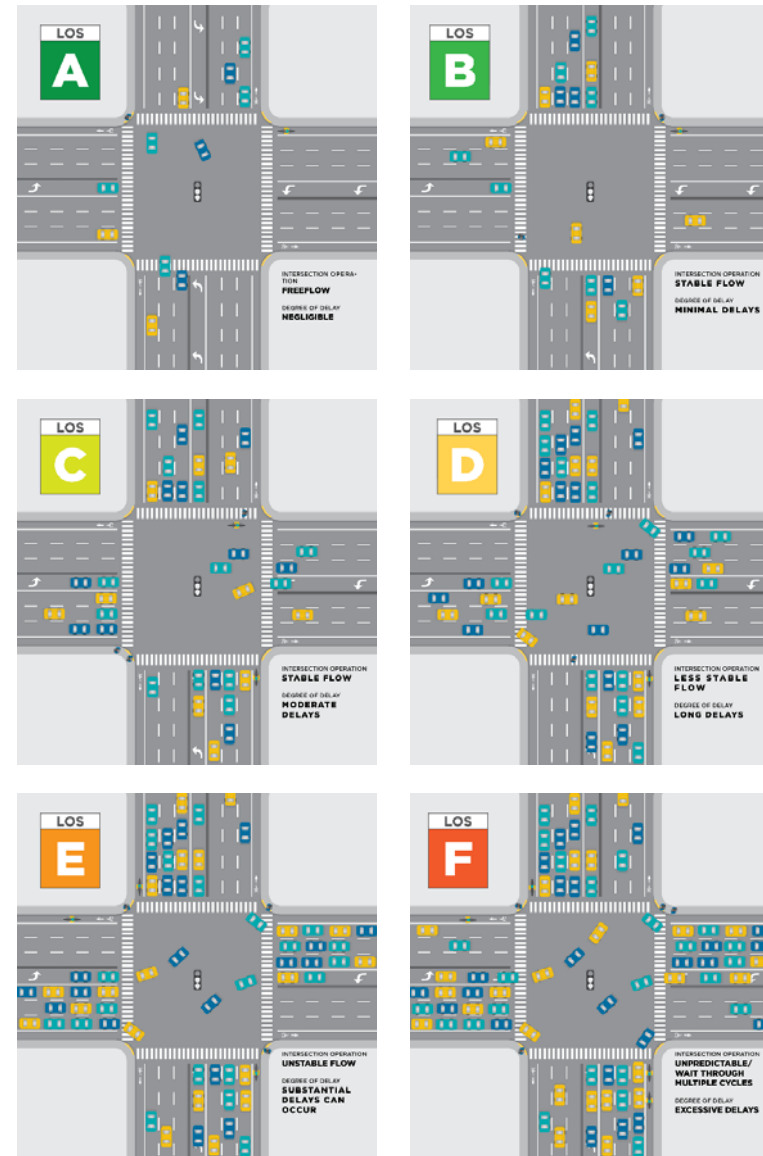
SENATE BILL 743

- CEQA requires analysis of a project's environmental impacts, including transportation.
- Cities have until July 1, 2020 to comply with SB 743.
- SB 743 requires Level of Service (LOS), the current metric, can no longer be used to measure transportation impacts under CEQA.
- Other cities have adopted this such as: Pasadena, San Francisco, Oakland, San Jose, and Los Angeles.
- Planning Commission held a Work Session in April 2020 on the proposed LOS to VMT thresholds for SB743 compliance.

WHAT IS LOS AND VMT?

MEASURING TRANSPORTATION: LEVEL OF SERVICE

- Level of service (LOS): measures the convenience of traveling in an automobile
- Measurement of the number of seconds vehicles are delayed at intersections, as well as the reductions in free-flow speed that may occur as the result of other vehicles
- Current CEQA threshold is LOS D



MEASURING TRANSPORTATION: VEHICLE MILES TRAVELED

- Vehicle miles traveled (VMT): measures the total amount of driving over a given area
- Based on geographic travel patterns, which reflect transportation infrastructure, transit service, and land use
- Better connects environmental impact measurement to State greenhouse gas emissions reduction goals
- Recommended OPR threshold (residential): 15% below existing average per capita VMT

Calculating Household VMT per Capita



Calculating Employment VMT per Capita



Calculating Vehicle Miles Traveled (VMT)



WHY ADOPT VMT?

- Removes barriers to infill development, supports local development goals in the General Plan and Community Plans
- VMT sees the big picture and measures regional impacts, not just local
- VMT can be easier to model than LOS
- Already used in project analysis (e.g. for GHG emissions assessments)
- Provides a more accurate measure of transportation impacts
- Mitigation reduces road maintenance costs and does not induce more vehicle travel



LEVEL OF SERVICE A



Level of Service F

WHAT'S IMPORTANT DEPENDS UPON PERSPECTIVE



Traffic engineer:

F

A

Economist:

A

F

HOW MUST THE CITY COMPLY WITH SB 743?

In CEQA, the City will need to:

- Select new metrics to analyze impacts
- Establish screening processes and thresholds of significance
- Identify mitigation measures

Outside of CEQA, the City will need to:

- Revise the process for analyzing mobility conditions
- Determine what metrics to maintain for non-CEQA local analysis purposes
- Consider complementary policy changes to parking and TDM ordinances

PROPOSED CEQA THRESHOLDS

RECOMMENDATIONS FOR TRANSPORTATION ANALYSIS

- OPR recommends establishing **screens** to streamline analysis for projects. The project screening criteria are shown below:
 - **SMALL PROJECT SCREEN**: Projects that are below a determined size
 - **AFFORDABLE HOUSING SCREEN**: Projects that provide 100% affordable housing
 - **LOCATION BASED SCREEN**: Projects located in low VMT zones
 - **MAJOR TRANSIT SCREEN**: Projects are located near major transit stop
- OPR recommends a **significance threshold** of 15% below existing average daily VMT per capita for most land uses.
 - This level is based on models of GHG reductions needed to achieve state goals.
 - VMT is typically determined by a travel demand model

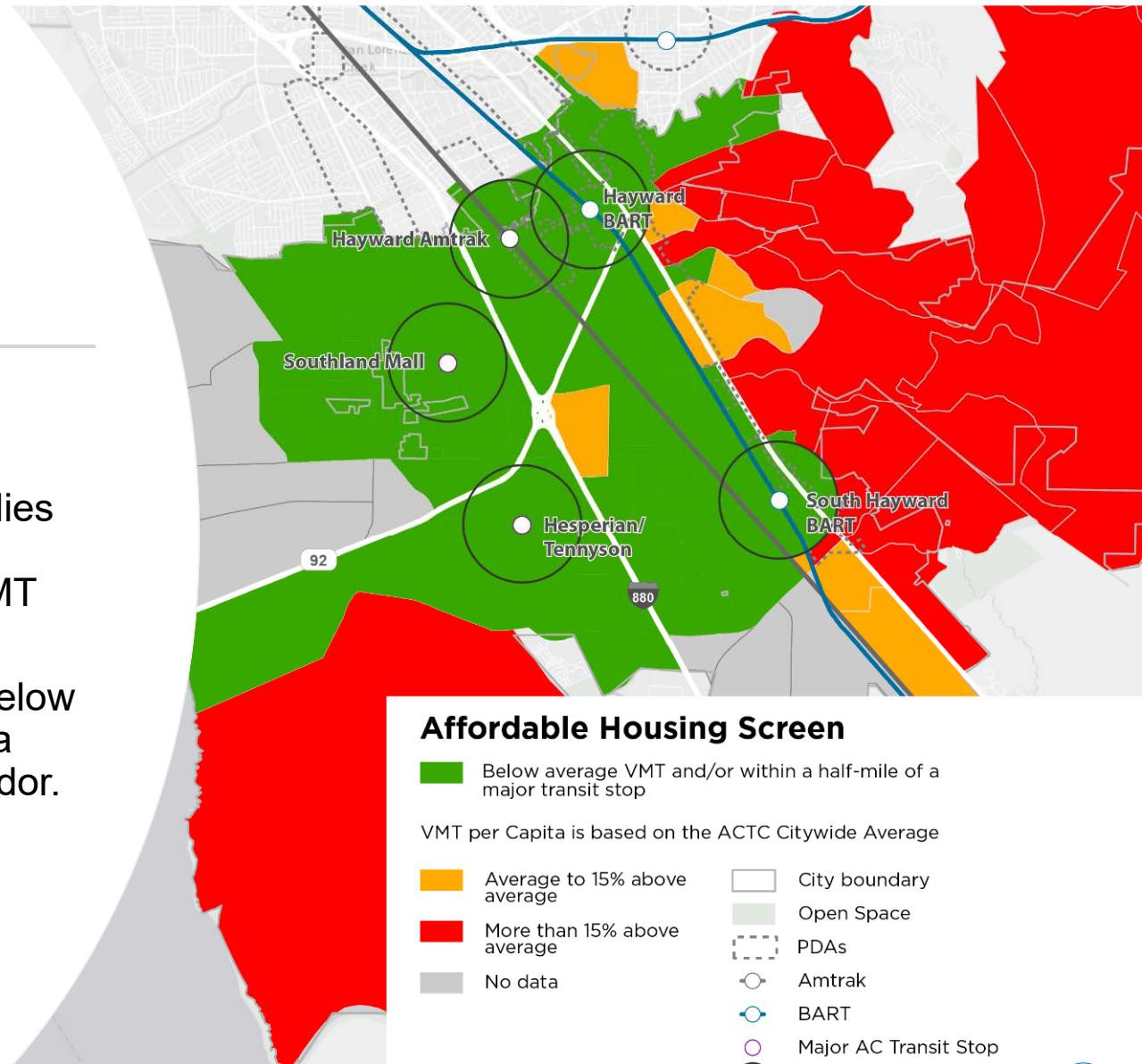
SMALL PROJECT SCREEN

Land Use	Recommended Approach (110-124 Daily Trips)
Single Family Residential	12-15 dwelling units
Multifamily Housing (Mid-rise)	20-25 dwelling units
Employment Land Use	10,000 SF

Land Use	Recommendation
Local-serving retail	50,000 SF

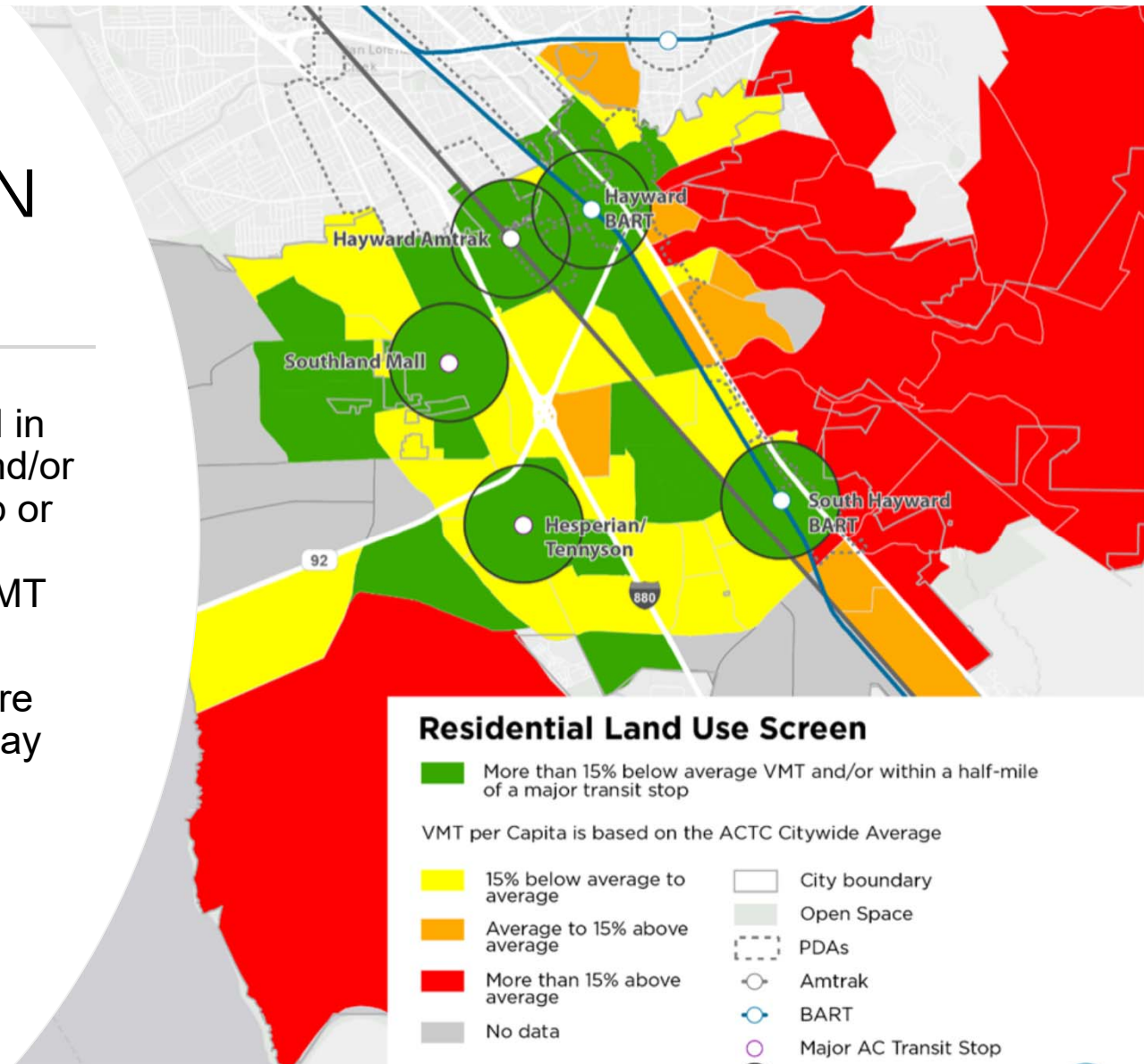
AFFORDABLE HOUSING

- Deed-restricted affordable housing, defined as developments that are 100 percent affordable for low-income families making 80% or less of area median income, correlate with reductions in VMT compared with market-rate housing.
- Map shows locations in City with a below average VMT per capita and/or within a half mile of a major transit stop or corridor.



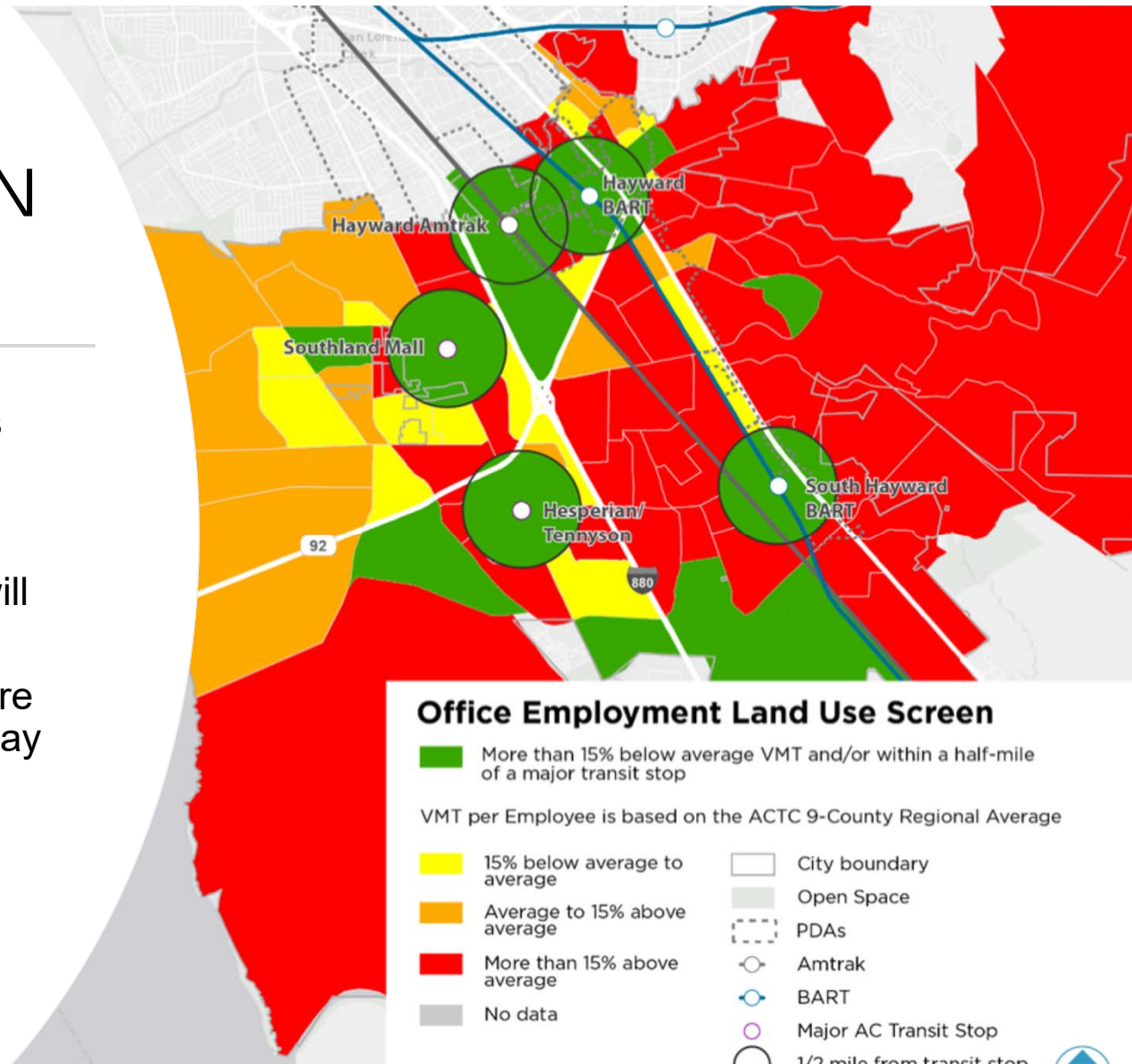
LOCATION SCREEN RESIDENTIAL

- Residential land use projects located in areas with VMT below the threshold and/or within a half mile of a major transit stop or corridor and that include low VMT-supporting features will produce low VMT per capita.
- Projects must include features that are similar to or better than what exists today for density and parking to support an overall reduction in VMT per capita.



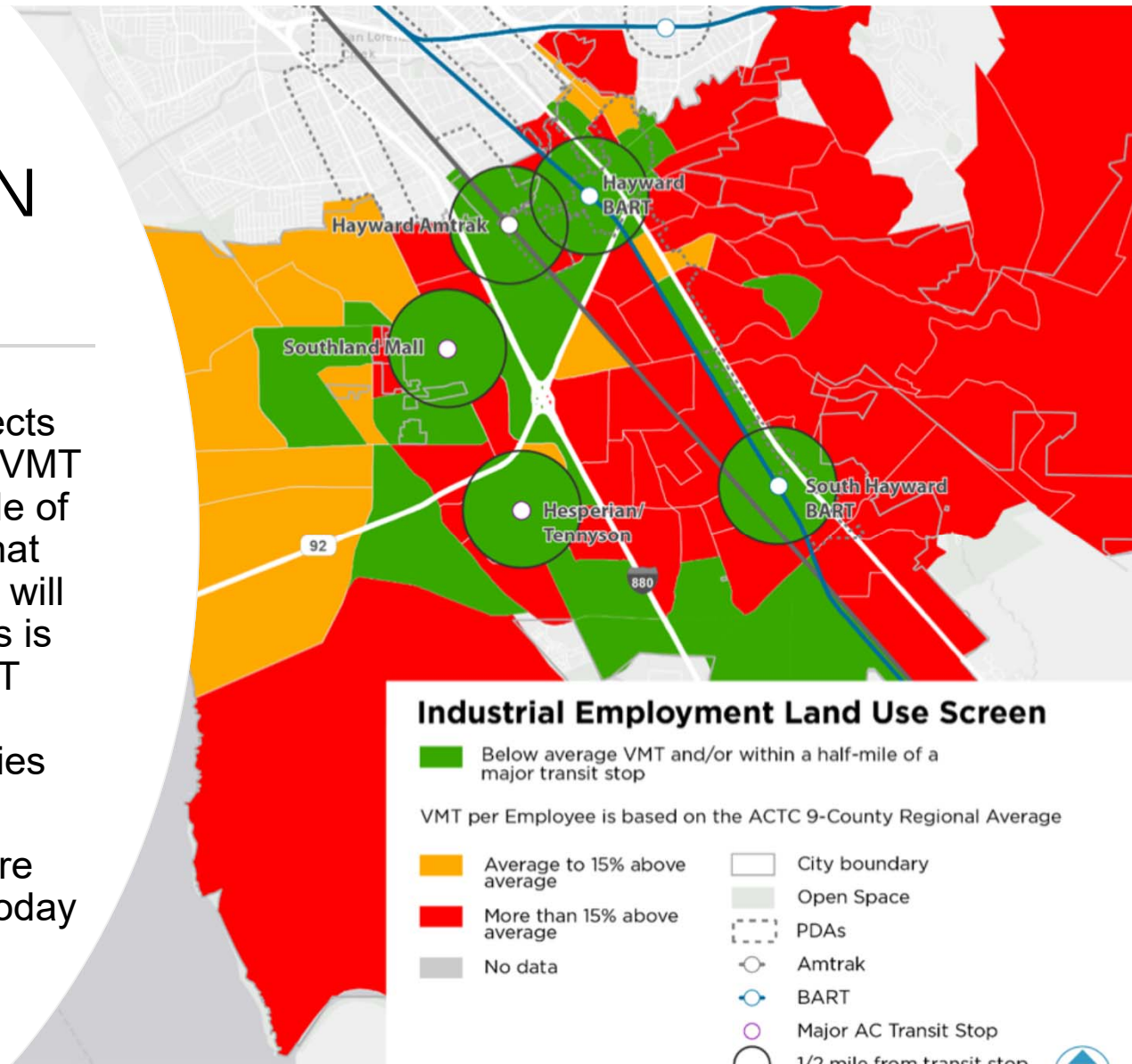
LOCATION SCREEN OFFICE

- Office Employment land use projects located in areas with VMT below the threshold and/or within a half mile of a major transit stop or corridor and that include low VMT-supporting features will produce low VMT per employee.
- Projects must include features that are similar to or better than what exists today for density and parking to support an overall reduction in VMT per office employee.



LOCATION SCREEN INDUSTRIAL

- Industrial employment land use projects located in areas with below average VMT per employee and/or within a half mile of a major transit stop or corridor and that include low VMT-supporting features will produce low VMT per employee. This is based on a threshold of average VMT per capita, rather than 15% below average VMT per employee, as applies to other employment uses.
- Projects must include features that are similar to or better than what exists today for density and parking to support no increase in VMT per employee.



MITIGATIONS

VMT MITIGATIONS

- Transportation Demand Management (TDM)
- Land Use Changes
- Parking Management
- Mitigations must be backed by research.

AFFORDABLE HOUSING

INFILL DEVELOPMENT

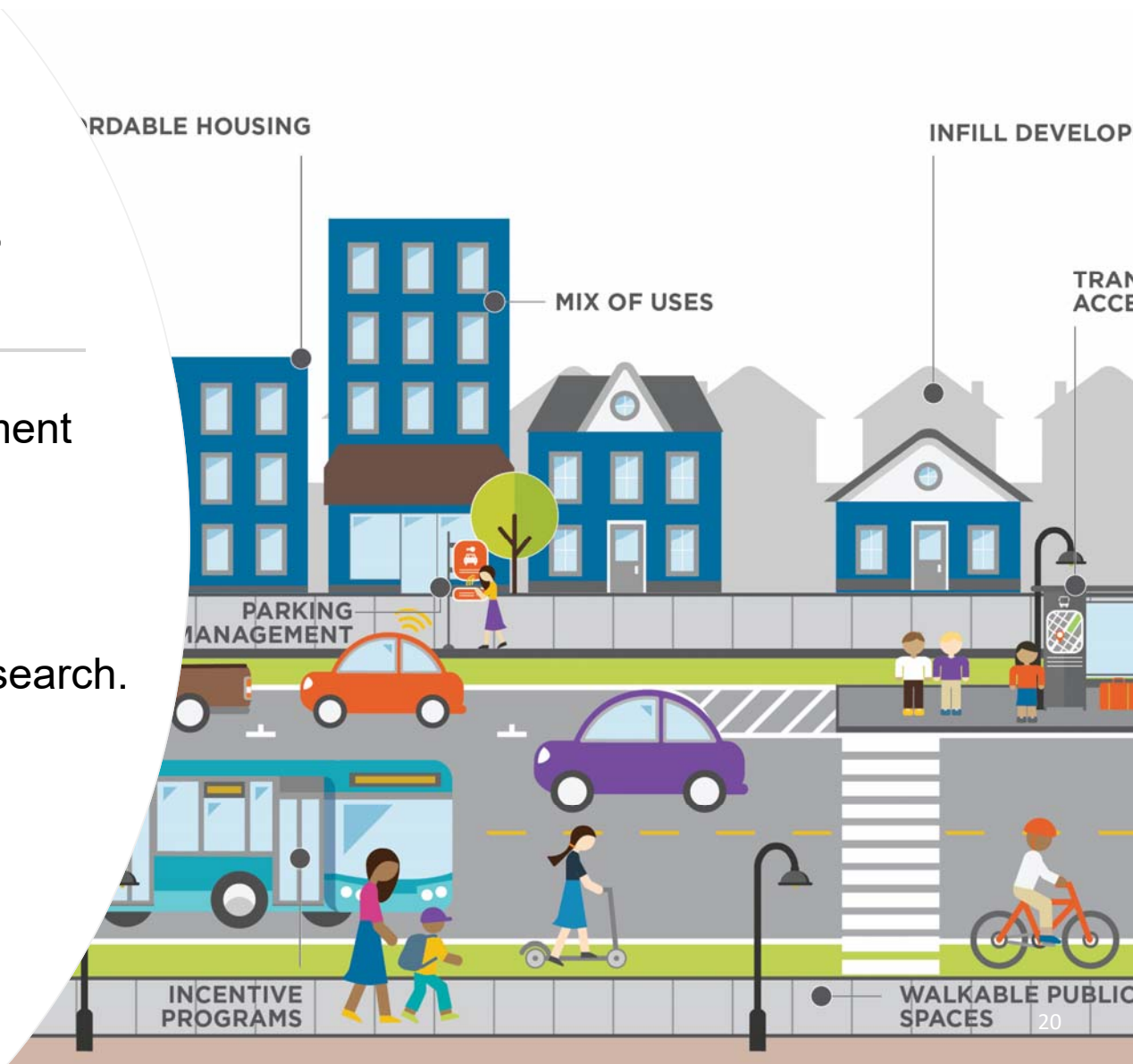
MIX OF USES

TRANSPORTATION ACCESS

PARKING MANAGEMENT

INCENTIVE PROGRAMS

WALKABLE PUBLIC SPACES



TDM MITIGATIONS



Increasing mix of uses



Improving multimodal network



Transit passes or other incentives



Priced parking



Last mile shuttle



Transit improvements



Increasing affordable housing



Commute trip reduction program

PROPOSED FINDINGS

Per Section 10-1.3425(a), the Planning Commission shall hold a public hearing on all text amendments to the General Plan and may recommend approval to the City Council based on all the following findings:

- 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 all applicable, officially adopted policies and plans;
- Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified; and
- 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

General Plan and Climate Action Plan include adopted goals and policies that support the proposed GPA for a reduction of GHG emissions and adoption of new VMT thresholds.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act of 1970, the proposed Amendments do not constitute a “project” within the meaning of Public Resources Code Section 21065, and CEQA Guidelines Sections 15061(b)(3) and 15378 because there is no potential that it will result in a direct or reasonably foreseeable indirect physical change in the environment and because it has no potential for either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment.

STAFF RECOMMENDATION

- That the Commission review the report and recommend the City Council approve Amendments to the Hayward 2040 General Plan (Attachment III) and establish new Vehicle Miles Traveled (VMT) thresholds for California Environmental Quality Act (CEQA) analysis, consistent with SB 743 and per the findings for approval (Attachment II). The Commission previously reviewed and recommended that City Council approve Amendments to the Hayward 2040 General Plan related to the adoption of new Greenhouse Gas Emission reduction goals for the City.
- If recommended, the proposed GPA will be consolidated for City Council consideration at their June 16, 2020 meeting.

QUESTIONS?

STAFF PRESENTATION

ITEM #3

PH 20-035

**PROPOSED AMENDMENTS RELATED TO
MISSION BOULEVARD FORM BASED CODE**

Mission Boulevard Corridor Form Based Code Update Public Hearing

Planning Commission
May 28, 2020
Jeremy Lochirco, Principal Planner
Marcus Martinez, Associate Planner in collaboration with Lisa Wise Consulting



PROJECT AREA

Mission Boulevard Corridor Form-Based Code

- Rose to "A" Street; then Jackson Street to Harder Road

South Hayward BART/Mission Boulevard Form-Based Code

- Harder Road to Garin Avenue



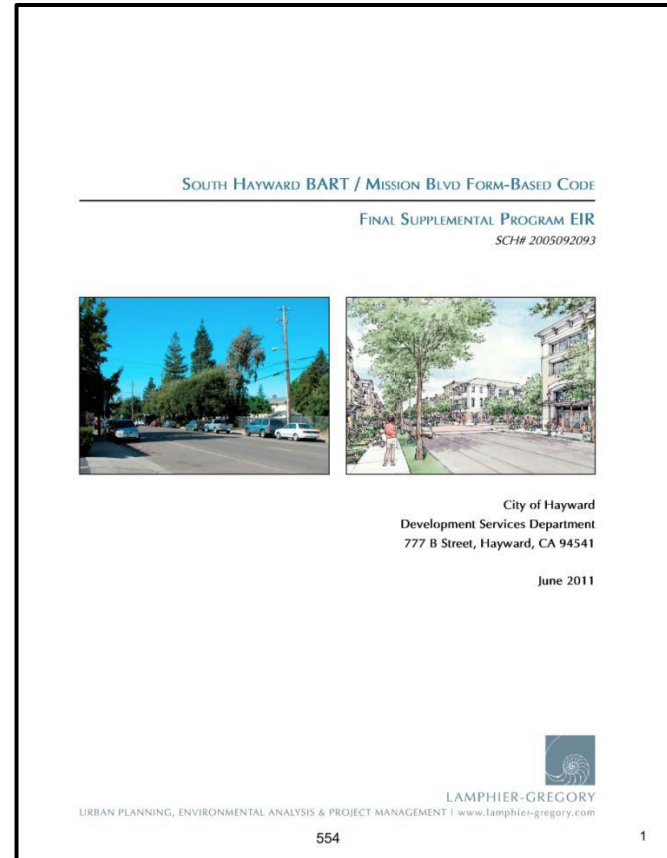


GOAL:

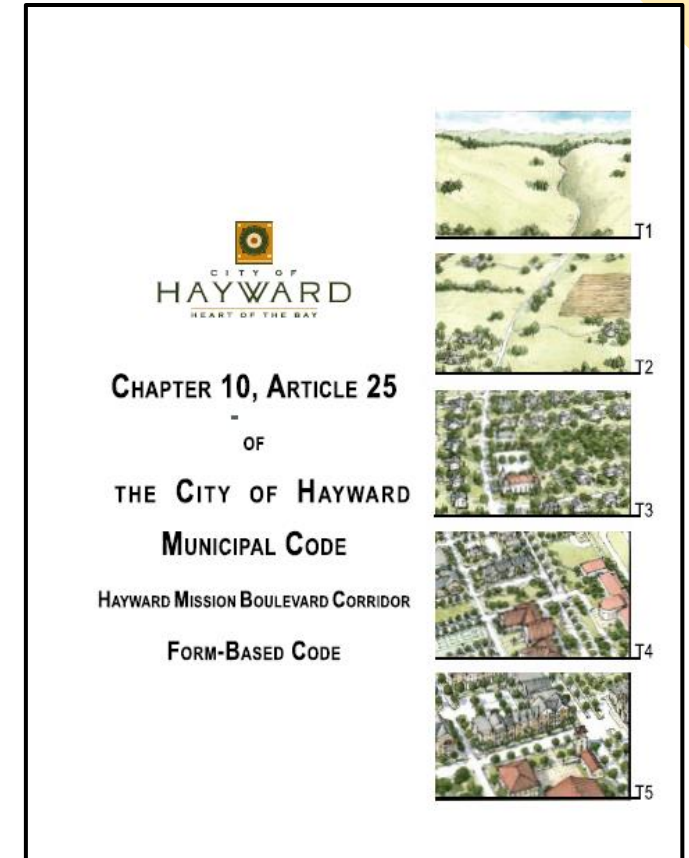
To implement the City's vision for the Mission Boulevard Corridor as an attractive mixed-use boulevard with a variety of commercial functions and residential densities that support walking and transit.

PROJECT OBJECTIVES

- Update the two Form Based Codes (FBCs) that regulate development and land uses along the Mission Boulevard Corridor
- Clean Up and Consolidate Documents for Consistency
- Clearer Implementation
- Create More Objective Design Standards



South Hayward BART FBC
Adopted 2011



Mission Boulevard Corridor FBC
Adopted 2014

PROJECT TIMELINE

2011/2014

Form Based Code Adoptions

- South Hayward BART Code (2011)
- Mission Boulevard Form Based Code (2014)

Late 2018

Begin Form Based Code Update

- Conduct Stakeholder Interviews
- Understand Primary Issues of FBC

2019

Study Sessions and Code Update

- Planning Commission and City Council Study Sessions on FBC Issues
- Develop Draft Code Update

2020

Work Sessions and Code Adoption

- Release Public Review Draft
- Planning Commission and Council Economic Development Committee Work Sessions
- Public Hearings for Code Adoption and Implementation

Project
Completion



PUBLIC REVIEW DRAFT FEEDBACK

Planning Commission

- Potential incompatibility issues between outdoor dining abutting Mission Boulevard;
- Promote street facing retail and service uses; and
- Support streamlining development activity for housing production and economic development;

Council Economic Development Committee

- Recommended incorporating parking range, as appropriate;
- Branding for segments of Mission Boulevard based on their context and development patterns; and
- Maintain certain vice/sensitive uses as prohibited (e.g. massage establishments, tobacco shops, liquor stores)

FORM BASED CODE PUBLIC HEARING DRAFT

Notable Changes and Updates

- ✓ General Reorganization
- ✓ Refined Development Standards and Regulating Plan (“Map Amendments”)
- ✓ Consistency with Adopted Plans and Ordinances
- ✓ Minor Changes to Zoning Ordinance and Sign Regulations for Consistency

Available to View Online:

tiny.cc/haywardfbc *case sensitive*



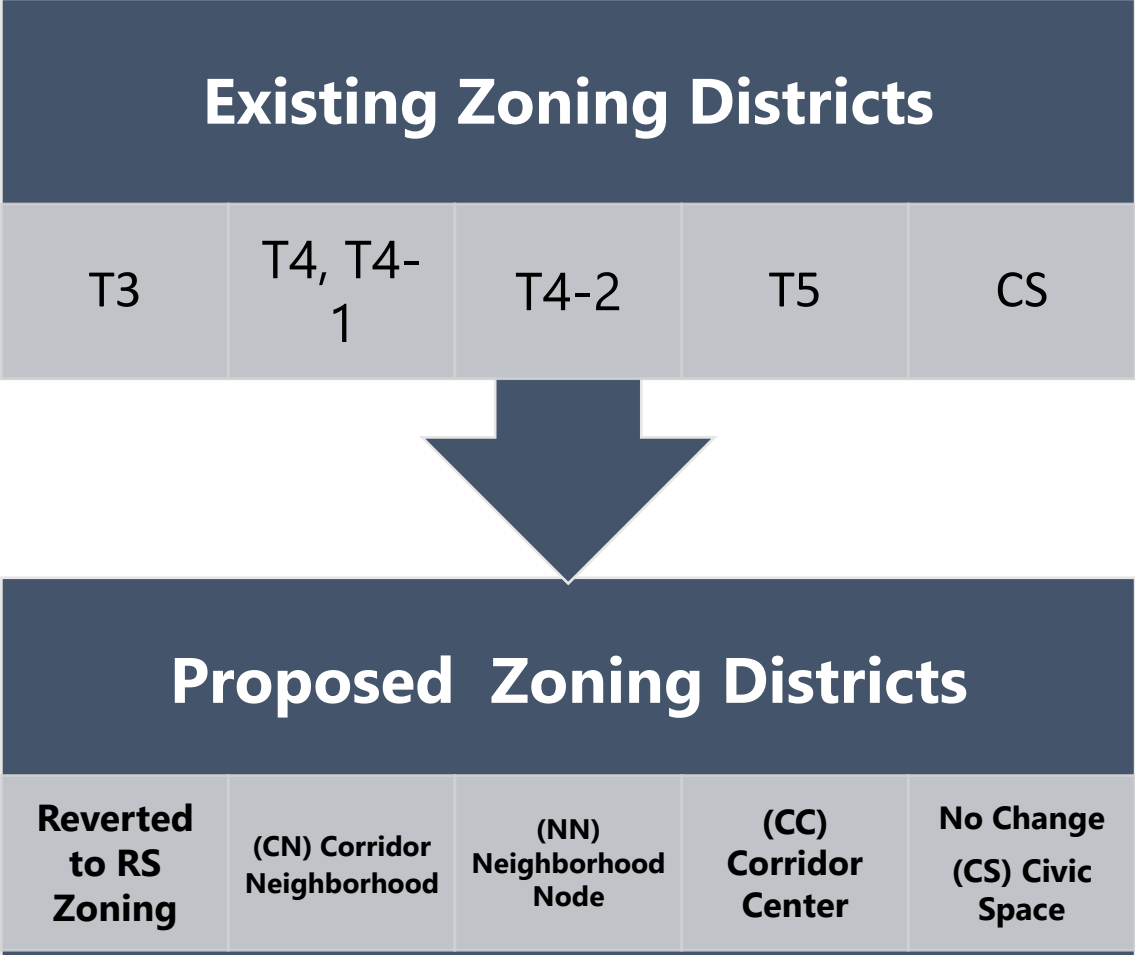
MISSION BOULEVARD CODE

City of Hayward, California
Public Hearing Draft | May 2020

CODE IMPROVEMENTS AND UPDATES:

General Reorganization

- South Hayward BART and Mission Boulevard Corridor Codes consolidation to create the "Mission Boulevard Code"
- Restructured to be more user-friendly for residents, businesses, stakeholders, and developer community
- Renamed zoning districts



REGULATING (ZONING) MAP AMENDMENTS:

Summary of Map Updates

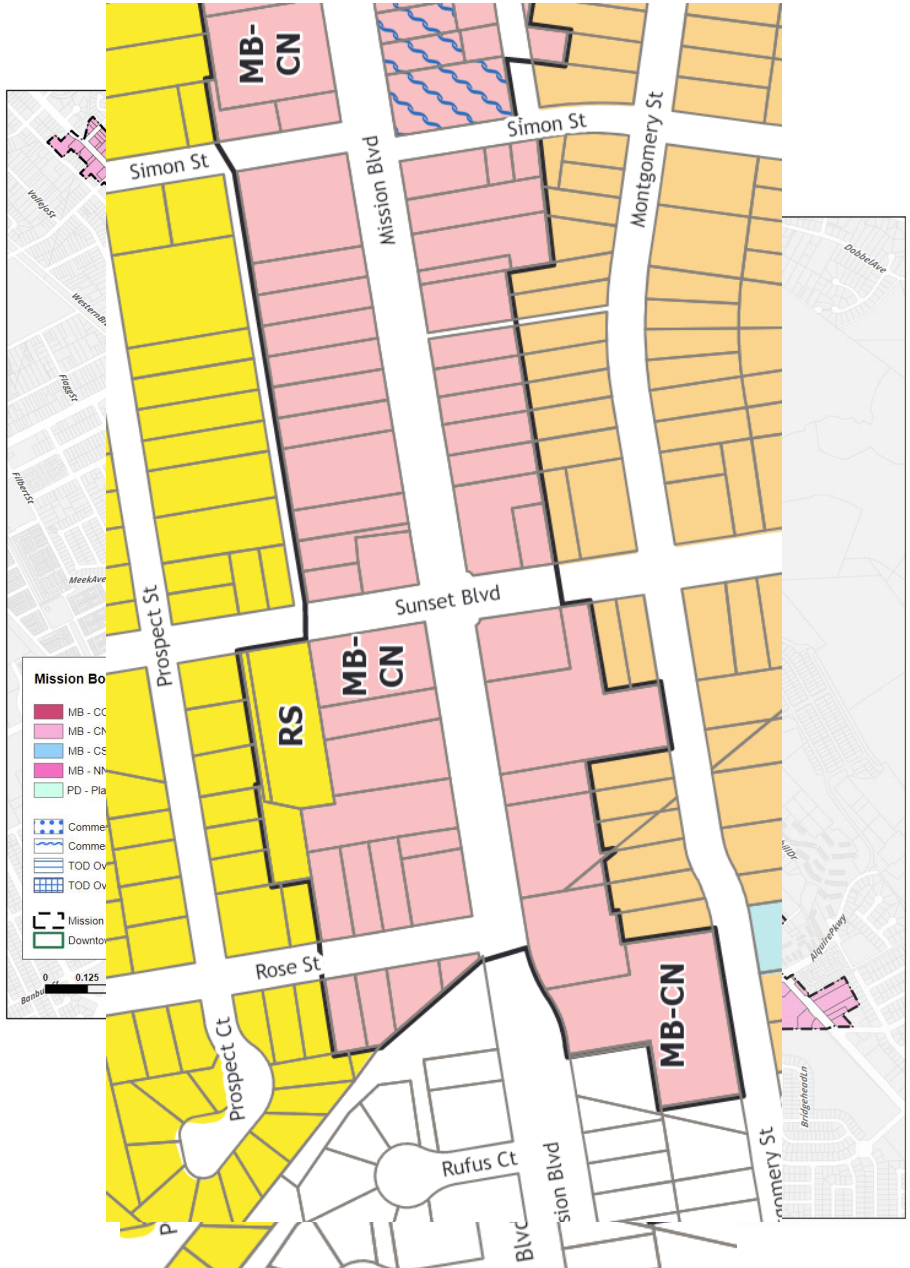
- T3 Zoned Parcels Reverted to RS Zoning District
- Removed Dual Zoning on Key Commercial Sites
- Removed Overly Prescriptive Thoroughfare Requirements

Overlays

- Modified Application of COMM Overlays along Mission Boulevard
- Increased TOD Overlay Zones to promote density closest to South Hayward BART

Clean Up Zoning

- Properties Rezoned to Match Underlying Land Use Designation
- **926 Rose Street** CC-C to MB-CN
- **720 Simon Street** CC-C to RM



CODE IMPROVEMENTS AND UPDATES:

Modified Height and Density

- Allow for increased height and density in all zones subject to Major Site Plan Review (MSPR)
- Underdevelopment of site subject to MSPR

State Laws and Regional Goals

- Create objective standards
- Allow for more housing along major transit corridors and near transit stops
- Achieve Regional Housing Needs Allocation (RHNA) for affordable housing

PC and CEDC Comments

- Included compatibility guidelines for outdoor uses along Mission Boulevard
- Maintain parking maximums near BART and along the corridor with Findings for flexibility
- Maintain prohibition on vice uses along corridor
- Include branding language;



CONSISTENCY WITH HAYWARD 2040 GENERAL PLAN

The FBC update will be consistent with the following goals and policies:

- ✓ **Land Use Policy 1.3 – Growth and Infill Development**
- ✓ Land Use Policy 1.5 – Transit Oriented Development
- ✓ **Land Use Policies 2.9 and 2.12 – South Hayward BART FBC and Mission Boulevard Mixed-Use Corridor**
- ✓ Housing Goal 2 – Assist in the Development of Affordable Housing
- ✓ Housing Policy 3.3 – Sustainable Housing Development
- ✓ Housing Policy 3.4 – Residential Uses Close to Services
- ✓ **Housing Policy 4.2 – Clear Development Standards and Approval Procedures**
- ✓ **Economic Development Goal 1 - Diversify the Economic Base**
- ✓ Economic Development Policy 5.5 – Quality Development



**CALIFORNIA
ENVIRONMENTAL
QUALITY ACT**

The Form Based Code update is deemed consistent with the programs, goals, policies and prior environmental analysis of:

- ✓ Hayward 2040 General Plan Program Environmental Impact Report (EIR)
(Certified by City Council, July 2014)
- ✓ No additional environmental review is required.

STAFF RECOMMENDATION

That the Planning Commission
recommends to the City Council:

- ✓ Adoption of the Mission Boulevard Code amending Chapter 10, Articles 1, 7, 24 and 25 of the Hayward Municipal Code based on Required Findings



Questions?

Project Website:

tiny.cc/haywardfbc

Contact:

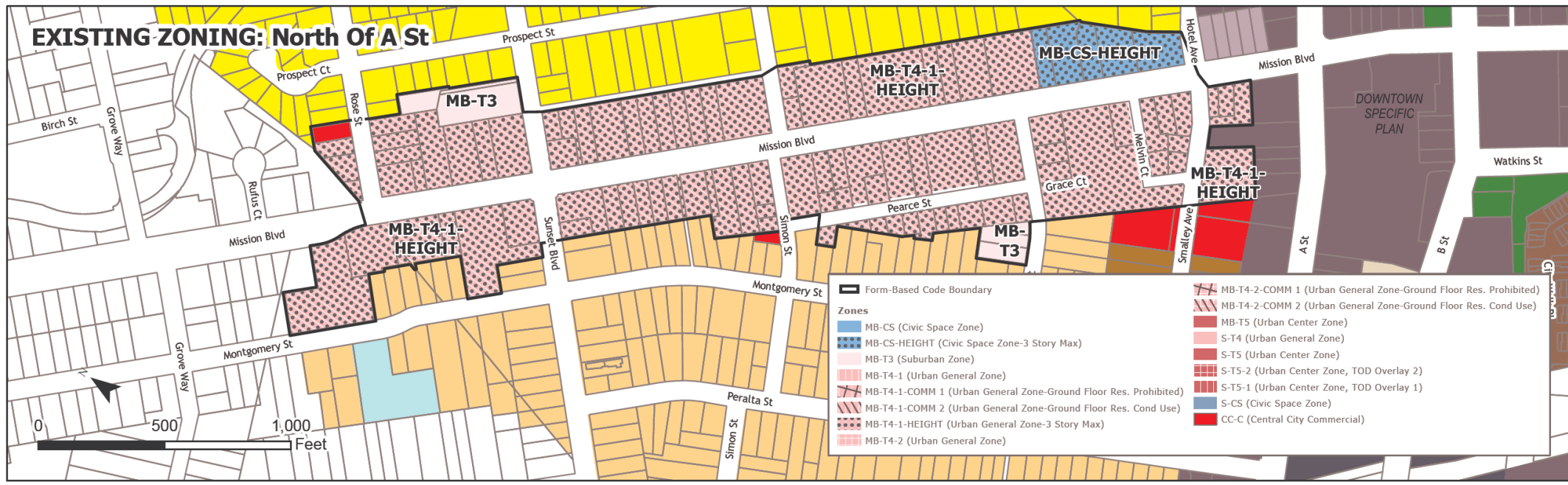
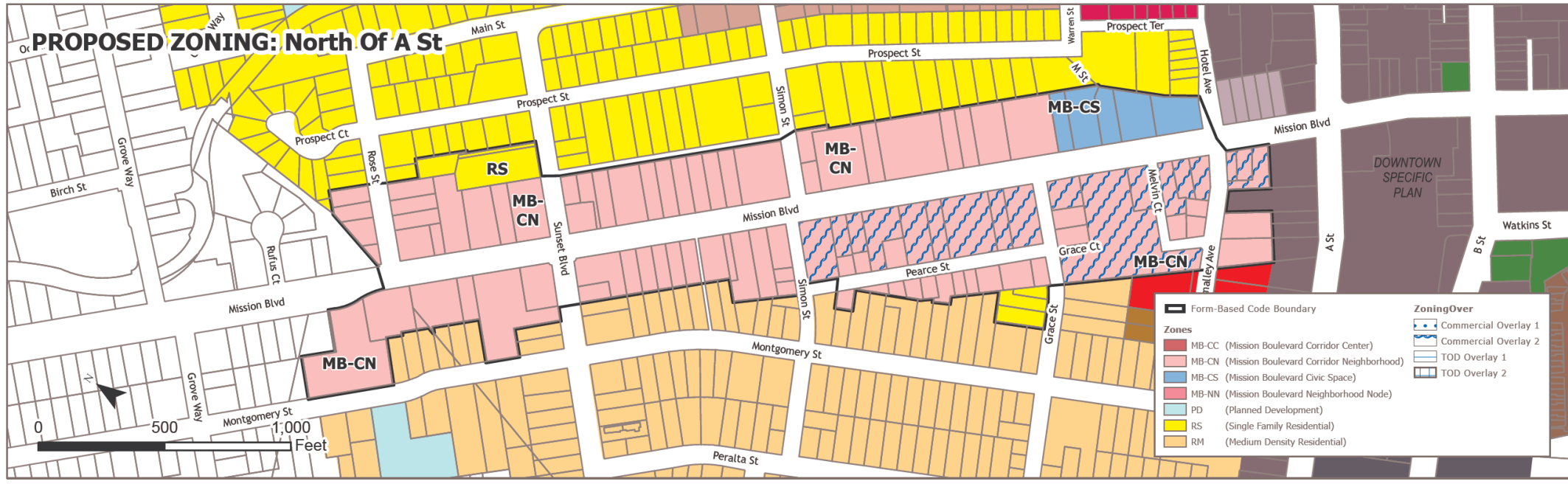
Jeremy Lochirco, Principal Planner
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jeremy.lochirco@hayward-ca.gov

Marcus Martinez, Associate Planner
(510) 583-4236
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Reference Slides

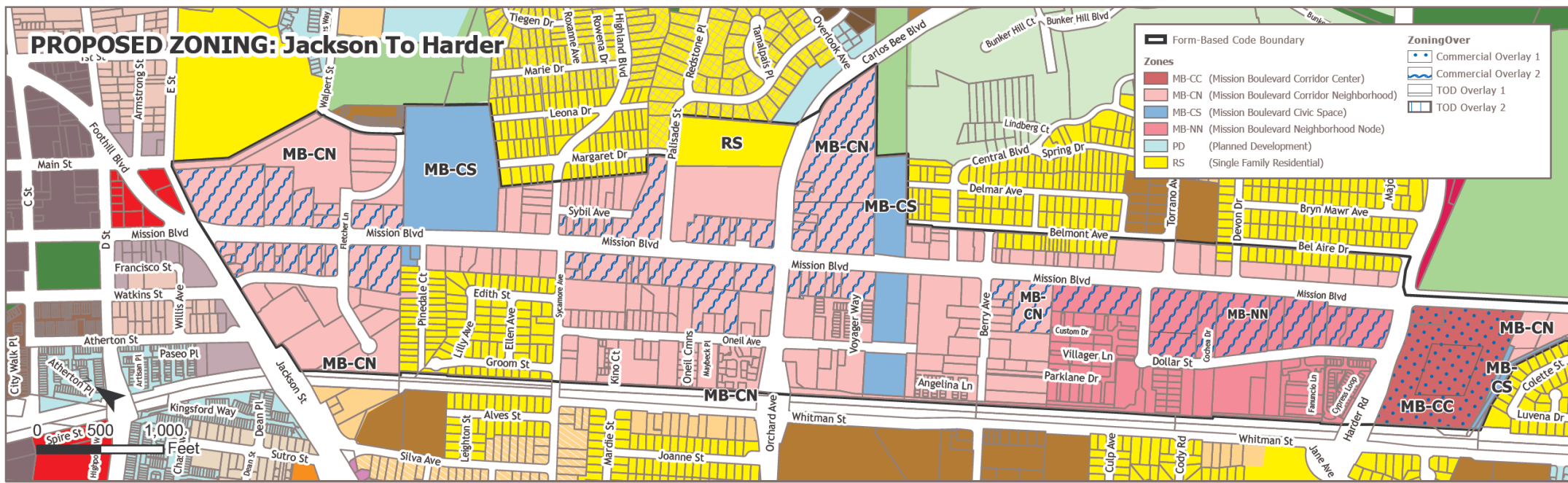
Map Updates

- ✓ Removed Height Overlay to be Replaced with Code Language
- ✓ Increased COMM 2 Overlay
- ✓ Reverted T3 Parcels to RS
- ✓ Cleaned Up Outlier Parcel Zoning

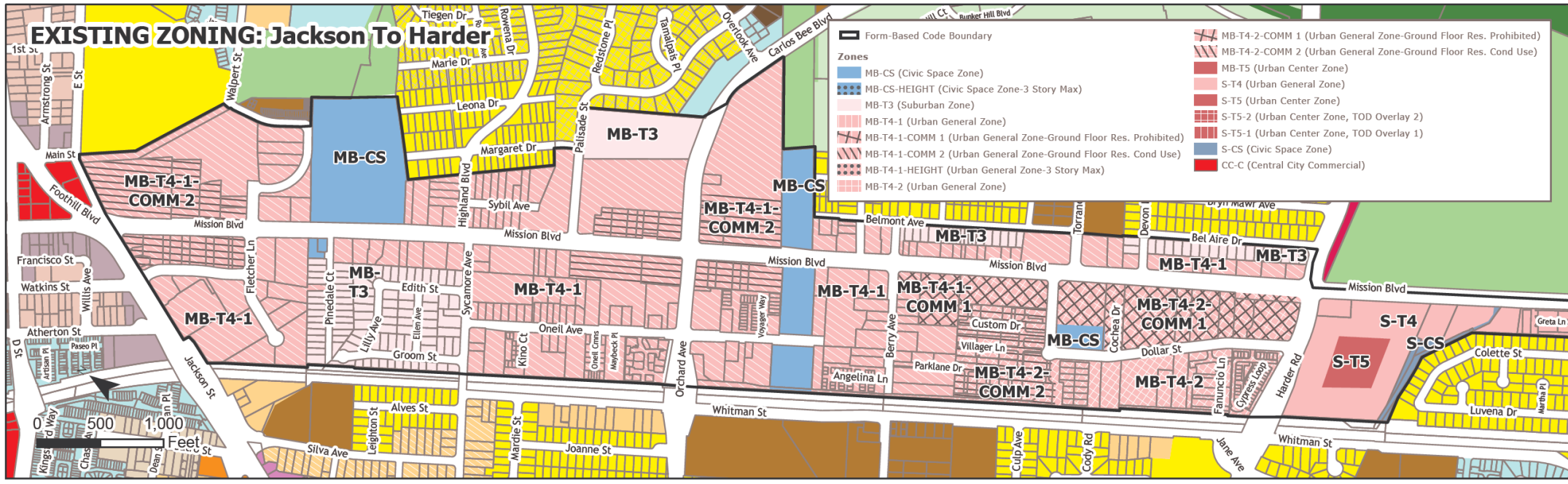


Map Updates

- ✓ Modified and Expanded Application of COMM Overlays

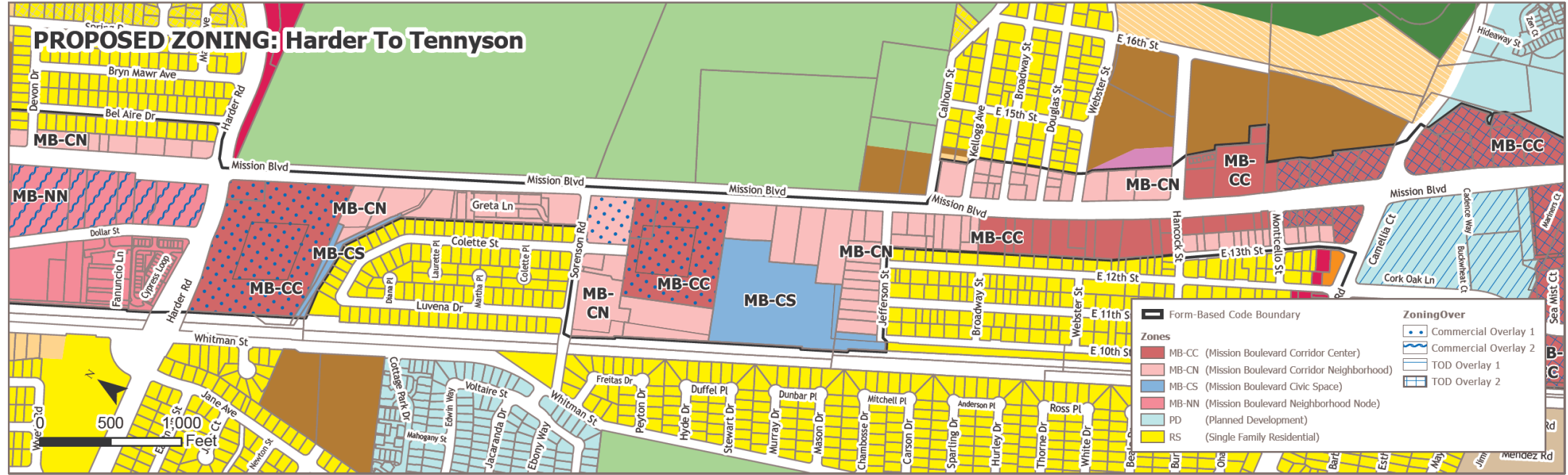


- ✓ Reverted T3 Parcels to RS
- ✓ Simplified Zoning Map



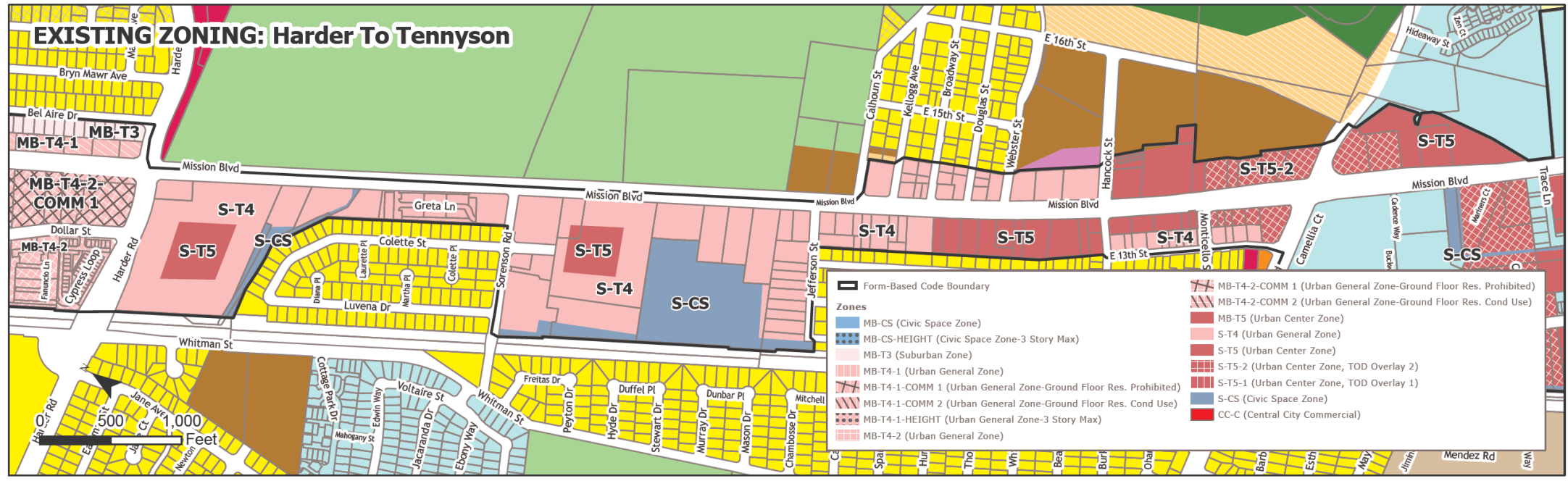
Map Updates

✓ Modified and Expanded Application of COMM Overlays



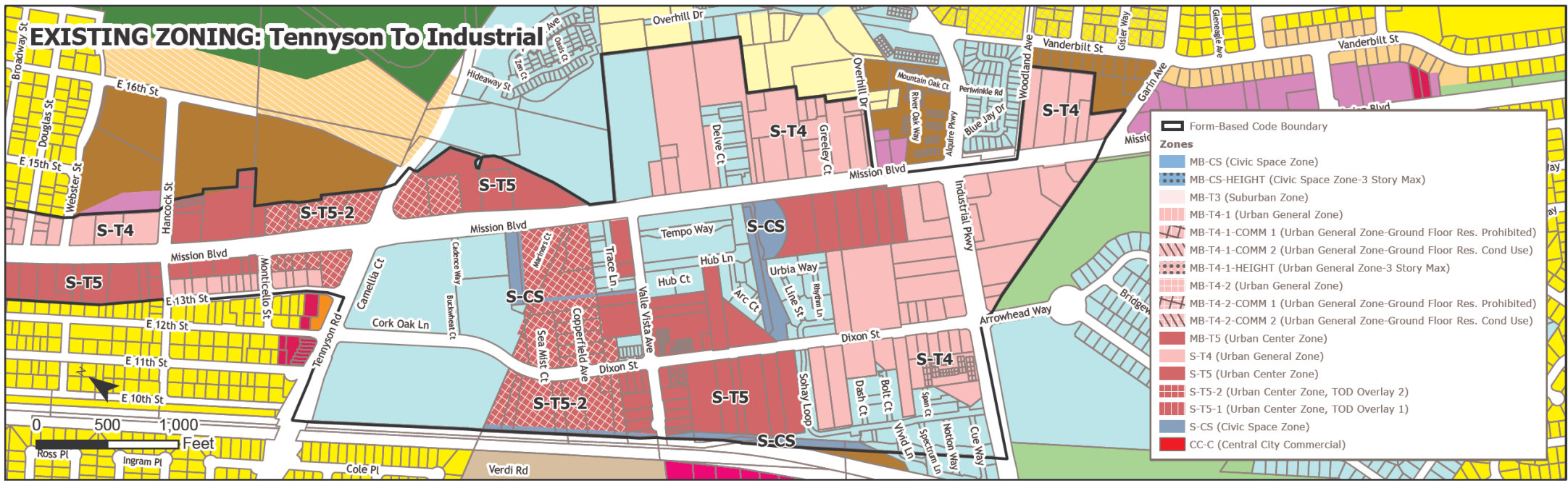
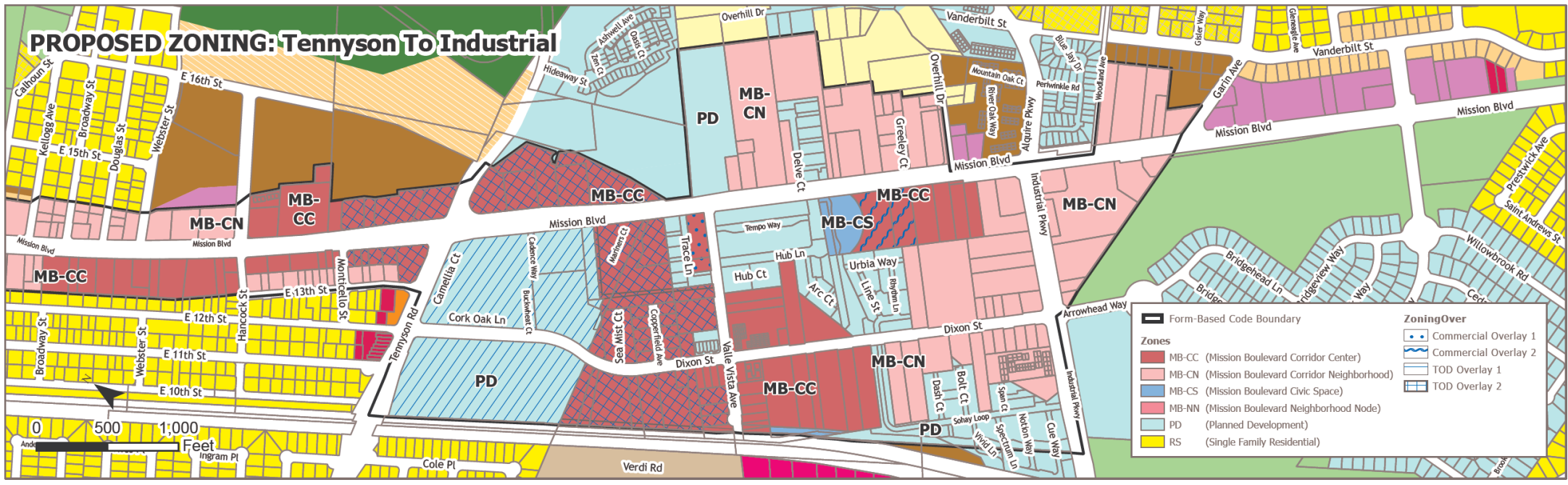
✓ Removed Confusing Dual Zoning on Major Commercial Sites

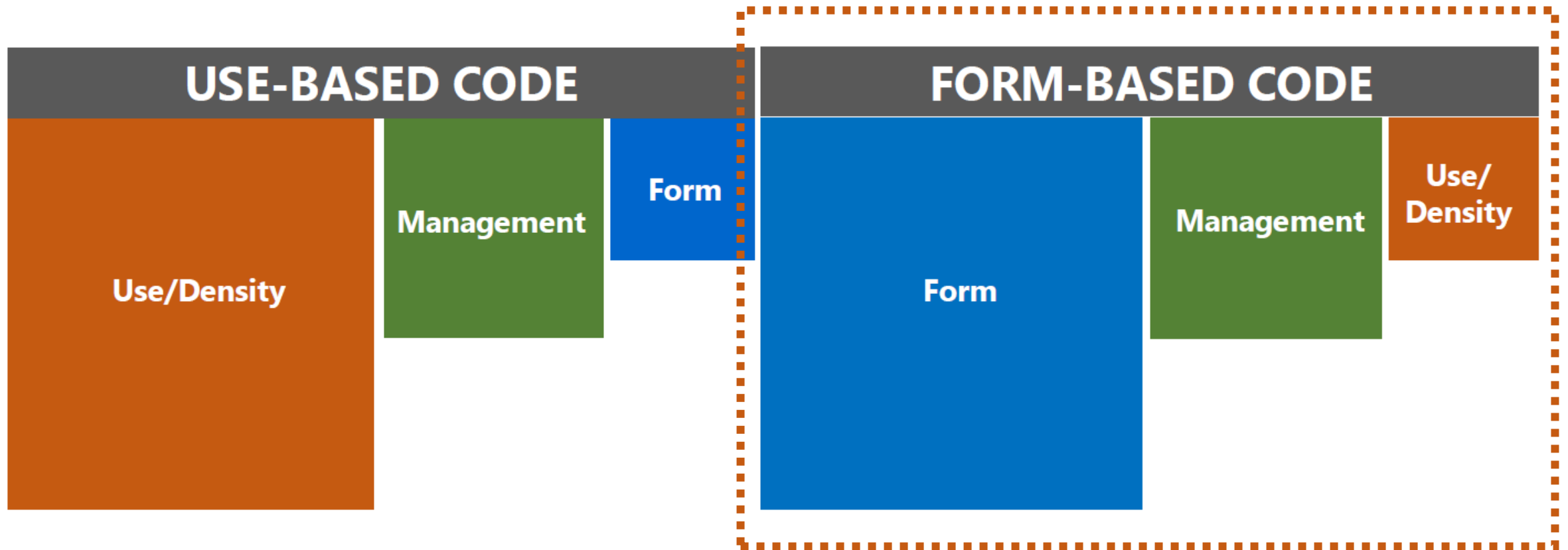
✓ Simplified Zoning Map



Map Updates

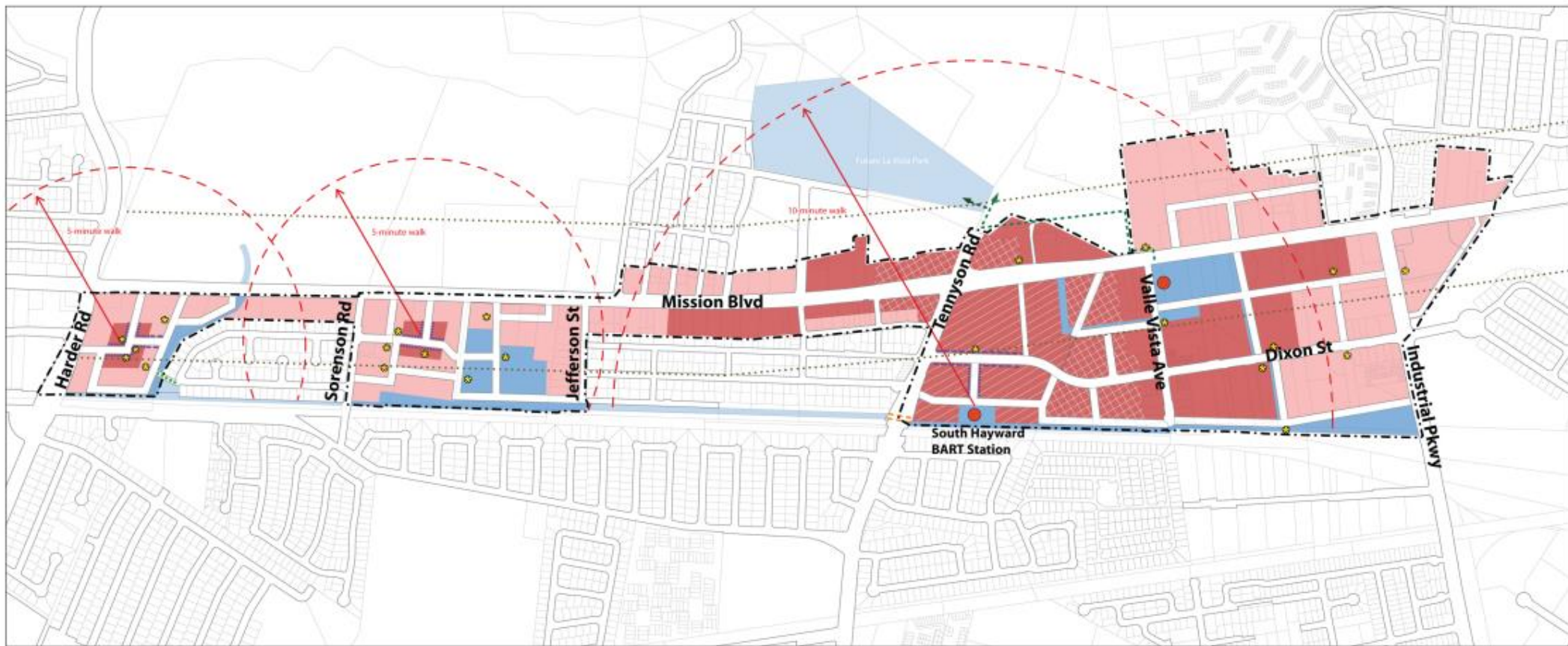
- ✓ Expanded TOD Overlay for Properties Closest to BART
- ✓ Applied COMM Overlay to Strategic Underdeveloped Parcels
- ✓ Updated Zoning Map with New Planned Developments (e.g. SoHay and True Life)





What is a Form Based Code (FBC)?

- ✓ Intended to foster **predictable**, high quality-built environments;
- ✓ More design **standards**; less design guidelines;
- ✓ Emphasis on **physical form** and the public realm



Legend

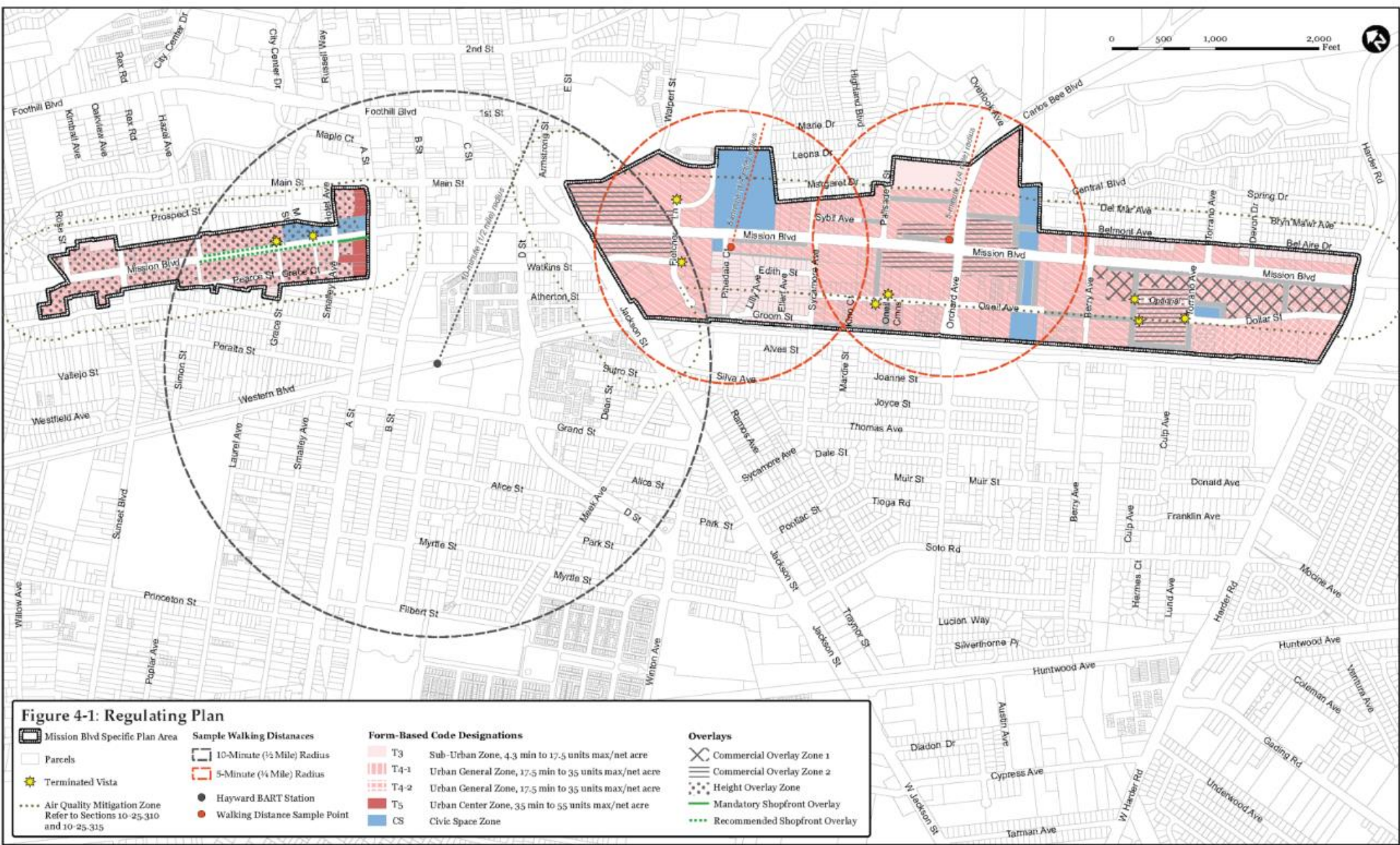
- Project Area
- Parcels
- Terminated Vistas
- Mandatory Shopfront Overlay
- Recommended Shopfront Overlay
- Green Pathway
- T4 Urban General Zone: 17.5 DU/acre min; 35 DU/acre max
- T5 Urban Center Zone: 35 DU/acre min; 55 DU/acre
- TOD Density Overlay 1: 75 DU/acre min; 100 DU/acre max
- TOD Density Overlay 2: 40 DU/acre min; 65 DU/acre max
- Civic Space Zone
- Civic Buildings
- Civic Spaces outside of the project area
- 238 Bypass Trail Location
- 5 Min/10 Min Walk (Pedestrian Shed)
- Future pedestrian/bicycle bridge
- Air Quality Mitigation Overlay Zone - Refer to Section 10-24.296



SmartCode Version 9.2

**Existing South Hayward BART/Mission Boulevard
Form Based Code**

FIG 1-1



Existing Mission Boulevard Corridor Form Based Code



HOLIDAY INN EXPRESS
 Type: Commercial
 Status: Under Construction
 Developer: VNS Hotels, Inc.
 Address: 25640 Mission Blvd
 Units: 89 guest rooms

SUBARU
 Type: Commercial
 Status: Development Review
 Developer: Subaru One
 Address: 25000 Mission Blvd
 Retail: 55,000 sq. ft.



HONDA OF HAYWARD
 Type: Commercial
 Status: Approved
 Developer: Sonic Development, LLC
 Address: 25715 Mission Blvd
 Retail: 37,513 sq. ft.

LA VICTORIA TAQUERIA
 Type: Commercial
 Status: Approved
 Developer: La Victoria
 Address: 27915 Mission Blvd
 Retail: 3,200 sq. ft.



Terraces – 110 Units; 10,000 sqft. Commercial

- Mixed-use - pg 3
- Residential - pg 7
- Commercial - pg 10
- Industrial - pg 13
- Public Facility - pg 14



SOHAY

Type: Mixed-use
Status: Under Construction
Developer: William Lyon Homes
Address: 29504 Dixon St
Units: 400 townhomes, 72 apartments
Retail: 20,000 sq. ft.



MOTION AT MISSION CROSSINGS

Type: Mixed-use
Status: Under Construction
Developer: KB Homes
Address: 26601 Mission Blvd
Units: 35 townhomes, 39 apartments
Retail: 1,020 sq. ft.



MISSION CROSSINGS

Type: Mixed-use
Status: Under Construction
Developer: MLC Holdings
Address: 25501 Mission Blvd
Units: 93 guest rooms, 144 townhomes
Retail: 7,225 sq. ft.



MISSION VILLAGE

Type: Mixed-use
Status: Approved
Developer: Valley Oak Partners
Address: 411 Industrial Pkwy
Units: 72 townhomes
Retail: 1,020 sq. ft.



MISSION PARADISE

Type: Residential
Status: Approved
Developer: Cecon Invest, LLC
Address: 28000 Mission Blvd
Units: 76 (42 senior/34 non-senior)



THE TRUE LIFE COMPANIES

Type: Mixed-use
Status: Development Review
Developer: The True Life Companies
Address: 29212 Mission Blvd
Units: 66 condominiums, 123 townhomes
Retail: 11,000 sq. ft.



LEGACY@HAYWARD

Type: Residential
Status: Under Construction
Developer: Legacy Partners
Address: 28168 - 28244 Mission Blvd
Units: 97 apartments



ATHASHRI - HAYWARD

Type: Residential
Status: Approved
Developer: Pristine Homes
Address: 29312 Mission Blvd & 794 Overhill Ct
Units: 200 apartments



HAYWARD MISSION FAMILY APARTMENTS

Type: Residential
Status: Development Review
Developer: META Housing Corporation
Address: 29497-29553 Mission Blvd
Units: 140 apartments
Retail: 1,188 sq. ft. & 2,700 sq. ft. daycare

Approved Housing Units in FBC Areas

PROJECT NAME	HOUSING UNITS	COMMERCIAL SPACE
SoHay	472	20,000
Motion @Mission Crossing	35+39	1,020
Mission Village	72	1,020
Mission Crossing	144	7,225
True Life Companies	66+123	11,000
Legacy	97	0
Athashri	200	0
Mission Paradise	76	0
Mission Family Apartments	140	3,888
Honda Hayward	0	37,513
Subaru	0	55,000
La Victoria	0	3,200
Terraces	110	10,175
TOTALS	1,574	150,041