



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, August 28, 2025, 7:00 p.m.**

The Planning Commission meeting was called to order at 7:04 p.m. by Chair Hardy. The Planning Commission held a hybrid meeting in the Council Chambers and virtually via Zoom.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: CHAIRPERSON: Hardy
COMMISSIONERS: Goodbody, Haman, Lowe, Meyers
Absent: COMMISSIONER: Stevens

Staff Members Present: Allen, Blanton, Lochirco, Ochinero, Riddle, Tabari, Vigilia

PUBLIC COMMENTS

There were none.

WORK SESSION

1. Business-Friendly Hayward Project Update: Work Session to Review the Summary of Best Practices Report, Analysis of Hayward Codes and Practices, Downtown Commercial Analysis, and Outreach Summary for the Business-Friendly Hayward Project **WS 25-031**

Staff report submitted by Senior Planner Blanton and Assistant Planner Riddle dated August 28, 2025, was filed.

Assistant Planner Riddle and Senior Planner Blanton provided a synopsis of the staff report.

Senior Planner Blanton clarified this meeting is the initial work session, with at least one more round of work sessions planned before final regulations will be presented. After drafting the regulations, staff will return for further review, and if both the Commission and Council are aligned with staff's recommendations, a final adoption hearing will follow.

Commissioner Lowe asked about the process for determining which permits would be handled administratively versus conditionally versus permitted by right and the level of involvement the Commission would have in those decisions. Senior Planner Blanton explained that this is established in the Zoning Ordinance. While the Commission will provide a recommendation, any changes to the Zoning Ordinance must ultimately be adopted by the City Council. She noted that staff is evaluating certain business uses, particularly those consistently approved through Administrative Use Permits (AUPs) or Conditional Use Permits (CUPs), with no history of issues and strong community support, to determine whether they could require less oversight in the



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future. Senior Planner Blanton emphasized the goal is to “right-size” the use permit process, which may involve either easing restrictions or increasing oversight, depending on the concerns raised, and taking into consideration feedback from the Police Department. Planning Manager Lochirco added that Administrative Use Permits (AUPs) remain discretionary and require notification to neighbors and explained for potentially controversial projects, staff can choose to forward the application to the Planning Commission for further review, ensuring a higher level of discretion when needed. However uses permitted outright do not require notification or discretion. Planning Manager Lochirco emphasized that the AUP process still provides opportunities for community involvement and oversight, and applications can be escalated to the Commission or Council if warranted.

Commissioner Lowe requested more information on why staff believe parklets are considered a good fit for Hayward’s downtown. Senior Planner Blanton explained that while Hayward does have a temporary parklet program, the focus for these code updates would be more on permanent outdoor seating that brings life and activity to the street. She noted that currently, the code requires an Administrative Use Permit (AUP) for outdoor dining, which can be a challenge for some restaurants due to tight margins and the investment needed and highlighted that Public Works is actively involved to protect City assets like sidewalks and ensure ADA-compliant pathways, sometimes requiring sidewalk extensions around seating areas, which can reduce parking spots. She acknowledged that parklets wouldn’t be appropriate everywhere, but if supported by the Commission and Council, outdoor dining can enhance the vibrancy of Hayward’s downtown, a success they have already seen locally. Assistant Planner Riddle added that the parklet program would not allow parklets by right everywhere, but would be carefully implemented to consider available parking; and explained that specific locations could be designated for parklets to ensure that not all parking or usable space downtown is removed, while still creating an active and vibrant area accessible to the public.

Commissioner Meyers asked how frequent adjustments could be made to address any leniencies in the regulations. Senior Planner Blanton explained that zoning amendments are not limited in frequency; noting that if staff identify a problem or something getting out of control, they can bring the issue back to the Commission and City Council for changes; and highlighted that even if a use is downgraded from a Conditional Use Permit (CUP) to an Administrative Use Permit (AUP), all permits include conditions allowing revocation if the use becomes problematic, providing a level of control without the more costly and time-consuming CUP process.

Commissioner Meyers asked how the City is weighing the survey results compared to the business analysis, pointing out that the City’s overall demographic likely includes fewer residents in the 60 to 79 age group. Senior Planner Blanton explained that the City uses multiple outreach methods to engage different groups, recognizing that certain events, like



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street fairs, naturally attract specific demographics; emphasized that while the feedback may not be a perfectly scientific or fully representative sample, the City strives to gather input from as many demographic groups as possible to ensure that the community remains welcoming and vibrant for both longtime residents and younger populations; and added that planners and the economic development team also rely on anecdotal feedback from businesses to understand challenges and opportunities.

