

ORDINANCE NO. 23-

AN ORDINANCE AMENDING THE ZONING MAP AND CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE), ARTICLE 2 (OFF-STREET PARKING REGULATIONS), ARTICLE 24 (MISSION BOULEVARD CODE) AND ARTICLE 28 (DOWNTOWN DEVELOPMENT CODE) OF THE HAYWARD MUNICIPAL CODE ASSOCIATED WITH THE HAYWARD RESIDENTIAL DESIGN STUDY

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

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution 23-XX approving the Zoning Map and Zoning Text Amendments to the Hayward Municipal Code as detailed in Exhibits A, B, C, D, E, and F.

Section 2. The Zoning Map is hereby amended to rezone 49 properties with *High Density Residential* and *Commercial/High Density Residential* General Plan land use designations from Single Family Residential District to Planned Development District, Medium Density Residential District, High Density Residential District and Neighborhood Commercial District, as illustrated in the Exhibit F, introduced herewith and as specifically shown in this Ordinance.

Section 3. Chapter 10, Planning, Zoning, and Subdivisions of the Hayward Municipal Code, which establishes development standards and regulations for all zoning districts within City boundaries, is hereby amended to add certain text (as indicated by underline) and delete certain provisions (as indicated by strikethrough) in the attached Exhibits A through E, related to the following: elimination of Hayward Municipal Code Sections 10-1.200: Single-Family Residential District, Section 10-1.300: Residential Natural Preservation District, Section 10-1.400: Medium Density Residential District and Section 10-1.500: High Density Residential and replacement of those existing Sections with Section 10-1.200: Residential Districts; and miscellaneous revisions to Chapter 10 Article 1: Zoning Ordinance, Article 2: Off-Street Parking Regulations, Article 24: Mission Boulevard Code and Article 28: Downtown Development Code, introduced herewith and as specifically shown in this Ordinance.

Section 4. 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. Pursuant to Section 620 of the City Charter, the Ordinance shall become effective immediately upon adoption by the City Council.

Section 5. Notice to Assessor. Pursuant to Government Code section 65863.5, the City Manager, or her designee, is authorized and directed to notify the county assessor of the re-zoning of properties pursuant to this Ordinance. Such notice shall be provided within 30 days of adoption of this Ordinance.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 12<sup>th</sup> day of December 2023, by \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the \_\_\_ day of \_\_\_\_, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward