

ORDINANCE NO. 20-_____

AN ORDINANCE AMENDING THE HAYWARD ZONING MAP AND CHAPTER 10, ARTICLE 1 (ZONING ORDINANCE), ARTICLE 7 (SIGN REGULATIONS), ARTICLE 24 (SOUTH HAYWARD BART/MISSION BOULEVARD FORM BASED CODE) AND ARTICLE 25 (MISSION BOULEVARD CORRIDOR FORM BASED CODE) OF THE HAYWARD MUNICIPAL CODE RELATED TO THE COMPREHENSIVE UPDATE OF THE MISSION BOULEVARD CODE

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

Section 1. Provisions. The City Council incorporates by reference the findings contained in Resolution No. 20-__ which support approving the Zoning Map and Zoning Text Amendments to the Hayward Municipal Code.

Section 2. The City of Hayward Zoning Map is hereby amended to rezone properties located within the South Hayward BART/Mission Boulevard Form Based Code and Mission Boulevard Corridor Form Based Code plan areas as provided herein and as indicated in Exhibit "A". The plan areas encompass approximately 480-acres, including areas east and west of the Mission Boulevard corridor, in two separate segments. The northernmost segment spans along Mission Boulevard from the northern City boundary (abutting the County of Alameda) southbound to "A" Street, and the southern segment extending along Mission Boulevard from Jackson Street southbound to Garin Avenue. This initiative involves updating the former zoning designations from MB-T3 (Suburban Zone), MB-T4-1 (Urban General Zone), MB-T4-2 (Urban General Zone), MB-T5 (Urban Center Zone), MB-CS (Civic Space), S-T4 (South Hayward – Urban General Zone), S-T5 (South Hayward – Urban Center), and S-CS (South Hayward – Civic Space) to the new zoning districts of MB-CN (Mission Boulevard – Corridor Neighborhood), MB-NN (Mission Boulevard – Neighborhood Node), MB-CC (Mission Boulevard – Corridor Center), and MB-CS (Mission Boulevard – Civic Space); and to rezone 720 Simon Street from Central City-Commercial (CC-C) to Medium Density Residential (RM) and 926 Rose Street from Central City-Commercial (CC-C) to Mission Boulevard – Corridor Neighborhood (MB-CN) to be consistent with their underlying land use designations per the *Hayward 2040 General Plan*, as illustrated and listed in the attached Exhibit "A" – Proposed Zoning Map Amendments with Parcel List, introduced herewith and as specifically shown in this Ordinance.

Section 3. Chapter 10, Planning, Zoning, and Subdivisions of the Hayward Municipal Code, which establishes development standards and regulations for all zoning districts within City boundaries, is hereby amended to add certain text (as indicated by underline) and delete certain provisions (as indicated by strikethrough) to Articles 1 (Zoning Ordinance) and 7 (Sign Regulations) as well as consolidate the former Article 24 (South Hayward Bart/Mission Boulevard Form Based Code) and Article 25 (Mission Boulevard

Corridor Form Based Code) into Article 24 to be reclassified as the "Mission Boulevard Corridor Code" as shown within attached Exhibit "B", Proposed Zoning Text Amendments, introduced herewith and as specifically shown in this Ordinance.

Section 4. Severance. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. In accordance with the provisions of Section 620 of the City Charter, the Ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the 7th day of July 2020, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ___ day of _____ 2020, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward