

DIVISION 10-28.2.2: DOWNTOWN ZONES

DIVISION 10-28.2.2: DOWNTOWN ZONES**10-28.2.2.010 PURPOSE**

This Division establishes the building standards for the Downtown Zones. These standards reflect the community's vision for implementing the General Plan and the Plan to create places of walkable urbanism. These standards are intended to promote development that establishes and reinforces the highly valued character and scale of Downtown Hayward and the adjacent walkable urban neighborhoods.


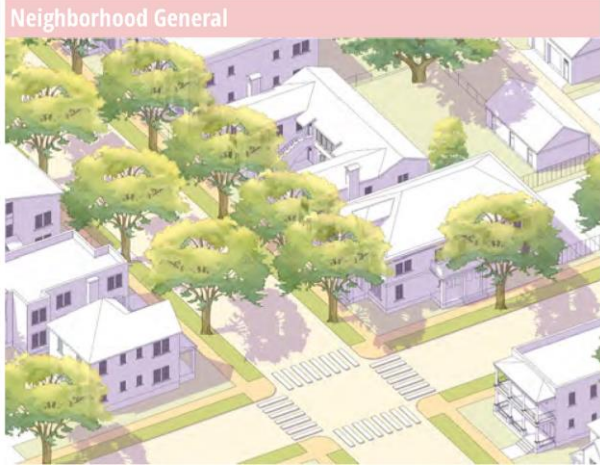
10-28.2.2.020 APPLICABILITY

- A. The standards in this Division apply to all proposed development within Downtown Zones, which must comply with other requirements in the Hayward Code.
- B. From the allowed types for the applicable zone, and in compliance with the listed standards, the following must be selected for each lot:
 - 1. Primary building type ~~(maximum one except for Cottage Building)~~;
 - 2. Frontage types; and
 - 3. Land uses.
- C. Building types, frontage types, and land uses not listed in a zone's standards are not allowed in that zone.
- D. Sites three acres or larger must comply with Article 4 (Standards for Large Sites).
- E. If there is a conflict between the standards of this Division and the standards in another Division or Article of this Chapter or the Hayward Code, the standards in this Division supersede the Hayward Code and Article 3 (Supplemental to Zones) supersedes this Division.

10-28.2.2.030 OVERVIEW OF DOWNTOWN ZONES

The Downtown Zones are described in this Division, and each zone is established based on the intent of the desired physical form and character of particular environments envisioned in the Downtown Specific Plan. These zones primarily focus on mixed-use, walkable areas of Downtown, and range in function and intensity from the lowest intensity (Neighborhood Edge), to moderate intensity neighborhoods (Urban Neighborhood) to higher intensity commercial, retail, and residential areas along corridors (Downtown Main Street and Urban Center). The naming of the zones is based on an overall spectrum of context types from less urban to more urban in Hayward. Table A (Overview of Downtown Zones) provides an overview of Downtown Zones within this spectrum.

Table: 2.2.030.A Overview of Downtown Zones

 Less Urban	
	
Zone(s)	Zone(s)
Neighborhood Edge (NE)	Neighborhood General (NG)
Desired Form	Desired Form
Small-to-Medium House-scale Buildings	Medium House-scale Buildings
Detached Buildings	Detached Buildings
Narrow-to-Medium Lot Width	Narrow-to-Medium Lot Width
Small-to-Medium Footprint	Small-to-Medium Footprint
Medium-to-Large Front Setbacks	Medium-to-Large Front Setbacks
Small-to-Medium Side Setbacks	Small-to-Medium Side Setbacks
Up to 2½ Stories	Up to 3½ Stories
Elevated Ground Floor	Elevated Ground Floor
Front Yards, Porches, Stoops, Dooryards	Front Yards, Porches, Stoops, Forecourts, Dooryards
General Use	General Use
Primarily residential.	Primarily residential, with neighborhood serving commercial uses.
Intent	Intent
A walkable neighborhood environment with small-to-medium footprint, lower-intensity housing choices, from Houses to Small Multiplex Buildings and Cottage Courts, supporting and within short walking distance of neighborhood-serving retail and services.	A walkable neighborhood environment with small-to-medium footprint, moderate-intensity, medium house-scale housing choices, from Houses and Rowhouses to Small Multiplex and Courtyard Buildings, supporting and within short walking distance of neighborhood serving retail and services.





 <p>Urban Neighborhood</p>	 <p>Downtown Main Street</p>
Zone(s)	Zone(s)
Urban Neighborhood (UN), Urban Neighborhood-Limited (UN-L)	Downtown Main Street (DT-MS)
Desired Form	Desired Form
Large house-scale and Block-scale Buildings	Block-scale Buildings
Detached or Attached Buildings	Attached Buildings
Small-to-Large Lot Width	Small-to-Large Lot Width
Small-to-Large Footprint	Small-to-Large Footprint
Small Front Setbacks	Small-to-No Front Setbacks
Small Side Setbacks	Small-to-No Side Setbacks
Up to 5 Stories	Up to 7 Stories (with <u>step</u> back above 5 stories)
Elevated Ground Floor or Flush with Sidewalk for Lobby Entrances	Ground Floor Flush with Sidewalk
Front Yards, Porches, Stoops, Dooryards, Shopfronts, Terraces	Stoops, Forecourts, Dooryards, Shopfronts, Terraces, Galleries
General Use	General Use
Mix of residential and commercial uses with only residential allowed in the limited sub-zone.	Ground floor commercial; office and/or residential on upper stories.
Intent	Intent
A walkable, urban neighborhood environment with small-to-large footprint, moderate-intensity, large house-scale and block-scale housing choices, from Rowhouse and Large Multiplex Buildings to Stacked Flats, supporting and within short walking distance of neighborhood-serving retail and services.	A walkable, vibrant urban main street serving as the citywide focal point for Hayward with commercial, retail, entertainment, and civic uses, public transportation, and small-to-large footprint, moderate-to-high-intensity housing choices, from Main Street Buildings to Lined Buildings.

Table: 2.2.030.A Overview of Downtown Zones	
<p>More Urban</p> 	
<p>Urban Center</p>	
	
Zone(s)	
Urban Center (UC)	
Desired Form	
Block-scale Buildings	
Attached Buildings	
Narrow-to-Large Lot Width	
Medium-to-Large Footprint	
Small-to-No Front Setbacks	
Small-to-No Side Setbacks	
Up to 11 Stories (with stepback above 5 stories)	
Elevated Ground Floor or Flush with Sidewalk	
Stoops, Forecourts, Dooryards, Shopfronts, Terraces	
General Use	
Ground floor commercial where required; primarily office and/or residential.	
Intent	
A walkable, urban neighborhood environment with medium-to-large footprint, moderate-intensity housing choices, from Rowhouses and Multiplex Large Buildings to Stacked Flats and Lined Buildings, supporting and within short walking distance of neighborhood-serving retail and services.	

10-28.2.2.040 NEIGHBORHOOD EDGE (NE)



A. Intent		B. Sub-Zone(s)
<p>A walkable, urban neighborhood environment with small-to-medium footprint, lower-intensity housing choices, from Houses to Small Multiplex Buildings and Cottage Courts, supporting and within short walking distance of neighborhood-serving retail and services.</p> <p>The following are generally appropriate form elements in this zone:</p>	Small-to-Medium House-scale Buildings	<p>None</p> <p><i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i></p>
	Detached Buildings	
	Narrow-to-Medium Lot Width	
	Small-to-Medium Footprint	
	Medium-to-Large Front Setbacks	
	Small-to-Medium Side Setbacks	
	Up to 2½ Stories	
	Elevated Ground Floor	
	Front Yards, Porches, Stoops, Dooryards	



Key

--- ROW / Lot Line

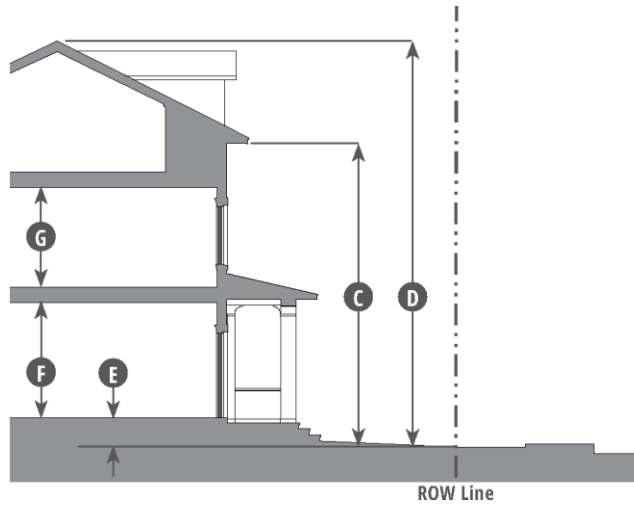
C. Building Types

Primary Building Type	Lot ¹ Width	A	Depth	B	Standards
Detached House	35' min. 75' max.		80' min.		3.3.050
Duplex	40' min.; 75' max.		100' min.		3.3.060
Cottage Court	75' min.; 150' max.		100' min.		3.3.070
Multiplex: Small	50' min. 100' max.		100' min.		3.3.080

¹Sites over 3 acres must comply with Article 4 (Standards for Large Sites).

Accessory Building Type

Carriage Building	3.3.040
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Key

--- ROW Line

D. Building Form

Height

Main Building

Stories	2½ stories max. ¹	
To Eave/Parapet	24' max.	C
Overall	35' max.	D

Accessory Structure(s)

Carriage Building	2 stories max. ¹
Other	1 story max.

Ground Floor Finish Level Above Sidewalk	12" min. ²	E
Ground Floor Ceiling	9' min.	F
Upper Floor(s) Ceiling	8' min.	G

¹ See Subsection C for applicable building types and Division 3.3 (Specific to Building Types) for additional height and massing standards.

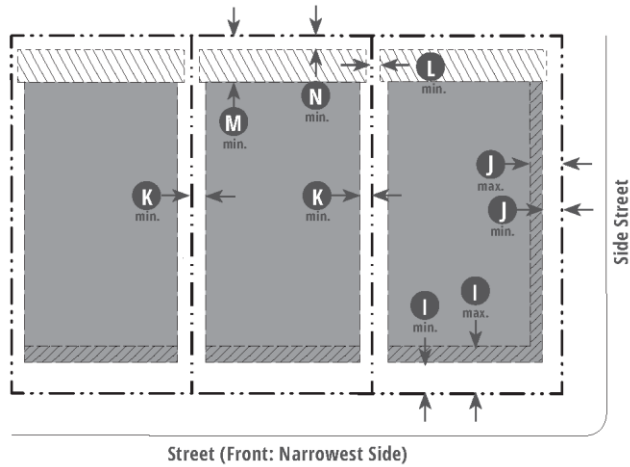
² Common entries for buildings may be set at grade to comply with ADA. Required for residential use facing a street and/or public right-of-way. ~~Applies only to room(s) on street-facing or civic space-facing facades.~~

Footprint

~~Lot Coverage~~ 60% max.

Accessory Structure(s)

—Width <u>Square Feet</u>	24' max. <u>750 max.</u>
—Depth	32' max.



Key	Buildable Area
----	ROW / Lot Line
----	Building Setback Line
Acc. Structures Only	
Facade Zone	

E. Building Placement

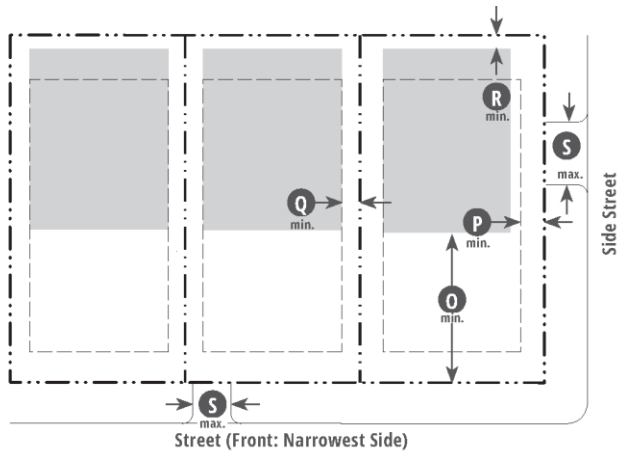
Setback (Distance from ROW/Lot Line)

Front (Facade Zone) ¹	10' min.; 15' max.	I
Street Side (Facade Zone)	7' min.; 10' max.	J
Side		
Main Building	5' min.	K
Accessory Structure(s)	3' min.	L
Rear	15' min.	M
Accessory Structure(s)	5' min.	N

Building within Facade Zone (Percent of Net Lot Width)

Front	65% min.
Street Side	50% min.

¹Buildings may be set in front of the minimum front setback to align with the building facade of the most immediately adjacent property. Or average front setback of abutting lots on the same frontage, whichever is less. For corner lots, average of minimum required and front setback of abutting lot on the same frontage, whichever is less.



Key

- ROW / Lot Line
- Building Setback Line
- Parking Area

F. Parking and Driveways

Minimum Required Spaces

Residential Uses 1 per unit, or 1/500 sf, whichever is less

Non-Residential Uses

≤ 1,500 sf None

>1,500 sf ~~21/1,000~~ 500 sf above first 1,500 sf

Required parking may be reduced in compliance with Section 3.2.020 (Parking and Loading).

~~No off-street parking required for Square footage of~~ accessory structure(s) shall not be included in parking calculation.

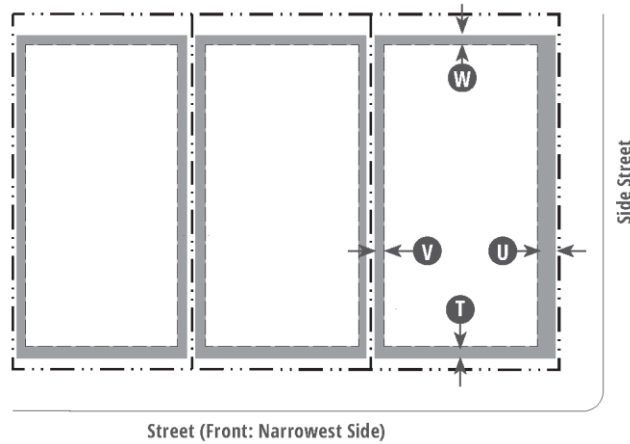
Location (Distance from ROW/Lot Line)

Front Setback	40' min.	⓪
Street Side Setback	10' min.	Ⓟ
Side Setback	5' min.	Ⓠ
Rear Setback	5' min.	Ⓡ

Miscellaneous

Curb Cut or Parking Driveway Width 14' max. Ⓢ

Driveways may be shared between adjacent lots.



Key

- ROW / Lot Line
- Building Setback Line
- Encroachment Area

G. Encroachments

Encroachment Type	T Front	U Side Street- Side	V Side	W Rear
Frontage ¹	5' max.	10' max.	—	—
Steps to Building Entrance	5' max.	5' max.	—	—
Architectural Features	3' max.	3' max.	3' max.	3' max.
Signage, Awning	A	A	—	—
Landscaping	A	A	A	A
Driveways, Walkways	A	A	A	A
Utility Lines, Wires, and Related Structures	A	A	A	A
Satellite Dish Antennas	—	—	A	A

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

¹ See Division 3.4 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

Key A = Allowed — = Not Allowed

H. Frontages

Private Frontage Type	Front	St.-Side Street Standards
Front Yard	A	A 3.4.040
Porch: Projecting	A	A 3.4.050
Porch: Engaged	A	A 3.4.060
Stoop	A	A 3.4.070
Dooryard	A	A 3.4.090

I. Signage

See Article 10-7 (Sign Regulations) of the Hayward Code. Properties within NE Zone must comply with sign regulations applicable to the CC-R Zone.

10-28.2.2.050 NEIGHBORHOOD GENERAL (NG)



A. Intent		B. Sub-Zone(s)
<p>A walkable, mixed-use neighborhood environment with small-to-medium footprint, moderate-intensity, medium house-scale housing choices, from Houses and Rowhouses to Small Multiplex and Courtyard Buildings, supporting and within short walking distance of neighborhood serving retail and services. The following are generally appropriate form elements in this zone:</p>	Medium House-scale Buildings	None
	Detached Buildings	
	Narrow-to-Medium Lot Width	
	Small-to-Medium Footprint	
	Medium-to-Large Front Setbacks	
	Small-to-Medium Side Setbacks	
	Up to 3½ Stories	<p><i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i></p>
	Elevated Ground Floor	
Front Yards, Porches, Stoops, Forecourts, Dooryards		



Key

---- ROW / Lot Line

C. Building Types

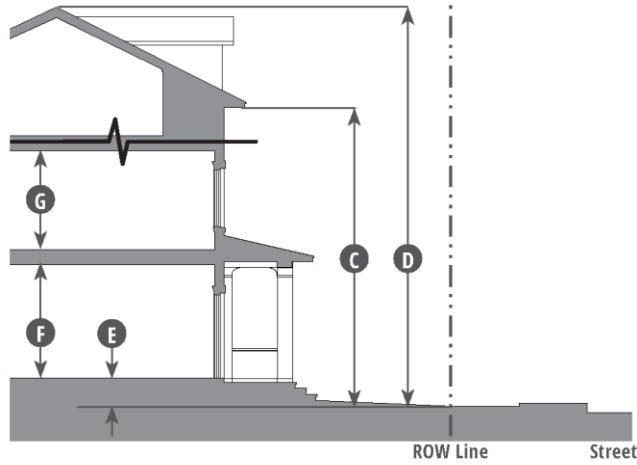
Primary Building Type	Lot ¹ Width	A	Depth	B	Standards
Detached House	35' min.; 75' max.		80' min.		3.3.050
Duplex	35' min.; 75' max.		80' min.		3.3.060
Cottage Court	75' min.; 150' max.		100' min.		3.3.070
Multiplex: Small	50' min.; 100' max.		100' min.		3.3.080
Rowhouse: House-scale	18' min. 40' max		80' min.		3.3.100
Courtyard	100' min.		150' max.		3.3.110

¹Sites over 3 acres must comply with Article 4 (Standards for Large Sites).

Accessory Building Type

Carriage Building² 3.3.040

²Carriage Building is not allowed on a lot with a Courtyard or Cottage Court building type.



Key

--- ROW Line

D. Building Form

Height

Main Building

Stories	3½ stories max. ¹	
To Eave/Parapet	36' max.	C
Overall	45' max.	D

Accessory Structure(s)

Carriage Building	2 stories max. ¹
Other	1 story max.

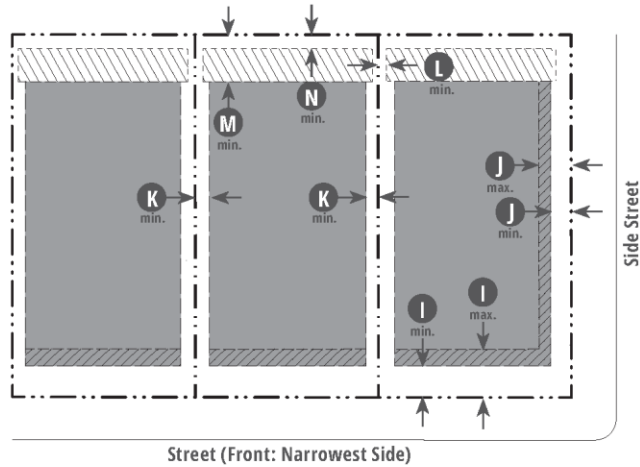
Ground Floor Finish Level Above Sidewalk	12" min. ²	E
Ground Floor Ceiling	9' min.	F
Upper Floor(s) Ceiling	8' min.	G

¹ See Subsection C for applicable building types and Division 3.3 (Specific to Building Types) for additional height and massing standards.

² Common entries for buildings may be set at grade to comply with ADA. Required for residential use facing a street and/or public right-of-way. ~~Applies only to room(s) on street-facing or civic space-facing facades.~~

Footprint

Lot Coverage	70% max.
Accessory Structure(s)	
—Width Square Feet	24' max. 750 max.
—Depth	32' max.



Key	Buildable Area
----	Acc. Structures Only
---	Facade Zone
---	Building Setback Line

E. Building Placement

Setback (Distance from ROW/Lot Line)

Front (Facade Zone) Interior Lot	5' min.; 10' max.	I
Street Side (Facade Zone)	5' min.; 10' max.	J
Side		
Main Building	5' min.	K
Accessory Structure(s)	3' min.	L
Rear	0' min.	M
	15' when abutting/ adjacent to NE, NG, RS, or RNP Zones	
Accessory Structure(s)	5' min.	N

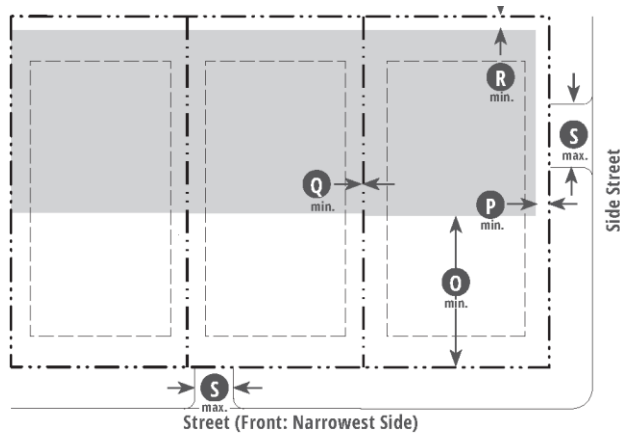
Building within Facade Zone (Percent of Net Lot Width)

Front	75% min.
Street Side	50% min.

Miscellaneous

On corner lots wider than 75', max. 75' of building is allowed to be built at 0' min. setback beginning from street corner.

A building with a chamfered corner is allowed only on corner lots and if a corner entry is provided.



Key

- ROW / Lot Line
- Building Setback Line
- Parking Area

F. Parking and Driveways

Minimum Required Spaces

Residential Uses 1 per unit, or 1/500 sf, whichever is less

Non-Residential Uses

≤ 1,500 sf

None

>1,500 sf

12/1,000 sf above first 1,500 sf

Required parking may be reduced in compliance with Section 3.2.020 (Parking and Loading).

No off-street parking required for Square footage of accessory structure(s) shall not be included in parking calculation.

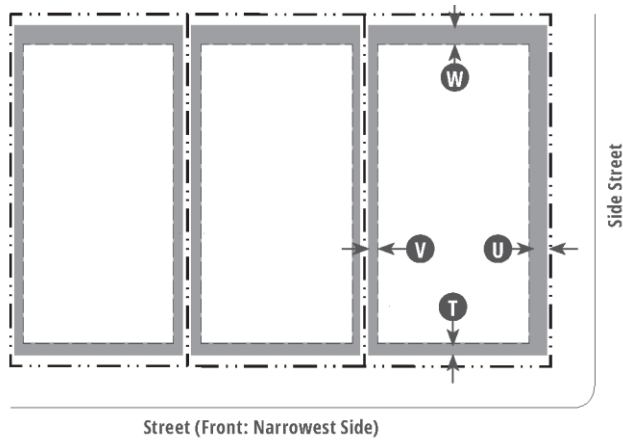
Location (Distance from ROW/Lot Line)

Front Setback	40' min.	⓪
Street Side Setback	5' min.	Ⓟ
Side Setback	0' min.	Ⓠ
Rear Setback	5' min.	Ⓡ

Miscellaneous

Curb Cut or Parking Driveway Width		Ⓢ
≤ 40 spaces	14' max.	
> 40 spaces	18' max.	

Driveways may be shared between adjacent lots.



Key

- ROW / Lot Line
- Building Setback Line
- Encroachment Area

G. Encroachments

	T	U	V	W
Encroachment Type	Front	St. <u>Side Street</u> Side	Side	Rear
Frontage ¹	4' max.	3' max.	—	—
Steps to Building Entrance	4' max.	3' max.	—	—
Architectural Features	3' max.	3' max.	3' max.	3' max.
Signage, Awning	A	A	—	—
Landscaping	A	A	A	A
Driveways, Walkways	A	A	A	A
Utility Lines, Wires, and Related Structures	A	A	A	A
Satellite Dish Antennas	—	—	A	A

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

¹See Division 3.4 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

H. Frontages

Private Frontage Type	Front	St. <u>Side Street</u> Standards
Front Yard	A	A 3.4.040
Porch: Projecting	A	A 3.4.050
Porch: Engaged	A	A 3.4.060
Stoop	A	A 3.4.070
Forecourt	A	A 3.4.080
Dooryard	A	A 3.4.090

I. Signage

See Article 10-7 (Sign Regulations) of the Hayward Code. Properties within NG Zone must comply with sign regulations applicable to the CC-R Zone.

10-28.2.2.060 URBAN NEIGHBORHOOD (UN)



A. Intent	B. Sub-Zone(s)	
<p>A walkable, urban neighborhood environment with small-to-large footprint, moderate-intensity, large house-scale and block-scale housing choices, from Rowhouse and Large Multiplex Buildings to Stacked Flats, supporting and within short walking distance of neighborhood-serving retail and services.</p> <p>The following are generally appropriate form elements in this zone:</p>	Large House-scale and Block-scale Buildings	Urban Neighborhood-Limited (UN-L)
	Detached or Attached Buildings	The limited zone provides same building form but it is restricted in allowed uses.
	Small-to-Large Lot Width	
	Small-to-Large Footprint	
	Small Front Setbacks	
	Small Side Setbacks	
	Up to 5 Stories	<i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i>
Elevated Ground Floor or Flush with Sidewalk for Lobby Entrances		
Font Yards, Porches, Stoops, Dooryards, Shopfronts, Terraces		



Key --- ROW / Lot Line

C. Building Types

Primary Building Type	Lot ¹ Width A	Depth B	Standards
Multiplex: Large	50' min.; 150' max.	100' min.	3.3.090
Rowhouse ² : Block Scale	18' min.; 50' max.	80' min.	3.3.100
Courtyard	100' min.	150' max.	3.3.110
Stacked Flats	100' min.; 250' max.	200' min.	3.3.120
Lined Building	320' max.	420' max.	3.3.140

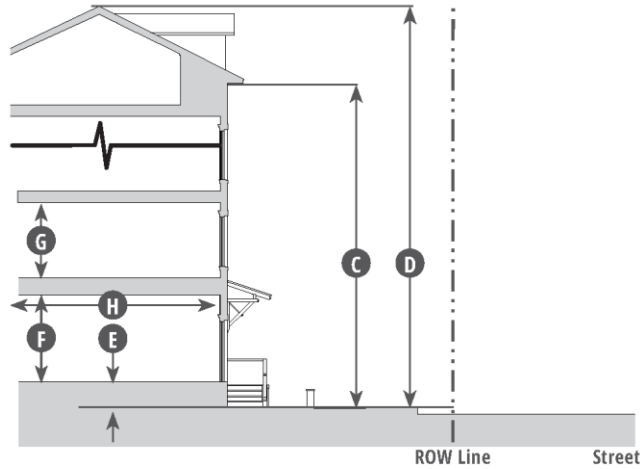
¹Sites over 3 acres must comply with Article 4 (Standards for Large Sites).

²Applies to the common ownership property, not the individual townhome lots. Townhouse lots shall be consistent with building footprint and associated private outdoor areas.

Accessory Building Type

Carriage Building ³	3.3.040
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³Only allowed on a lot with Rowhouse: ~~Block scale~~.



Key --- ROW Line

D. Building Form

Height

Main Building

Stories	5 stories max. ¹	
To Eave/Parapet	60' max.	Ⓒ
Overall	70' max.	Ⓓ

Accessory Structure(s)

Carriage Building	2 stories max. ¹	
Other	1 story max.	

Ground Floor Finish Level

Residential	12" min. ²	Ⓔ
Non-Residential	6" max.	

Ground Floor Ceiling

Residential	9' min.	Ⓕ
Non-Residential	14' min.	

Upper Floor(s) Ceiling

	8' min.	Ⓖ
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Building Depth, Ground Floor

	30' min.	Ⓗ
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¹ See Subsection C for applicable building types and Division 3.3 (Specific to Building Types) for additional height and massing standards.

² Common entries for buildings may be set at grade to comply with ADA. Required for residential use facing a street and/or public right-of-way. ~~Applies only to room structures(s) on street-facing or civic space-facing facades.~~

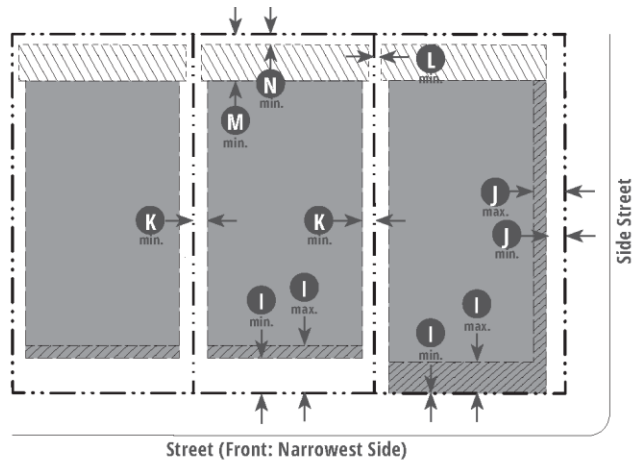
Footprint

~~Lot Coverage~~ 75% max.

Accessory Structure(s)

~~—Width—Square Feet~~ 24' max.—750 max.

~~—Depth~~ 32' max.



Key	█ Buildable Area
- - - - ROW / Lot Line	▨ Acc. Structures Only
- · - · - Building Setback Line	▩ Facade Zone

E. Building Placement

Setback (Distance from ROW/Lot Line)

Front (Facade Zone)		ⓘ
Interior Lot	5' min.; 10' max.	
Corner Lot ¹	0' or 5' min.; 10' max	
Street Side (Facade Zone)	5' min.; 10' max.	⓵
Side		
Main Building	5' min.	Ⓚ
Accessory Structure(s)	5' min.	Ⓛ
Rear	0' min.	Ⓜ
	15' when abutting/ adjacent to NE, NG, RS, or RNP Zones	
Accessory Structure(s)	5' min.	Ⓝ

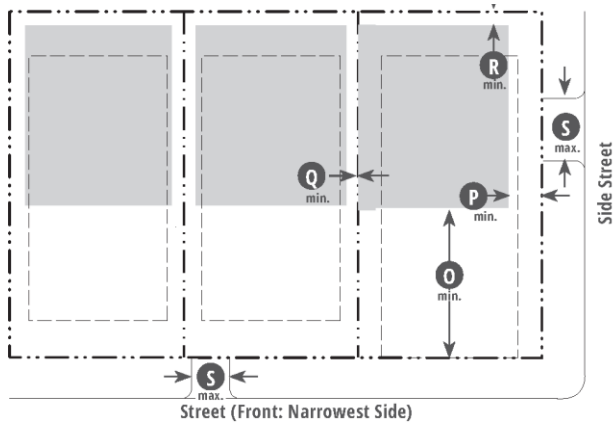
Building within Facade Zone (Percent of Net Lot Width)

Front	75% min.
Street Side	50% min.

Miscellaneous

¹On corner lots wider than 75', max. 75' of building is allowed to be built at 0' min. setback beginning from street corner.

A building with a chamfered corner is allowed only on corner lots and if a corner entry is provided.



Key

- ROW / Lot Line
- Building Setback Line
- Parking Area

F. Parking and Driveways

Minimum Required Spaces

Residential Uses 1 per unit, or 1/500 sf, whichever is less

Non-Residential Uses

≤ 1,500 sf

None

>1,500 sf

12/1,000500 sf above first 1,0500 sf

Required parking may be reduced in compliance with Section 3.2.020 (Parking and Loading).

No off-street parking required for uses in Square footage of accessory structure(s) shall not be included in parking calculation.

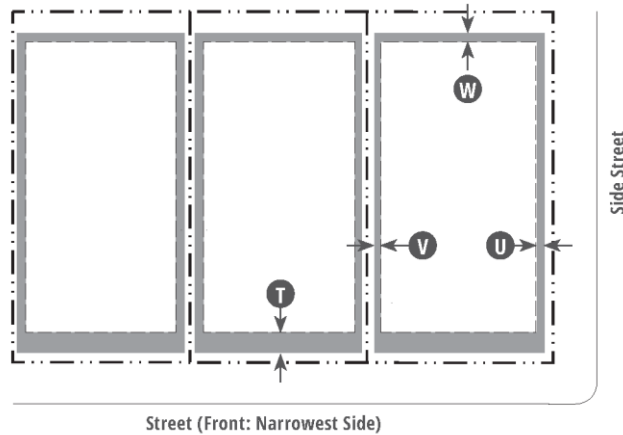
Location (Distance from ROW/Lot Line)

Front Setback	40' min.	○
Street Side Setback	5' min.	●
Side Setback	0' min.	○
Rear Setback	5' min.	●

Miscellaneous

Curb Cut or Parking Driveway Width		●
≤ 40 spaces	14' max.	
> 40 spaces	18' max.	

Driveways may be shared between adjacent lots.



Key

- ROW / Lot Line
- Building Setback Line
- Encroachment Area

G. Encroachments

Encroachment Type	T Front	U St. Side Street	V Side	W Rear
Frontage ¹	4' max.	3' max.	—	—
Steps to Building Entrance	4' max.	3' max.	—	—
Architectural Features	3' max.	3' max.	3' max.	3' max.
Signage, Awning ²	A	A	—	—
Landscaping	A	A	A	A
Driveways, Walkways	A	A	A	A
Utility Lines, Wires, and Related Structures	A	A	A	A
Satellite Dish Antennas	—	—	A	A

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

¹ See Division 3.4 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

² May encroach into street ROW within 2½' of curb.

Key Z=Zone **Z** Allowed Z Not Allowed

H. Frontages

Private Frontage Type	Front	St. Side Street Standards
Front Yard	A	A 3.4.040
Porch: Projecting	A	A 3.4.050
Porch: Engaged	A	A 3.4.060
Stoop	A	A 3.4.070
Forecourt	A	A 3.4.080
Dooryard	A	A 3.4.090
Shopfront	A	— 3.4.110
Terrace ¹	A	A 3.4.120

¹ Allowed only when necessary to accommodate grade change.

I. Signage

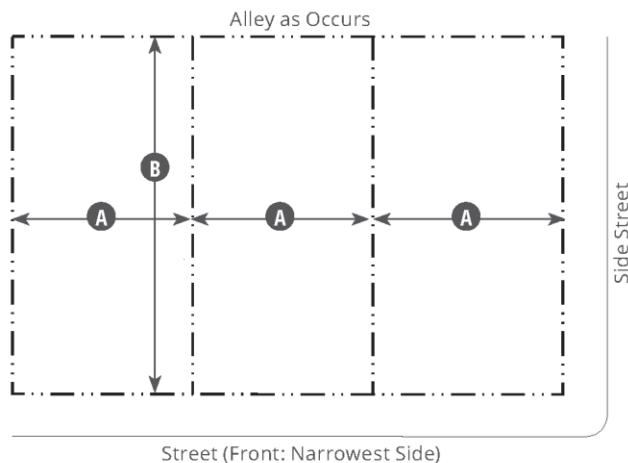
See Article 10-7 (Sign Regulations) of the Hayward Code. Properties within UN Zone must comply with sign regulations applicable to the CC-C Zone.

10-28.2.2.070 DOWNTOWN MAIN STREET (DT-MS)



A. Intent		B. Sub-Zone(s)
A walkable, vibrant urban main street serving as the citywide focal point for Hayward with commercial, retail, entertainment, and civic uses, public transportation, and small-to-large footprint, moderate-to-high-intensity housing choices, from Main Street Buildings to Lined	Block-scale Buildings	None
	Attached Buildings	
	Small-to-Large Lot Width	
	Small-to-Large Footprint	
	Small-to-No Front Setbacks	
	Small-to-No Side Setbacks	
	Up to 7 Stories (with stepback(s) above 5 stories)	
Ground Floor Flush with Sidewalk		

<p>Buildings. The following are generally appropriate form elements in this Zone:</p>	<p>Stoops, Forecourts, Dooryards, Shopfronts, Terraces, Galleries</p>	<p><i>General note: The image above is intended to provide a brief overview of this zone and is illustrative only.</i></p>
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Key - - - - ROW / Lot Line

C. Building Types

Primary Building Type	Lot ¹ Width A	Depth B	Standards
Main Street	200' max.	100' min.	3.3.130
Lined Building	400' max.	400' max.	3.3.140

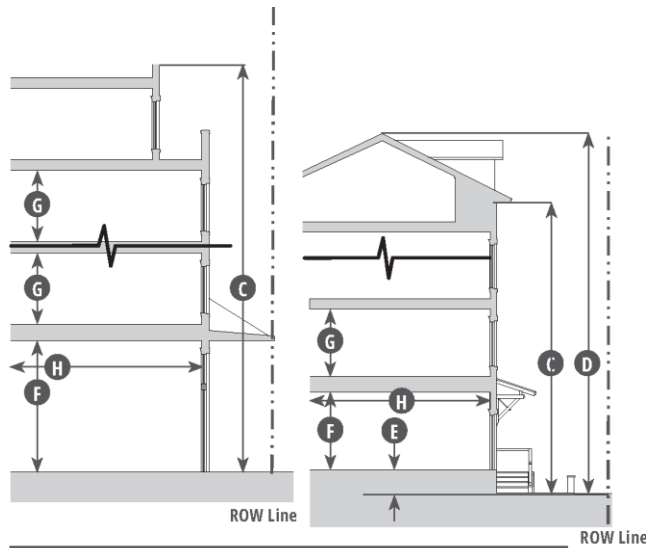
¹Sites over 3 acres must comply with Article 4 (Standards for Large Sites).

D. Building Form

Height

Main Building	7 stories max. ¹	
To Eave/Parapet	75' max.	C
Overall	85' max.	D
Accessory Structure(s)	1 story max.	
Ground Floor Finish Level Above Sidewalk	6" max.	E
Ground Floor Ceiling	14' min.	F
Upper Floor Ceiling	9' min.	G
Building Depth, Ground-Floor	40' min.	H

¹See Subsection C for applicable building types and Division 3.3 (Specific to Building Types) for additional height and massing standards.



Key - - - - ROW Line

Main Building Height Setback

Abutting NE, NG, RS, or RNP Zones

- Floors 4-5 25' min. from shared lot line
- Floors 6+ 35' min. from shared lot line

Where noted on the Regulating Plan (See Figure 2.1.020.1), along lot line:

- Floors 6+ 10' min. from lot line

Footprint

~~Lot Coverage 95% max.~~

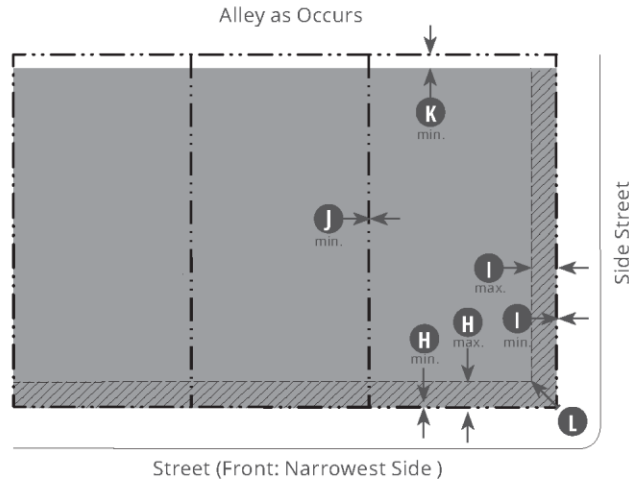
Accessory Structure(s)

~~—Width Square Feet 24' max. 750 max.~~

~~—Depth 32' max.~~

Miscellaneous

Maximum 35' between ground floor building entrances.



- Key**
- ROW / Lot Line
 - Building Setback Line
 - Buildable Area
 - ▨ Facade Zone

E. Building Placement

Setbacks (Distance from ROW/Lot Line)

Front (Facade Zone)	0' min, 10' max	Ⓜ
Street Side (Facade Zone)	0' min, 10' max	Ⓨ
Side	0' min.	Ⓩ
Rear	0' min.	Ⓚ

Building within Facade Zone (Percent of Net Lot Width)¹

Front	90% min.
Street Side	60% min.

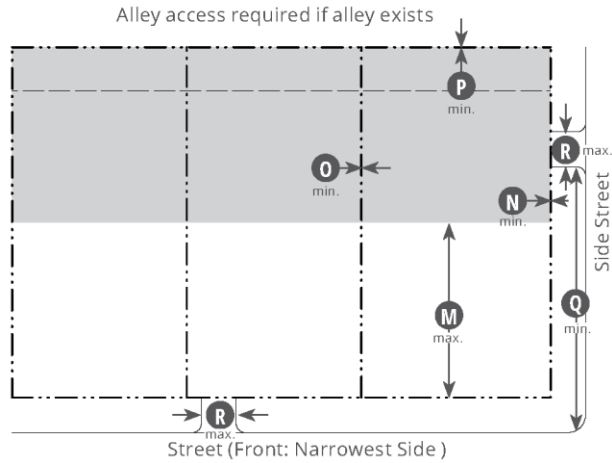
¹ Max. 10% of required frontage can be satisfied by a 2' to 43' fence or landscaped wall.

Miscellaneous

On a corner lot, building facade must be built to the lot line within 30' of the corner. Ⓛ

A building with a chamfered corner is allowed only on corner lots and if a corner entry is provided.

Planting strips are not allowed between sidewalk and building; sidewalk must be extended into setback to meet building.



Key

- - - ROW / Lot Line
- Parking Area

F. Parking and Driveways

Minimum Required Spaces

Residential Uses	1 per unit, or 1/500 sf, whichever is less
Non-Residential Uses	None
≤ 5,000 sf	
>5,000 sf	<u>Min. 12/1,000</u> 500 sf min. above first 5,000 sf; max. 125% of min.

Square footage of accessory structure(s) shall not be included in parking calculation.

Parking and loading areas must comply with Section 3.2.020 (Parking and Loading).

Required parking may be reduced in compliance with Section 3.2.020 (Parking and Loading).

Location (Distance from ROW/Lot Line)

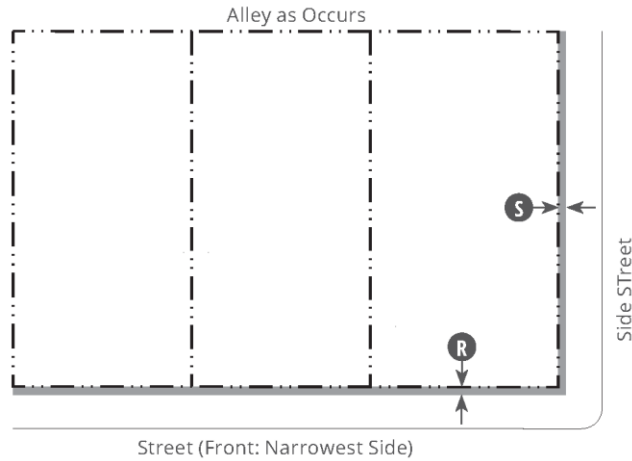
Front Setback	40' min.	Ⓜ
Street Side Setback	5' min.	Ⓝ
Side Setback	0' min.	Ⓞ
Rear Setback	0' min.	Ⓟ

Miscellaneous

Curb Cut Distance from Corner	50' min.	Ⓠ
Curb Cut or Parking Driveway Width		Ⓡ
≤ 40 Spaces	14' max.	
> 40 Spaces	18' max.	

All parking structures must be screened from the front street and the side street by building with ground floor space at least 40' deep from street.

Driveways may be shared between adjacent lots.



Key

- ROW / Lot Line
- Encroachment Area
- Encroachment Area

G. Encroachments

Encroachment Type

R
Front

S
~~St.~~
Side Street

Frontage¹

May encroach up to the property line.

Architectural Features

3' max.

3' max.

Signage, Awning²

A

A

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

¹ See Division 3.4 (Specific to Frontage Types) for further refinement of allowed encroachments for frontage elements.

² May encroach into street ROW to within 2½' of curb.

Key A = Allowed — = Not Allowed

H. Frontages

Private Frontage Type

Front

~~St.~~ **Side Street Standards**

Stoop	—	A	3.4.070
Forecourt	A	A	3.4.080
Dooryard	—	A	3.4.090
Maker Shopfront	—	A ¹	3.4.100
Shopfront ²	A	A	3.4.110
Terrace	A	A	3.4.120
Gallery	A	A	3.4.130

¹ Not allowed along parcel line where shopfront frontage is required by Regulating Plan (See Figure 2.1.020.1).

² For corner lots where the Regulating Plan requires a Shopfront, the Shopfront must turn the corner onto the side street and extend for a length equal to the depth required in Subsection D of the zone, "Building Depth, Ground Floor"

I. Signage

See Article 10-7 (Sign Regulations) of the Hayward Code. Properties within DT_MS Zone must comply with sign regulations applicable to the CC-C Zone.

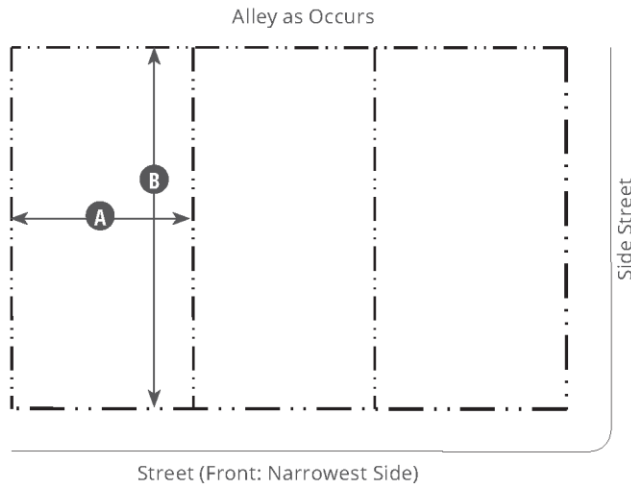
10-28.2.2.080 URBAN CENTER (UC)



A. Intent		B. Sub-Zone(s)
A walkable, urban neighborhood environment with medium-to-large footprint, moderate-intensity housing choices, from Multiplex Large Buildings to Stacked Flats and Lined Buildings, supporting and within short walking distance of neighborhood-serving retail and services. The following are generally	Block-scale Buildings	None
	Attached Buildings	
	Narrow-to-Large Lot Width	
	Medium-to-Large Footprint	
	Small-to-No Front Setback	
	Small-to-No Side Setbacks	
	Up to 11 Stories, (with stepback(s) above 5 stories)	<i>General note: The image above is intended to provide a brief</i>
Elevated Ground Floor or Flush with Sidewalk		

DIVISION 10-28.3.2 GENERAL STANDARDS

appropriate form elements in this Zone:	Stoops, Forecourts, Dooryards, Shopfronts, Terraces	<i>overview of this zone and is illustrative only.</i>
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Key - - - - ROW / Lot Line

C. Building Types

Primary Building Type	Lot ¹ Width	A	Depth	B	Standards
Courtyard	250' max.		150' min.		3.3.110
Stacked Flats	200' max.		100' min.		3.3.120
Lined Building	400' max.		400' max.		3.3.140
Mid-Rise	400' max.		400' max.		3.3.150

¹Sites over 3 acres must comply with Article 4 (Standards for Large Sites).

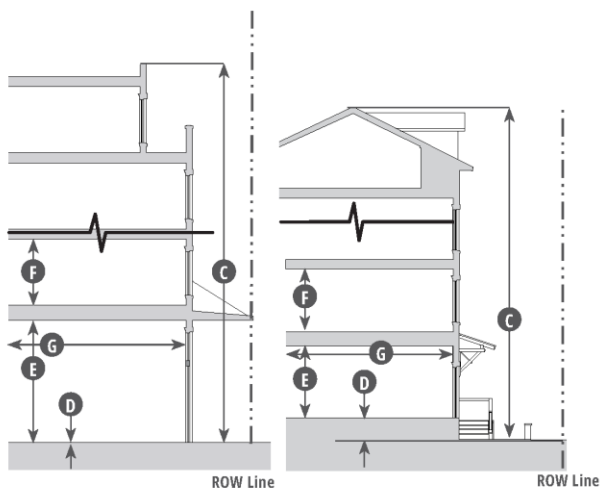
D. Building Form

Height

Main Building	11 stories max. ^{1,2}	
Overall	124' max. ³	C
Accessory Structure(s)		
Accessory Dwellings	2 stories max.	
Other	1 story max.	
Ground Floor Finish Level above Sidewalk		D
Residential	12" min. ⁴	
Non-Residential	6" max.	
Ground Floor Ceiling		E
Residential	12' min	
Non-Residential	14' min	
Upper Floor Ceiling	8' min.	F
Building Depth, Ground Floor	30' min.	G

DIVISION 10-28.3.2 GENERAL STANDARDS

¹ Within 20' of the rear lot line, buildings may not be more than 7' taller than the allowed height of adjacent buildings.



Key --- ROW / Lot Line

² See Subsection C for applicable building types and Division 3.3 (Specific to Building Types) for additional height and massing standards.

³ Maximum 173' allowed at office tower location, APN: 415-0250-112-00

⁴ Common entries for buildings may be set at grade to comply with ADA. Required for residential use facing a street and/or public right-of-way. Applies only to room(s) on street-facing or civic space-facing facades.

Main Building Height Setback

Abutting NE, NG, RS, or RNP Zones

Floors 4-5	25' min. from shared lot line
Floors 6+	35' min. from shared lot line
Floors 6+	10' min. from lot line

Where noted on the Regulating Plan (See Figure 2.1.020.1), along lot line:

Footprint

~~Lot Coverage~~ 95% max.

Accessory Structure(s)

~~—Width-Square Feet~~ 24' max.-750 max.

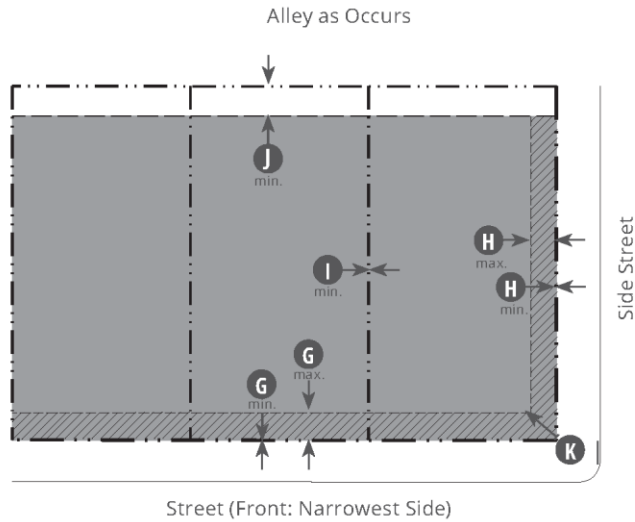
~~—Depth~~ 32' max.

Miscellaneous

Maximum 50' between ground floor building entrances.

Loading docks, overhead doors, and other service entries ~~must be screened and~~ shall not be located on front street facades.

DIVISION 10-28.3.2 GENERAL STANDARDS



Key

- ROW / Lot Line
- Building Setback Line
- Buildable Area
- ▨ Facade Zone

E. Building Placement

Setback (Distance from ROW/Lot Line)

Front (Facade Zone)	0' min.; 10' max.	G
Street Side (Facade Zone)	0' min.; 10' max.	H
Side	0' min.	I
Rear		J
Adjacent to DT-MS Zone	0' min.	
Adjacent to any other zone	10' min.	

Building within Facade Zone (Percent of Net Lot Width)

Front	75% min.
Street Side	65% min.

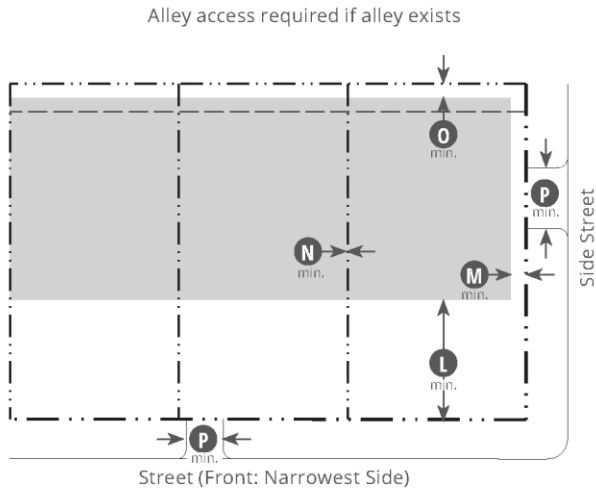
Miscellaneous

On a corner lot, building facade must be built to the lot line within 30' of the corner. **K**

A building with a chamfered corner is allowed only on corner lots and if a corner entry is provided.

Entire ROW must be defined by a building or a 2' to 3' high fence or landscape wall.

DIVISION 10-28.3.2 GENERAL STANDARDS



Key

- ROW / Lot Line
- Building Setback Line
- Parking Area

F. Parking and Driveways

Minimum Required Spaces

Residential Uses	1 per unit, or 1/500 sf, whichever is less
Service or Retail Uses	No spaces required
≤ 3,500 sf	<u>Min. 12 spaces/1,000,500 sf min.</u> above first 3,500
>3,500 sf	sf; max. 125% of min.

Square footage of accessory structure(s) shall not be included in parking calculation.

Parking areas must comply with Section 3.2.020 (Parking and Loading).

Required parking may be reduced as set forth in Section 3.2.020 (Parking and Loading).

Location (Distance from ROW/Lot Line)

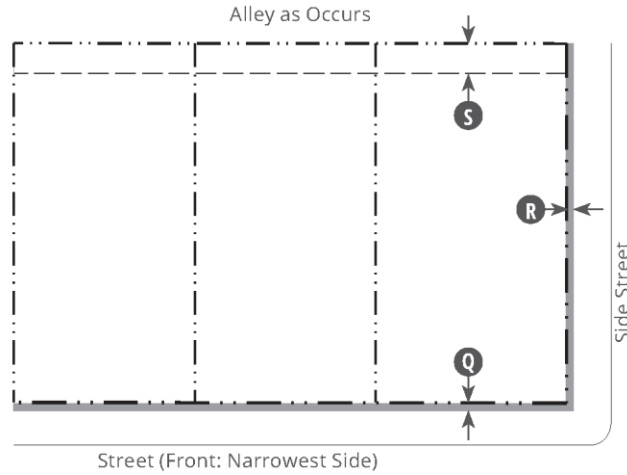
Front Setback	40' min.	L
Street Side Setback	5' min.	M
Side Setback	0' min.	N
Rear Setback	5' min.	O

Miscellaneous

Curb Cut or Parking Driveway Width		P
≤ 40 spaces	14' max.	
> 40 spaces	18' max.	

All parking structures must be screened from the front street and street side by ground floor space at least 30' deep from street.

DIVISION 10-28.3.2 GENERAL STANDARDS



Key

--- ROW / Lot Line ■ Encroachment Area

G. Encroachments

Encroachment Type

Q Front **R** ~~St.~~ Side Street **S** Rear

Frontage ¹	May encroach up to property line		
Architectural Features	3' max.	3' max.	—
Signage, Awning ²	A	A	—
Landscaping	A	A	A
Driveways, Walkways	A	A	A ³
Utility Lines, Wires, and Related Structures	A	A	A
Satellite Dish Antennas	—	—	A

Encroachments at grade are not allowed within a street ROW, alley ROW, or across a lot line.

¹ See Division 3.4 (Specific to Frontage Types) for further refinement of the allowed encroachments for frontage elements.

² May encroach into street ROW to within 2½' of curb.

³ Driveway only allowed when access is from an alley.

Key Z=Zone **Z** Allowed Z Not Allowed

H. Frontages

Private Frontage Type

Front **~~St.~~ Side Street Standards**

Stoop	A	A	3.4.070
Forecourt	A	A	3.4.080
Dooryard	A	A	3.4.090
Shopfront ¹	A	A	3.4.110
Terrace	A	A	3.4.120

¹ For corner lots where the regulating plan requires a Shopfront, the Shopfront must turn the corner onto the side street and extend for a length equal to the depth required in Subsection D of the zone, 'Building Depth, Ground-Floor'

DIVISION 10-28.3.2 GENERAL STANDARDS

I. Signage

See Article 10-7 (Sign Regulations) of the Hayward Code. Properties within UC Zone must comply with sign regulations applicable to the CC-C Zone.

10-28.2.3.010 ALLOWED LAND USES AND PERMIT REQUIREMENTS

- A. **Allowed Land Uses.** The land uses allowed in the Downtown Zones are established in Table A (Allowed Uses in Downtown Zones). Each land use listed in Table A (Allowed Uses in Downtown Zones) is defined in Section 6.1.020 (Land Uses).
- B. **Permit Required.** Land uses identified in Table A (Allowed Uses in Downtown Zones) are subject to the permit requirements listed in the Table.
- C. **Additional Standards.** Table A includes references to additional standards for specific uses in Division 3.5 (Specific to Use) or Chapter 10 (Planning, Zoning, and Subdivisions) of the Hayward Code.
- D. A land use that is not listed in Table A (Allowed Uses in Downtown Zones) is not allowed, unless the Director finds that the proposed use is similar to, compatible with, and is consistent with the purpose of the zone, the General Plan, and the Specific Plan, and the new use will not involve a greater intensity than a listed use.

Table 2.3.010.A Allowed Uses in Downtown Zones							
Land Use Type	Specific to Use Regulations	Permit Required by Zone					
		NE	NG	UN	UN-L	DT-MS	UC
Residential Uses							
Accessory Dwelling Unit (sADU) (Where primary use is residential)	3.5.020 10-1.2740	P	P	P	P	P	P
Day Care							
Day Care Center		-	CUP	P	P	P	P
Day Care Home		P	P	P	P	P	P
Group Home							
Small (6 or fewer residents)		P	P	P	P	P	P
Large (7 or more residents)		-	CUP	AUP	AUP	-	CUP
Home Occupation	3.5.040	P	P	P	P	P	P
Live/Work	3.5.050	-	P	P	-	P	P
Residential		P	P	P	P	P	P
Senior Housing		P	P	P	-	AUP	AUP
Civic, Education, Entertainment, and Assembly Uses							
Cultural or Meeting Facility		AUP	AUP	AUP	AUP	P	P
Educational Facility							
< 2,000 sf		AUP	AUP	P	AUP	P	P
≥ 2,000 sf		-	-	CUP	-	CUP	CUP
Entertainment Facility		-	-	AUP	-	P	P
Public Agency Facility		P	P	P	P	P	P
Public Park/Public Gathering		P	P	P	P	P	P
Recreational Facility							

DIVISION 10-28.3.2 GENERAL STANDARDS

Indoor		AUP	-	AUP	AUP	P	P
Outdoor		-	CUP	AUP	-	-	CUP
Studio; fitness, art, dance, music, etc.		-	AUP	P	-	P	P
Office and Service Uses							
Animal Hospital		-	-	CUP	-	AUP	AUP
Bed and Breakfast		AUP	AUP	P	P	P	P
Business/Commercial/Financial Services		-	AUP	P	-	P	P
Drive-in, Retail or Service	10-1.1045j	-	CUP	CUP	-	-	-
Hotel/Motel		-	-	AUP	-	P	P
Office		CUP	AUP	P	-	P	P
Personal Services		-	AUP	P	-	P	P
Restricted		-	-	CUP	-	CUP	CUP
Retail and Food Uses							
Artisan/Craft Production		-	CUP	CUP	-	P	P
Bar/Cocktail Lounge/Nightclub	10-1.2750	-	-	-	-	CUP	CUP
Commercial Cannabis Retail Dispensary	10-1.3600	-	-	CUP	-	CUP	CUP
Liquor Store	10-1.2750	-	-	-	-	CUP	CUP
Restaurant							
General		-	P	P	-	P	P
Full Service	10-1.2750	-	-	CUP	-	P	P
Drive Through	10-1.1045j	-	-	CUP	-	-	-
Retail, General							
≤ 10,000 sf		-	CUP	AUP	-	P	P
> 10,000 sf		-	-	CUP	-	AUP	AUP
Auto Uses							
Automobile Sales and Rental		-	-	CUP	-	CUP	-
Automobile Repair and Service Station		-	-	CUP	-	CUP	-
Parking Structure		-	-	CUP	-	AUP	AUP
Passenger Transportation		-	-	AUP	-	AUP	AUP
Other Uses							
Accessory Uses	3.5.030	P	P	P	P	P	P
Temporary Uses	3.5.060	TUP	TUP	TUP	TUP	TUP	TUP
Key							
P Permitted AUP Administrative Use Permit CUP Conditional Use Permit TUP Temporary Use Permit - Not Permitted							

(Amended by Ordinance 21-05 , § 4, adopted July 20, 2021)

DIVISION 10-28.3.2 GENERAL STANDARDS

DIVISION 10-28.3.2 GENERAL STANDARDS

10-28.3.2.010 SCREENING, FENCES, AND WALLS

- A. **Purpose.** This Section establishes standards for screening, which includes fences and walls, for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy, the abatement or attenuation of noise, and the improvement of the visual and built environment ~~in keeping with neighborhood and community character.~~
- B. **Applicability.** The provisions of this Section apply to all new development in Downtown Zones, and to improvements to existing development in Downtown Zones in compliance with Section 10-1.2900 (Nonconforming Uses) of the Hayward Code.
- C. **Design Standards for Screening.** Screening must comply with the following:
1. **All Building Sites.** Fences, walls, and other screening on building sites are subject to the height limits in Table A (Setback Requirements).

Table 3.2.010.A Setback Requirements	
Location	Height (max.)
Within Required Front Setback	43'
Within Required Street Side Setback ¹	43'
Within Required Side and Rear Setback ²	76'
¹ Within 10' of a side property line adjoining a public street	
² When installed along a rear property line, such as at the intersection of an alley and a street, that will obstruct a view, maximum 4'.	

2. **Screening Height Measurement Standards.**

- a. All screening height must be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material.
 - b. Where there is a difference in elevation on opposite sides of screening, the height must be measured from the highest elevation.
 - c. If the finished elevation of the property is lower at the boundary line, or within five feet inside the boundary line, than an abutting property elevation, the change in elevation may be used in lieu of, or in combination with, additional screening to satisfy a screening requirement.
 - d. ~~Where screening is required along a public or private street and the roadway elevation is higher than the property in question, the Director may require screens to be higher than allowed by the applicable height limit. See also Yard Exceptions – Fences, Hedges, Walls in Hayward Municipal Code Section 10-1.2725(g).~~
- ~~D. **Reduction of Required Screening or Screening Design Standards.** The Director may completely or partially waive required screening and associated standards in cases where the Director considers the relief necessary to maintain or enhance the architectural character of the surrounding neighborhood design.~~
- ED. Additional Screening Requiring Administrative Use Permit.** The following screening types must comply with the specified requirements and requires Director approval before issuing a Building Permit, as applicable.

1. **Courtyard.** Screening installed to create a courtyard without a roof must be a maximum of five feet in height and be set back at least as far as the adjoining building face. In reviewing the plan for the proposed courtyard, the Director may consider, but not be limited to, the following:
 - a. Building characteristics including the dimensions, color and architectural design;
 - b. Compatibility of the architectural and design features of the proposed courtyard with the features of the adjoining, as well as neighboring buildings; and
 - c. Landscaping, including the effort to minimize removal of existing vegetation and to match replacements with vegetation of the site.
2. **Fencing on Retaining Walls.** The total height of fences and the retaining walls that they are mounted on or attached to are limited to ~~seven~~ feet in height. ~~See also Yard Exceptions – Fences, Hedges, Walls in Hayward Municipal Code Section 10-1.2725(g). However, the Director may approve higher fencing if it is determined that there will be little or no impact on the adjoining properties or the walkable nature of the neighborhood and the height is necessary to achieve the objectives of this Section or is required for health and safety.~~

F. Mechanical Equipment Screening.

1. **Screening Required.**
 - a. New installation or relocation of existing mechanical equipment, whether installed on the roof, ground, or walls, must be screened from public view in compliance with this Subsection.
 - b. The following are exempt from this Subsection:
 - (i) Free-standing or roof-mounted solar equipment; and
 - (ii) Vents less than four feet in height may be exempt from the requirements in Subsection F.1.a. subject to Director review.
2. **Roof-mounted Equipment.** Building parapets or other architectural elements in the building's architecture style must screen roof-mounted equipment.
 - a. New buildings must be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new mechanical equipment to be located on the roof of the building.
 - b. For existing buildings with no or low parapet heights, mechanical equipment must be surrounded on all sides by an opaque screen wall as tall or taller than the highest point of the equipment. The wall must be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail. All new roof screens are subject ~~to approval of a Building Permit, to Site Plan Review and may be referred to the Planning Commission, as determined by the Director.~~ to approval of a Building Permit.
3. **Wall- and Ground-mounted Equipment.** All wall- and ground-mounted equipment must comply with the following:
 - a. May not be located between the face of the building and the street;
 - b. All screen devices must be as high or higher than the highest point of the equipment being screened. Equipment and screening must meet rear and side setbacks of the applicable zone;
 - (i) Screening must be architecturally compatible and include matching paint, finish, and trim cap of the building; and
 - (ii) All new mechanical screens for ground or wall-mounted equipment are subject to to approval of a Building Permit-Director review.

- G. **Temporary Fencing.** Temporary fencing may be used to provide security for approved special events, construction sites, or vacant structures and land, which cannot otherwise be secured. All temporary fencing must:
1. Consist of chain link, ~~or other durable metal~~ fencing, or other materials as approved by the Director;
 2. Not exceed ~~seven~~ feet in height;
 3. Be removed at the conclusion of the special event or completion of construction activities (i.e., final inspection) for which it was approved; and
 4. All approved fencing for construction sites may not be installed until a Building Permit or Grading Permit has been issued and must be removed prior to final inspection. The use of temporary fencing around occupied structures that can be secured by other means is not allowed. If the Building Permits expire before the construction is completed, the Director may issue a Temporary Use Permit to allow the fencing to remain for a longer period of time. The use of temporary fencing around vacant land or vacant structures is subject to the terms and conditions specified in an administrative permit authorizing this fencing.
- H. **Prohibited.** Barb type, electric, or razor wire screening is prohibited.
- I. **Safety Standards.** Where a lot is situated at the intersection of two or more streets, screening may not be erected, placed, planted, or allowed to grow in such a manner as to obstruct intersection visibility, in compliance with Ordinance No. 100 C.S., as amended, Article 9 (Obstructions to Visibility at Intersections Prohibited) of the Hayward Traffic Code, as the same are now in effect or which may be amended or replaced.

10-28.3.2.020 PARKING AND LOADING

- A. **Purpose.** This Section ensures the provision of parking spaces and access drives designed appropriately for motor vehicles and bicycles. This Section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new and intensified existing uses and development are met, while being designed and located in a manner consistent with the intended physical character of the zone.
- B. **Applicability.**
1. The requirements of Article 10-2 (Off- Street Parking Regulations) of the Hayward Code apply, except as superseded by this Division.
 2. Parking in compliance with this Division is required in all zones, as identified below:
 - a. New development;
 - b. Change in land use; and
 - c. Changes in intensity of buildings or structures made after the effective date of this ordinance that cause an increase or decrease of 25 percent or greater in:
 - (1) Gross floor area;
 - (2) Seating capacity;
 - (3) Dwelling units; and/or
 - (4) Parking spaces.
- C. **General Parking Standards.**
1. **Off-Site Parking.** Required off-street parking may be provided off-site in compliance with the following:

DIVISION 10-28.6.1 PURPOSE AND INTENT

- a. Required parking may be provided in off-street parking facilities on another property within 1,000 feet of the site proposed for development, as measured along thoroughfare right-of-ways;
 - b. Pedestrian access between the use or the site and the off-premises parking area must be through concrete or paved sidewalk or walkway; and
 - c. The owner shall provide a recorded parking agreement reflecting the arrangement with the off-site location.
2. **Larger Vehicle Parking.**
- a. Trucks, tractors, or tractor-trailers with capacity for more than a one-and-one-half-ton load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural, or transportation vehicles/equipment used primarily for business purposes, may not be parked or stored in the Downtown Zones for purposes other than unloading, loading, or delivery services.
 - b. Automobiles, small trucks, ~~or vans, or vehicle trailers allowed~~ **vans allowed** in conjunction with an approved home occupation (one per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this Subsection.
- D. **Number of Motor Vehicle Parking Spaces Required.**
- 1. **Required Spaces.** The minimum number of parking spaces required is listed in Subsection F of the zone standards.
 - 2. When calculating the maximum number of parking spaces, numbers may be rounded down to the closest whole number.
- E. **Parking Adjustments.**
- 1. **Shared Parking Calculation.** For buildings with two use types that want to share parking, shared parking can be calculated as the sum of the required parking for the two use types divided by the factor listed in Table A (Shared Parking Factor for Two Uses). The required number of parking spaces can be rounded up to the closest whole number. If the use is not listed in Table A, the shared parking is subject to the requirements in Subsection E.2.

Table 3.2.020.A Shared Parking Factor for Two Uses				
First Use	Second Use			
	Residential	Lodging	Office, Administrative/ Professional	Retail, General
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office, Administrative/Professional	1.4	1.7	1.0	1.2
Retail, General	1.2	1.3	1.2	1.0

- 2. **Shared Parking Study.** When three or more use types share parking or a use type is not listed in Table A, the amount of required parking may be reduced if:
 - a. The Director determines one of the following circumstances has been established, the Director may grant a reduction in the parking standards set forth in this Subsection in the following cases:

DIVISION 10-28.6.1 PURPOSE AND INTENT

- (1) Where uses seek to share parking with different peak hour demands and are in the same or adjoining development, the applicant shall submit to the Director an analysis and substantiated projections of peak parking demand for the entire development to justify the shared use of parking spaces for separate uses;
 - (2) Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Subsection D of the zone standards as described in a Parking Demand Study; or
 - (3) Where fewer parking spaces are needed due to implementation of a Transportation Demand Management Plan. ~~access to transit, special designs and traffic mitigation measures incorporated in the parking lot design and circulation plan.~~
- ~~b. The Director or the review authority, as appropriate, shall consider the following in determining whether a reduction is warranted:~~
- ~~(1) The likelihood that the reduced number of parking spaces can satisfy demand;~~
 - ~~(2) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;~~
 - ~~(3) The impact of periodic overflows upon the public thoroughfares and other parking facilities;~~
 - ~~(4) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;~~
 - ~~(5) The amount of on-street parking available within one-quarter of a mile of the development;~~
 - ~~(6) Any reduction in on-site parking demand by implementing Transportation Demand Management strategies proposed by the applicant; and/or~~
 - ~~(7) In all cases, the burden to demonstrate that a reduction in parking standards is warranted rests with the applicant.~~

F. Parking Spaces, Lot Design, and Layout.

1. **Loading.** On-site loading space(s) are not required where the site is adjacent to an alley or side street that provides temporary parking for loading/unloading activities.
2. **Driveways.**
 - ~~a. Access to Driveways. The forward motion of the vehicle must be practical when accessing to and from driveways onto public thoroughfares.~~
 - ab.** Driveways must extend and include the area between the lot line and the edge of the street pavement.
 - be.** The design and construction of all off-street parking access drives must meet the requirements of the City Engineering Standards.
3. **Identified as to Purpose and Location.** Off-street parking areas of four or more spaces and off-street loading areas must include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.
4. **Landscaping and Screening.**

DIVISION 10-28.6.1 PURPOSE AND INTENT

- a. Landscaped areas required in this section shall be composed of trees, shrubs, turf grass, planted ground cover, or a combination thereof. Landscaping shall be permanently maintained, including replacement where necessary. Landscaping shall be provided as required in Table C. Landscaping required in Table B (Required Interior Parking Lot Landscaping) must also comply with the standards of Section 3.2.010 (Screening, Fences, and Walls).

Table 3.2.020.B Required Interior Parking Lot Landscaping	
Number of Parking Spaces	Percent of Gross Parking Area in Landscaping
6 or fewer	0%
7 to 15	4%
16 to 30	8%
31 to 70	12%
71 and over	16%
Required Shade Trees	Standard
Amount	16 trees/gross site area acre, minus building coverage (footprint)
Can size	15 gallon
Height at installation	6-8' min.
Mature canopy	40' min.
Characteristics	High branching, broad headed, shading form
Location	Evenly spaced throughout the parking lot to provide uniform shade

- b. Screening of parking and loading areas must meet the standards in Table C (Parking and Loading Area Screening).

Table 3.2.020.C Parking and Loading Area Screening		
Zone	Adjacent Zone	Required Screening¹
UN, DT-MS, UC Zones	NE, NG or residential zone	67 -Min. 6 foot wall, fence, or evergreen hedge. ²
¹ Screening is not required when parking and loading area(s) are adjacent to an alley or between two properties within the same zone.		
² Max 4 feet if within a required street side setback.		

- c. Landscaping areas must accommodate stormwater management features to the extent feasible as determined by the City.
 - d. For the portion of a parking area over which photo-voltaic solar collectors are installed where they also function as shade structures, the minimum requirement for trees may be waived, and a minimum of three shrubs and three groundcovers must be planted in compliance with Section 10-12.05 (Water Efficient Landscape Worksheet) of the Hayward Code for every eight parking spaces.
5. **Location.**
- a. Location of required on-site parking in all zones is regulated by setbacks established in Division 2.2 (Downtown Zones) and the following:

DIVISION 10-28.6.1 PURPOSE AND INTENT

- (i) Parking lots with 20 or fewer spaces must have all off-street parking areas separated at least five feet from buildings in order to provide a sidewalk between the building and parking area;
- (ii) Parking lots with more than 20 spaces must have all off-street parking areas separated at least 10 feet from buildings in order to make room for a sidewalk, landscaping, and other planting between the building and the parking area; and
 - (1) This separation may be eliminated ~~behind to the rear of~~ buildings in areas designed for unloading and loading of materials.

- 6. **Size of Parking Lot.** ~~Individual parking areas within parking lots shall be maximum larger than one-quarter of an acre in size must be divided into smaller parking areas between 5,000 and 6,000 square feet in size with planted landscape areas with a minimum width of 15 feet between them each parking area to minimize the perceived scale of the total field of stalls.~~
- 7. **Tandem Parking.** Tandem parking is allowed in all Downtown Zones for all residential uses if:
 - a. Both tandem parking spaces satisfy the parking requirement of one residential unit; and
 - b. Neither of the tandem parking spaces are required accessible parking spaces.

G. Bicycle Parking Requirements.

- 1. **Applicability.** Bicycle parking requirements apply in all zones for the use types specified in Table D (Bicycle Parking Requirements).
- 2. **Exempt.** Bicycle parking is not required for single-family residential developments.
- 3. **Number of Bicycle Parking Spaces and Location Standards.**

Table 3.2.020.D Bicycle Parking Requirements			
Use Type	Required Short-Term Spaces	Required Long-Term Spaces	Location
Multi-Family Residential	1 per 10 units	1 per 4 units ¹	Either within the building or within 25 feet of the building entrance
Recreation, Civic, Education, Entertainment, and Assembly; Office and Service Uses; Retail and Food Uses ²	4 spaces or 20% of required off-street automobile parking spaces, whichever is greater (up to a maximum of 10 bicycle spaces)	1 for every 10 automobile spaces, minimum 2 spaces.	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks
¹ No long-term bike parking required if units have private garages.			
² At the discretion of the <u>Planning Director and City Engineer</u> , up to 50% of the required bicycle parking may be provided within the public right-of-way <u>if the site is constrained due to parking, landscaping, open space, walkways and other requirements.</u>			

- 4. **Bicycle Parking Standards.** Bicycle spaces must be provided in compliance with the following standards:

DIVISION 10-28.6.1 PURPOSE AND INTENT

-
- a. Uses must provide both long-term and short-term bicycle parking as required in Table D (Bicycle Parking Requirements);
 - b. Long term bicycle parking must consist of lockable enclosures (lockers) in which the bicycle is stored and short-term bicycle parking must include racks to which the bicycle can be locked;
 - c. Lockers and racks must be securely anchored to the pavement or a structure;
 - d. Racks must be designed and installed to allow two points of contact with the frame and allow the frame and one or both wheels to be secured;
 - e. Areas containing bicycle spaces must be surfaced with impervious surfaces such as concrete or pavers. Pervious pavements or gravel may be used where appropriate as determined by the Director or City Engineer;
 - f. When located within a parking area, curbs, fences, planter areas, bumpers, or similar barriers must be installed and maintained for the mutual protection of bikes, motor vehicles and pedestrians, unless determined by the Director to be unnecessary; and
 - g. ~~Bicycle parking must be placed as close as possible to the entrance of a development in a convenient, highly visible, active, and well-lit location. Bicycle parking must be placed within 100 feet of the entrance of the use the bicycle parking is serving as measured by path of travel or in conformance with the California Green Building Standard Code (CalGreen), whichever is more restrictive.~~
5. **Bicycle Parking Space Dimensions.** All bicycle parking must meet the following minimum dimensions:
- a. Each bicycle parking space must include a minimum area of 72 inches in length and 24 inches in width that is clear of obstructions;
 - b. No part of the rack may be located closer than 30 inches to a wall or other obstruction;
 - c. The front or back of the rack must be located no less than 48 inches from a sidewalk or pedestrian way; and
 - d. A minimum of 30 inches must be provided between adjoining racks.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.040 CARRIAGE BUILDING



Two-story Carriage Building with living unit above



Two-story Carriage Building with living unit above



Two-story Carriage Building with small living unit above

A. Description

DIVISION 10-28.6.1 PURPOSE AND INTENT

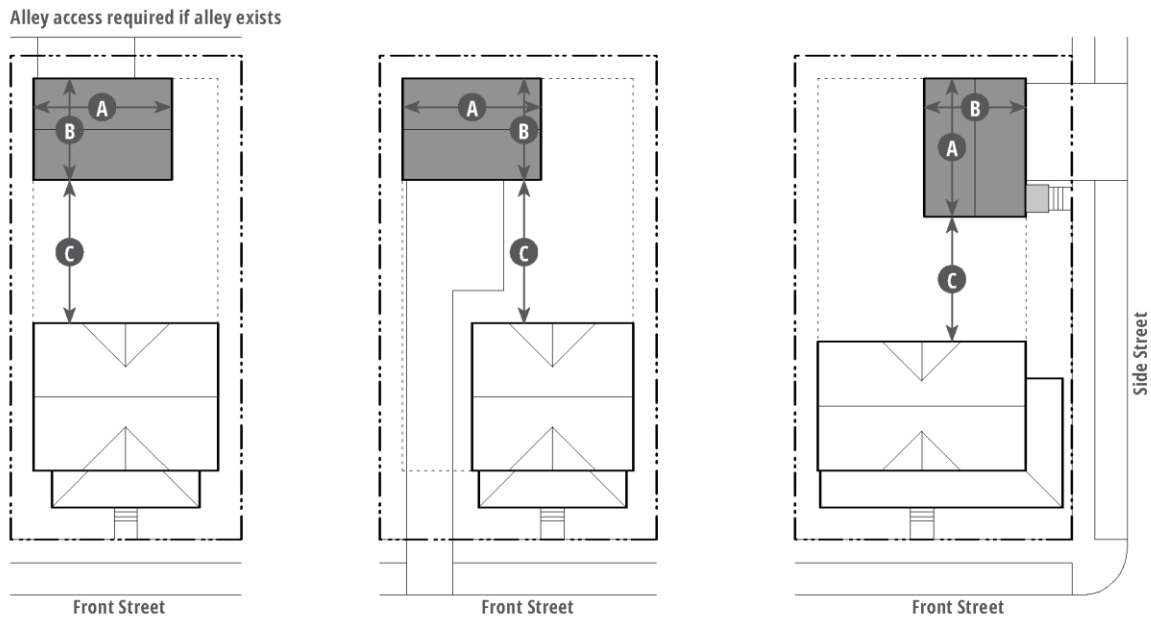
An accessory structure typically located at the rear of a lot. It typically provides either a small residential unit, home office space, or other small commercial or service use, as allowed by the zone, that may be above a garage or at ground level. This type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods.

House-Scale Building NE NG UN DT-MS UC

Only allowed on lots where the primary building has a residential use and is one of the following building types: Detached House, Duplex, Multiplex Small, Multiplex Large.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone Z Allowed Z Not Allowed



Key
 --- ROW / Lot Line Building
 - - - - Setback Line

Key
 --- ROW / Lot Line Frontage
 - - - - Setback Line

B. Number of Units

Units per Building	1 max.
Carriage Buildings per Lot	1 max.

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	2	2	2	—	—
Main Body					
Width	24' max.				A
Depth	32' max.				B
Separation from Primary Building	10' min.				C

DIVISION 10-28.6.1 PURPOSE AND INTENT

Building may be connected to primary building by an uninhabitable space such as a breezeway.

Miscellaneous

~~If used as a detached accessory dwelling unit, the Carriage Building may not be taller, or exceed 50% of the primary dwelling unit area or 1,200 sq. ft. See Section 3.5.020 (Accessory Dwelling Unit) and Section 10-2.2740 (Accessory Dwelling Unit) of the Hayward Code for additional requirements.~~

D. Allowed Frontage Types

Stoop	3.4.070
Dooryard	3.4.090

Structure not required to have a frontage type.

E. Pedestrian Access

Main Entrance Location	Street side, alley, or internal to the lot
------------------------	---

The main entrance may not be located through a garage.

F. Vehicle Access and Parking

Parking is not required. When provided it may be accessed from the alley or side street and may be accessed from the front only when there is not adjacent alley or street side.

G. Private Open Space

Requirements determined by the primary structure on the lot. No additional private open space is required for the structure.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.050 DETACHED HOUSE



1½-story Compact House with a projecting porch.



1½-story Compact House with a front yard.



2½-story Compact House with a projecting porch.

A. Description

A small detached structure on a small lot. It is typically located within a lower-intensity residential neighborhood in a walkable urban setting, potentially near a neighborhood main street. This type is important for promoting walkability and providing a broad choice of housing types, as well as house-scale non-residential uses.

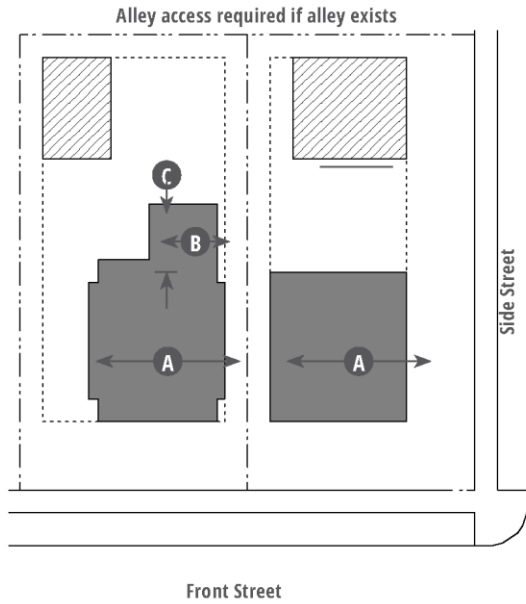
House-Scale Building

NE	NG	UN	DT-MS	UC
----	----	----	-------	----

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone Allowed Not Allowed

DIVISION 10-28.6.1 PURPOSE AND INTENT



Key

- ROW / Lot Line
- Setback Line
- Primary Structure
- ▨ Accessory Structure

B. Number of Units

Units per Building

- Primary Unit 1 max.
- ~~Accessory Dwelling Unit 1 max.~~
- ~~Houses per Lot 1 max.~~

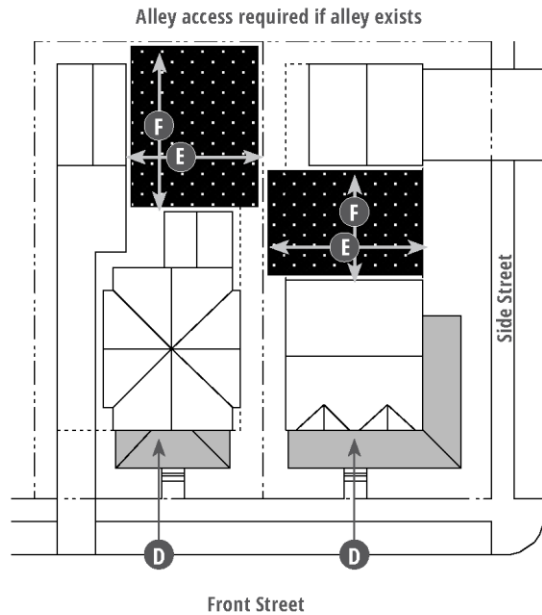
C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	2½	3½	—	—	—
Main Body					
Width	36' max.				A
Secondary Wing(s)					
Width	15' max.				B
Depth	20' max.				C

Articulation

Building Facade shall be designed in compliance with Subsection 3.3.160.B (Facade Articulation).

DIVISION 10-28.6.1 PURPOSE AND INTENT



Key

- ROW / Lot Line
- Setback Line
- Frontage
- ★ Private Open Space

D. Allowed Frontage Types

Front Yard	3.4.040
Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Dooryard	3.4.090

E. Pedestrian Access

Main Entrance Location	Front Street	ⓓ
------------------------	--------------	---

F. Private Open Space

Area	300 sf min.	
Width	15' min.	ⓔ
Depth	15' min.	ⓕ

Required street setbacks and driveways must not be included in the private open space area calculation. Required private open space must be located behind the main body of the primary structure.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.060 DUPLEX



Duplex side-by-side units, each with projecting porch.



Two-story Duplex.

A. Description

A small- to medium-sized detached structure that consists of two side-by-side or stacked dwelling units, both facing the street and within a single building massing. This type has the appearance of a medium to large single-family home and is appropriately scaled to fit within lower-intensity residential neighborhoods. It enables appropriately-scaled, well-designed moderate intensities and is important for providing a broad choice of housing types and promoting walkability.

House-Scale Building

- NE
- NG
- UN
- DT-MS
- UC

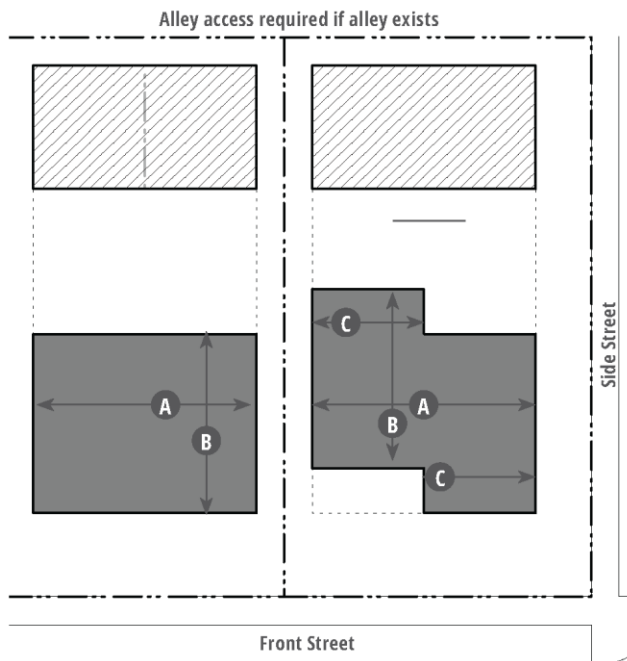
DIVISION 10-28.6.1 PURPOSE AND INTENT



Two-story Duplex with stoop frontage.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone **Z** Allowed Z Not Allowed



Key

- ROW / Lot Line
- Setback Line
- Primary Structure
- ▨ Accessory Structure

B. Number of Units

Units per Building	2 max.
Duplexes per Lot	1 max.

C. Building Size and Massing

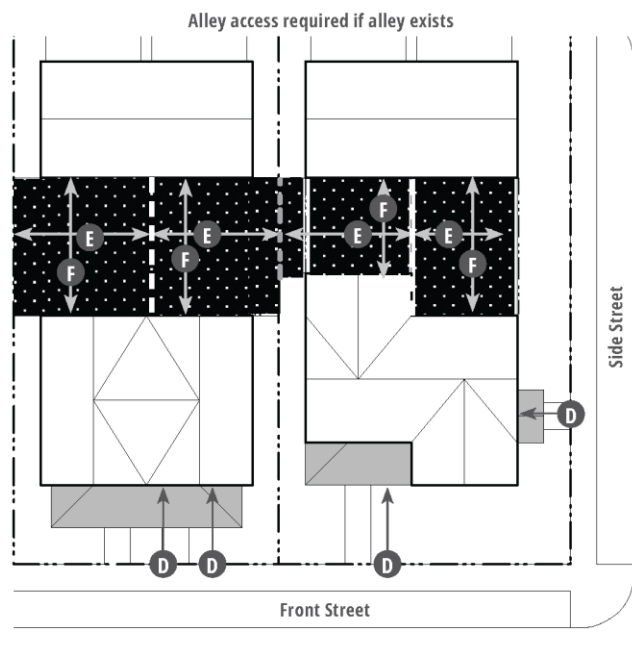
	NE	NG	UN	DT-MS	UC
Max. Number of Stories	2½	3½	—	—	—
Main Body					
Width	48' max.				A
Depth	36' max.				B
Secondary Wing(s)					

DIVISION 10-28.6.1 PURPOSE AND INTENT

Width 24' max. Ⓒ

Articulation

Building facade shall be designed in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage
- Private Open Space

D. Allowed Frontage Types

Front Yard	3.4.040
Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Dooryard	3.4.090

E. Pedestrian Access

Main Entrance Location Front Street¹ Ⓓ

Each unit must have an individual entry facing the street on or no more than 10' behind the front facade.

¹On corner lots, each unit must front a different street.

F. Private Open Space

Area	300 sf per unit, min.	
Width	15' min.	Ⓔ
Depth	15' min.	Ⓕ

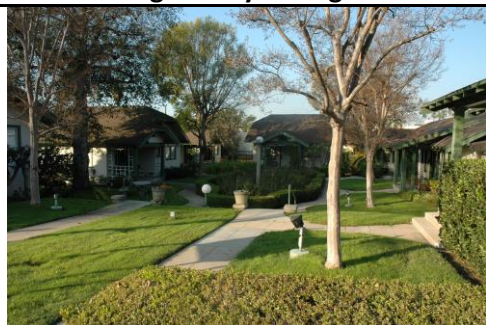
Required street setbacks and driveways may not be included in the private open space area calculation. Required private open space must be located behind the main body of the primary structure.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.070 COTTAGE COURT



Five-building 1-story Cottage Court with stoops along court leading to entries.




1½-story Cottage Court with heavily landscaped court.

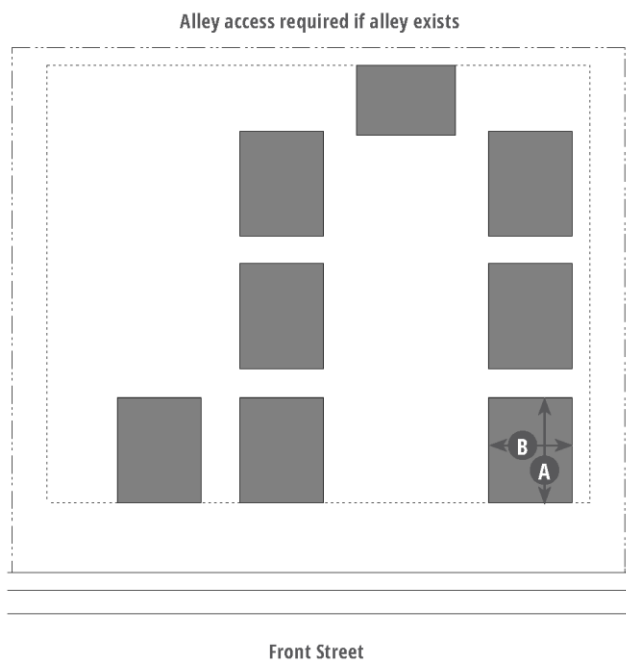
A. Description
 A group of small, detached, single unit structures, arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and becomes an important community-enhancing element. This type is appropriately-scaled to fit within low- to moderate-intensity neighborhoods and can be applied in non-residential contexts. It enables appropriately-scaled, well-designed moderate intensities and is important for providing a broad choice of housing types and promoting walkability.

House-Scale Buildings

- NE
- NG
- UN
- DT-MS
- UC

DIVISION 10-28.6.1 PURPOSE AND INTENT

	<p><i>General Note: Photos on this page are illustrative, not regulatory.</i></p>
<p>1½-story Cottage Court with small porches along court.</p>	<p>Key Z=Zone <input checked="" type="checkbox"/> Allowed <input type="checkbox"/> Not Allowed</p>



Key
 ---- ROW / Lot Line ■ Primary Structure
 Setback Line

B. Number of Units

Units per Building 1 max.
~~Cottages per Lot 3 min.; 9 max.~~

C. Building Size and Massing

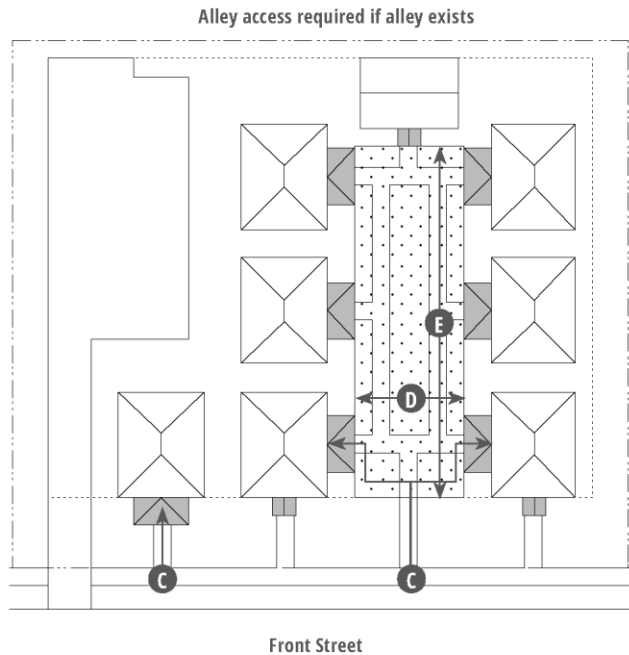
	NE	NG	UN	DT-MS	UC
Max. Number of Stories	1½	1½	—	—	—
Main Body					
Width	32' max.				A
Depth	24' max.				B
Secondary Wing(s)					

DIVISION 10-28.6.1 PURPOSE AND INTENT

Width 12' max.
 Depth 8' max.

Articulation

Building Facade shall be designed in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

--- ROW / Lot Line	■ Frontage
--- Setback Line	⋯ Common Open Space

D. Allowed Frontage Types

Front Yard	3.4.040
Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Dooryard	3.4.090

E. Pedestrian Access

Main Entrance ~~Location from P~~ublic ~~e~~Courtyard ⓐ
 Courtyard must be accessible from the front street.
 Units on a corner may enter from the street side.
 Pedestrian connections must link all buildings to the public ROW, courtyards, and parking areas.

F. Common Open Space

Width	20' min.	ⓓ
Depth	20' min.	ⓔ
Area	400-150 sf per unit min.	
<u>Only required for developments with 4 or more residential units</u>		

DIVISION 10-28.6.1 PURPOSE AND INTENT

Required street setbacks and driveways may not be included in the common open space area calculation.

[See HMC 10-1.204 \(l\)\(5\) for additional requirements.](#)

10-28.3.3.080 MULTIPLEX: SMALL



3-story Multiplex Small with central entry and services on the ground floor.



2½-story Multiplex Small with small front yard.

A. Description

A medium-sized structure that consists of ~~3 to 6~~ side-by-side and/or stacked dwellings, typically with one shared entry or individual entries along the front. This type has the appearance of a medium-sized single-family home and is appropriately scaled to fit sparingly within low- to moderate-intensity neighborhoods. This type enables appropriately-scaled, well-designed higher intensities and is important for providing a broad choice of housing types and promoting walkability.

House-Scale Building

NE NG UN DT-MS UC

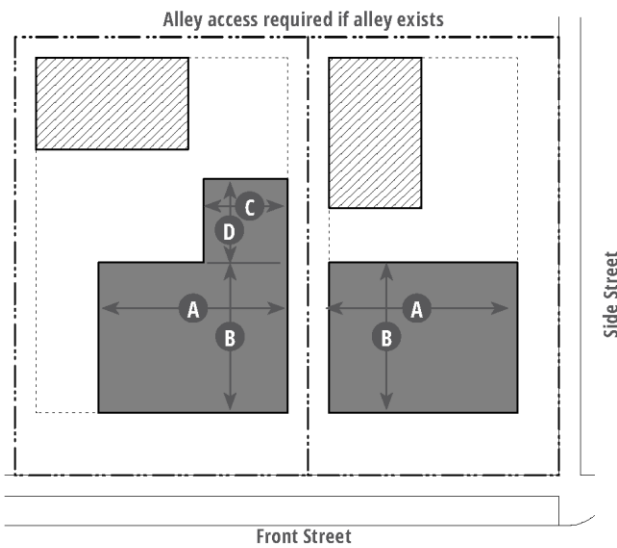
DIVISION 10-28.6.1 PURPOSE AND INTENT



2-story Multiplex Small with small balconies.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone **Z** Allowed Z Not Allowed



Key

- ROW / Lot Line
- Setback Line
- Primary Structure
- ▨ Accessory Structure

B. Number of Units

Units per Building 3 min.; ~~6 max.~~
 Multiplexes per Lot ~~1 max.~~

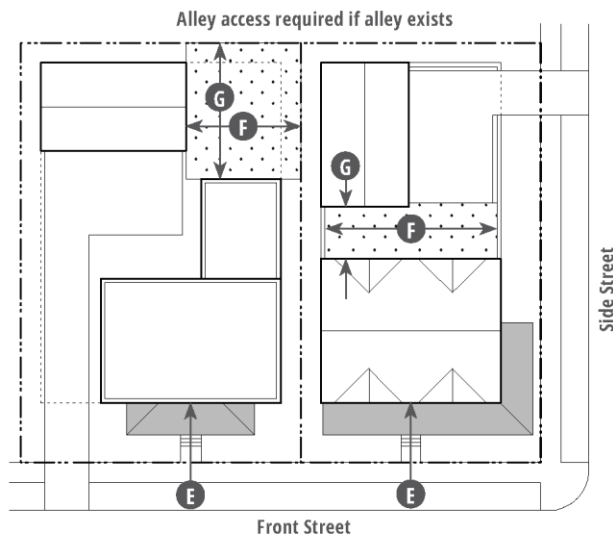
C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	2½	3½	—	—	—
Main Body					
Width	48' max.				A
Depth	48' max.				B
Secondary Wing(s)					
Width	30' max.				C
Depth	30' max.				D

DIVISION 10-28.6.1 PURPOSE AND INTENT

Articulation

Building Facade shall be designed in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage
- ▨ Common Open Space

D. Allowed Frontage Types

Front Yard	3.4.040
Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Dooryard	3.4.090

E. Pedestrian Access

Main Entrance Location	Front Street	E
Each unit must have an individual entry.		

F. Common Open Space

Area	100 sf per unit min.	
Width	8' min.	F
Depth	8' min.	G

Only required for developments with 4 or more residential units

Required street setbacks and driveways may not be included in the common open space area calculation.

Required common open space must be located behind the primary structure.

See HMC 10-1.204 (l)(5) for additional requirements.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.090 MULTIPLEX: LARGE



2-story Multiplex Large offers denser living options while maintaining the scale of a lower intensity neighborhood.



2-story Multiplex Large with front yard.


A. Description

A medium- to large-sized structure that consists of ~~6 to 18~~ side-by-side and/or stacked dwellings, typically with one shared entry. This type is appropriately scaled to fit in within moderate-intensity neighborhoods or sparingly within lower-intensity neighborhoods. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

House-Scale Building

NE	NG	UN	DT-MS	UC
----	----	----	-------	----

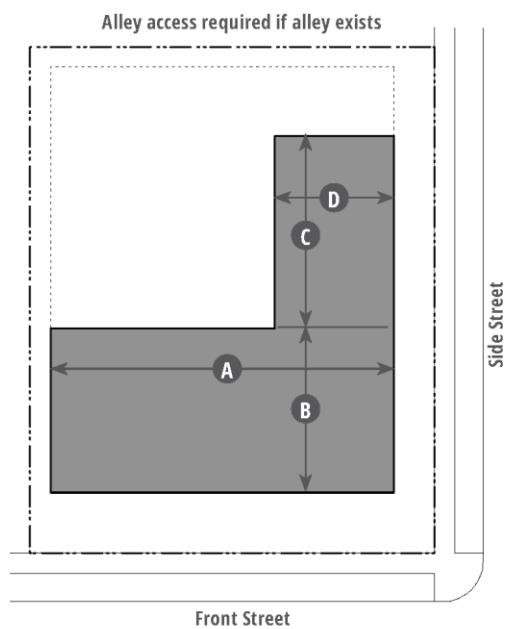
DIVISION 10-28.6.1 PURPOSE AND INTENT



3½-story Multiplex Large with central entry and significant 3rd floor outdoor space.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone Z Allowed Z Not Allowed



Key

- ROW / Lot Line
- Setback Line
- Primary Structure

B. Number of Units

Units per Building 6 min.; ~~18 max.~~
~~Multiplexes per Lot~~ ~~1 max.~~

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	—	—	3½	—	—
Main Body					
Width	80' max.				A
Depth	75' max.				B

DIVISION 10-28.6.1 PURPOSE AND INTENT

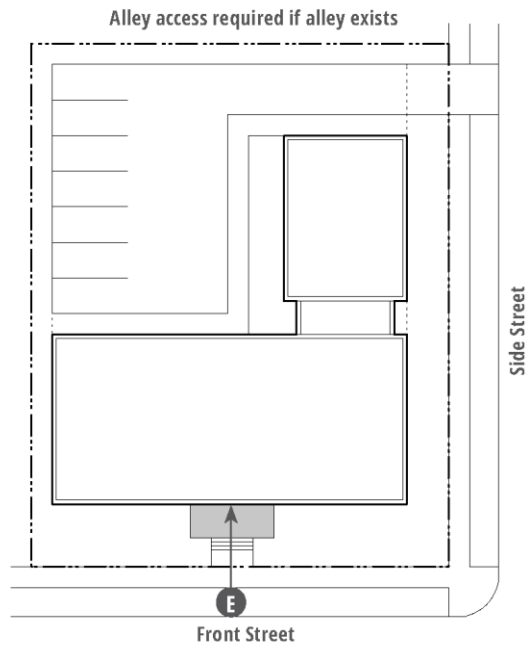
Secondary Wing(s)

Width	48' max.	Ⓒ
Depth	36' max.	Ⓓ

Articulation

Buildings at least 75' wide are required to:

1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage

D. Allowed Frontage Types

Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Terrace	3.4.120

E. Pedestrian Access

Main Entrance Location Front street Ⓔ

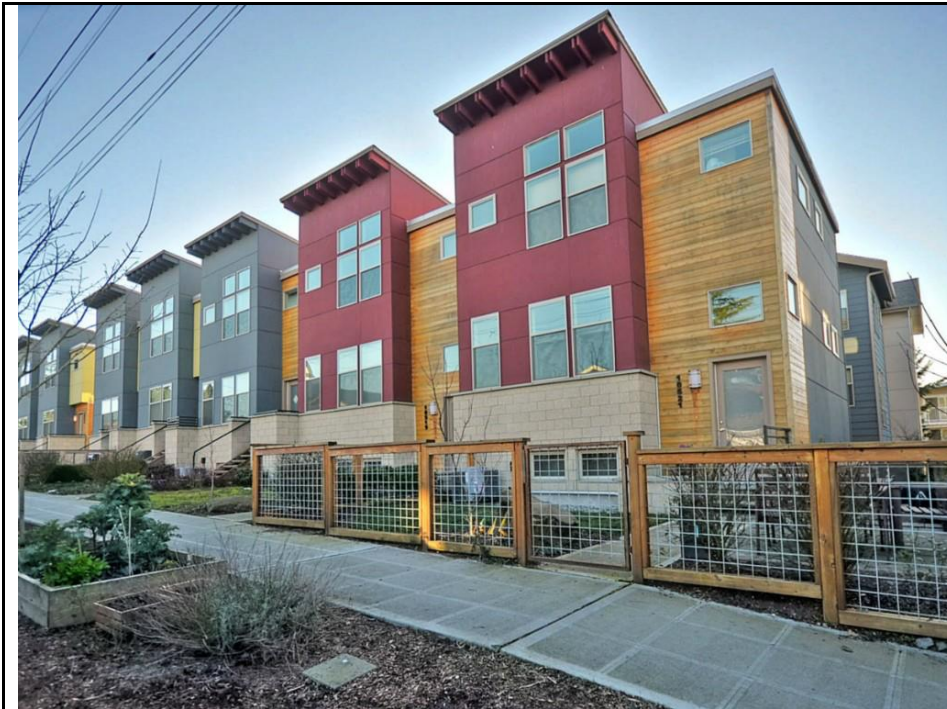
Units located in the main body must be accessed by a common entry along the front street.
 On corner lots, units in a secondary wing may enter from the street side.

F. Open Space

No open space requirement.

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.3.3.100 ROWHOUSE BUILDING



Two-story Rowhouses

with stoops that nicely shape this sidewalk.



Rowhouses with 2-story porches massed as one building.

A. Description

A small- to medium-sized attached structure that consists of ~~2 to 8~~ Rowhouses placed side-by-side. This type is typically located within moderate-intensity neighborhoods or near a neighborhood main street. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability. Also known as: Townhouse


~~House Scale: 2-3+ rowhouses per run~~

- NE
- NG
- UN
- DT-MS
- UC

~~Block Scale: 4-8 rowhouses per run~~

- ~~UN~~
- ~~DT-MS~~
- ~~UC~~

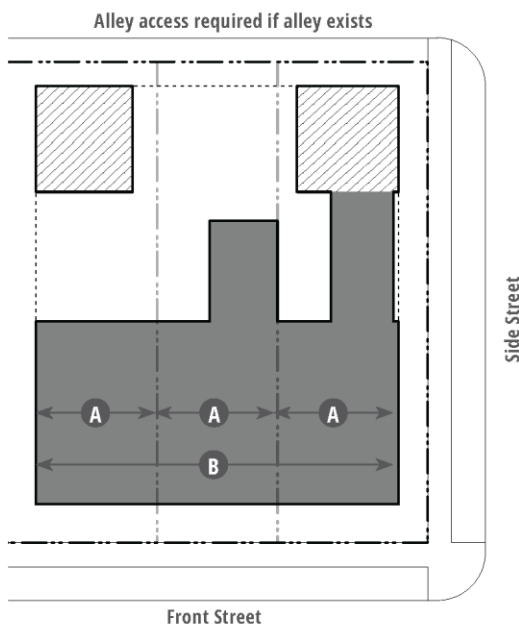
DIVISION 10-28.6.1 PURPOSE AND INTENT



**A row of
3½-story Rowhouses with porches and
dooryards.**

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone Z Allowed Z Not Allowed



Key

- ROW / Lot Line
- Setback Line
- Primary Structure
- ▨ Accessory Structure

B. Number of Units

Units per Rowhouse 1 per floor, 3 per building max.

~~Rowhouses per Lot 1 max.~~

~~Rowhouses per Run 3 min.; 8 max.~~

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	—	3½	3½	—	—
Main Body					
Width per Rowhouse	18' min.; 36' max.				A
Width per Run	House Scale: 75' max.;				B
	Block Scale: 180' max.				

DIVISION 10-28.6.1 PURPOSE AND INTENT

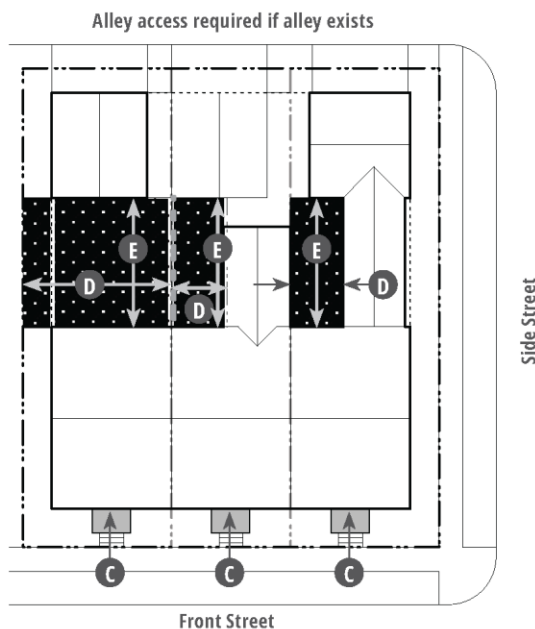
Secondary Wing(s)

The footprint area of the secondary wing(s) may not exceed the footprint area of the main body.

Articulation

Buildings at least 75' wide are required to:

1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage
- Private Open Space

D. Allowed Frontage Types

Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Dooryard	3.4.090
Terrace	3.4.120

E. Pedestrian Access

~~Rowhouse Buildings with multiple units must provide a primary entrance facing the front street.~~

Each rowhouse must have an individual entry facing the front street.

F. Private Open Space

Area	100 sf min. per rowhouse	
Width	8' min.	
Depth	8 12' min.	

DIVISION 10-28.6.1 PURPOSE AND INTENT

Required street setbacks and driveways may not be included in the private open space area calculation. Required private open space must be located behind the main body of the primary structure.

10-28.3.3.110 COURTYARD BUILDING



3-story Courtyard

building with fenced forecourt.



Stoop

entries to units engaging the courtyard.


A. Description

One or more structures that contain multiple attached and stacked units, accessed from a courtyard or series of courtyards. Each unit may have its own individual entry, or **up to three** units may share a common entry. This type is typically integrated sparingly into lower-intensity neighborhoods or more consistently into moderate-intensity neighborhoods and can be applied in non-residential contexts. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

House-Scale Building

- NE
- NG
- UN
- DT-MS
- UC

DIVISION 10-28.6.1 PURPOSE AND INTENT

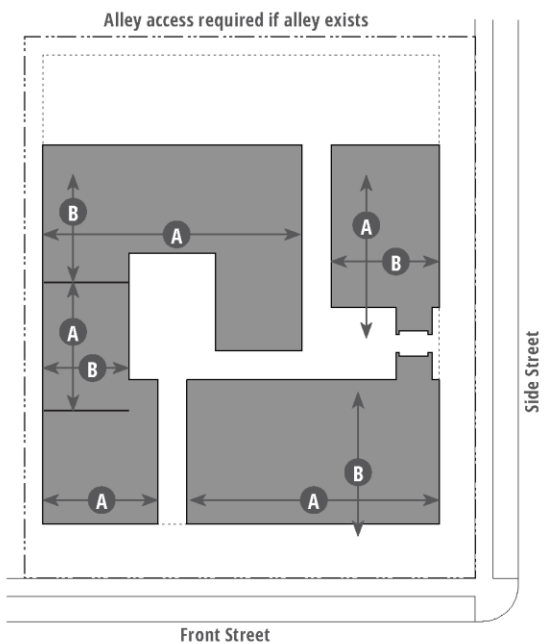


2-story

Courtyard building.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone Z Allowed Z Not Allowed



- Key**
- ROW / Lot Line
 - Setback Line
 - Primary Structure

B. Number of Units

~~Units per Building~~ 24 max.

Buildings per Lot 3 max.

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	—	3½	5	—	7
Main Body/Secondary Wing (s)					
Width	150' max.				(A)
Depth	65' max.				(B)

Articulation
Buildings at least 75' wide are required to:

DIVISION 10-28.6.1 PURPOSE AND INTENT

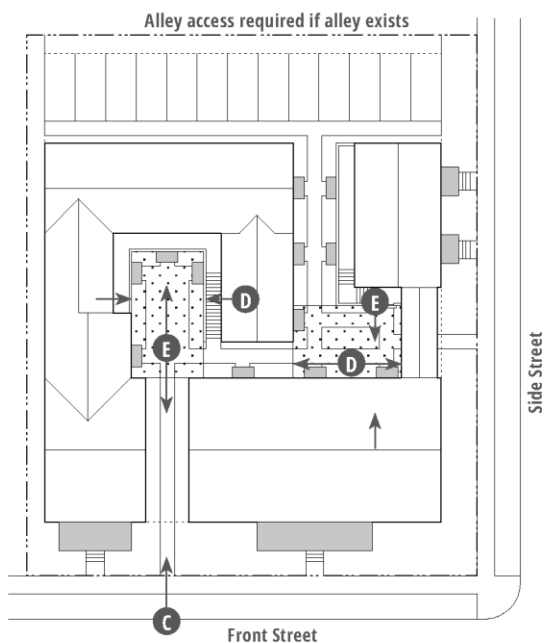
1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).

Accessory Structure(s)

No accessory structures are allowed.

D. Allowed Frontage Types

Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Terrace	3.4.120



Key

- ROW / Lot Line
- Setback Line
- Frontage
- ▨ Common Open Space

E. Pedestrian Access

The main entry of ground floor units must be directly off of a courtyard or a street. Courtyards must be accessible from the front property line. ⓐ

~~No more than 3 units may enter from one stoop or corridor.~~

Pedestrian connections must link all buildings to the public ROW, courtyards, and parking areas.

~~If multiple courtyards, they must be connected by passages of a maximum width of 12' max. between buildings and through buildings must connect multiple courtyards.~~

F. Courtyard(s) ~~Common Open Space~~

Main Body Height ¹	Width ⓓ	Depth ⓔ
1 to 2½ Stories	20' min.; 40' max.	20' min.; 75' max.
3 to 3½ Stories	25' min.; 50' max.	30' min.; 105' max.
4 to 5 Stories	25' min.; 60' max.	40' min.; 135' max.
6 to 7 Stories	45' min.; 70' max.	50' min.; 145' max.

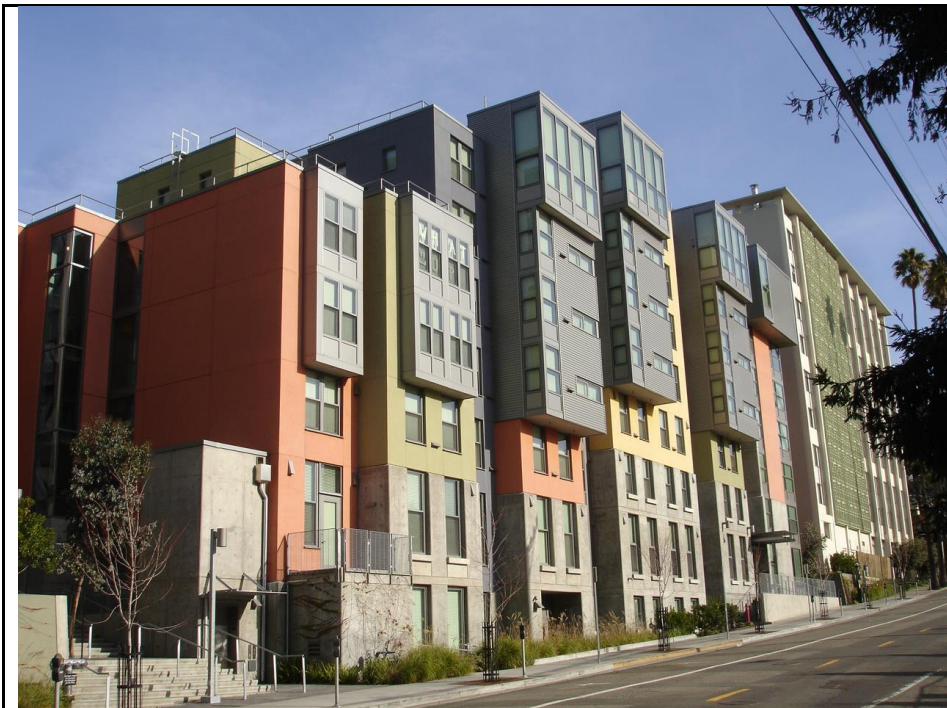
DIVISION 10-28.6.1 PURPOSE AND INTENT

~~⁴Height is measured at the highest number of stories along the courtyard.~~

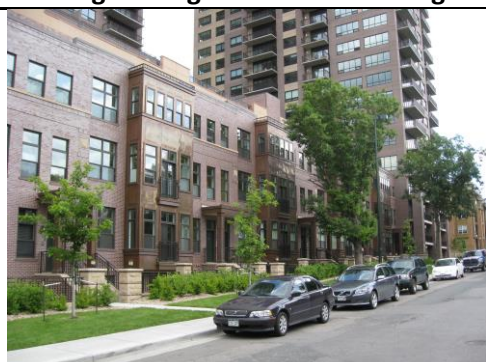
Buildings must define at least two walls of a courtyard.

Side(s) of courtyard not defined by building must be defined by ~~2'—6"4'~~ to 6' tall wall with entry gate/door designed to complement the primary structure.

10-28.3.3.120 STACKED FLATS BUILDING




Stacked Flats in a building turning the corner of a neighborhood street.



4-story Stacked Flats with 4th story setback from main facade.

A. Description	
<p>A medium-to large-sized structure that consists of multiple dwelling units on each floor accessed from a lobby directly from the street. Each ground floor unit may have its own individual entry or may share a common entry. The dwelling units may be flats, townhouses, lofts, or combinations. This type is appropriately scaled to fit in moderate- to higher-intensity neighborhoods and adjacent to neighborhood-serving main streets. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	
<p>Block-Scale Building</p>	
NE	NG
UN	DT-MS
UC	

DIVISION 10-28.6.1 PURPOSE AND INTENT

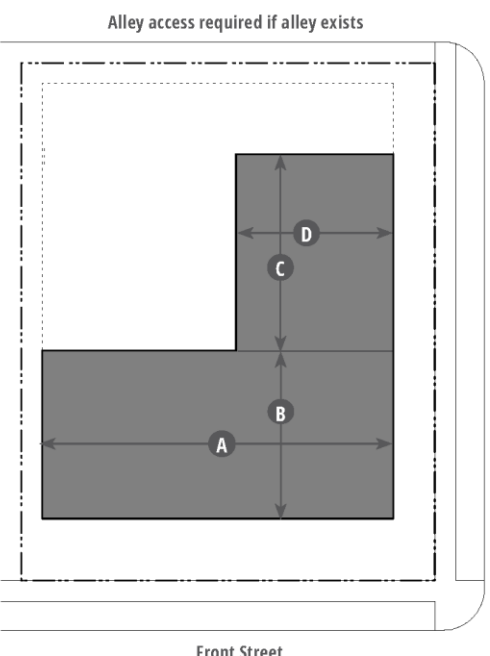


4-story

Stacked Flats with neighborhood services at corner.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone z Allowed z Not Allowed



Key
 --- ROW / Lot Line ■ Primary Structure
 Setback Line

B. Number of Units

Units per Building	Unrestricted¹
Buildings per Lot	1 max.

~~¹Number of units limited by parking requirements in Subsection F of the Zone standards.~~

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	—	—	5	—	11
Height must also comply with Subsection D of the Zone standards.					
Main Body					
Width	200' max.				Ⓐ

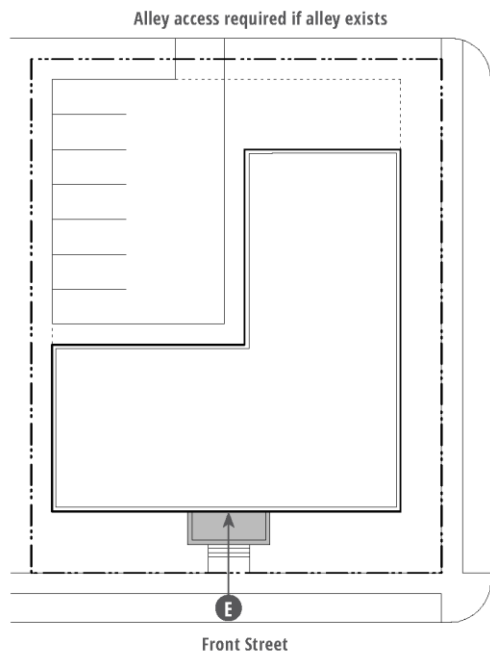
DIVISION 10-28.6.1 PURPOSE AND INTENT

Depth	75' max.	B
Secondary Wing(s)		
Width	125' max.	C
Depth	75' max.	D

Articulation

Buildings at least 75' wide are required to:

1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage

Accessory Structure(s)

No accessory structures other than ADUs are allowed.

D. Allowed Frontage Types

Porch: Projecting	3.4.050
Porch: Engaged	3.4.060
Stoop	3.4.070
Forecourt	3.4.080
Terrace	3.4.120

E. Pedestrian Access

Main Entrance Location Front street **E**
 Units located in the main body must be accessed by a common entry from the front street.
 On corner lots, units in a secondary wing may enter from the side street.

F. Open Space

No open space requirement.

DIVISION 10-28.6.1 PURPOSE AND INTENT

G. Vehicle Access and Parking

~~On-site parking spaces may be enclosed, open, or structured.
Residential garages (if provided) may be detached or tuck-under.~~

10-28.3.3.130 MAIN STREET BUILDING



5-story Main

Street building forms an interesting streetscape along a vibrant commercial street.



Single-

story Main Street building with substantial canopy and simple, open shopfront make for an interesting streetscape.

A. Description

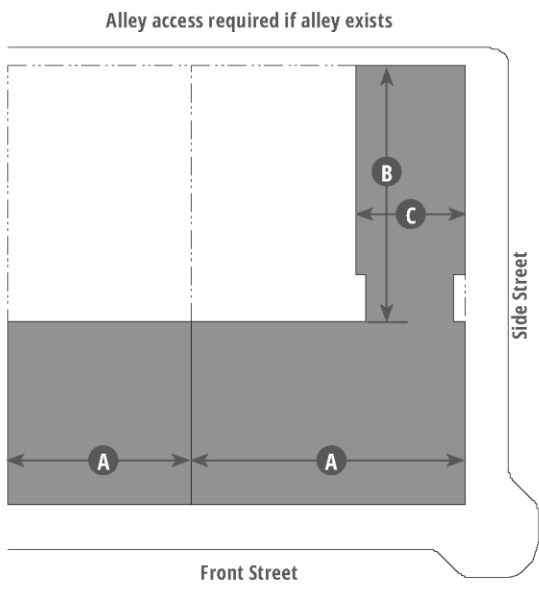
A small- to large-sized structure, ~~typically attached, but may be detached,~~ intended to provide a vertical mix of uses with ground-floor retail or service uses and upper-floor service, office, or residential uses. This type makes up the primary component of a village main street and portions of a downtown main street, therefore being a key component to providing walkability.

Block-Scale Building

- NE
- NG
- UN
- DT-MS
- UC

DIVISION 10-28.6.1 PURPOSE AND INTENT

	<p><i>General Note: Photos on this page are illustrative, not regulatory.</i></p>
<p>2-story Main Street building with housing on upper stories</p>	<p>Key Z=Zone Z Allowed <input type="checkbox"/> Z Not Allowed</p>



Key

- ROW / Lot Line
- Setback Line
- Primary Structure

B. Number of Units

Units per Building Unrestricted[±]
Buildings per Lot 1 max.

[±]Number of units limited by parking requirements in Subsection F of the Zone standards

C. Building Size and Massing

	NE	NG	UN	DT-MS	UC
Max. Number of Stories	—	—	—	7	—
Main Body					
Width	150' max.				A
Secondary Wing(s)					
Width	100' max.				B

DIVISION 10-28.6.1 PURPOSE AND INTENT

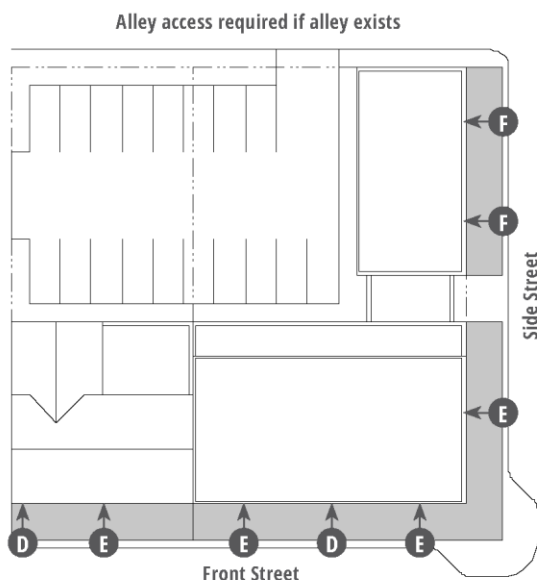
Depth 65' max. C

~~Buildings wider than 100' required to look like as a series of buildings no wider than 100' each.~~

Articulation

Buildings at least 75' wide are required to:

1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line
- Frontage

D. Allowed Frontage Types

Forecourt	3.4.080
Dooryard ¹	3.4.090
Shopfront	3.4.110
Maker Shopfront ¹	3.4.100
Terrace	3.4.120
Gallery	3.4.130

¹ Only allowed on side streets.

E. Pedestrian Access

Upper floor units located in the main building must be accessed by a common entry along **D** the front street.

Ground floor units may have individual entries along the front street or side street. E

On corner lots, units in a secondary wing or accessory structure may enter from the side street. F

F. Open Space

DIVISION 10-28.6.1 PURPOSE AND INTENT

No open space requirement.

G. Vehicle Access and Parking

~~On-site parking spaces may be enclosed, open, tuck under, or structured.~~

10-28.3.3.140 LINED BUILDING



Lined building forms an interesting streetscape along two streets while sharing alley access on the other two sides.



2-story

office over retail building concealing the interior garage building from the sidewalk.

A. Description

A combined building that consists of two main components: an interior building such as a parking garage, movie theater, etc., and an exterior building that conceals the interior building from the street.

Block-Scale Building

- NE
- NG
- UN
- DT-MS
- UC

DIVISION 10-28.6.1 PURPOSE AND INTENT

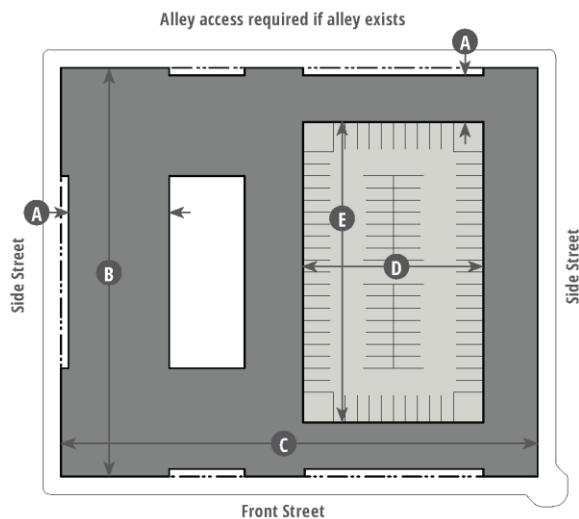


5-story

housing over office building concealing the garage.

General Note: Photos on this page are illustrative, not regulatory.

Key Z=Zone **Z** Allowed Z Not Allowed



- Key
- ROW / Lot Line
 - Setback Line
 - Exterior Building
 - Interior Building

B. Number of Units

Units per Building Unrestricted[±]

Buildings per Lot 1 max.^{±1}

[±]Number of units limited by parking requirements in Subsection F of the zone standards.

^{±1} Exterior Building and Interior Building components of Lined Building count as a single Lined Building

C. Building Size and Massing

	NENGUNDT-UC
	MS
Max. Number of Stories	— — 5 7 7
Exterior Building Main Body	
Depth	36' min. (A)
Width	320' max. (B)
Length	420' max. (C)

DIVISION 10-28.6.1 PURPOSE AND INTENT

Side of interior building exposed to a street, civic space, or neighboring building must be lined by the exterior building

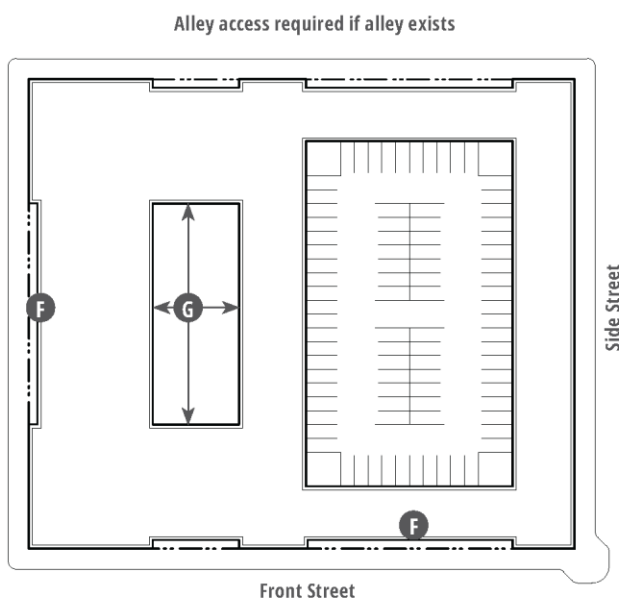
Interior Building Dimensions for Parking Use

Width	120' min.; D 180' max.
Depth	200' min.; E 230' max.

Articulation

Buildings at least 75' wide are required to:

1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).



Key

- ROW / Lot Line
- Setback Line

D. Allowed Frontage Types

Forecourt	3.4.080
Dooryard	3.4.090
Stoop	3.4.070
Shopfront	3.4.110
Terrace	3.4.120
Gallery	3.4.130

E. Pedestrian Access

Entry to interior building from street required at break in facade in form of a Forecourt Frontage (see **F** Section 3.4.080) or a Plaza (see Section 4.2.070).

DIVISION 10-28.6.1 PURPOSE AND INTENT

Ground floor units facing a street or alley must be accessed from that street or alley by an allowed frontage type(s).

Stairwells and upper story corridors must be enclosed within the conditioned portion of the primary structure.

Primary entry doors to individual residential units may not be sliding doors.

Courtyard required when building's main body length is greater than 260'. Courtyard must be at least 50' by 100'.

F. Open Space

No open space requirement for ground floor or 2nd floor units. At least 25% of 3rd and 4th floor units above the 2nd floor ~~required to shall~~ have a usable balcony ~~of with minimum dimensions of 5' min. depth.~~

G. Vehicle Access and Parking

~~Vehicular access is not allowed from alley when is alley present or at least 100' from street intersection when no alley is present.~~

10-28.3.3.150 MID-RISE BUILDING



Mid-rise

Building with balconies and a variety of materials.

A. Description	
	A medium to large-sized structure, <u>4 up</u> to 11 stories tall built on a large lot. This building type can be used to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, office, service, or

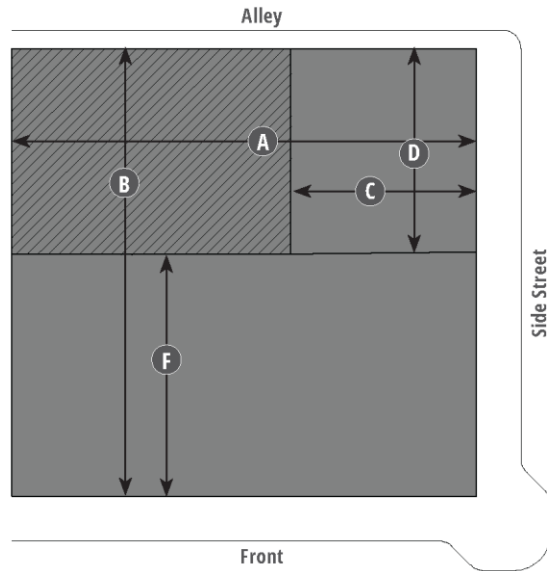
DIVISION 10-28.6.1 PURPOSE AND INTENT

	<p>Mid-rise Building with large-footprint retail on ground floor.</p>	<p>residential uses; or may be a single use building, typically office or residential, where ground floor retail is not appropriate.</p>
		<p><i>General Note: Photos on this page are illustrative, not regulatory.</i></p> <p>Key Z=Zone <input checked="" type="checkbox"/> Allowed <input type="checkbox"/> Not Allowed</p>

Block-Scale Building

- NE
- NG
- UN
- DT-MS
- UC

DIVISION 10-28.6.1 PURPOSE AND INTENT



Key

- ROW / Lot Line
- Setback Line
- Primary Structure
- ▨ Parking Podium

B. Number of Units

Units per Building	Unrestricted [±]
Buildings per Lot	1 max.

[±]Number of units limited by parking requirements in Subsection F of the Zone standards.

C. Building Size and Massing

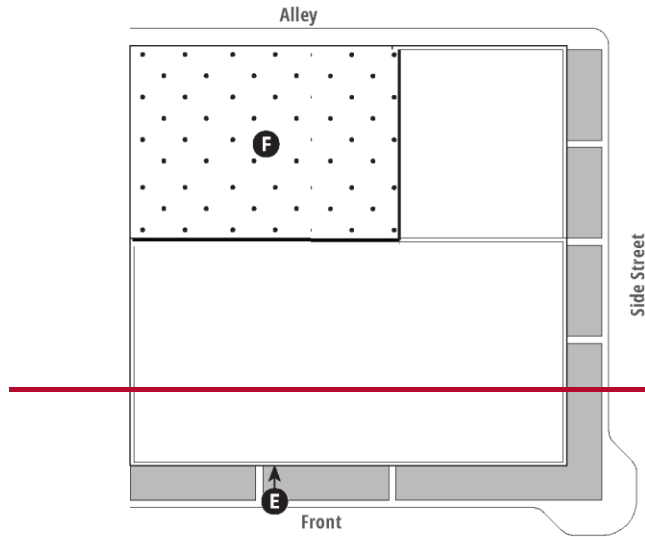
	NE	NG	UNDT-UC MS
Max. Number of Stories	—	—	— — 11
Main Body			
Width	320' max.		Ⓐ
Length	420' max.		Ⓑ
Secondary Wing(s)			
Width	60' max.		Ⓒ
Depth	60' max.		Ⓓ

Articulation

Buildings at least 75' wide are required to:

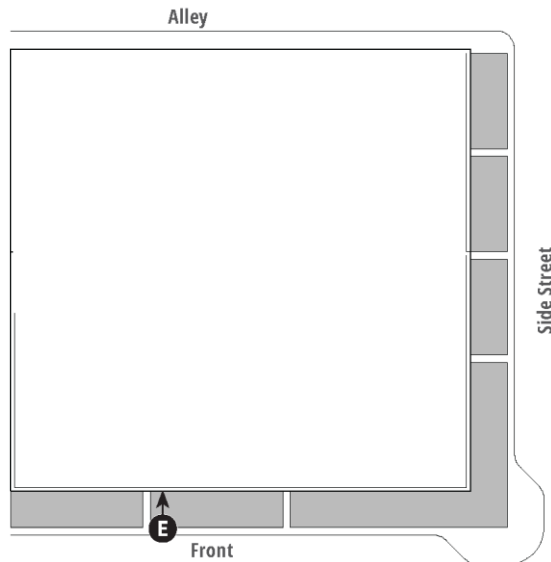
1. Apply at least one Oriel on front and/or side street facade in compliance with Subsection 3.3.160.A (Oriel).
2. Organize street facing facades in compliance with Subsection 3.3.160.B (Facade Articulation).

DIVISION 10-28.6.1 PURPOSE AND INTENT



Key

- ROW / Lot Line
- Setback Line
- Frontage
- Common Open Space



Key

- ROW / Lot Line
- Setback Line
- Frontage

DIVISION 10-28.6.1 PURPOSE AND INTENT

D. Allowed Frontage Types

Stoop	3.4.070
Forecourt	3.4.080
Shopfront	3.4.110
Terrace	3.4.120

E. Pedestrian Access

Main Entrance Location	Front street	E
------------------------	--------------	----------

Ground-floor units may have individual entries along the front street or side street.

F. Common Open Space

~~Top of podium can be used to provide common open space.~~ **F**

G. Courtyard

Width	20' min.; 50' max.
Width to Height Ratio	1:2 to 2:1
Depth	20' min.; 150' max.
Depth to Height Ratio	1:1 to 3:1

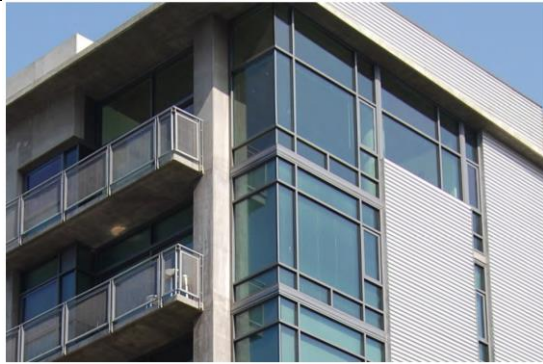
10-28.3.3.160 ARCHITECTURAL ELEMENTS

A. Oriel.

1. As required by Subsection C of the zone standards in Division 3.3 (Specific to Building Types), each building must comply with the standards of this Section.
2. Each building may apply more architectural elements than the minimum requirement in compliance with the standards of this Section.

a. General		
Types: Square, Chamfered, and Round (See Subsections F-H)		
Depth: Depends on oriel type (<u>see F-H below</u>)		
Height: Can be one story to multiple stories <u>At least one story</u>		
Must not occur below cornice of ground level <u>second floor</u>		
Generally do not have supporting brackets		
b. Multi-story		
Oriel form must be visually continuous.		
Horizontal articulation on building, if any, must wrap oriel form.		
c. Interaction with Cornice		
Oriel must interact with building's upper cornice in one of the following ways:		
Cornice wraps oriel;		
Oriel stops below cornice (oriel has own cornice); <u>or</u>		
Oriel returns into cornice overhang; or		
Oriel projects above cornice.		
d. Standards for Facades > 75' Long		
Width of Oriel	Varies by type	A
Distance between Oriels	30' max.	B

DIVISION 10-28.6.1 PURPOSE AND INTENT



Contemporary multi-story square oriel



General Note: Photos on this page are illustrative, not regulatory.

DIVISION 10-28.6.1 PURPOSE AND INTENT



(above) Square oriels

F. Type I: Square

Size:

Depth	1' min.; 3' max.
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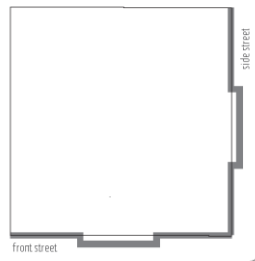
Width	6' min.; 9' max.
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Must be vertical on its proportions.

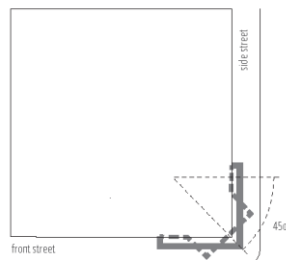
Widest face of the oriel must accommodate paired at least 2 windows.

Must have vertical wall elements or columns.

Corner oriel may be **turned on side to be** rotated 45° from building corner. See diagram below.



Front/Side Oriel



Corner Oriel

Key: — Building Line
 ■ Square Oriel

DIVISION 10-28.6.1 PURPOSE AND INTENT



(Above) Chamfered oriels

G. Type II: Chamfered

Size:

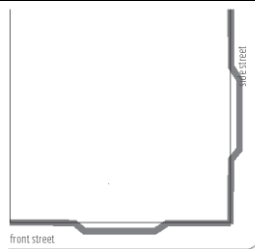
Depth	1' min.; 3' max.
Width	6' min.; 10' max.
Interior angle	135° or to 150°
Number of faces <u>per oriel</u>	3 <u>to</u> -5

Corner oriel may ~~be turned on side to~~ be rotated 45° from building corner. See diagram below.

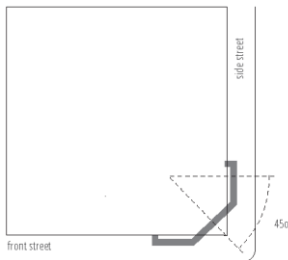
~~Window openings may only occupy on faces that are chamfered or parallel to facade.~~

~~Multiple windows allowed on faces parallel to facade.~~

~~One window allowed on chamfered sides or corner oriels.~~



Front/Side Oriel



Corner Oriel

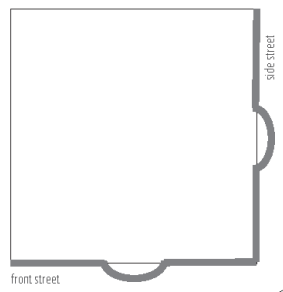
Key: — Building Line
 — Chamfered Oriel

DIVISION 10-28.6.1 PURPOSE AND INTENT

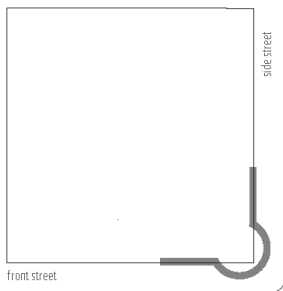


H. Type III: Round

Depth	1' min.; 3' max.
Width	6' min.; 10' max.
Must be vertically proportioned.	
Ganged windows are not allowed.	
Corner oriel circumference may be up to 270°. See diagram below.	
Corner oriels must connect to upper cornice.	
General Note: Photos on this page are illustrative, not regulatory.	



Front/Side Oriel



Corner Oriel

Key: — Building Line
 Round Oriel

B. Facade Articulation.

- 1. Applicability.** The requirements of this Section apply to new buildings, ~~additions~~, or facade renovations that are within 50 feet of a street or public open space.

DIVISION 10-28.6.1 PURPOSE AND INTENT

2. **Requirements.** Facade articulation techniques provided in Table A (Facade Articulation) are required for buildings as follows, ~~subject to City approval:~~
 - a. Subsection B.2.a, all buildings; and
 - b. Subsections B.2.b and B.2.c, at least one item each, as applicable.

Table 3.3.160.A Facade Articulation	
a. All Buildings	
	Tripartite Facade Design. Facades <u>of buildings that are three or more stories</u> shall be designed with tripartite architecture, with a distinct <u>baseground floor</u> , middle and top <u>of the building</u> . An expression line, setback or other architectural element shall be used to delineate the base and top.
	Change in Color or Material. This technique modulates the <u>apparent size and scale of a building by changing colors and/or materials. At least two distinct building materials shall make up at least 25 percent of the total building facades.</u>
b. Above the Third Story on All Buildings	
	Change in Color or Material. This technique modulates the apparent size and scale of a building by changing colors and/or materials and may be applied throughout the building but is required above the third story.
	Architectural Recession(s). This technique modulates the apparent size and scale of a building by recessing a portion(s) of the facade as an architectural element(s) or space(s) from the plane(s): a recessed entry from the sidewalk, a loggia or recessed balcony cut into the plane of the facade. Buildings that exceed 200 linear feet as measured along the back of sidewalk are required to integrate a Forecourt in compliance with Section 3.4.080 (Forecourt). The recession at the ground floor is required to extend through the top of the building.
c. Buildings Over 100 Feet Long	
	Horizontal Articulation. This technique modulates the apparent size and scale of the building by stepping a portion of the facade forward or backward from the predominant facade plane by at least three feet forward or backward. This technique may be applied throughout the building but is required above the third story.

DIVISION 10-28.6.1 PURPOSE AND INTENT



Vertical Articulation. This technique modulates the apparent size and scale of the building by stepping a portion of the facade upward or downward from the predominant building height by at least one story. This technique offers the opportunity to organize a long building into multiple apparent buildings to avoid the appearance of a block-long building.

~~10-28.3.5.020 ACCESSORY DWELLING UNITS~~

- A. ~~**Purpose.** This Section establishes the requirements for accessory dwelling units (ADUs).~~
- B. ~~**Applicability.** The provisions of this Section apply to ADUs located in a Downtown Zone.~~
- C. ~~**General Requirements for ADUs.** The requirements Section 10-1.2741 (Purpose) through Section 10-1.2747 (Permit Required) of Hayward Code apply to Downtown Zones, and supersede the requirements of this Article, except as provided in Subsection D.~~
- D. ~~**Exceptions.**~~
1. ~~Detached ADUs are only allowed in Downtown Zones that allow the Carriage Building and must also comply with the requirements of Section 3.3.040 (Carriage Building).~~
 2. ~~Detached, attached, or interior ADUs are allowed in combination with any residential primary use located within an allowed building type per Subsection C of the applicable zone.~~

DIVISION 10-28.6.1 PURPOSE AND INTENT

10-28.6.1.010 PURPOSE AND INTENT

This Division describes and classifies land uses and terms that apply to the Downtown Specific Plan and Code. This Division supplements, and supersedes, if in conflict with, the terms defined in Section 10-1.3500 (Definitions) in the Hayward Code.

10-28.6.1.020 LAND USES

A. A-Definitions.

~~**Accessory Dwelling Unit (ADU).** An attached, detached, or internal residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and is located on the same lot as the primary building.~~

Accessory Use. A use which is subordinate and incidental in height, bulk, volume and/or use to the lawfully permitted principal use on the same lot, and which does not alter the essential characteristics of said principal use and is in keeping with other uses permitted in the same district. Examples include, but are not limited to:

- a. A garage, carport, shed, or building for domestic storage;
- b. A children's playhouse, gazebo, greenhouse, pool, or recreation building;
- c. Storage of merchandise normally carried in stock on the same lot with any retail service or business use;
- d. Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities; and
- e. Off-street parking.

Animal Hospital. Any buildings or portion of a building designed or used for the care, observation or treatment of cats, dogs, or other household pets, with incidental boarding. Also referred to as a veterinary hospital. This use does not include animal boarding.

Artisan/Craft Production. An establishment manufacturing and/or assembling small products primarily by hand or using low power machinery, including but not limited to clothing, furniture, jewelry, pottery and other ceramics, as well as small glass and metal art and craft products.

Automobile Sales and Rental. An establishment engaged in the retail sales, service, rental, and/or leasing of new and used automobiles, trucks, trailers, motorcycles, mopeds, and supplies.

Automobile Repair and Service Station. The use of a site for the service, tune-up, and repair of automobiles, noncommercial trucks, or motorcycles, including the sale, installation, and servicing of equipment and parts. This use includes, but is not limited to, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

B. B-Definitions.

Bar/Cocktail Lounge/Nightclub. Any on-sale alcohol-related establishment that engages primarily in the sale, or sale and production of alcoholic beverages and where food service, if any, is subordinate or incidental to the sale of alcoholic beverages. Bars include but are not limited to night clubs, taverns, pubs, cocktail lounges, micro breweries, brew pubs, and similar establishments.

Bed and Breakfast. The use of an owner-occupied single-family residence for commercial lodging purposes.

Business/Commercial/Financial Services. An establishment that provides business, commercial, or financial services including but not limited to banks and other financial institutions, ATMs, computer-related services

(rental); office equipment sales and service, photo copying and printing, land mailing and mail box services (not operated by the USPS), janitorial services, window cleaning, landscaping, linen supply, appliance repair, exterminators, and personal storage.

C. **C-Definitions.**

Commercial Cannabis Retail Dispensary. See Hayward Municipal Code Section 10-1.3600 (Cannabis)

Cultural or Meeting Facility. Facilities maintained to develop, promote, or foster the arts or literature, as well as a clubhouse, lodge hall, and religious meeting places, and ancillary activities as determined by the Director. Includes, but is not limited to, public, quasi-public, or private facilities, for example: aquariums, art galleries and exhibitions, historic sites and exhibits, libraries, and museums. May include but is not limited to accessory retail uses such as a gift/book shop, restaurant, etc.

D. **D-Definitions.**

Day Care.

1. **Day Care Center.** A facility which provides non-medical care to 15 or more children and/or adults in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. May include pre-schools, infant centers, and extended day care facilities.
2. **Day Care Home.** The use of a **single-family** residence to provide day care to 14 or fewer persons, including any children under the age of 10 years who reside at the home.

Drive-in, Retail, or Service. An establishment which accommodates the patrons and their motor vehicles from which the occupants may watch, purchase, or receive goods or services (Includes a drive in bank or pharmacy, drive-up photo finishing, car wash, gas station, mini-mart with gas, automobile lubrication facility, etc.). Does not include drive through restaurant.

E. **E-Definitions.**

Educational Facility. Facilities maintained to provide instruction to students for the purpose of developing their faculties and powers, and ancillary activities as determined by the Director. May include, but is not limited to, trade schools, a beauty college, or business college.

Entertainment Facility. A facility offering entertainment open to the public for a fee or by membership subscription including, but not limited to, theaters, live performance venues, and music venues.

F. **F-Definitions.** No specialized land uses beginning with the letter F are defined at this time.

G. **G-Definitions.**

Group Home. The use of any residence or other dwelling unit for a group residence where residents pay a fee or other consideration to the Group Home operator in return for residential accommodations. A Group Home includes a boarding home, a rooming house, as well as a group residence for the elderly, or mentally or physically disabled or handicapped persons, or other persons in need of care and supervision. Each dwelling unit so used is considered a single Group Home. The term Group Home includes both licensed and unlicensed Group Homes.

1. **Licensed Group Home.** A licensed Group Home is any residential facility subject to State licensing requirements pursuant to the California Health and Safety Code (HSC), implementing State regulations, and amendments thereto. Any Group Home which is subject to State licensing requirements and will be treated as an unlicensed Group Home if the facility's license has expired or such license has been suspended, revoked or terminated. Group Homes subject to State licensing requirements include the following:
 - a. Residential facilities providing non-medical residential care, specifically, any residential Community Care Facility (HSC Section 1502), a Residential Care Facility for the Elderly (HSC

Section 1569.2) and an alcoholism or drug abuse recovery or treatment facility (HSC Section 11834.02).

- b. The following types of Health Facilities (HSC Section 1250, specifically, a Congregate Living Health Facility (HSC Section 1250 (i)), an Intermediate Care Facility/Developmentally Disabled Habilitative (HSC Section 1250(e)), an Intermediate Care Facility/Developmentally Disabled (HSC Section 1250(g)), and an Intermediate Care Facility/Developmentally Disabled-Nursing (HSC Section 1250(h)).
2. **Unlicensed Group Home.** An unlicensed Group Home is the use of a dwelling unit by an owner or operator as a dormitory, boarding house, rooming house, or similar use, where such residential facility is not subject to State licensing requirements or whose state license has expired or has been suspended or revoked.

H. **H-Definitions.**

Home Occupation. Any occupation conducted within the living area of a dwelling unit, by persons living there, which the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character of the property. Also referred to as a "Mail and Telephone Business Listing."

Hotel/Motel. A building or group of attached or detached buildings where lodging with or without meals is provided to the general public for compensation typically on a nightly basis in individual sleeping or living units and where a maximum continuous length of stay is no longer than that established for transiency pursuant to Article 8-4 (Transient Occupancy Tax) of the Hayward Code. Does not include institutions where any human being is detained under legal restraint.

I. **I-Definitions.** No specialized land uses beginning with the letter I are defined at this time.

J. **J-Definitions.** No specialized land uses beginning with the letter J are defined at this time.

K. **K-Definitions.** No specialized land uses beginning with the letter K are defined at this time.

L. **L-Definitions.**

Liquor Store. An alcoholic beverage sales establishment primarily involving the sale of alcohol where beer, wine or distilled spirits are sold for off-sale consumption.

Live/Work. An integrated housing unit and working space occupied and used by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes complete kitchen space and sanitary facilities in compliance with the Building Code; and working space reserved for and regularly used by one or more occupants of the unit.

M. **M-Definitions.** No specialized land uses beginning with the letter M are defined at this time.

N. **N-Definitions.** No specialized land uses beginning with the letter N are defined at this time.

O. **O-Definitions.**

Office. An establishment which provides administrative or professional services (i.e., law firm, stock broker, insurance, or real estate office), or medical or travel agency services, as well as consulting service offices including architects and accountants. This use excludes business/commercial/financial services.

P. **P-Definitions.**

Parking Structure. Facilities for the temporary parking of motor vehicles within a privately or publicly owned off-street parking facility. This use includes commercial parking lots and garages.

Passenger Transportation. A service or system which provides transportation between stations or passenger-identified pick-up and drop-off locations (i.e., AC Transit, Amtrak, BART, Greyhound, airport, taxis, pedicabs, and rideshare).

Personal Services. An establishment that provides non-medical services to an individual as a primary use. Examples of these use include but is not limited to barber shops and beauty salons; nail salons, clothing rental; dry cleaning pick up stores with limited equipment; locksmiths; massage; shoe repair shops; and tailors. These uses may also include, but are not limited to, accessory retail sales of products related to the services provided.

1. **Restricted.** Personal services that may not be desirable or compatible with certain areas. Dispersal of these uses may reduce any adverse impacts of their placement in these areas, including, but not limited to, payday loan facilities, tattoo parlors, pawn shops, and check cashing facilities.

Public Agency Facility. Facilities, structures and accessory uses which house public agencies including federal, state, or local government, and other agencies such as utility and telephone companies governed by the Public Utilities Commission.

Public Park/Public Gathering. A park, playground, swimming pool, reservoir, golf course, or athletic field within the City which is under the control, operation, or management of the City of Hayward, Hayward Area Recreation District, Alameda County, the East Bay Regional Park District, or the State of California or Federal Government.

Q. **Q-Definitions.** No specialized land uses beginning with the letter Q are defined at this time.

R. **R-Definitions.**

Recreational Facility. A private facility maintained to provide a pastime, sport, or exercise and ancillary activities as determined by the Director. The use may be a commercial or non-commercial facility. Under no circumstance, as a primary, permitted or accessory use, may any Recreational Facility be allowed to operate simulated gambling devices as defined in Article 4-16 (Prohibition of Simulated Gambling Devices) of the Hayward Code.

1. **Indoor.** Includes, but is not limited to, athletic health clubs, gymnasiums, bowling alleys, ice and roller-skating rinks, pool/billiard parlors, and electronic video arcades.
2. **Outdoor.** Includes, but is not limited to, sport fields or courts, driving ranges, batting cages, skate parks, and golf courses.

Residential. Buildings used a residence. Includes, but is not limited to, single-family, duplex, triplex, and multi-family housing.

Restaurant.

1. **General.** Any establishment, other than a boarding house or dormitory, where food and beverages are provided for consumption on-premises or off-premises, and where typically, but not necessarily, there are tables, counters, benches, or other public seating facilities provided, or where food is taken off-premises, disposal containers are provided. Includes, but is not limited to, a sit-down dining facility, fast-food restaurant (no drive-through window), donut shop, pizza shop, cafe, bakery, cafeteria, coffee shop, lunchroom, delicatessen, and ice cream parlor. Does not include alcohol sales.
2. **Full Service.** A restaurant with incidental bar, cocktail lounge, or other area designated primarily for the service of alcohol on the premises, which operates as part of the restaurant and is subservient to the primary function of the restaurant. Does not include fast food restaurant.
3. **Drive-Through.** Any high-volume establishment serving food or beverages which utilizes a building design, site layout, or operating procedure whereby customers can drive onto the premises and remain in their vehicles while food or beverages are sold or dispensed.

Retail, General. Stores and shops selling many lines of merchandise for personal or household consumption. Typical uses may include, but are not limited to, sales of apparel and accessories, antiques, appliances, art and fabric supplies, books, electronics, furniture, jewelry, luggage, office supplies, sporting equipment, as well as department stores, drugstores, flower shops, hardware stores, specialty stores, convenience stores, grocery stores, and variety stores. Does not include the sale of automotive parts or on-site production.

S. **S-Definitions.**

Studio: Fitness, art, dance, music, etc. Small-scale facilities focused on the instruction of students of any age group. Does not include activities listed in "Entertainment Facility" or "Recreation Facility." Studio facilities includes, but is not limited to, individual and group instruction and training in the arts; production rehearsal; photography, physical fitness, and martial arts training studios; and gymnastics instruction, aerobics, and gymnastics studios with no other fitness facilities or equipment.

T. **T-Definitions.**

Temporary Use. Short-term activities that are not allowed on a permanent basis but because of their temporary non-permanent intermittent or seasonal nature are acceptable. Includes, but is not limited to, mobile businesses, Christmas tree or pumpkin patch lot, farmer's market, fruit stands, garage sales, and auctions.

U. **U-Definitions.** No specialized land uses beginning with the letter U are defined at this time.

V. **V-Definitions.** No specialized land uses beginning with the letter V are defined at this time.

W. **W-Definitions.** No specialized land uses beginning with the letter W are defined at this time.

X. **X-Definitions.** No specialized land uses beginning with the letter X are defined at this time.

Y. **Y-Definitions.** No specialized land uses beginning with the letter Y are defined at this time.

Z. **Z-Definitions.** No specialized land uses beginning with the letter Z are defined at this time.

10-28.6.1.030 GENERAL TERMS

A. **A-Definitions.**

Adjacent. Sharing a common property line, or with property lines separated only by an alley.

Adjacent Buildings. Two or more buildings located upon adjacent lots.

Allowed Use. Uses that are allowed by right and are not subject to the conditions of approval, mandatory review periods, or expiration periods as required for Conditional Use Permits or Administrative Use Permits.

Applicant. Any person who is filing an application requesting an action who is:

- a. The owner or lessee of property;
- b. A party who has contracted to purchase property contingent upon that party's ability to acquire the necessary approvals required for that action in compliance with this Code, and who presents written authorization from the property owner to file an application with the City; or
- c. The agent of either of the above who presents written authorization from the property owner to file an application with the City.

Approval. Includes both approval and approval with conditions by a review authority of the City.

Architectural Features. Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to, eaves, cornices, bay windows, oriels, window and door surrounds, light fixtures, canopies, and balconies.

Awning. A roof or cover which projects from a wall of a building over a window or door, made of canvas, metal or wood, which may be fixed in place or be retractable.

B. **B-Definitions.**

Bay Window. A window that projects from the building facade or elevation that begins on the ground floor and can extend to upper floors.

Basement. That portion of a building between floor and ceiling, which is partly below and partly above grade (see Grade), but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Block. An area of land separated from other areas by adjacent streets, railroads, rights of-way, or public areas.

Block Face. The horizontal distance measured from one end of the block to the other end along the same right-of-way.

Block Perimeter. The aggregate of all sides of a block measured along the adjacent right-of-way.

Building. A habitable structure requiring a certificate of conformance, which consists of one or more of the following foundations that surround an interior space: floors, walls, and roofs. May include, but is not limited to, exterior appurtenant structures such as porches and decks.

1. **Block-Scale.** A building that is individually as large as most or all of a block or when arranged together along a street, appear as long as most or all of a block.
2. **Existing.** See Structure, Existing.
3. **House-Scale.** A building that is within the range of size of a small to large house and set apart from other buildings with setbacks.
4. **Primary.** A building in which the primary use is conducted.

Buildable Area. The area in which a building is allowed to be constructed.

Building Elevation. The exterior wall of a building not adjacent to a public right-of-way, the front or side along a private street, or civic space.

Building Entrance. A point of pedestrian ingress and egress to a building.

Building Facade. The exterior wall of a building adjacent to a public right-of-way, the front or side along a private street, or civic space.

Building Form. The overall shape and dimensions of a building.

Building Frontage, Primary. The length of the property line of any one premises parallel to and along each public right-of-way which it borders and is identified by an address.

Building Type. A structure defined by its combination of configuration, disposition and function.

C. **C-Definitions.**

Carriage Building. See Section 3.3.040 (Carriage Building).

City. The City of Hayward.

City Engineer. The City Engineer of the City of Hayward.

Civic Space. Land that is improved for civic gathering purposes.

Courtyard Building. See Section 3.3.110 (Courtyard Building).

Cottage Court. See Section 3.3.070 (Cottage Court).

Council. The City Council of the City of Hayward.

D. **D-Definitions.**

Director. The Planning Director of the City of Hayward.

Detached House. See Section 3.3.050 (Detached House).

Distance Between Entries. The horizontal distance measured parallel to the building facade between entrances to a building or buildings.

Driveway. A vehicular lane within a design site or shared between two sites leading to a garage, or other approved parking or loading area.

Duplex. See Section 3.3.060 (Duplex).

Dwelling Unit. A building, or a portion of a building (e.g., room or group of internally connected rooms), designed for occupancy by one household for residential purposes that has sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, occupied by or intended for the exclusive use of the household. Does not include tents, recreational vehicles, or travel trailers.

E. E-Definitions.

Encroachment. Any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, oriel window, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, or beyond the zero lot line into the public frontage, or above a height limit.

Entry. An opening, such as a door, passage, or gate, that allows access to a building.

F. F-Definitions.

Facade. The vertical surface of a building, generally placed facing a street ("front facade").

Facade Zone. The area between the minimum and maximum setback lines along the front of a parcel and along the side street of a corner parcel.

Facility. An improvement, structure or building that is designed and used for a particular purpose.

Fence. A structure made of wire, wood, metal, masonry, or other material, and typically used as a screen or enclosure for a yard or open space or as a divider along a lot line.

Footprint. The outline of the area of ground covered by the foundations of a building or structure.

Footprint Area. The total square footage contained within a footprint.

Frontage. A strip or extent of land abutting a thoroughfare, civic space, or other public right-of-way. See Figure 1 (Frontage).

1. **Private.** The area between the building facade and the shared lot line between the public right-of-way and the lot.
2. **Public.** The area between the curb of the vehicular lanes and shared lot line between the public right-of-way and the lot.

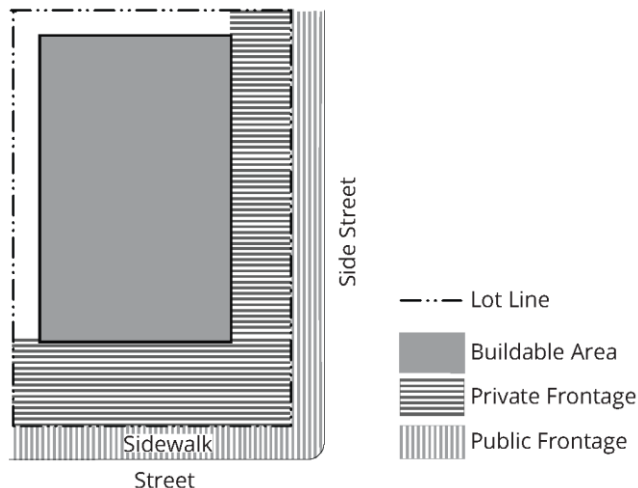


Figure 6.1.030.1 Frontage

G. G-Definitions.

Gable. A vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

Glazing. Openings in a building in which glass is installed.

Grade.

1. **Existing.** The grade of a site before it is modified by moving earth, adding or removing fill, or installing a berm, retaining wall, or architectural or landscape feature. The development services director may require an applicant to provide a third-party report that shows the existing, or natural grade, of a site.
2. **Finished.** The finished ground level at any point along the exterior walls of a structure. If walls are parallel to and within five feet of a sidewalk, alley or other public way, the level above ground must be measured at the elevation of the sidewalk, alley or public right-of-way.

Gross Floor Area. The total floor area inside the building envelope, including the external walls, but not including the roof.

Ground Floor. The floor of a building located nearest to the level of the existing grade around the building.

H. H-Definitions.

Hayward Code. The City of Hayward's Code of Ordinances.

Height. See Figure 2 (Height).

1. **Ground Floor, Finished Floor.** Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.
2. **Ground Floor, Floor-to-Ceiling.** Height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.
3. **Primary Building.** Height can be determined in two ways: to eave/parapet or maximum overall height.

- a. **Overall.** The vertical distance measured from the midpoint of the lowest and highest points of the structure adjacent to the finished grade to the highest point of the structure.
 - b. **Eave/Parapet.** The vertical distance measured from the midpoint of the lowest and highest points of the structure adjacent to the finished grade to the highest eave of the building or top of parapet wall.
4. **Number of Stories.** The number of stories in a structure allowed above grade. A half story is defined as usable living space contained within a sloping roof where the wall plates on at least two opposite exterior walls do not exceed four feet in height.

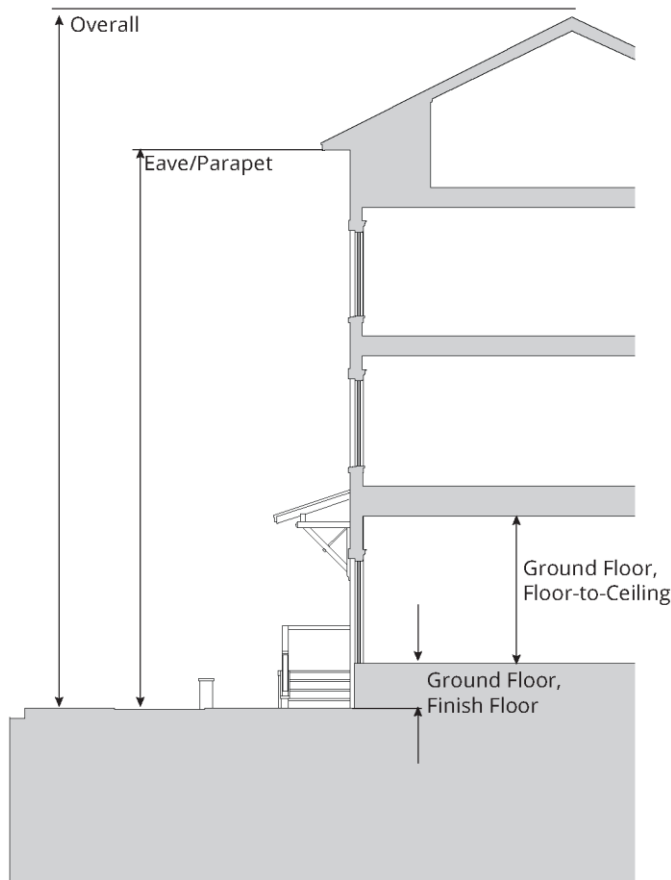


Figure 6.1.030.2 Height

I. I-Definitions.

Impervious Surface. A surface compacted or covered with a layer of material so it is highly resistant to infiltration of water.

J. J-Definitions. No specialized terms beginning with the letter J are defined at this time.

K. K-Definitions. No specialized terms beginning with the letter K are defined at this time.

L. L-Definitions.

Lined Building. See Section 3.3.140 (Lined Building)

Lot. A division of land separated from other divisions for purposes of sale, lease or separate use, described on a recorded subdivision plat, recorded map, or by metes and bounds and includes the terms "plat" and "parcel." See Figure 3 (Lot).

1. **Corner.** A lot that abuts the intersection of two or more streets at an angle of not more than 135 degrees. Where the angle of intersection exceeds 135 degrees, the area abutting the two streets shall be a front yard.
2. **Interior.** A lot which is not a corner lot.

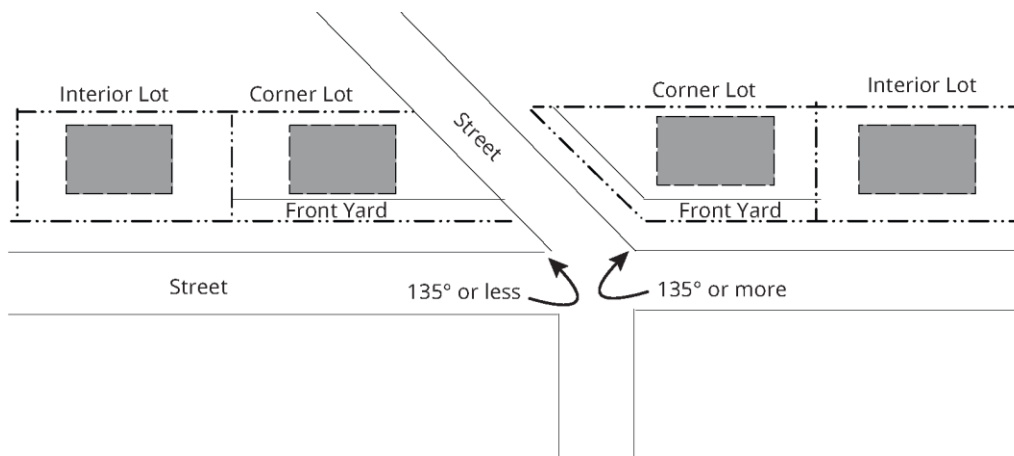


Figure 6.1.030.3 Lot

Lot Coverage. The percentage of total lot area occupied by structures and impervious surfaces.

Lot Depth. The average linear distance between the front and the rear lot lines or the intersection of the two side lot lines if there is no rear line. The Director shall determine lot depth for parcels of irregular configuration.

Lot Frontage. The lot line(s) of a lot fronting a thoroughfare, other public way, or a civic space.

Lot Line. Any recorded boundary of a lot.

1. **Front.**
 - a. On an interior lot, the property line separating the lot from the street.
 - b. On a corner lot, the shorter property line abutting a street. If the street-fronting lot lines of a corner lot are equal in length, the Director shall determine the front lot line.
 - c. On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line
2. **Rear.** The lot line which is opposite and furthest from the front lot line and does not intersect the front lot line. In the case of an irregular or triangle lot, the rear lot line is parallel to and at a maximum distance from the front lot line, having a minimum length of 10 feet.
3. **Side.** Any lot line that is not a front lot line or a rear lot line.

Lot Width. The horizontal distance between the side lot lines, measured at right angles to the depth at a point midway between the front and rear lot lines. The Director shall determine the lot width of an irregularly shaped lot.

Lot Width (Net). The lot width exclusive of driveways, right-of-ways, and easements.

M. **M-Definitions.**

Main Street (building). See Section 3.3.130 (Main Street Building).

Mid-Rise. See Section 3.3.150 (Mid-Rise Building).

Multiplex. See Section 3.3.080 (Multiplex: Small) and Section 3.3.090 (Multiplex: Large).

N. **N-Definitions.** No specialized terms beginning with the letter N are defined at this time.

O. **O-Definitions.**

Oriel Window. A window that projects from the building facade, located on upper floors and may extend for multiple stories.

P. **P-Definitions.**

Primary Street. A street intended to serve as the principal frontage for a project, to which the front facade and primary building entrance is oriented. Primary streets are intended to provide the greatest degree of pedestrian orientation and access, with less emphasis on vehicular access where it can be avoided.

Primary Use. The main purpose for which a lot is developed and occupied. Also, a principal use.

Q. **Q-Definitions.** No specialized terms beginning with the letter Q are defined at this time.

R. **R-Definitions.**

Regulating Plan. A map for a development that identifies transect zones to be applied to replace the existing zones and that identifies the civic and open space types, thoroughfare types, building types, and frontage types for the development. Upon approval of the development, the regulating plan's content is incorporated into the Hayward Zoning Map.

Review Authority. The individual or official City body (e.g., Planning Director, Planning Commission, City Council) identified by this Code as having the responsibility and authority to review and approve or deny a permit application.

Right-of-way. The strip of land dedicated to public use for pedestrian and vehicular movement, which may also accommodate public utilities, that is either publicly owned or subject to an easement for right-of-way purposes benefiting the general public. Right-of-way typically includes streets, alleys, sidewalks, landscape areas, and drainage facilities.

Rowhouse. See Section 3.3.100 (Rowhouse Building).

S. **S-Definitions.**

Screening. Landscaping, decorative fencing, architectural features, or wall, as allowed by the Downtown Zone, to obstruct the public view of either private area on a design site or of mechanical/utilitarian equipment that does not contribute positively to the streetscape.

Setback. The area measured from the lot line to a building facade or elevation that must be maintained open and unobstructed from finished grade to sky with the exception of specifically permitted encroachments. See Figure 4 (Setback).

1. **Front.** An area extending the full width of a lot between the front lot line and the front setback line.
2. **Side.** An area extending the full width of a lot between the side lot line and the side setback line.
3. **Street Side.** An area extending the full width of a lot between the street side lot line and the street side setback line.
4. **Rear.** An area extending the full width of a lot between the rear lot line and the rear setback line.
5. **Parking.** The mandatory clear distance between a lot line and parking.

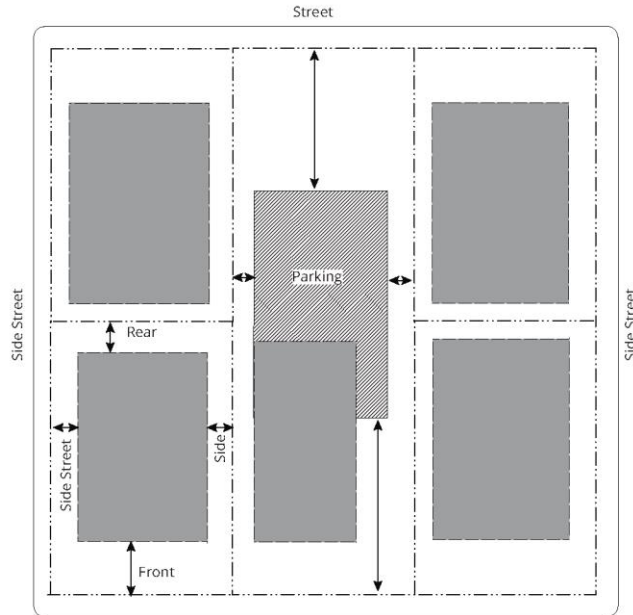


Figure 6.1.030.4 Setback

Site Plan. A plan that is to scale and illustrates the proposed physical changes on a lot.

Stacked Flats Building. See Section 3.3.120 (Stacked Flats Building).

Stacking area. The stacking area is the space occupied by vehicles queueing for the service to be provided in a drive-through business.

State. The State of California.

Structure. Anything constructed or erected, except fences not exceeding six feet in height, which requires permanent location on the ground or is attached to something having location on the ground.

1. **Accessory.** A subordinate structure, the use of which is incidental and secondary to that of the main structure on the same lot. "Accessory structure" does not mean "Accessory Dwelling Unit."
2. **Existing.** A structure legally erected prior to the effective date of this Ordinance, or one for which a valid legal Building Permit has been issued before this effective date of this Ordinance.

T. **T-Definitions.** No specialized terms beginning with the letter T are defined at this time.

U. **U-Definitions.**

Use. The specific purposes for which land or a building is designated, arranged, or intended, or for which it is or may be occupied or maintained.

Unit. See "Dwelling Unit."

V. **V-Definitions.** No specialized terms beginning with the letter V are defined at this time.

W. **W-Definitions.** No specialized terms beginning with the letter W are defined at this time.

X. **X-Definitions.** No specialized terms beginning with the letter X are defined at this time.

Y. **Y-Definitions.** No specialized terms beginning with the letter Y are defined at this time.

Z. **Z-Definitions.** No specialized terms beginning with the letter Z are defined at this time.