Commissioner Meyers asked for an example of what the entitlement process refers to. Senior Planner Blanton replied that “entitlement” is essentially synonymous with the planning process; explained that a project becomes “entitled” once it has received all necessary planning approvals, such as site plan reviews, use permits, or other approvals required through the Planning Division; and clarified that entitlement comes before ministerial processes like building or grading permits, which are automatically approved if they meet applicable codes. Senior Planner Blanton noted that the uncertainty in development typically lies in the entitlement phase, where decisions are still being made about whether a project will be approved.

Commissioner Meyers asked whether the previously approved BART train restaurant project on B Street, across from the movie theater, is still moving forward and, if so, what is causing the delay. Senior Planner Blanton explained the Arthur Mac’s project, an outdoor restaurant concept, was entitled a couple of years ago but experienced delays due to fire code and building code related challenges. The project is currently under construction and is expected to open soon.

Commissioner Meyers inquired whether the recent changes being implemented may have helped expedite the Arthur Mac’s project specifically. Senior Planner Blanton explained that while state-regulated building and fire codes weren’t affected by recent changes, the Arthur Mac’s project required creative code interpretation during its entitlement process due to its unique outdoor concept. She noted that the current changes aim to streamline the entitlement process for similar future projects, allowing them to move more quickly into permitting.

Commissioner Meyers asked if the cause of long approval times and a lack of communication from staff had been identified and if there are current or future actions being taken to address and improve the situation. Senior Planner Blanton responded that the outreach survey included a follow-up question inviting respondents to speak with staff directly, to gather deeper insight into individual experiences. She noted that there’s often a misconception that opening a business is a quick and simple process, when timelines depend on the specific approvals and permits required and highlighted that the City plans to hold focus groups to identify areas for internal improvement, staff training, or process changes to address concerns about delays and communication.



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Commissioner Meyers asked whether the current staff levels are sufficient or if there might be a need to increase the number of staff. Planning Manager Lochirco explained that although the planning team is well-staffed and capable, challenges occur in other departments involved in project reviews because of vacancies and staffing shortages; noted that customers often don't fully understand the process, which can lead to perceptions of poor communication, especially during review periods when interaction is limited; and added that, beyond City staff, many applicants also need permits and approvals from external agencies outside of Hayward's control, creating additional challenges for applicants trying to move forward and open their businesses.

Commissioner Meyers stated his concern is about whether parking impacts for nearby residents are factored into the decision-making process. Senior Planner Blanton explained that since no formal language has been drafted yet regarding parklets, the current goal is to gauge overall interest. She noted that if the community supports them, the City can then explore ways to minimize impacts, such as limiting parklets to areas with adequate surrounding parking or near municipal lots. She added that if a permanent parklet program is developed, it could include operating standards, such as hours of use, maintenance, and lighting, to help prevent negative impacts on nearby residents.

Commissioner Meyers asked whether the issue of accessory commercial storefronts potentially leading to vendors being attached to homes throughout the City had been considered in the planning process. Senior Planner Blanton explained that, similar to existing home occupation rules, the City could limit the types of businesses allowed, how visible they can be, and address issues like parking; added that regulations could also restrict where these units are permitted, focusing on areas that already have a mixed-use character, rather than allowing them citywide. She emphasized that while the concept is still relatively new and less established than accessory dwelling units, the goal would be to create clear, Hayward-specific guidelines that balance neighborhood compatibility with the need to provide lower-barrier opportunities for small businesses and entrepreneurs.

Commissioner Meyers asked if there have been talks with the owner about paving the dirt lot near Aqua E Farina on Main Street, as it could improve downtown parking by organizing the space and increasing capacity. Chief Economic Development Officer Nguyen noted that it is City owned. Commissioner Meyers suggested paving the lot despite current funding challenges. Senior Planner Blanton replied that paving the lot is worth considering. She noted that parking issues downtown and along Mission Boulevard are common, partly due to a statewide shift away from requiring parking near transit like the nearby BART station. She emphasized exploring creative solutions, especially by assessing what can be done with city-owned properties, as encouraged by the Downtown Hayward Improvement Association (DHIA).



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Commissioner Meyers asked if the City agrees that improving parking availability is a priority. Senior Planner Blanton explained that while there was previously a belief that downtown had plenty of free parking, the perspective has shifted over the past several years, as development and residential density increase, noting that parking is now seen as a limited resource that the City needs to manage and protect.

Commissioner Goodbody asked about the discrepancy in deposit amounts between Conditional Use Permits (CUPs) and Administrative Use Permits (AUPs). Senior Planner Blanton explained that all planning applications require an initial deposit because the City bills hourly for staff time rather than charging a flat fee. She added that since Administrative Use Permits (AUPs) typically require less review time, their initial deposit is lower, while Conditional Use Permits (CUPs) require more extensive review, including preparation for public hearings, so the initial deposit is higher. She also noted that these deposits often don't cover the full cost, especially for more complex projects or applicants who are less familiar with the development process, which can require multiple rounds of review.

Commissioner Goodbody asked for clarification on what qualifies as a small-scale educational facility. Senior Planner Blanton explained that the City's code currently distinguishes between two types of educational facilities: traditional schools and smaller facilities like tutoring centers or training facilities for specific skills or trades that are under 2,000 square feet. She highlighted that many of these uses need slightly more space than 2,000 square feet which pushes them into a more complex permitting process and noted that the City is interested in making it easier for these types of small educational uses to open, as they are valuable additions to the community and align with the City's identity as an "education city."

Commissioner Haman asked if making beer and wine sales more permissible would give an unfair advantage to already established businesses, or if the proposed change in use and zoning would apply uniformly across the City. Senior Planner Blanton explained that the change would mainly benefit new businesses like breweries and wine shops, not full-service restaurants. She noted that these businesses often need a Conditional Use Permit (CUP), but the proposal would allow them to operate with a simpler Administrative Use Permit (AUP); and highlighted that the Police Department supports the idea, noting that there are fewer issues with early-closing establishments like breweries compared to late-night bars. Commissioner Haman clarified that he was inquiring about whether the change would apply citywide so that all businesses could benefit equally. Senior Planner Blanton replied that the change could apply citywide or be limited to certain zoning areas like Downtown or Mission Boulevard. She emphasized that this is something for the Commission to provide feedback on to determine where it would be most appropriate.

Commissioner Haman asked how "small-scale" entertainment activities are defined and what the proposed occupancy limit would be under the simplified permit process. Senior Planner



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Blanton replied that one nearby City limits live entertainment permits to events with fewer than 299 people. She explained that the simplified permit process is aimed at established businesses like bars or breweries wanting to host small performances. She also mentioned popular uses like karaoke, which currently require a more complex cabaret permit and police approval. Senior Planner Blanton noted that the idea is to allow such activities through a simpler process with conditions on attendance, hours, and other limits, which the Police Department has been supportive of.

Commissioner Haman asked if these small-scale entertainment activities would be special event permits. Senior Planner Blanton replied that there would be more permanent permits, to allow businesses to host regular performances or entertainment, while special event permits are for one-time occasions like street parties or festivals.

Commissioner Haman asked if the current permitting process is complicated and whether small-scale live entertainment is already permitted in most of the Downtown area. Senior Planner Blanton explained that recent updates to alcohol regulations now allow certain live music at restaurants, which is a new change; but noted that live entertainment is still generally rare because the permitting process is more burdensome than in other cities, resulting in few businesses applying for cabaret permits. Assistant Planner Riddle added that in addition to a Conditional Use Permit, businesses must also obtain a cabaret permit from the Police Department, meaning they need to secure two separate permits.

Commissioner Haman asked how allowing small-scale live entertainment might impact noise levels in mixed-use residential zones. Senior Planner Blanton replied that the City's noise ordinance applies to all businesses, including those with live or amplified music, and limits noise levels during certain hours measured at the property line to prevent disturbances. She noted that these rules would remain in effect to protect residents.

Commissioner Haman stated that requiring live entertainment to end by 9:00 PM seems like a disadvantage.

Commissioner Haman asked for examples of the specified entertainment zones in downtown that might allow or include alcoholic beverages. Senior Planner Blanton replied that the idea of specified entertainment zones is new for Hayward and more common in larger, tourist-focused cities. She highlighted that they have not identified specific locations but expect it would likely be downtown; and emphasized the need to work with the ABC (Alcoholic Beverage Control) to figure out how to structure such a zone in Hayward. Senior Planner Blanton invited feedback from the Commission on whether this concept is worth exploring further or if it might not be suitable for Hayward.

Commissioner Haman expressed concern that people may walk around with alcohol openly at



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any time and in any place. Senior Planner Blanton acknowledged the concern and agreed it might not be the right move for the City at this time.

Commissioner Haman asked what types of businesses the City envisions using accessory commercial units (ACUs) on residential properties for. Senior Planner Blanton replied that in other parts of the country accessory commercial units are often used for small storefronts, retail shops, studios, or fitness-related businesses, such as personal training or yoga instruction. She added that these setups typically involve converting garages or front-facing spaces in homes to commercial units. She noted that food-related uses, like cafes, are also common, but could be limited through local regulations. Commissioner Haman asked whether the Health Department would also need to be involved in cases where accessory commercial units are used for food-related businesses, to which Senior Planner Blanton replied yes, as they are for all food related businesses in the city.

Commissioner Haman noted that placing businesses in residential areas could lead to issues such as increased parking demand, foot traffic, noise, and odors, which may not be desirable in a neighborhood setting. Senior Planner Blanton agreed and explained that is one reason staff wouldn't recommend allowing accessory commercial units citywide. She highlighted that while these businesses are typically intended to serve the immediate neighborhood, they can still create impacts depending on the type of use. She added that such uses may be more appropriate in residential areas near commercial hubs or in already mixed-use neighborhoods. Planning Manager Lochirco explained that Accessory Commercial Units (ACUs) support neighborhoods by allowing small, local businesses to operate in residential areas. He noted that this helps residents shop nearby, promotes equity by offering affordable business spaces, and generates tax revenue. He highlighted that if supported, staff would create standards to prevent issues like noise or traffic.

Commissioner Haman asked if the City would be able to address any problems that arise from Accessory Commercial Units if they become an issue. Planning Manager Lochirco explained that, like the current home occupation program, there are established guidelines in the Municipal Code. He added that if a home-based business violates these rules, their business license can be revoked, ensuring the City can address any issues and keep businesses as good neighbors in the community.

Chair Hardy asked whether there is a distinction being made between parklets and outdoor dining. Senior Planner Blanton replied that parklets impact parking spaces, while outdoor dining typically occurs within the sidewalk right-of-way and doesn't affect parking. She explained that the City could choose to allow one, both, or neither, depending on what seems appropriate.

Chair Hardy asked if the current discussion or proposal is focused only on parklets. Senior



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Planner Blanton replied that while "parklets" is a popular term for this type of outdoor dining seen in cities like Pleasanton, Berkeley, and Albany, parklets and sidewalk dining are different. She explained that parklets often involve using parking spaces and can be easier and less expensive to install than permanent sidewalk structures. She emphasized that the City is open to both options, as there's interest from businesses for permanent sidewalk dining and from the community for parklets. Senior Planner Blanton noted that they would likely have different rules and processes, and the City could choose to allow one, both, or neither based on what feels appropriate.

Chair Hardy asked who conducted the business owner survey. Senior Planner Blanton replied that she and Assistant Planner Riddle worked with their intern, Finn Smith, who went door-to-door this summer to inform businesses about the survey, encourage participation, and answer any questions about the project.

Chair Hardy asked what percentage of Hayward businesses participated in the survey. Chief Economic Development Officer Nguyen replied that there are 6,500 businesses in Hayward. Chair Hardy sought clarification, noting that out of 6,500 businesses in Hayward, only 51 participated in the survey. Senior Planner Blanton explained that the survey focused mainly on traditional commercial retail businesses, not industrial ones, since the industrial sector recently had code updates and wasn't the main focus. She noted Hayward has a strong industrial sector, so the city's many industrial businesses weren't targeted in this project.

Chair Hardy asked if the survey was mostly targeting businesses in the downtown area. Senior Planner Blanton replied that Finn was given a map and visited various shopping centers around town, focusing mainly on retail businesses, restaurants, personal services, and similar types of commercial establishments.

Chair Hardy asked if the survey was administered to businesses and the community in different languages. Senior Planner Blanton replied that the survey was only available in English and not administered in other languages.

There being no speakers, Chair Hardy open and closed public comment at 8:20 p.m.

Commissioner Goodbody offered several suggestions to support small businesses and community vitality. She noted that the proposed use of Accessory Commercial Units aligns well with existing efforts like the food vendor policy, particularly for food-related activities. She encouraged exploring opportunities to permit such uses in community spaces like the Southgate Community Center, which already attracts foot traffic and could serve as a hub for local entrepreneurs. Additionally, she suggested considering small-scale convenience stores in neighborhoods such as the Tennyson corridor, possibly integrated into mixed-use developments. Commissioner Goodbody emphasized the importance of enhancing City



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gateways with walkable green spaces, produce stands, and public art to draw visitors. She highlighted the need to prioritize vacant parcels in recruitment efforts, as lack of foot traffic may pose a barrier to attracting businesses. Finally, she recommended factoring in the timing of “The Loop” reconfiguration when planning parklet locations, offering these points as thoughtful input for the Commission’s consideration.

Commissioner Haman supported parklets and outdoor dining for improving downtown ambiance but expressed concerns about Hayward’s infrastructure and costs for reconfiguring streets like B and Main; suggested repurposing the cinema for community events to attract more visitors and emphasized the need for citywide permit streamlining; and highlighted successful ideas from other cities, but stressed the importance of safety, attractive spaces, and quality businesses, noting that while downtown Hayward has a long way to go, revitalization is possible with the right investment.

Commissioner Meyers supported expanded beer and wine sales, simplified permitting for live entertainment, and designated open-carry zones with clear boundaries; urged delaying expanded vendor permits until existing issues are resolved and opposed allowing street shows; backed zoning updates, including a unique data center category, and called for better upkeep of stalled developments to reduce blight; and suggested using local artists to beautify boarded-up storefronts and expressed optimism about Hayward developing a vibrant downtown like Pleasanton.

Commissioner Lowe emphasized the importance of preserving Hayward’s unique character rather than trying to emulate cities like Pleasanton; strongly supported streamlining business processes to attract new economic development while maintaining the City’s values, including environmental responsibility, compassion for the unhoused, and appreciation for the arts; cautioned against overusing Conditional Use Permits (CUPs) that might lead to more vacant storefronts and stressed the need for clear, Hayward-specific regulations; highlighted ongoing concerns with downtown’s confusing layout and public perception of safety, suggesting improved outreach to reshape how outsiders view the City; and also advocated for continued support and promotion of local businesses, both online and during community events, and urged long-term planning that anticipates future trends in technology and the job market.

Chair Hardy expressed strong enthusiasm for Hayward’s growth but emphasized the importance of preserving the City’s unique identity rather than comparing it to demographically different cities like Pleasanton or Emeryville; encouraged leaning into Hayward’s character as a “college town” and questioned the focus on narrowly targeted services, like small-scale educational offerings, that may not attract broader audiences; voiced concern over parklets, distinguishing them from outdoor dining, and noted their potential ties to gentrification; supported more permissive beer and wine sales, live entertainment, and designated entertainment zones, while expressing hesitation about Accessory Commercial



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Units (ACUs), preferring a more future-oriented approach; identified gaps in local offerings, such as meeting spaces, coworking hubs, and catering services, which often drive residents to neighboring cities; and stressed the need to streamline permitting processes to better support businesses aligned with Hayward's demographics, and highlighted safety perception and accessibility as key factors in attracting visitors and encouraging economic vitality.

Commissioner Meyers agreed with Commissioner Lowe about valuing Pleasanton but clarified he doesn't want Hayward to become Pleasanton or copy its vibe; stated he admires Pleasanton's strong community involvement and sees it as a model to strive for; and praised Hayward's current events like Trunk or Treat, Juneteenth, and summer street fairs as great examples of building community engagement and encouraged continuing on that path to strengthen local involvement.

APPROVAL OF MINUTES

2. Minutes of the Planning Commission Meeting on May 22, 2025 **MIN 25-089**

This item was continued to the next Planning Commission meeting.

3. Minutes of the Planning Commission Meeting on June 12, 2025 **MIN 25-091**

It was moved by Commissioner Lowe, seconded by Commissioner Goodbody, and carried unanimously, to approve the minutes of the Planning Commission on June 12, 2025.

AYES:	COMMISSISONER	Goodbody, Haman, Lowe, Meyers
	CHAIR	Hardy
NOES:	COMMISSIONER	
ABSENT:	COMMISSISONER	Stevens
ABSTAIN:	COMMISSIONER	

COMMISSIONERS' ANNOUNCEMENTS, REFERRALS

Planning Manager Lochirco made four announcements: 1) former Commissioner Franco-Clausen resigned last week, thanking her for her service; 2) a new commissioner has been selected and will be sworn in soon; 3) the September 11, 2025, Planning Commission meeting will likely be canceled due to no agenda items; and 4) the September 25, 2025, meeting will include two key items: a cannabis dispensary proposal at the former Walgreens site and a rezoning request for a Calhoun parcel, both requiring recommendations to the City Council.

ADJOURNMENT



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Attachment I

Chair Hardy adjourned the meeting at 8:55 p.m.

APPROVED:

A handwritten signature in cursive script, appearing to read "Ron Meyers", written over a horizontal line.

Ron Meyers, Secretary
Planning Commission

ATTEST:

A handwritten signature in cursive script, appearing to read "Briea Allen", written over a horizontal line.

Briea Allen
Planning Commission Secretary
Office of the City Clerk

